

CITY OF SPOKANE



REGARDING CITY COUNCIL MEETINGS

City Council's standing committee meetings, Agenda Review Sessions, and Legislative Sessions are held in City Council Chambers – Lower Level of City Hall, 808 W. Spokane Falls Blvd.

City Council Members, City staff, presenters and members of the public have the option to participate virtually via WebEx during all meetings, with the exception of Executive Sessions which are closed to the public. Call in information for the March 31, 2025, meetings is below. All meetings will be streamed live on Channel 5 and online at <https://my.spokanecity.org/citycable5/live> and <https://www.facebook.com/spokanecitycouncil>.

WebEx call in information for the week of March 31, 2025:

3:30 p.m. Agenda Review Session: 1-408-418-9388; access code: 248 249 50291; password: 0320

5:00 p.m.-6:30 p.m. Joint City Council and Community Assembly Meeting: 1-408-418-9388; access code: 249 437 06394; password 0320

6:30 p.m. Special Legislative Session (or as soon thereafter as possible following the Joint City Council and Community Assembly Meeting): 1-408-418-9388; access code: 248 180 80195; password: 0320

To participate in public comment (including Open Forum):

Testimony sign-up is open beginning at 5:00 p.m. on Friday, March 28, 2024, and ending at 6:00 p.m. on Monday, March 31, 2025, via the online testimony sign-up form link which can be accessed by clicking <https://forms.gle/Vd7n381x3seaL1NW6> or in person outside council chambers beginning at 8:00 a.m. on March 31, 2025. You must sign up by 6:00 p.m. to be called on to testify. (If you are unable to access the form by clicking the hyperlink, please copy and paste the link address into your browser window.) Instructions for participation are provided on the form when you sign up.

The open forum is a limited public forum; all matters discussed in the open forum shall relate to the affairs of the City and not relating to the current or advance agendas, pending hearing items, or initiatives or referenda in a pending election. "Affairs of the city" shall include (i) matters within the legislative, fiscal or regulatory purview of the city, (ii) any ordinance, resolution or other official act adopted by the city council, (iii) any rule adopted by the city, (iv) the delivery of city services and operation of city departments, (v) any act of members of the city council, the mayor or members of the

administration, or (vi) any other matter deemed by the council president to fall within the affairs of the city, which determination may be overridden by majority vote of the council members present. Individuals speaking during the open forum shall address their comments to the council president and shall maintain decorum as laid out in Rule 2.15 (Participation by Members of the Public in Council Meetings).

THE CITY OF SPOKANE



DRAFT COUNCIL AGENDA

MEETING OF MONDAY, MARCH 31, 2025

MISSION STATEMENT

**TO DELIVER EFFICIENT AND EFFECTIVE SERVICES
THAT FACILITATE ECONOMIC OPPORTUNITY
AND ENHANCE QUALITY OF LIFE.**

MAYOR LISA BROWN

COUNCIL PRESIDENT BETSY WILKERSON

COUNCIL MEMBER JONATHAN BINGLE

COUNCIL MEMBER MICHAEL CATHCART

COUNCIL MEMBER PAUL DILLON

COUNCIL MEMBER KITTY KLITZKE

COUNCIL MEMBER LILI NAVARRETE

COUNCIL MEMBER ZACK ZAPPONE

**CITY COUNCIL CHAMBERS
CITY HALL**

**808 W. SPOKANE FALLS BLVD.
SPOKANE, WA 99201**

LAND ACKNOWLEDGEMENT

We acknowledge that we are on the unceded land of the Spokane people. And that these lands were once the major trading center for the Spokanes as they shared this place and welcomed other area tribes through their relations, history, trade, and ceremony. We also want to acknowledge that the land holds the spirit of the place, through its knowledge, culture, and all the original peoples Since Time Immemorial.

As we take a moment to consider the impacts of colonization may we also acknowledge the strengths and resiliency of the Spokanes and their relatives. As we work together making decisions that benefit all, may we do so as one heart, one mind, and one spirit.

We are grateful to be on the shared lands of the Spokane people and ask for the support of their ancestors and all relations. We ask that you recognize these injustices that forever changed the lives of the Spokane people and all their relatives.

We agree to work together to stop all acts of continued injustices towards Native Americans and all our relatives. It is time for reconciliation. We must act upon the truths and take actions that will create restorative justice for all people.

Adopted by Spokane City Council on the 22nd day of March, 2021
via Resolution 2021-0019

AGENDA REVIEW AND LEGISLATIVE SESSIONS

Council meetings consist of two parts: The Agenda Review Session (starting at 3:30 P.M.) and the Legislative Session (starting at 6:00 P.M.). The Agenda Review Session is open to the public, but participation is limited to Council Members and appropriate staff. The Legislative Session also is open to the public, and public comment is taken on legislative items (except those that are adjudicatory or solely administrative in nature). Following the conclusion of the Legislative portion of the meeting, an Open Forum is held unless a majority of Council Members vote otherwise. Please see additional Open Forum information that appears at the end of the City Council agenda.

SPOKANE CITY COUNCIL AGENDA REVIEW SESSIONS (BEGINNING AT 3:30 P.M. EACH MONDAY) AND LEGISLATIVE SESSIONS (BEGINNING AT 6:00 P.M. EACH MONDAY) ARE BROADCAST LIVE ON CITY CABLE CHANNEL FIVE AND STREAMED LIVE ON THE CHANNEL FIVE WEBSITE. THE SESSIONS ARE REPLAYED ON CHANNEL FIVE ON THURSDAYS AT 6:00 P.M. AND FRIDAYS AT 10:00 A.M.

ADDRESSING THE COUNCIL

- Public participation in Council meetings is governed by Council Rules 2.15 and 2.16. A complete copy of the council rules can be found here: [City Council Rules](#).
- No member of the public may speak without first being recognized for that purpose by the Chair. Except for named parties to an adjudicative hearing, a person may be required to sign a sign-up sheet and provide their name and city of residence as a condition of recognition.
- Persons speaking at the podium shall verbally identify themselves by name, city of residency and, if appropriate, representative capacity.
- Speakers may be provided additional written or verbal instructions to ensure that verbal remarks are electronically recorded. Documents submitted for the record are identified and marked by the Clerk. (If you are submitting paper copies of documents to the Council Members, please provide a minimum of ten copies via the City Clerk. The City Clerk is responsible for officially filing and distributing your submittal.)
- To ensure that evidence and expressions of opinion are included in the record, and to ensure that decorum befitting a deliberative process is maintained, no modes of expression including but not limited to demonstrations, banners, signs, applause, profanity, vulgar language, or personal insults are permitted. To prevent disruption of council meetings and visual obstruction of proceedings, members of the audience shall remain seated during council meetings.
- A speaker asserting a statement of fact may be asked to document and identify the source of the factual datum being asserted.
- When addressing the Council, members of the public shall direct all remarks to the Council President, and shall confine their remarks to the matters that are specifically before the Council at that time or, if speaking during Open Forum, shall confine their remarks to affairs of the city.
- City staff may testify at Council meetings, including open forum, providing the testimony is in compliance with the City of Spokane Code of Ethics and the staff follow the steps outlined in the City Council Rules of Procedure.

SPEAKING TIME LIMITS: Each person addressing the Council is limited to two minutes of speaking time, except during hearings and items under final consideration by the Council, for which three minutes will be allowed. The chair may allow additional time if the speaker is asked to respond to questions from the Council. Public testimony and consideration of an item may be extended to a subsequent meeting by a majority vote of the Council. Note: No public testimony shall be taken on amendments to consent or legislative agenda items, or solely procedural, parliamentary, or administrative matters of the Council.

CITY COUNCIL AGENDA: The City Council agendas may be obtained prior to Council Meetings by accessing the City's website at <https://my.spokanecity.org/citycouncil/documents/>.

AGENDA REVIEW SESSION

(3:30 p.m.)

(Council Chambers Lower Level of City Hall)

(No Public Testimony Taken)

ROLL CALL OF COUNCIL

INTERVIEWS OF NOMINEES TO BOARDS AND COMMISSIONS

COUNCIL OR STAFF REPORTS OF MATTERS OF INTEREST

DRAFT AGENDAS REVIEW (Staff or Council Member briefings and discussion)

APPROVAL BY MOTION OF THE DRAFT AGENDA

CONSIDERATION OF ANY REQUESTS FOR DEFERRAL OF ITEMS ON THE FINAL AGENDA

EXECUTIVE SESSION

(Closed Session of Council)

(Executive Session may be held or reconvened during the 6:00 p.m. Legislative Session)

CITY COUNCIL JOINT MEETING WITH COMMUNITY ASSEMBLY

(5:00 P.M. – 6:30 P.M.)

(City Council Reconvenes in the Council Briefing Center)

This joint meeting is open to the public; however, no public testimony will be taken, and discussion will be limited to appropriate officials and staff. No legislative action will be taken during the meeting.

SPECIAL LEGISLATIVE SESSION

(6:30 P.M. or as soon thereafter as possible following the Joint Meeting above.)

(Council Reconvenes in Council Chamber)

LAND ACKNOWLEDGEMENT

PLEDGE OF ALLEGIANCE

POETRY AT THE PODIUM, WORDS OF INSPIRATION, AND SPECIAL INTRODUCTIONS

ROLL CALL OF COUNCIL

PROCLAMATIONS AND SALUTATIONS

REPORTS FROM COMMUNITY ORGANIZATIONS

ANNOUNCEMENTS

(Announcements regarding Changes to the City Council Agenda)

BOARDS AND COMMISSIONS APPOINTMENTS

(Includes Announcements of Boards and Commissions Vacancies)

APPOINTMENTS

RECOMMENDATION

Bicycle Advisory Board: Four Appointments – Clark Tucker, Claudine Zender, Daniel Powell, and Jered Sweeney-Demezas	Confirm	CPR 1992-0059
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SPECIAL CONSENT AGENDA

The consent agenda consists of purchases and contracts for supplies and services provided to the city, as well as other agreements that arise (such as settlement or union agreements), and weekly claims and payments of previously approved obligations and biweekly payroll claims against the city. Any agreement over \$50,000 must be approved by the city council. Typically, the funding to pay for these agreements has already been approved by the city council through the annual budget ordinance, or through a separate special budget ordinance. If the contract requires a new allocation of funds, that fact usually will be indicated in the summary of the contract in the consent agenda.

Unless a council member requests that an item be considered separately, the council approves the consent agenda as a whole in a single vote. Note: The consent agenda is no longer read in full by the city clerk. The public is welcome to testify on matters listed in the consent agenda, but individual testimony is limited to three minutes for the entire consent agenda.

