

**ORDINANCE NO. 1169**

**AN ORDINANCE OF THE CITY OF WOODLAND, WA, CONCERNING THE PERMISSIBLE TIME OF PAYMENT OF IMPACT FEES AND APPROVING AN ORDINANCE SUMMARY FOR PUBLICATION AS MORE PARTICULARLY SET FORTH HEREIN.**

**WHEREAS**, the Woodland City Council values businesses located within the City and conducts policy planning with the intent of encouraging business growth and economic activity;

**WHEREAS**, the City charges impact fees pursuant to the authority accorded by RCW 82.02.050 through 82.02.100 as a means of financing the direct impacts that new development has on the City's park/recreation and fire systems;

**WHEREAS**, the City also imposes on new development impact fees on a pass-through basis for systems that the City does not own or administer, such as schools;

**WHEREAS**, state law simply authorizes the City to collect impact fees at the time that new development imposed new or increased service demand on affected systems;

**WHEREAS**, WMC 3.40.030 and 3.41.030 provide that impact fees shall be due and payable at the time of issuance of Building Permits;

**WHEREAS**, the current economic recession has severely impacted development activities in the City, and the City desires more flexibility in the timing of impact fee payment so as not to impose undue financial burdens on the development industry, while still ensuring that new development pays all applicable impact fees on or before the time that new development imposes a new or increased service demand on affected systems; and

**WHEREAS**, the Woodland City Council has determined that the best interests of the City will be served if WMC 3.40.030 and 3.41.030 are amended as follows;.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND, STATE OF WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:**

**Section 1.** WMC 3.40.030 shall be amended to add a new section which shall state exactly as follows:

A. No building permit shall be issued for a development or subdivision as defined in this chapter occurring within the school district unless the school impact fee is calculated and imposed pursuant to this chapter.

B. For single-family/duplex residential dwellings hereinafter approved, the impact fee shall be calculated and imposed at the time of building permit issuance. For new multifamily development hereafter approved, the impact fee shall be calculated at the time of building permit issuance.

C. For mobile home or manufactured houses, the impact fee shall be calculated and imposed at the time of the issuance of the placement permit.

D. The impact fee imposed under this chapter shall be due and payable at the time of issuance of a building permit (or site plan approval when no building permit is required) for the subdivision or development.

E. The Public Works Director may authorize the deferral of payment of Impact Fees until such time as the development actually imposes an increased demand on public systems and facilities or until January 1, 2012, whichever comes first. This term may be extended only by action of the City Council. Any deferral in the payment of applicable Impact Fees allowed by the Public Works Director shall be secured by a financial guarantee in a form acceptable to the Clerk-Treasurer.

**Section 2.** WMC 3.41.030 shall be amended so it shall state exactly as follows:

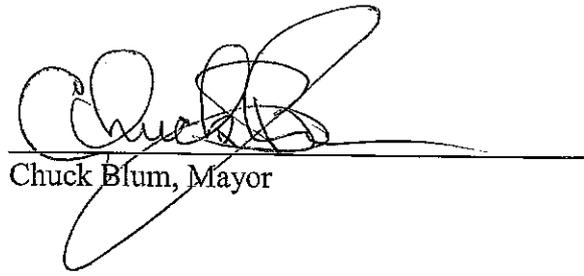
Any person who applies for a building permit for any development activity or who undertakes any development activity shall pay the impact fees as set forth in this chapter to the city clerk-treasurer. The impact fees shall be paid before the city issues the building permit. No new building permit shall be issued until the required impact fees have been paid to the city clerk-treasurer. The Public Works Director may authorize the deferral of payment of Impact Fees until such time as the development actually imposes an increased demand on public systems and facilities or until January 1, 2012, whichever comes first. This term may be extended only by action of the City Council. Any deferral in the payment of applicable Impact Fees allowed by the Public Works Director shall be secured by a financial guarantee in a form acceptable to the Clerk-Treasurer.

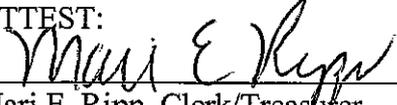
**Section 3.** Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or constitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

**Section 4.** Effective Date. This ordinance becomes effective five (5) days after publication.

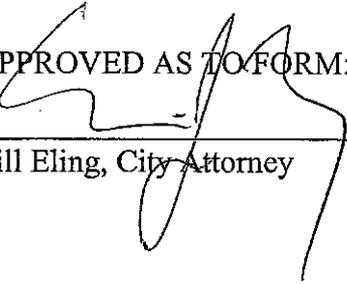
**ADOPTED** this 16<sup>th</sup> day of November, 2009.

CITY OF WOODLAND:

  
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Chuck Blum, Mayor

ATTEST:  
  
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Mari E. Ripp, Clerk/Treasurer

PUBLISHED: 11/20/2010

APPROVED AS TO FORM:  
  
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Bill Eling, City Attorney

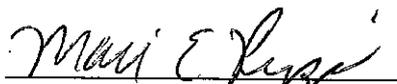
**SUMMARY OF ORDINANCE NO. 1169  
OF THE CITY OF WOODLAND, WASHINGTON**

On November 16, 2009 the City Council of the City of Woodland, Washington, approved Ordinance No. 1169 the main point which may be summarized by its title as follows:

**AN ORDINANCE OF THE CITY OF WOODLAND, WA, CONCERNING THE PERMISSIBLE TIME OF PAYMENT OF IMPACT FEES AND APPROVING AN ORDINANCE SUMMARY FOR PUBLICATION AS MORE PARTICULARLY SET FORTH HEREIN.**

The full text of this Ordinance will be mailed upon request.

APPROVED by the City Council at their meeting on 16<sup>th</sup> day of November, 2009.

  
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Mari E. Ripp, Clerk-Treasurer

Published:     January 20, 2010  
Effective:     January 25, 2010