REPORTS, CONTRACTS AND CLAIMS

RECOMMENDATION

- | | |
|---|---------|
| 1. Conditional Multifamily Tax Exemption Contracts with
Craftsman Homes for the property located at: | Approve |
|---|---------|

- a. 3123 East 10th Ave, to create 4 dwelling units. OPR 2025-0191
- b. 3155 East 10th Ave, to create 4 dwelling units. OPR 2025-0192

Following construction, both projects intend to finalize under the 12-year exemption. The Conditional Agreements will ultimately result in the issuances of final certificates of tax exemption to be filed with the Spokane County Assessor’s Office post construction. (Council Sponsors: Council Members Bingle and Navarrete)

Amanda Beck

- 2. Low Bid of (to be determined at bid opening) (City, ST) for Traffic Calming Cycle 12 - \$_____ plus tax. An administrative reserve of \$_____ plus tax, which is 10% of the contract, will be set aside. (Various Neighborhoods) (Council Sponsor: Council Member Klitzke) Approve OPR 2025-0241
ENG 2024046
ENG 2024047
ENG 2024048

Dan Buller

- 3. Low Bid of (to be determined at bid opening) (City, ST) for Maple Street to Walnut Street Grind and Overlay - \$_____ plus tax. An administrative reserve of \$_____ plus tax, which is 10% of the contract, will be set aside. (Various Neighborhoods) (Council Sponsor: Council Member Klitzke) Approve OPR 2025-0242
ENG 2022096

Dan Buller

- 4. Report of the Mayor of pending: Approve & Authorize Payments
 - a. Claims and payments of previously approved obligations, including those of Parks and Library, through _____, 2025, total \$_____, with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$_____.
 - b. Payroll claims of previously approved obligations through _____, 2025: \$_____.CPR 2025-0002

CPR 2025-0003

- 5. Minutes: Approve All
 - a. City Council Meeting Minutes: _____, 2025. CPR 2025-0013
 - b. City Council Standing Committee Meeting Minutes: _____, 2025.

SPECIAL LEGISLATIVE AGENDA

NO SPECIAL BUDGET ORDINANCES

NO EMERGENCY ORDINANCES

RESOLUTIONS & FINAL READING ORDINANCES

(Require Four Affirmative, Recorded Roll Call Votes)

- RES 2025-0021 Setting hearing before City Council for April 28, 2025, for vacation of Latah Place between Inland Empire Way and the Union Pacific Railroad, as requested by adjacent property owners. (Council Sponsors: Council Members Bingle and Klitzke)
Eldon Brown
- RES 2025-0022 Establishing the Plan Commission Work Program for 2025/2026. (Council Sponsor: Council President Wilkerson and Council Member Klitzke)
Spencer Gardner
- ORD C36647 Recodifying a section relating to animals into the correct chapter; repealing SMC Chapter 10.24 and Section SMC 10.24.060; and adopting new Section 10.74.075 of the Spokane Municipal Code. (Council Sponsors: Council Members Dillon and Klitzke)
Adam McDaniel
- ORD C36648 Relating to mechanical newspaper dispensers; repealing Section 08.02.0212 and Chapter 10.38 of the Spokane Municipal Code. (Council Sponsors: Council Members Dillon and Klitzke)
Adam McDaniel
- ORD C36649 Relating to the Purchasing & Contracts department and Director of Purchasing and Contracts; amending Sections 03.01A.315, 07.06.020, 07.06.030, 07.06.035, 07.06.097, 07.06.155, 07.06.160, 07.06.170, 07.06.173, 07.06.190, 07.06.200, 07.06.220, 07.06.270, 07.06.290, 07.06.310, and 07.06.330 of the Spokane Municipal Code. (Council Sponsors: Council Members Dillon and Klitzke)
Adam McDaniel
- ORD C36650 Relating to Intergovernmental Purchase Contracts and Interlocal Purchase Agreements; amending Section 07.06.140; repealing Section 07.06.261 of the Spokane Municipal Code. (Council Sponsors: Council Members Dillon and Klitzke)
Adam McDaniel
- ORD C36651 Consolidating the general business license and regulatory business license codes into a single code section; clarifying licensing requirements under state law; eliminating conflicting and duplicative code and regulatory requirements; repealing SMC Chapter 04.04 and SMC Sections 08.01.025, 08.01.110, 08.01.130, 08.01.200, 08.01.210, 08.01.230, and 08.01.320; adopting a new SMC Section 08.01.321;

amending SMC Sections 08.01.020, 08.01.070, 08.01.090, 08.01.120, 08.01.150, 08.01.160, and 08.01.220 of the Spokane Municipal Code. (Council Sponsors: Council Members Dillon and Klitzke)

Adam McDaniel

ORD C36652 Correcting municipal code references resulting from the streamlining of general business and regulatory licensing processes and procedures; amending Sections 10.23A.010, 10.23A.020, 10.23A.070, 10.25.010, 10.26.010, 10.26.070, 10.29.010, 10.29.020, 10.29.031, 10.29.060, 10.29.070, 10.39.070, 10.40.010, 10.40.025, 10.41A.010, 10.41A.040, 10.42.030, 10.51.020, 10.51.110, 10.51.130, 10.515.060, 10.52.020, 10.52.030, 10.55.020, and 17C.316.050; repealing Sections 10.23A.075, 10.28.020, and 10.40.020 of the Spokane Municipal Code. (Council Sponsors: Council Members Dillon and Klitzke)

Adam McDaniel

ORD C36653 Relating to the public ways and property, adopting new sections 12.13, 12.13.010, 12.13.020, 12.13.030, 12.13.040, 12.13.050, 12.13.060, 12.13.070, 12.13.080, 12.13.090, 12.13.100, 12.13.110, 12.13.200, 12.13.210, 12.13.220, 12.13.230, 12.13.240, and 12.13.250; to chapter 12 of the Spokane Municipal Code; and setting an effective date. (Council Sponsors: Council Members Bingle and Dillon)

Spencer Gardner

ORD C36654 Relating to utility cost recovery methods, repealing SMC 13.03.0702, 13.03.0704, 13.03.0706, 13.03.0708, 13.03.0710, and 13.03.0712 to chapter 13.03; amending 13.08.010, and 13.08.020 to chapter 13.08; and adding new SMC sections 13.08.200, 13.08.210, 13.08.220, 13.08.230, 13.08.240, 13.08.250, 13.08.300, 13.08.310, 13.08.320, 13.08.330, 13.08.340, 13.08.350, and 13.08.360 to chapter 13.08 of the Spokane Municipal Code; and setting an effective date. (Council Sponsors: Council Members Klitzke and Dillon)

Marlene Feist

FIRST READING ORDINANCES

ORD C36657 Relating to fees and charges amending Chapter 08.02 of the Spokane Municipal Code. Specifically amending Section 08.02.031 Building Code, Section 08.02.039 Special Inspections and Other Fees, the Development Fee Schedule and the Historic Preservation Fee Schedule, and other matters properly related thereto. (Council Sponsors: Council Members Bingle and Klitzke)

Tami Palmquist

FURTHER ACTION DEFERRED

NO SPECIAL CONSIDERATIONS

NO HEARINGS

OPEN FORUM

At the conclusion of legislative business, the Council may recess briefly and then convene an open public comment period for up to twenty (20) speakers, unless a majority of council members vote otherwise. If more than twenty (20) people sign up for open forum, the individuals assigned to the twenty (20) spaces available will be chosen at random, with preference given to individuals who have not spoken at open forum during the calendar month. Each speaker is limited to no more than two (2) minutes. In order to participate in Open Forum, you must sign up beginning at 5:00 p.m. on the Friday immediately preceding the legislative session and ending at 6:00 p.m. on the date of the meeting via the virtual testimony form linked in the meeting packet (<https://my.spokanecity.org/citycouncil/documents/>) or in person outside council chambers beginning at 8:00 a.m. on the day of the legislative session. The virtual sign-up form can also be found here: <https://forms.gle/Vd7n381x3seaL1NW6>. (If you are unable to access the form by clicking the hyperlink, please copy and paste the link address into your browser window.) Speakers must sign themselves in using a name. Instructions for virtual participation are provided on the form when you sign up. The Open Forum is a limited public forum; all matters discussed in the open forum shall relate to the affairs of the City other than items appearing on the final or draft agendas, pending hearing items, and initiatives or referenda in a pending election. Individuals speaking during the open forum shall address their comments to the Council President and shall not use profanity, engage in obscene speech, or make personal comment or verbal insults about any individual.

Motion to Approve Draft Agenda for March 31, 2025 (per Council Rule 2.1.B)

ADJOURNMENT

The March 31, 2025, Regular Legislative Session of the City Council will be held and is adjourned to April 14, 2025.

Note: The regularly scheduled City Council meeting for Monday, April 7, 2025, has been canceled. (There is no meeting on Monday, April 7, 2025, due to Spring Break.)

AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION: The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Spokane City Council Chamber in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., is wheelchair accessible and also is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture I.D.) at the City Cable 5 Production Booth located on the First Floor of the Municipal Building, directly above the Chase Gallery or through the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Risk Management at 509.625.6221, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or mlowmaster@spokanecity.org. Persons who are deaf or hard of hearing may contact Risk Management through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.



NOTES

**Agenda Sheet for City Council:****Committee:** **Date:** N/A**Committee Agenda type:****Council Meeting Date:** 03/31/2025

Date Rec'd		3/11/2025
Clerk's File #		CPR 1992-0059
Cross Ref #		
Project #		
Submitting Dept	MAYOR	Bid #
Contact Name/Phone	ADAM 6779	Requisition #
Contact E-Mail	AMCDANIEL@SPOKANECITY.ORG	
Agenda Item Type	Boards and Commissions	
Council Sponsor(s)		
Sponsoring at Administrators Request		NO
Lease? NO	Grant Related? NO	Public Works? NO
Agenda Item Name	APPOINTMENT OF CLARK TUCKER TO THE BICYCLE ADVISORY BOARD	

Agenda Wording

Mayor Brown has appointed Clark Tucker to the Bicycle Advisory Board for a term of March 31, 2025 - March 31, 2028.

Summary (Background)

The Bicycle Advisory Board provides advice and direction to the City Council and all departments and officers of the city on matters relating to bicycling and to raise public awareness of bicycling issues.

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?

N/A

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

N/A

Council Subcommittee Review

N/A

Fiscal Impact	
Approved in Current Year Budget?	N/A
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	N/A
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	N/A
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	Additional Approvals
<u>Dept Head</u>	
<u>Division Director</u>	
<u>Accounting Manager</u>	
<u>Legal</u>	
<u>For the Mayor</u>	
Distribution List	
	amcdaniel@spokanecity.org

**Agenda Sheet for City Council:****Committee:** **Date:** N/A**Committee Agenda type:****Council Meeting Date:** 03/31/2025

Date Rec'd		3/11/2025
Clerk's File #		CPR 1992-0059
Cross Ref #		
Project #		
Submitting Dept	MAYOR	Bid #
Contact Name/Phone	ADAM 6779	Requisition #
Contact E-Mail	AMCDANIEL@SPOKANECITY.ORG	
Agenda Item Type	Boards and Commissions	
Council Sponsor(s)		
Sponsoring at Administrators Request		NO
Lease? NO	Grant Related? NO	Public Works? NO
Agenda Item Name	APPOINTMENT OF CLAUDINE ZENDER TO THE BICYCLE ADVISORY BOARD	

Agenda Wording

Mayor Brown has appointed Claudine Zender to the Bicycle Advisory Board for a term of March 31, 2025 - March 31, 2028.

Summary (Background)

The Bicycle Advisory Board provides advice and direction to the City Council and all departments and officers of the city on matters relating to bicycling and to raise public awareness of bicycling issues.

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?

N/A

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

N/A

Council Subcommittee Review

N/A

Fiscal Impact	
Approved in Current Year Budget?	N/A
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	N/A
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	N/A
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	Additional Approvals
<u>Dept Head</u>	
<u>Division Director</u>	
<u>Accounting Manager</u>	
<u>Legal</u>	
<u>For the Mayor</u>	
Distribution List	amcdaniel@spokanecity.org

**Agenda Sheet for City Council:****Committee:** Date: N/A**Committee Agenda type:****Council Meeting Date:** 03/31/2025

Date Rec'd		3/11/2025
Clerk's File #		CPR 1992-0059
Cross Ref #		
Project #		
Submitting Dept	MAYOR	Bid #
Contact Name/Phone	ADAM 6779	Requisition #
Contact E-Mail	AMCDANIEL@SPOKANECITY.ORG	
Agenda Item Type	Boards and Commissions	
Council Sponsor(s)		
Sponsoring at Administrators Request		NO
Lease? NO	Grant Related? NO	Public Works? NO
Agenda Item Name	APPOINTMENT OF DANIEL POWELL TO THE BICYCLE ADVISORY BOARD	

Agenda Wording

Mayor Brown has appointed Daniel Powell to the Bicycle Advisory Board for a term of March 31, 2025 - March 31, 2028.

Summary (Background)

The Bicycle Advisory Board provides advice and direction to the City Council and all departments and officers of the city on matters relating to bicycling and to raise public awareness of bicycling issues.

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?

N/A

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

N/A

Council Subcommittee Review

N/A

Fiscal Impact	
Approved in Current Year Budget?	N/A
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	N/A
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	N/A
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	Additional Approvals
<u>Dept Head</u>	
<u>Division Director</u>	
<u>Accounting Manager</u>	
<u>Legal</u>	
<u>For the Mayor</u>	
Distribution List	amcdaniel@spokanecity.org

**Agenda Sheet for City Council:****Committee:** **Date:** N/A**Committee Agenda type:****Council Meeting Date:** 03/31/2025

Date Rec'd		3/11/2025
Clerk's File #		CPR 1992-0059
Cross Ref #		
Project #		
Submitting Dept	MAYOR	Bid #
Contact Name/Phone	ADAM 6779	Requisition #
Contact E-Mail	AMCDANIEL@SPOKANECITY.ORG	
Agenda Item Type	Boards and Commissions	
Council Sponsor(s)		
Sponsoring at Administrators Request		NO
Lease? NO	Grant Related? NO	Public Works? NO
Agenda Item Name	APPOINTMENT OF JERED SWEENEY-DEMEZAS TO THE BICYCLE ADVISORY	

Agenda Wording

Mayor Brown has appointed Jered Sweeney-Demezas to the Bicycle Advisory Board for a term of March 31, 2025 - March 31, 2028.

Summary (Background)

The Bicycle Advisory Board provides advice and direction to the City Council and all departments and officers of the city on matters relating to bicycling and to raise public awareness of bicycling issues.

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?

N/A

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

N/A

Council Subcommittee Review

N/A

Fiscal Impact	
Approved in Current Year Budget?	N/A
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	N/A
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	N/A
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	Additional Approvals
<u>Dept Head</u>	
<u>Division Director</u>	
<u>Accounting Manager</u>	
<u>Legal</u>	
<u>For the Mayor</u>	
Distribution List	amcdaniel@spokanecity.org

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 03/10/2025**Committee Agenda type:** Consent**Date Rec'd**

2/20/2025

Clerk's File #

OPR 2025-0191

Cross Ref #**Project #****Council Meeting Date:** 03/31/2025**Submitting Dept**

COMMUNITY AND ECONOMIC

Bid #**Contact Name/Phone**

AMANDA BECK X6414

Requisition #**Contact E-Mail**

ABECK@SPOKANECITY.ORG

Agenda Item Type

Contract Item

Council Sponsor(s)

JBINGLE LNAVARRETE

Sponsoring at Administrators Request

NO

Lease? NO**Grant Related?** NO**Public Works?** NO**Agenda Item Name**

0750 – MFTE CONDITIONAL AGREEMENT FOR 3123 E 10TH AVE

Agenda Wording

Conditional Multifamily Tax Exemption contract with Craftsman Homes, for the property located at 3123 E 10th Ave, to create 4 dwelling units. Following construction the project intends to finalize under the 12yr exemption.

Summary (Background)

RCW 84.14 authorizes the New and Rehabilitated Multiple-Unit Dwellings in Urban Centers incentive, known as Multifamily Tax Exemption (MFTE) Program, to certify qualified properties for this residential property tax exemption. The City adopted this incentive in 2007 and SMC 08.15 outlines Spokane's MFTE Program and project eligibility requirements. Staff has determined that the Underhill Estates Lot 5 Fourplex conditional application meets the project eligibility requirements outlined in SMC 08.15.040, and is located in an adopted Residential Target Areas identified in SMC 08.15.030. The application proposes 4 new multifamily units on the property at 3123 E 10th Ave, within the East Central neighborhood (District 2). The property is zoned Residential 1 (R1), and the proposed use is allowed. Once the project is constructed, the applicant intends to finalize as a 12-year Affordable Exemption. This Conditional Agreement authorizes the City to enter into the Multiple Family Housing Property Tax Exemption Conditional Agreement, which will ultimately result in the issuance of a final certificate of tax exemption to be filed with the Spokane County Assessor's Office post construction.

What impacts would the proposal have on historically excluded communities?

The goal of the MFTE Program is to stimulate the construction of new multifamily housing and the rehabilitation of existing vacant or underutilized buildings, as well as increase the supply of mixed-income housing opportunities. Data on demographic metrics such as race, ethnicity, gender orientation, age, or religious affiliation are not tracked by this program, but the program specifically supports housing creation for residents whose income is between 80-115% Area Median Income.

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

The Department of Commerce conducts annual audits of all jurisdictions with MFTE programs. The City collects annual reports for each property. For projects that finalized under the 12-year exemption, which requires income and rent restrictions, staff collect tenant income certifications as well. Annual reporting ensures projects maintain affordability compliance through the length of the exemption and that only income-qualifying tenants receive the benefit.

How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?

Excluding external factors such as raw land costs and current financing rates, staff monitor program efficiency through annual reporting compliance, the number of conditional and then finalized projects, and the need detailed by developers for such an incentive to make workforce housing projects financially feasible. Some of these metrics include the number of projects granted a final certificate, the total number of units created and the percentage of affordable units, as well as the type and size of units being constructed.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

Comprehensive Plan Policies: LU 1.4 Higher Density Residential Uses LU 3.5 Mix of Uses in Centers LU 4.2 Land Uses That Support Travel Options and Active Transportation LU 4.6 Transit-Supported Development H 1.9 Mixed-Income Housing H 1.4 Use of Existing Infrastructure H 1.10 Lower-Income Housing Development Incentives H 1.11 Access to Transportation H 1.18 Distribution of Housing Options ED 2.4 Mixed-Use ED 7.4 Tax Incentives for Land Improvement

Council Subcommittee Review

Fiscal Impact	
Approved in Current Year Budget?	N/A
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Once finalized, the Spokane County Assessor will defer collection of the residential property tax portion for the duration of the exemption, after which the new residential construction value will be added to the tax rolls.	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source N/A	
Funding Source Type Select	
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	N/A
Other budget impacts (revenue generating, match requirements, etc.)	
Staff costs associated with this program are recouped by the application fees.	
Approvals	
Dept Head	MACDONALD, STEVEN
Division Director	MACDONALD, STEVEN
Accounting Manager	ZOLLINGER, NICHOLAS
Legal	SCHOEDEL, ELIZABETH
For the Mayor	SCOTT, ALEXANDER
Distribution List	
Dennis Miller dennis.craftsmanhomes@gmail.com	smacdonald@spokanecity.org
sgardner@spokanecity.org	abeck@spokanecity.org
jchurchill@spokanecity.org	eking@spokanecity.org

MULTIPLE FAMILY HOUSING PROPERTY
TAX EXEMPTION CONDITIONAL AGREEMENT
OPR 2025-0191

THIS CONDITIONAL AGREEMENT is between the City of Spokane, a Washington State municipal corporation, as “City”, and CASCADE HOME BUILDER LLC, as “Owner/Taxpayer” whose business address is 12823 LOFT LAKE RD, SNOHOMISH, WA, 98296.

W I T N E S S E T H:

WHEREAS, the City has, pursuant to the authority granted to it by Chapter 84.14 RCW, designated various residential targeted areas for the provision of a limited property tax exemption for new and rehabilitated multiple family residential housing; and

WHEREAS, the City has, through Chapter 8.15 SMC, enacted a program whereby property owner/taxpayers may qualify for a Final Certificate of Tax Exemption which certifies to the Spokane County Assessor that the Owner/Taxpayer is eligible to receive the multiple family housing property tax exemption; and

WHEREAS, the Owner/Taxpayer is interested in receiving the multiple family property tax exemption for new multiple family residential housing units in a residential targeted area; and

WHEREAS, the Owner/Taxpayer has submitted to the City a complete conditional application form for no fewer than a total of four new multiple family permanent residential housing units to be constructed on property legally described as:

22-25-43 PTN OF SW 1/4: LOTS 8, 9, AND 10, BK 6, SUNSHINE ADD; EXCEPT THE E 21.73 FT OF SD LOT 10; AND EXCEPT THE N 17.40 FT OF SD LOTS 8, 9 AND 10

Assessor’s Parcel Number(s) **35223.1426**, commonly known as **3123 E 10TH AVE.**

WHEREAS, this property is located in the Spokane Targeted Investment Area and is eligible to seek a Final Certificate of Tax Exemption post construction under the **Twelve year Affordable Housing - with income and rent restrictions** as defined in SMC 08.15.090.

WHEREAS, the City has determined that the improvements will, if completed as proposed, satisfy the requirements for a Final Certificate of Tax Exemption; --

NOW, THEREFORE,

The City and the Owner/Taxpayer do mutually agree as follows:

1. The City agrees to issue the Owner/Taxpayer a Conditional Agreement subsequent to the City Council's approval of this agreement.

2. The project must comply with all applicable zoning requirements, land use requirements, design review recommendations and all building, fire, and housing code requirements contained in the Spokane Municipal Code at the time a complete application for a building permit is received. However, if the proposal includes rehabilitation or demolition in preparation for new construction, the residential portion of the building shall fail to comply with one or more standards of applicable building or housing codes, and the rehabilitation improvements shall achieve compliance with the applicable building and construction codes.

3. If the property proposed to be rehabilitated is not vacant, the Owner/Taxpayer shall provide each existing tenant with housing of comparable size, quality and price and a reasonable opportunity to relocate. At the time of an application for a Conditional Agreement, the applicant provided a letter attesting and documenting how the existing tenant(s) were/will be provided comparable housing and opportunities to relocate.

(a). The existing residential tenant(s) are to be provided housing of a comparable size and quality at a rent level meeting the Washington State definition of affordable to their income level. Specifically, RCW 84.14.010 defines "affordable housing" as residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty (30) percent of the household's monthly income. The duration of this requirement will be the length of the tenant's current lease plus one year.

4. The Owner/Taxpayer intends to construct on the site, approximately **4** new multiple family residential housing units substantially as described in their application filed with and approved by the City. In no event shall such construction provide fewer than a total of four multiple family permanent residential housing units.

5. The Owner/Taxpayer agrees to complete construction of the agreed-upon improvements within three years from the date the City issues this Conditional Agreement or within any extension granted by the City.

6. The Owner/Taxpayer agrees, upon completion of the improvements and upon issuance by the City of a temporary or permanent certificate of occupancy, to file an application for a Final Certificate of Tax Exemption with the City's Planning and Economic Development Department, which will require the following:

(a) a statement of the actual development cost of each multiple family housing unit, and the total expenditures made in the rehabilitation or construction of the entire property;

(b) a description of the completed work and a statement that the rehabilitation improvements or new construction of the Owner/Taxpayer's property qualifies the property for the exemption;

(c) a statement that the project meets the affordable housing requirements, if applicable; and

(d) a statement that the work was completed within the required three-year period or any authorized extension of the issuance of the conditional certificate of tax exemption.

7. The City agrees, conditioned on the Owner/Taxpayer's successful completion of the improvements in accordance with the terms of this Conditional Agreement and on the Owner/Taxpayer's filing of application for the Final Certificate of Exemption with the materials described in Paragraph 6 above, to file a Final Certificate of Tax Exemption with the Spokane County Assessor indicating that the Owner/Taxpayer is qualified for the limited tax exemption under Chapter 84.14 RCW.

8. The Owner/Taxpayer agrees that once a Final Certificate of Tax Exemption is issued, to comply with all Annual Reporting requirements set forth in SMC 8.15.100 and contained in the annual report form provided by the City. Thirteen (13) months following the first year of the exemption beginning and every year thereafter, the Owner/Taxpayer will complete and file the appropriate Annual Report required by the terms of their Final Certificate of Tax Exemption with the City's Planning and Economic Development Department. The Annual Report is a declaration verifying upon oath and indicating the following:

(a) a statement of occupancy, use of the property/unit, income and rents for qualifying 12-year and 20-year and vacancy of the multi-family units during the previous year;

(b) a certification that the property has not changed to a commercial use or been used as a transient (short-term rental) basis and, if applicable, that the property has been in compliance with the affordable housing income and rent requirements as described in SMC 8.15.090 since the date of the filing of the Final Certificate of Tax Exemption, and continues to be in compliance with this Agreement and the requirements of SMC Chapter 8.15;

(c) for affordable multi-family housing units, information providing the household income, rent and utility cost, of each qualifying as low and moderate-income, which shall be reported on a form provided by the City and signed by the tenants; and

(d) a description of any improvements or changes to the property made after the filing of the final certificate or last declaration.

9. The parties acknowledge that the units, including any owner-occupied units are to be used and occupied for multifamily permanent residential occupancy and use. The parties further acknowledge that the certificate of occupancy issued by the City is for multifamily residential units. The Owner/Taxpayer acknowledges and agrees that the units shall be used primarily for multi-family housing for permanent residential occupancy as defined in SMC 8.15.020 and RCW 84.14.010 and any business activities shall only be incidental and ancillary to the residential occupancy. Any units that are converted from multi-family housing for permanent residential occupancy shall be reported to the City of Spokane's Planning and Economic Development Department and the Spokane County Assessor's Office and removed from eligibility for the tax exemption within 60 days. If the removal of the ineligible unit or units causes the number of units to drop below the number of units required for tax exemption eligibility, the remaining units shall be removed from eligibility pursuant to state law.

10. To qualify for the twelve-year tax exemption, the Owner/Taxpayer will be required to rent or sell at least **twenty-five percent** of the multiple family housing units as affordable housing units to low and moderate-income households and will ensure that the units within the 12-yr program are dispersed throughout the building and distributed proportionally among the buildings; not be clustered in certain sections of the building or stacked; comparable to market-rate units in terms of unit size and leasing terms; and are comparable to market-rate units in terms of functionality and building amenities and access in addition to the other requirements set forth in the Agreement. The Owner/Taxpayer is further required to comply with the rental relocation assistance requirements set forth in RCW 84.14.020 (7) and (8) and in SMC 8.15.090 (D).

11. The Owner/Taxpayer will have the right to assign its rights under this Agreement. The Owner/Taxpayer agrees to notify the City promptly of any transfer of Owner/Taxpayer's ownership interest in the Site or in the improvements made to the Site under this Agreement.

12. The City reserves the right to cancel the Final Certificate of Tax Exemption should the Owner/Taxpayer, its successors and assigns, fail to comply with any of the terms and conditions of this Agreement or of SMC Chapter 8.15.

13. No modifications of this Conditional Agreement shall be made unless mutually agreed upon by the parties in writing.

14. The Owner/Taxpayer acknowledges its awareness of the potential tax liability involved if and when the property ceases to be eligible for the incentive provided pursuant to this agreement. Such liability may include additional real property tax, penalties and interest imposed pursuant to RCW 84.14.110. The Owner/Taxpayer further acknowledges its awareness and understanding of the process implemented by the Spokane County Assessor's Office for the appraisal and assessment of property taxes.

The Owner/Taxpayer agrees that the City is not responsible for the property value assessment imposed by Spokane County at any time during the exemption period.

15. In the event that any term or clause of this Conditional Agreement conflicts with applicable law, such conflict shall not affect other terms of this Agreement, which can be given effect without the conflicting term or clause, and to this end, the terms of this Conditional Agreement are declared to be severable.

16. The parties agree that this Conditional Agreement, requires the applicant to file an application for the Final Certificate of Tax Exemption post the construction of the multiple family residential housing units referenced above and that the Final Certificate of Tax Exemption shall be subject to the applicable provisions of Chapter 84.14 RCW and Chapter 8.15 SMC that exist at the time this agreement is signed by the parties. The parties may agree to amend this Conditional Agreement requirements as set forth when the applicant applies for the Final Certificate of Tax Exemption based upon applicable amendments and additions to Chapter 84.14 RCW or Chapter 8.15 SMC if the requirements change between the issuance of the Conditional Agreement and the Application for Final Tax Exemption has been submitted.

17. Nothing in this Agreement shall permit or be interpreted to permit either party to violate any provision of Chapter 84.14 RCW or Chapter 8.15 SMC

18 This Agreement is subject to approval by the City Council.

DATED this _____ day of _____, 2025

CITY OF SPOKANE

By: _____

City Administrator, Alex Scott

CASCADE HOME BUILDER LLC

By: _____

Its: _____

Attest:

City Clerk

Approved as to form:

City Attorney

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 03/10/2025**Committee Agenda type:** Consent**Date Rec'd**

2/20/2025

Clerk's File #

OPR 2025-0192

Cross Ref #**Project #****Council Meeting Date:** 03/31/2025**Submitting Dept**

COMMUNITY AND ECONOMIC

Bid #**Contact Name/Phone**

AMANDA BECK X6414

Requisition #**Contact E-Mail**

ABECK@SPOKANECITY.ORG

Agenda Item Type

Contract Item

Council Sponsor(s)

JBINGLE LNAVARRETE

Sponsoring at Administrators Request

NO

Lease? NO**Grant Related?** NO**Public Works?** NO**Agenda Item Name**

0750 – MFTE CONDITIONAL AGREEMENT FOR 3155 E 10TH AVE

Agenda Wording

Conditional Multifamily Tax Exemption contract with Craftsman Homes, for the property located at 3155 E 10th Ave, to create 4 dwelling units. Following construction the project intends to finalize under the 12yr exemption.

Summary (Background)

RCW 84.14 authorizes the New and Rehabilitated Multiple-Unit Dwellings in Urban Centers incentive, known as Multifamily Tax Exemption (MFTE) Program, to certify qualified properties for this residential property tax exemption. The City adopted this incentive in 2007 and SMC 08.15 outlines Spokane's MFTE Program and project eligibility requirements. Staff has determined that the Underhill Estates Lot 7 Fourplex conditional application meets the project eligibility requirements outlined in SMC 08.15.040, and is located in an adopted Residential Target Areas identified in SMC 08.15.030. The application proposes 4 new multifamily units on the property at 3155 E 10th Ave, within the East Central neighborhood (District 2). The property is zoned Residential 1 (R1), and the proposed use is allowed. Once the project is constructed, the applicant intends to finalize as a 12-year Affordable Exemption. This Conditional Agreement authorizes the City to enter into the Multiple Family Housing Property Tax Exemption Conditional Agreement, which will ultimately result in the issuance of a final certificate of tax exemption to be filed with the Spokane County Assessor's Office post construction.

What impacts would the proposal have on historically excluded communities?

The goal of the MFTE Program is to stimulate the construction of new multifamily housing and the rehabilitation of existing vacant or underutilized buildings, as well as increase the supply of mixed-income housing opportunities. Data on demographic metrics such as race, ethnicity, gender orientation, age, or religious affiliation are not tracked by this program, but the program specifically supports housing creation for residents whose income is between 80-115% Area Median Income.

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

The Department of Commerce conducts annual audits of all jurisdictions with MFTE programs. The City collects annual reports for each property. For projects that finalized under the 12-year exemption, which requires income and rent restrictions, staff collect tenant income certifications as well. Annual reporting ensures projects maintain affordability compliance through the length of the exemption and that only income-qualifying tenants receive the benefit.

How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?

Excluding external factors such as raw land costs and current financing rates, staff monitor program efficiency through annual reporting compliance, the number of conditional and then finalized projects, and the need detailed by developers for such an incentive to make workforce housing projects financially feasible. Some of these metrics include the number of projects granted a final certificate, the total number of units created and the percentage of affordable units, as well as the type and size of units being constructed.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

Comprehensive Plan Policies: LU 1.4 Higher Density Residential Uses LU 3.5 Mix of Uses in Centers LU 4.2 Land Uses That Support Travel Options and Active Transportation LU 4.6 Transit-Supported Development H 1.9 Mixed-Income Housing H 1.4 Use of Existing Infrastructure H 1.10 Lower-Income Housing Development Incentives H 1.11 Access to Transportation H 1.18 Distribution of Housing Options ED 2.4 Mixed-Use ED 7.4 Tax Incentives for Land Improvement

Council Subcommittee Review

Fiscal Impact	
Approved in Current Year Budget?	N/A
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Once finalized, the Spokane County Assessor will defer collection of the residential property tax portion for the duration of the exemption, after which the new residential construction value will be added to the tax rolls.	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source N/A	
Funding Source Type Select	
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	N/A
Other budget impacts (revenue generating, match requirements, etc.)	
Staff costs associated with this program are recouped by the application fees.	
Approvals	
Dept Head	MACDONALD, STEVEN
Division Director	MACDONALD, STEVEN
Accounting Manager	ZOLLINGER, NICHOLAS
Legal	SCHOEDEL, ELIZABETH
For the Mayor	SCOTT, ALEXANDER
Distribution List	
Dennis Miller dennis.craftsmanhomes@gmail.com	smacdonald@spokanecity.org
sgardner@spokanecity.org	abeck@spokanecity.org
jchurchill@spokanecity.org	eking@spokanecity.org

MULTIPLE FAMILY HOUSING PROPERTY
TAX EXEMPTION CONDITIONAL AGREEMENT
OPR 2025-0192

THIS CONDITIONAL AGREEMENT is between the City of Spokane, a Washington State municipal corporation, as “City”, and CASCADE HOME BUILDER LLC, as “Owner/Taxpayer” whose business address is 12823 LOFT LAKE RD, SNOHOMISH, WA, 98296.

W I T N E S S E T H:

WHEREAS, the City has, pursuant to the authority granted to it by Chapter 84.14 RCW, designated various residential targeted areas for the provision of a limited property tax exemption for new and rehabilitated multiple family residential housing; and

WHEREAS, the City has, through Chapter 8.15 SMC, enacted a program whereby property owner/taxpayers may qualify for a Final Certificate of Tax Exemption which certifies to the Spokane County Assessor that the Owner/Taxpayer is eligible to receive the multiple family housing property tax exemption; and

WHEREAS, the Owner/Taxpayer is interested in receiving the multiple family property tax exemption for new multiple family residential housing units in a residential targeted area; and

WHEREAS, the Owner/Taxpayer has submitted to the City a complete conditional application form for no fewer than a total of four new multiple family permanent residential housing units to be constructed on property legally described as:

22-25-43 PTN OF SW 1/4: LOTS 12 AND 13, BK 6, SUNSHINE ADD; TOGETHER WITH THE E 21.73 FT OF LOT 11, BK 6; EXCEPT THE E 31.72 FT OF SD LOT 13; AND EXCEPT THE N 17.40 FT OF SD LOTS 11, 12 AND 13

Assessor’s Parcel Number(s) **35223.1428**, commonly known as **3155 E 10TH AVE.**

WHEREAS, this property is located in the Spokane Targeted Investment Area and is eligible to seek a Final Certificate of Tax Exemption post construction under the **Twelve year Affordable Housing - with income and rent restrictions** as defined in SMC 08.15.090.

WHEREAS, the City has determined that the improvements will, if completed as proposed, satisfy the requirements for a Final Certificate of Tax Exemption; --

NOW, THEREFORE,

The City and the Owner/Taxpayer do mutually agree as follows:

1. The City agrees to issue the Owner/Taxpayer a Conditional Agreement subsequent to the City Council's approval of this agreement.

2. The project must comply with all applicable zoning requirements, land use requirements, design review recommendations and all building, fire, and housing code requirements contained in the Spokane Municipal Code at the time a complete application for a building permit is received. However, if the proposal includes rehabilitation or demolition in preparation for new construction, the residential portion of the building shall fail to comply with one or more standards of applicable building or housing codes, and the rehabilitation improvements shall achieve compliance with the applicable building and construction codes.

3. If the property proposed to be rehabilitated is not vacant, the Owner/Taxpayer shall provide each existing tenant with housing of comparable size, quality and price and a reasonable opportunity to relocate. At the time of an application for a Conditional Agreement, the applicant provided a letter attesting and documenting how the existing tenant(s) were/will be provided comparable housing and opportunities to relocate.

(a). The existing residential tenant(s) are to be provided housing of a comparable size and quality at a rent level meeting the Washington State definition of affordable to their income level. Specifically, RCW 84.14.010 defines "affordable housing" as residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty (30) percent of the household's monthly income. The duration of this requirement will be the length of the tenant's current lease plus one year.

4. The Owner/Taxpayer intends to construct on the site, approximately **4** new multiple family residential housing units substantially as described in their application filed with and approved by the City. In no event shall such construction provide fewer than a total of four multiple family permanent residential housing units.

5. The Owner/Taxpayer agrees to complete construction of the agreed-upon improvements within three years from the date the City issues this Conditional Agreement or within any extension granted by the City.

6. The Owner/Taxpayer agrees, upon completion of the improvements and upon issuance by the City of a temporary or permanent certificate of occupancy, to file an application for a Final Certificate of Tax Exemption with the City's Planning and Economic Development Department, which will require the following:

(a) a statement of the actual development cost of each multiple family housing unit, and the total expenditures made in the rehabilitation or construction of the entire property;

(b) a description of the completed work and a statement that the rehabilitation improvements or new construction of the Owner/Taxpayer's property qualifies the property for the exemption;

(c) a statement that the project meets the affordable housing requirements, if applicable; and

(d) a statement that the work was completed within the required three-year period or any authorized extension of the issuance of the conditional certificate of tax exemption.

7. The City agrees, conditioned on the Owner/Taxpayer's successful completion of the improvements in accordance with the terms of this Conditional Agreement and on the Owner/Taxpayer's filing of application for the Final Certificate of Exemption with the materials described in Paragraph 6 above, to file a Final Certificate of Tax Exemption with the Spokane County Assessor indicating that the Owner/Taxpayer is qualified for the limited tax exemption under Chapter 84.14 RCW.

8. The Owner/Taxpayer agrees that once a Final Certificate of Tax Exemption is issued, to comply with all Annual Reporting requirements set forth in SMC 8.15.100 and contained in the annual report form provided by the City. Thirteen (13) months following the first year of the exemption beginning and every year thereafter, the Owner/Taxpayer will complete and file the appropriate Annual Report required by the terms of their Final Certificate of Tax Exemption with the City's Planning and Economic Development Department. The Annual Report is a declaration verifying upon oath and indicating the following:

(a) a statement of occupancy, use of the property/unit, income and rents for qualifying 12-year and 20-year and vacancy of the multi-family units during the previous year;

(b) a certification that the property has not changed to a commercial use or been used as a transient (short-term rental) basis and, if applicable, that the property has been in compliance with the affordable housing income and rent requirements as described in SMC 8.15.090 since the date of the filing of the Final Certificate of Tax Exemption, and continues to be in compliance with this Agreement and the requirements of SMC Chapter 8.15;

(c) for affordable multi-family housing units, information providing the household income, rent and utility cost, of each qualifying as low and moderate-income, which shall be reported on a form provided by the City and signed by the tenants; and

(d) a description of any improvements or changes to the property made after the filing of the final certificate or last declaration.

9. The parties acknowledge that the units, including any owner-occupied units are to be used and occupied for multifamily permanent residential occupancy and use. The parties further acknowledge that the certificate of occupancy issued by the City is for multifamily residential units. The Owner/Taxpayer acknowledges and agrees that the units shall be used primarily for multi-family housing for permanent residential occupancy as defined in SMC 8.15.020 and RCW 84.14.010 and any business activities shall only be incidental and ancillary to the residential occupancy. Any units that are converted from multi-family housing for permanent residential occupancy shall be reported to the City of Spokane's Planning and Economic Development Department and the Spokane County Assessor's Office and removed from eligibility for the tax exemption within 60 days. If the removal of the ineligible unit or units causes the number of units to drop below the number of units required for tax exemption eligibility, the remaining units shall be removed from eligibility pursuant to state law.

10. To qualify for the twelve-year tax exemption, the Owner/Taxpayer will be required to rent or sell at least **twenty-five percent** of the multiple family housing units as affordable housing units to low and moderate-income households and will ensure that the units within the 12-yr program are dispersed throughout the building and distributed proportionally among the buildings; not be clustered in certain sections of the building or stacked; comparable to market-rate units in terms of unit size and leasing terms; and are comparable to market-rate units in terms of functionality and building amenities and access in addition to the other requirements set forth in the Agreement. The Owner/Taxpayer is further required to comply with the rental relocation assistance requirements set forth in RCW 84.14.020 (7) and (8) and in SMC 8.15.090 (D).

11. The Owner/Taxpayer will have the right to assign its rights under this Agreement. The Owner/Taxpayer agrees to notify the City promptly of any transfer of Owner/Taxpayer's ownership interest in the Site or in the improvements made to the Site under this Agreement.

12. The City reserves the right to cancel the Final Certificate of Tax Exemption should the Owner/Taxpayer, its successors and assigns, fail to comply with any of the terms and conditions of this Agreement or of SMC Chapter 8.15.

13. No modifications of this Conditional Agreement shall be made unless mutually agreed upon by the parties in writing.

14. The Owner/Taxpayer acknowledges its awareness of the potential tax liability involved if and when the property ceases to be eligible for the incentive provided pursuant to this agreement. Such liability may include additional real property tax, penalties and interest imposed pursuant to RCW 84.14.110. The Owner/Taxpayer further acknowledges its awareness and understanding of the process implemented by the Spokane County Assessor's Office for the appraisal and assessment of property taxes.

The Owner/Taxpayer agrees that the City is not responsible for the property value assessment imposed by Spokane County at any time during the exemption period.

15. In the event that any term or clause of this Conditional Agreement conflicts with applicable law, such conflict shall not affect other terms of this Agreement, which can be given effect without the conflicting term or clause, and to this end, the terms of this Conditional Agreement are declared to be severable.

16. The parties agree that this Conditional Agreement, requires the applicant to file an application for the Final Certificate of Tax Exemption post the construction of the multiple family residential housing units referenced above and that the Final Certificate of Tax Exemption shall be subject to the applicable provisions of Chapter 84.14 RCW and Chapter 8.15 SMC that exist at the time this agreement is signed by the parties. The parties may agree to amend this Conditional Agreement requirements as set forth when the applicant applies for the Final Certificate of Tax Exemption based upon applicable amendments and additions to Chapter 84.14 RCW or Chapter 8.15 SMC if the requirements change between the issuance of the Conditional Agreement and the Application for Final Tax Exemption has been submitted.

17. Nothing in this Agreement shall permit or be interpreted to permit either party to violate any provision of Chapter 84.14 RCW or Chapter 8.15 SMC

18 This Agreement is subject to approval by the City Council.

DATED this _____ day of _____, 2025

CITY OF SPOKANE

By: _____

City Administrator, Alex Scott

CASCADE HOME BUILDER LLC

By: _____

Its: _____

Attest:

City Clerk

Approved as to form:

City Attorney

**Agenda Sheet for City Council:****Committee:** PIES **Date:** 10/21/2024**Committee Agenda type:** Consent**Date Rec'd**

10/1/2024

Clerk's File #

OPR 2025-0241

Cross Ref #**Project #**

2024046,47,48

Council Meeting Date: 03/31/2025**Submitting Dept**

ENGINEERING SERVICES

Bid #**Contact Name/Phone**

DAN BULLER 6391

Requisition #**Contact E-Mail**

DBULLER@SPOKANECITY.ORG

Agenda Item Type

Engineer Construction Contract

Council Sponsor(s)

KKLITZKE

Sponsoring at Administrators Request

NO

Lease? NO**Grant Related?** NO**Public Works?** YES**Agenda Item Name**

0370 - LOW BID AWARD - TRAFFIC CALMING CYCLE 12 2024046

Agenda Wording

Low Bid of (to be determined at bid opening) (City, ST) for Traffic Calming Cycle 12 - \$___ plus tax. An administrative reserve of \$___ plus tax, which is 10% of the contract, will be set aside. Various Neighborhoods.

Summary (Background)

On _____, bids were opened for the above project. The low bid from (to be determined at bid opening) in the amount of \$___, which is \$__ or __% (above/below) the Engineer's Estimate of \$___. ___ other bids were received as follows: (to be determined). All information will be provided prior to the council vote date.

What impacts would the proposal have on historically excluded communities?

Public works services and projects are designed to serve all citizens and businesses. We strive to offer a consistent level of service to all, distribute public investment throughout the community, and respond to gaps in services identified in various City plans.

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?

Public Works follows the City's established procurement and public works bidding regulations and policies to bring items forward and then uses contract management best practices to ensure desired outcomes and regulatory compliance.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This work is consistent with annual budget strategies to limit costs and approved projects in the 6-year CIP.

Council Subcommittee Review

N/A

Fiscal Impact	
Approved in Current Year Budget?	YES
Total Cost	\$ 0
Current Year Cost	\$ 0
Subsequent Year(s) Cost	\$ 0
<u>Narrative</u>	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	Additional Approvals
<u>Dept Head</u>	BULLER, DAN
<u>Division Director</u>	FEIST, MARLENE
<u>Accounting Manager</u>	ZOLLINGER, NICHOLAS
<u>Legal</u>	
<u>For the Mayor</u>	PICCOLO, MIKE
Distribution List	
	jrhall@spokanecity.org
eraea@spokanecity.org	dbuller@spokanecity.org
publicworksaccounting@spokanecity.org	tax&licenses@spokanecity.org
pyoung@spokanecity.org	mvallen@spokanecity.org

Committee Agenda Sheet

Public Infrastructure, Environment & Sustainability Committee

Committee Date	10-21-24
Submitting Department	Engineering Services
Contact Name	Dan Buller
Contact Email & Phone	dbuller@spokanecity.org , 625-6391
Council Sponsor(s)	Wilkerson, Bingle, Klitzke
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	Traffic Calming Cycle 12
Proposed Council Action	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
Summary (Background) *use the Fiscal Impact box below for relevant financial information	<ul style="list-style-type: none"> This is the annual neighborhood traffic calming project funded by red light camera funds. Project components can be seen in the attached exhibits and are spread throughout the city. Construction will occur 2025.
<p>Fiscal Impact</p> <p>Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Total Cost: <u>\$1.7M</u></p> <p style="padding-left: 20px;">Current year cost: 0</p> <p style="padding-left: 20px;">Subsequent year(s) cost: \$1.7M</p> <p>Narrative: Please provide financial due diligence review, as applicable, such as number and type of positions, grant match requirements, summary type details (personnel, maintenance and supplies, capital, revenue), impact on rates, fees, or future shared revenue</p> <p>Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A</p> <p>Specify funding source: Select Funding Source*</p> <p>Is this funding source sustainable for future years, months, etc? Click or tap here to enter text.</p> <p>Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
<p>Operations Impacts (If N/A, please give a brief description as to why)</p> <ul style="list-style-type: none"> What impacts would the proposal have on historically excluded communities? Public works services and projects are designed to serve all citizens and businesses. We strive to offer a consistent level of service to all, to distribute public investment throughout the community and to respond to gaps in services identified in various City plans. How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities? N/A How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution? 	

Public Works follows the City's established procurement and public works bidding regulations and policies to bring items forward, and then uses contract management best practices to ensure desired outcomes and regulatory compliance.

- Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This work is consistent with annual budget strategies to limit costs and approved projects in the 6-year CIP.

Council Subcommittee Review

- Please provide a summary of council subcommittee review. If not reviewed by a council subcommittee, please explain why not.

2nd & Elm Bumpouts



Maple & 11th Crossing, islands

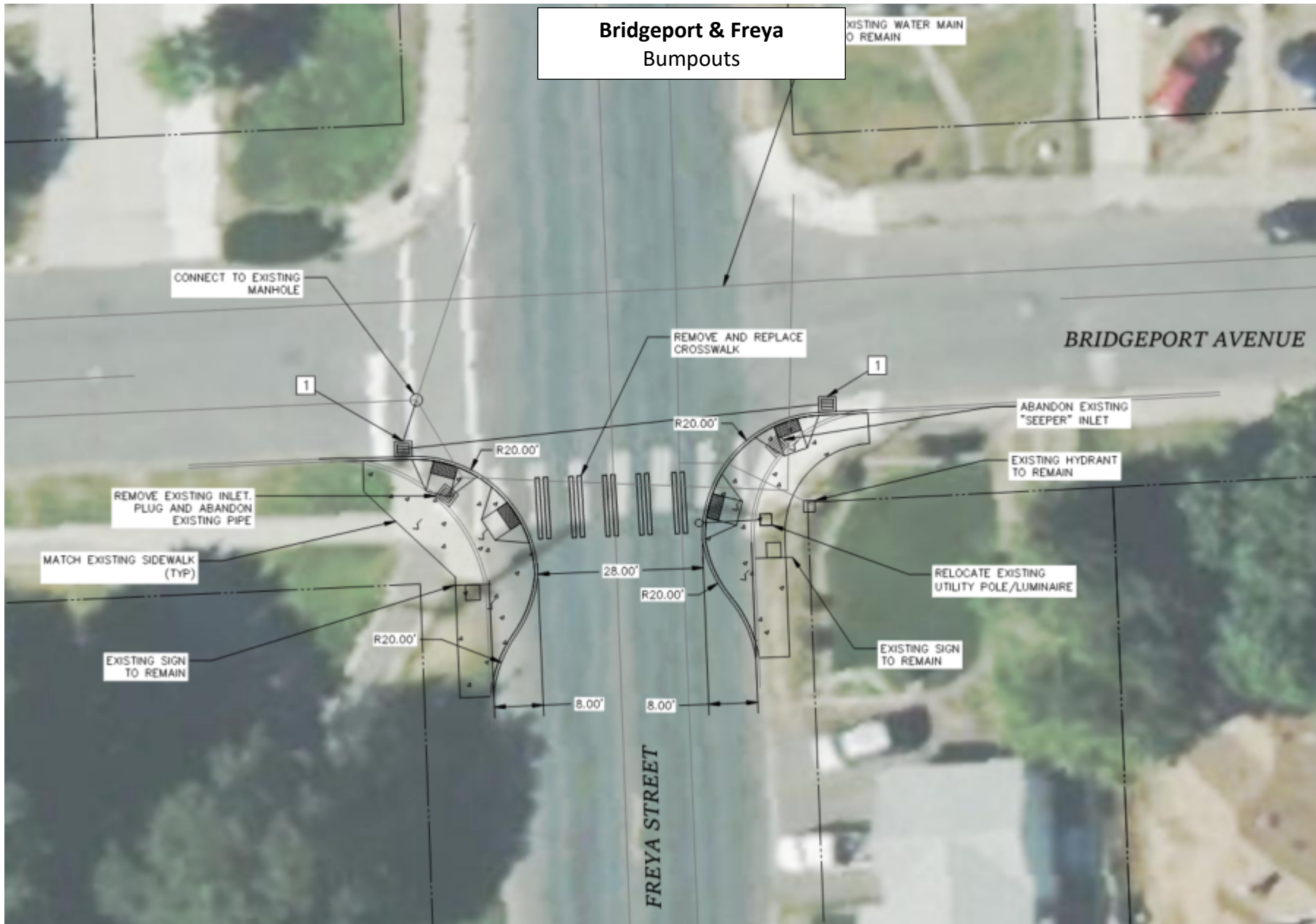
Consider a buffered bike lane and narrower lanes around the curve if it fits. 10' turn lane with 11' travel lanes. Allows a 2' buffer.



Liberty & Freya Bumpouts



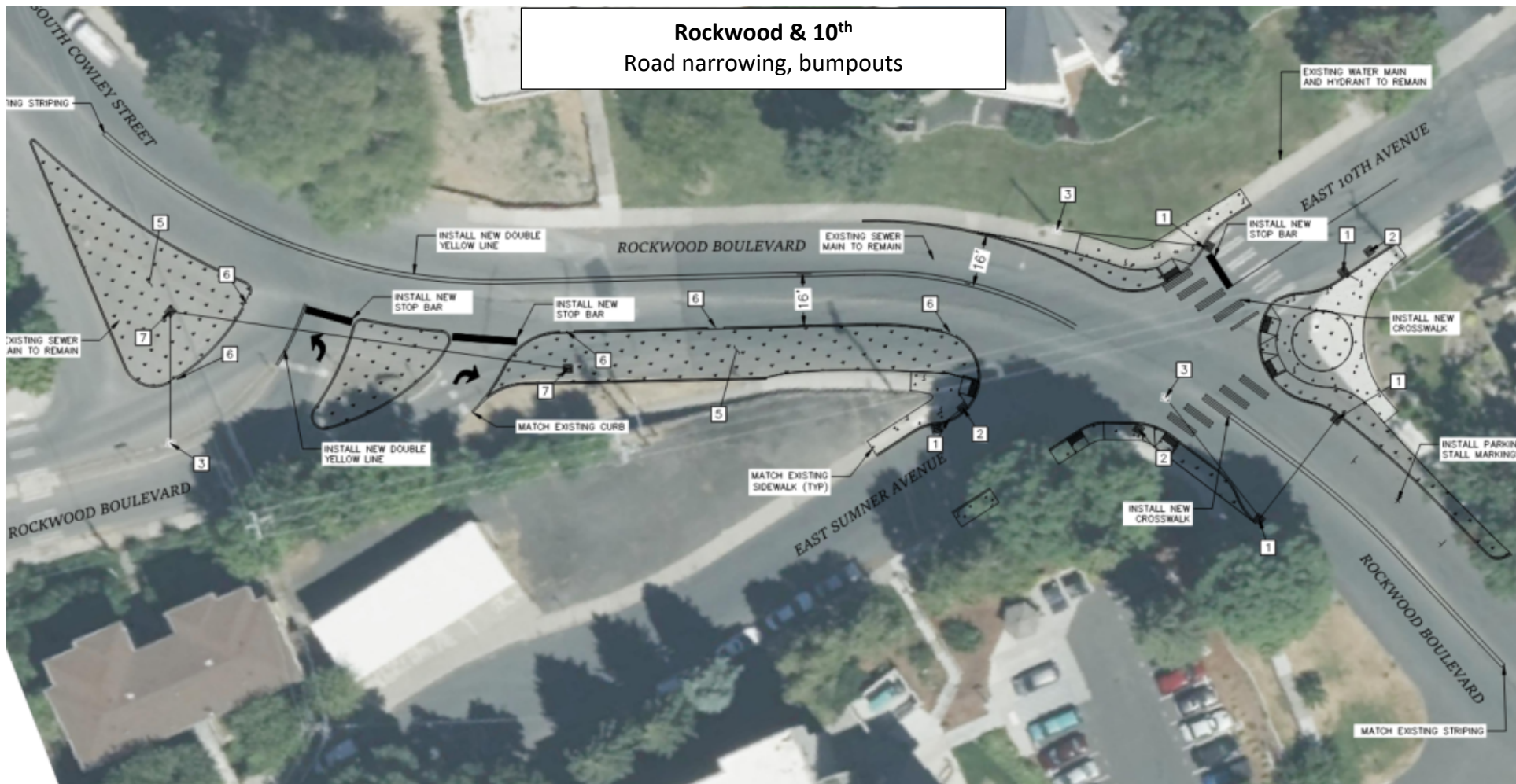
Bridgeport & Freya Bumpouts



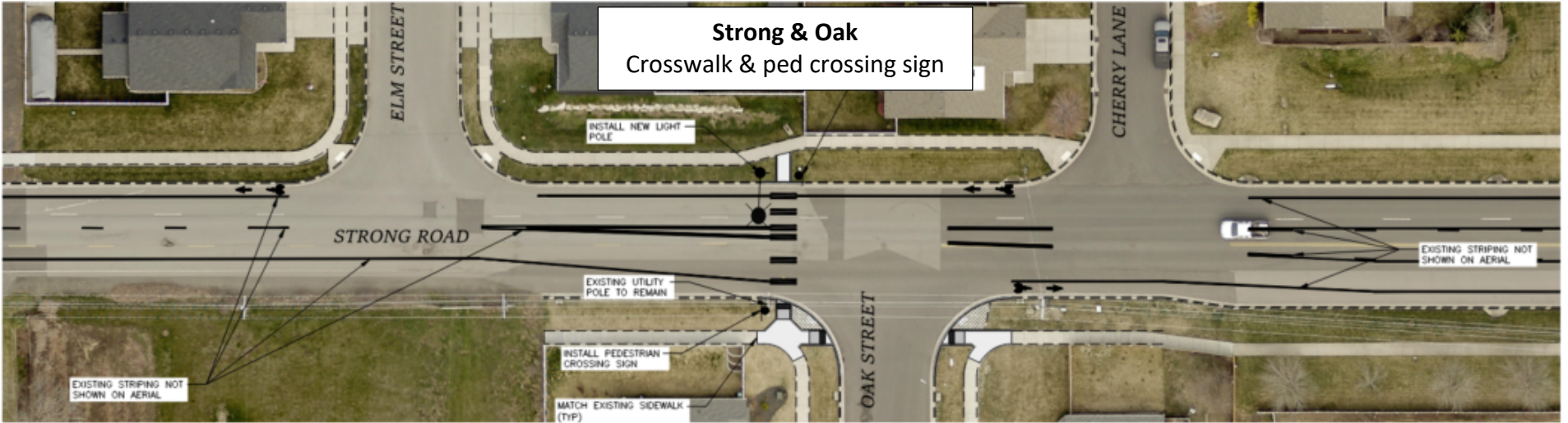
Haven & Market Crosswalks, ped signals

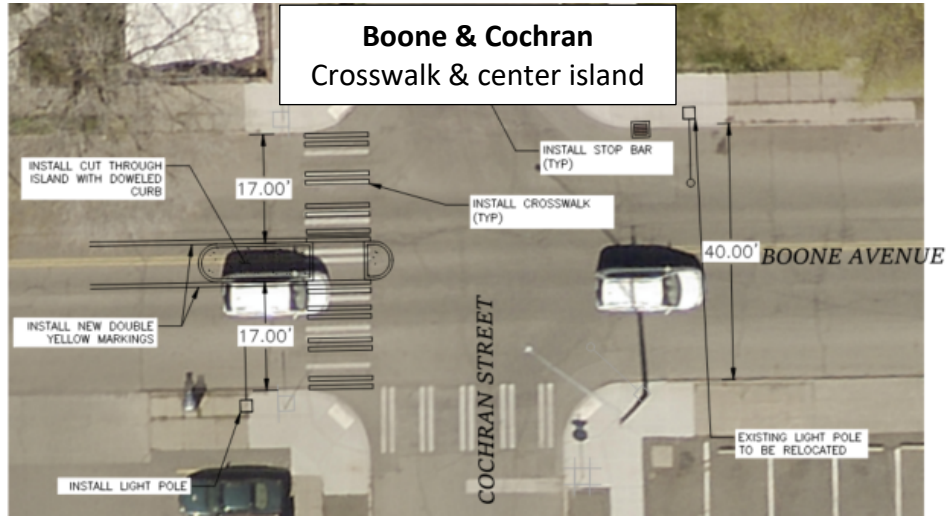
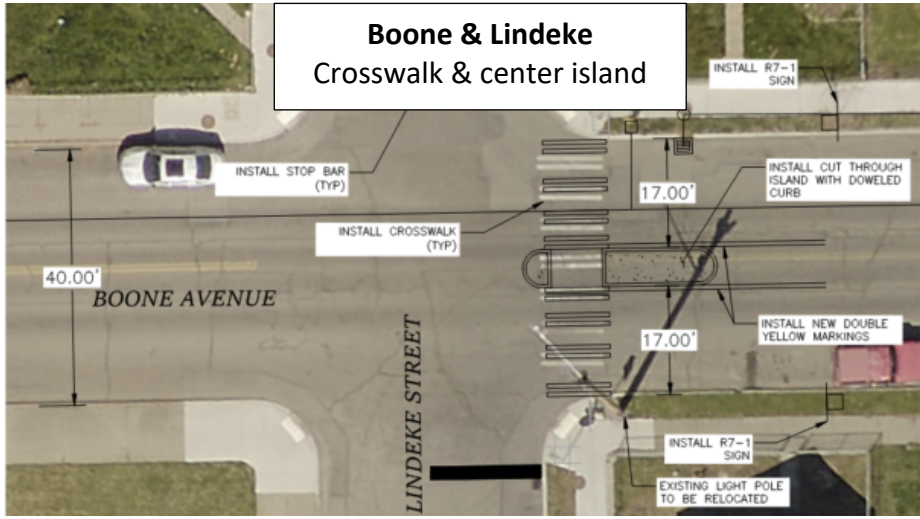


Rockwood & 10th Road narrowing, bumpouts



Strong & Oak
Crosswalk & ped crossing sign





Grand & 13th
Flashing crossing beacon



**Agenda Sheet for City Council:****Committee:** PIES **Date:** 10/21/2024**Committee Agenda type:** Consent**Date Rec'd**

10/1/2024

Clerk's File #

OPR 2025-0242

Cross Ref #**Project #**

2022096

Council Meeting Date: 03/31/2025**Submitting Dept**

ENGINEERING SERVICES

Bid #**Contact Name/Phone**

DAN BULLER 6391

Requisition #**Contact E-Mail**

DBULLER@SPOKANECITY.ORG

Agenda Item Type

Engineer Construction Contract

Council Sponsor(s)

KKLITZKE

Sponsoring at Administrators Request

NO

Lease? NO**Grant Related?** NO**Public Works?** YES**Agenda Item Name**

0370 - LOW BID AWARD - MAPLE STREET-WALNUT STREET GRIND AND

Agenda Wording

Low Bid of (to be determined at bid opening) (City, ST) for Maple Street to Walnut Street Grind and Overlay - \$___ plus tax. An administrative reserve of \$___ plus tax, which is 10% of the contract, will be set aside. Various Neighborhoods.

Summary (Background)

On _____, bids were opened for the above project. The low bid from (to be determined at bid opening) in the amount of \$___, which is \$__ or __% (above/below) the Engineer's Estimate of \$___. ___ other bids were received as follows: (to be determined). All information will be provided prior to the council vote date.

What impacts would the proposal have on historically excluded communities?

Public works services and projects are designed to serve all citizens and businesses. We strive to offer a consistent level of service to all, distribute public investment throughout the community, and respond to gaps in services identified in various City plans.

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?

Public Works follows the City's established procurement and public works bidding regulations and policies to bring items forward and then uses contract management best practices to ensure desired outcomes and regulatory compliance.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This work is consistent with annual budget strategies to limit costs and approved projects in the 6-year CIP.

Council Subcommittee Review

N/A

Fiscal Impact	
Approved in Current Year Budget?	YES
Total Cost	\$ 0
Current Year Cost	\$ 0
Subsequent Year(s) Cost	\$ 0
<u>Narrative</u>	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	Additional Approvals
<u>Dept Head</u>	BULLER, DAN
<u>Division Director</u>	FEIST, MARLENE
<u>Accounting Manager</u>	ZOLLINGER, NICHOLAS
<u>Legal</u>	HARRINGTON,
<u>For the Mayor</u>	PICCOLO, MIKE
Distribution List	
	jrhall@spokanecity.org
eraea@spokanecity.org	dbuller@spokanecity.org
publicworksaccounting@spokanecity.org	tax&licenses@spokanecity.org
pyoung@spokanecity.org	mvallen@spokanecity.org

Committee Agenda Sheet

Public Infrastructure, Environment & Sustainability Committee

Committee Date	10-21-24
Submitting Department	Engineering Services
Contact Name	Dan Buller
Contact Email & Phone	dbuller@spokanecity.org , 625-6391
Council Sponsor(s)	Wilkerson, Bingle, Klitzke
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	Maple/Walnut – 5 th to Bridge Grind & Overlay
Proposed Council Action	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
Summary (Background) *use the Fiscal Impact box below for relevant financial information	<ul style="list-style-type: none"> This project includes a grind and overlay on the Maple-Walnut couplet through downtown (5th to the Maple St. bridge). Also included will be upgrades to curb ramps as necessary along the project alignment. This project will include as little detouring of traffic as possible but detours cannot entirely be avoided given the nature and location of the work. The project is paid about 60% by a state of Washington grant and about 40% by the arterial street fund. Construction is planned for 2025.
<p>Fiscal Impact</p> <p>Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Total Cost: <u>\$1.1M</u> Current year cost: 0 Subsequent year(s) cost: \$1.1M</p> <p>Narrative: Please provide financial due diligence review, as applicable, such as number and type of positions, grant match requirements, summary type details (personnel, maintenance and supplies, capital, revenue), impact on rates, fees, or future shared revenue</p> <p>Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A Specify funding source: Select Funding Source* Is this funding source sustainable for future years, months, etc? Click or tap here to enter text.</p> <p>Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
<p>Operations Impacts (If N/A, please give a brief description as to why)</p> <ul style="list-style-type: none"> What impacts would the proposal have on historically excluded communities? Public works services and projects are designed to serve all citizens and businesses. We strive to offer a consistent level of service to all, to distribute public investment throughout the community and to respond to gaps in services identified in various City plans. How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities? N/A 	

- How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?

Public Works follows the City's established procurement and public works bidding regulations and policies to bring items forward, and then uses contract management best practices to ensure desired outcomes and regulatory compliance.

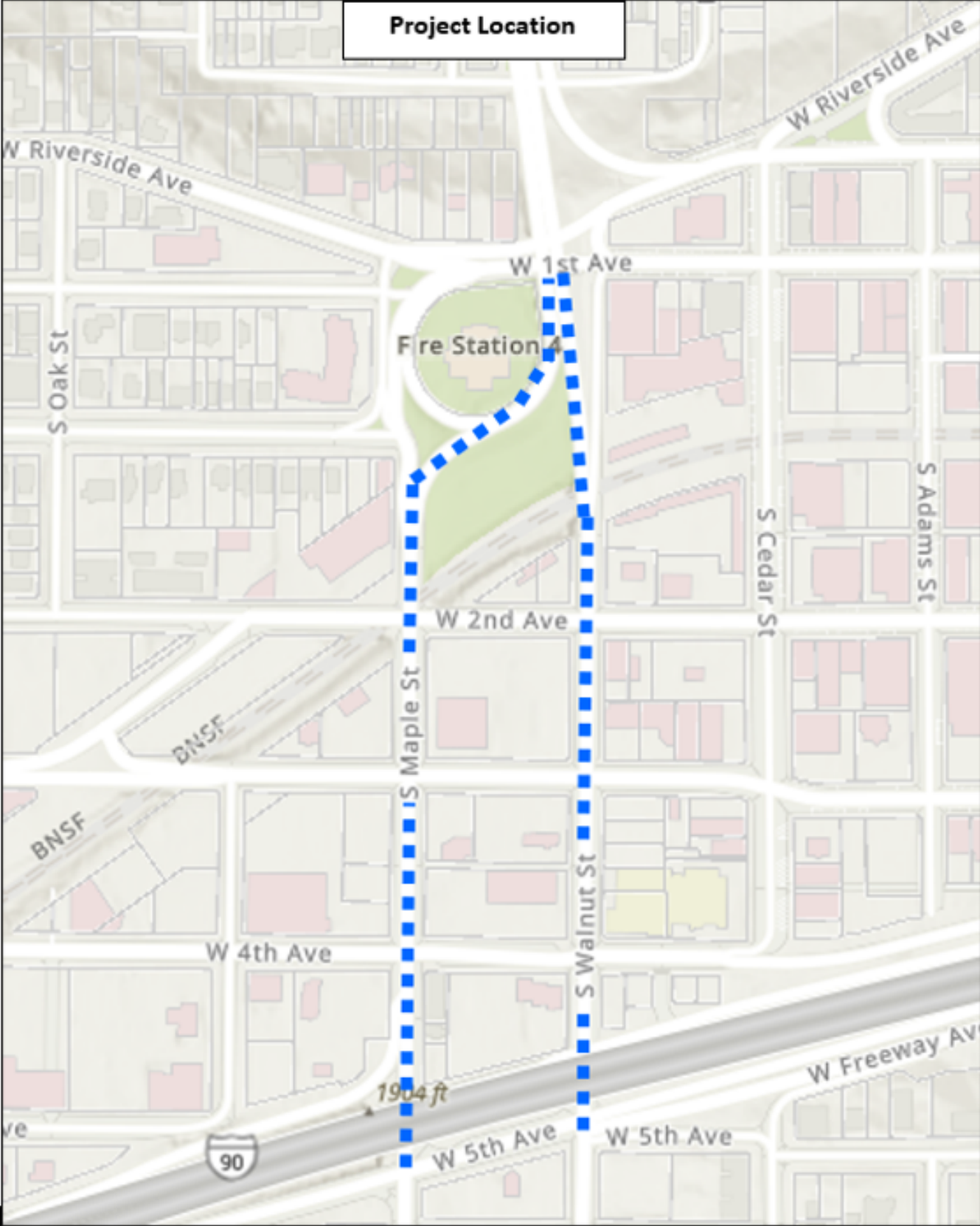
- Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This work is consistent with annual budget strategies to limit costs and approved projects in the 6-year CIP.

Council Subcommittee Review

- Please provide a summary of council subcommittee review. If not reviewed by a council subcommittee, please explain why not.

Project Location



**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 03/10/2025**Committee Agenda type:** Discussion**Date Rec'd**

2/27/2025

Clerk's File #

RES 2025-0021

Cross Ref #

ORD C36658

Project #**Council Meeting Date:** 03/31/2025**Submitting Dept**

DEVELOPMENT SERVICES CENTER

Bid #**Contact Name/Phone**

ELDON BROWN 6305

Requisition #**Contact E-Mail**

EBROWN@SPOKANECITY.ORG

Agenda Item Type

Resolutions

Council Sponsor(s)

JBINGLE KKLITZKE

Sponsoring at Administrators Request

NO

Lease? NO**Grant Related?** NO**Public Works?** YES**Agenda Item Name**

4700 – VACATION OF LATAH PLACE BETWEEN INLAND EMPIRE AND THE

Agenda Wording

Resolution to set a public hearing time for the right-of-way vacation application.

Summary (Background)

Adjacent property owners have applied to vacate a portion of an existing alleyway in order to accommodate future development. City staff has collected comments from franchised private utility companies and City departments. If City Council decides to vacate this alley, Engineering recommends that the alley be vacated subject to the conditions that are listed at the bottom of the Staff Report.

What impacts would the proposal have on historically excluded communities?

NA

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

NA

How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?

NA

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

NA

Council Subcommittee Review

Fiscal Impact	
Approved in Current Year Budget?	
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Revenue \$ 8,155.70	# 3200-49199-99999-39510
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	N/A
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	One-Time
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	MACDONALD, STEVEN
Division Director	MACDONALD, STEVEN
Accounting Manager	ZOLLINGER, NICHOLAS
Legal	SCHOEDEL, ELIZABETH
For the Mayor	PICCOLO, MIKE
Distribution List	
	ebrown@spokanecity.org
mnilsson@spokanecity.org	tpalmquist@spokanecity.org
edjohnson@spokanecity.org	akiehn@spokanecity.org

RESOLUTION 2025-0021

WHEREAS, on May 19, 2024 the Spokane City Council received a petition for the vacation of Latah Place between Inland Empire Way and the Union Pacific Railroad, in the City of Spokane from owners having an interest in real estate abutting the above right-of-way; and

WHEREAS, it was determined that the petition was signed by the owners of more than two-thirds of the property abutting Latah Place between Inland Empire Way and the Union Pacific Railroad, in the City of Spokane; and

WHEREAS, the City Council desires to set a time and date through this resolution to hold a public hearing on the petition to vacate the above property in the City of Spokane;

NOW, THEREFORE,

The City Council does hereby resolve the following:

That hearing on the petition to vacate Latah Place between Inland Empire Way and the Union Pacific Railroad, in the City of Spokane will be held in front of the City Council at 6:00 P.M. or as soon thereafter as possible on April 28, 2025, and the City Clerk of the City of Spokane is instructed to proceed with all proper notice according to State law.

ADOPTED by the Spokane City Council, this _____ day of _____, 2025.

City Clerk

Approved as to form:

Assistant City Attorney

P2403764VACA

W 16th Ave

W 17th Ave

S Inland Empire Way

S Chestnut St


75 150 225

Feet



Right-of-way Description:
**Latah Place between the west line of the
BNSF Railroad RW and the west line of Lot
3, Block 11 of the Plat of Cannon Hill Addition**

Legend

 Proposed Vacation

THIS IS NOT A LEGAL DOCUMENT.
The information shown on this map is compiled
from various sources and is subject to constant
revision. Information shown on this map should
not be used to determine the location of facilities
in relationship to property lines, section lines,
streets, etc.



**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 03/10/2025**Committee Agenda type:** Discussion**Date Rec'd**

3/5/2025

Clerk's File #

RES 2025-0022

Cross Ref #**Project #****Council Meeting Date:** 03/31/2025**Submitting Dept**

PLANNING & ECONOMIC

Bid #**Contact Name/Phone**

SPENCER 509-625-6097

Requisition #**Contact E-Mail**

SGARDNER@SPOKANECITY.ORG

Agenda Item Type

Resolutions

Council Sponsor(s)

KKLITZKE BWILKERSON

Sponsoring at Administrators Request

NO

Lease? NO**Grant Related?** NO**Public Works?** NO**Agenda Item Name**

0650 - 2025-26 PLAN COMMISSION WORK PROGRAM

Agenda Wording

0650 2025-26 Plan Commission Work Program

Summary (Background)

City Council regularly approves updates to the Work Plan to provide direction to the Plan Commission on work items that should be addressed by the work of Plan Commission. Items on the Work Plan include the annual Comprehensive Plan Work Program, as well as additional studies and code amendments.

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?

N/A

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

The municipal code requires that Council adopt a work program for Plan Commission on a regular basis.

Council Subcommittee Review

Fiscal Impact	
Approved in Current Year Budget?	N/A
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	N/A
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	N/A
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	GARDNER, SPENCER
Division Director	GARDNER, SPENCER
Accounting Manager	ZOLLINGER, NICHOLAS
Legal	SCHOEDEL, ELIZABETH
For the Mayor	PICCOLO, MIKE
Distribution List	
	sgardner@spokanecity.org
smacdonald@spokanecity.org	eking@spokanecity.org

RESOLUTION NO. 2025-0022

A RESOLUTION establishing the Plan Commission Work Program for 2025/2026

WHEREAS, pursuant to SMC 4.12.080, the City Council adopts by resolution an annual work program, which assigns certain policy and planning issues for consideration by the Plan Commission; and

WHEREAS, SMC 4.12.080 requires that the Plan Commission shall, when requested by City Council resolution, solicit information and comment from the public about planning goals and policies or plans for the City, and report to the City Council its recommendations and a summary and analysis of the comments received from the public; and

WHEREAS, the City Council and the Plan Commission met on 23 October, 2024 to review and discuss the proposed Plan Commission 2025/2026 Work Program;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby adopts the Plan Commission 2025/2026 Work Program as set forth in Attachment A and approves of the work program for assigned policy and planning issues for consideration by the Plan Commission for 2025/2026.

BE IT ALSO RESOLVED that the City Council recognizes that work assignments can change throughout the year and, therefore, calls upon the President of the Plan Commission, the Planning Director, and the City Council liaison to the Plan Commission to coordinate the implementation of the work program.

Adopted by the City Council this ____ day of _____, 2025.

City Clerk

Approved as to form:

Assistant City Attorney

Attachment A 2025-26 Plan Commission Work Program Priorities		
Project Name	Start/Status	Plan Commission Review
State-mandated development code and comp plan updates		
HB 1110 follow-up work	Ongoing	Ongoing
HB 1337 ADU updates	Q4-2024	TBD
HB 1220 (see housing availability item in Comp Plan below)	N/A	N/A
HB 1293 Design standards updates	Q1-2025	2025-2026
HB 1181 (see Climate Planning item in Comp Plan below)	N/A	N/A
Off-Premises Signs	TBD	TBD
Off-Premises Alcohol Outlets	TBD	TBD
Shoreline Master Program - Vegetation (Donna)	Q2-2024	Q3-2024
2026 Comprehensive Plan update		
Levels of service / Capital Facilities Planning	In progress	2025-2026
Study of housing availability at various income levels	In progress	2025-2026
Climate planning	In Progress	2025-2026
Development of growth alternatives/EIS process	In Progress	2025-2026
Home-based occupation update	Periodic update	2025-2026
Expand legacy business rules to allow for expansion	Periodic update	2025-2026
Critical areas	Periodic update	2025-2026
Neighborhood mixed use	Periodic update	2025-2026
Downtown height limits	In Progress	2025-2026
Tree canopy (street trees and tree protection)	TBD	TBD
Paper Cuts	Ongoing	Ongoing
Pacific Avenue Greenway	In Progress	Q1-2025
Subarea planning		
5th Avenue subarea plan	In Progress	2025
Latah TIF and subarea plan	Q1-2025	2025
Hillyard subarea plan	In Progress	Q1-2025
West Central Infrastructure Planning and Design	In progress	N/A
Division Corridor T.O.D. Study (incl. North Town)	In Progress	TBD
20 Year - Water Capital Facilities Element Update	TBD	TBD
20 Year - Sewer Capital Facilities Element Update	TBD	TBD
Neighborhood Plans		
Minnehaha, Shiloh Hills, Balboa / S. Indian Trail	TBD	TBD
2025-26 Mandated / Annual Projects		
6-Year Transportation Program Update - Consistency Review	In Progress	Q3-2024
6-Year City-Wide Capital Program Update - Consistency Review	In Progress	Q3-2024
2025 Annual Comp Plan Amendments	Suspended	Suspended
2026 Annual Comp Plan Amendments	Suspended	Suspended
Notes:		
Spokane County Urban Growth Area Mandatory Review - 2025		
WA State Periodic Comprehensive Plan Update - June, 2026		
Next WA State Shoreline Program Update - June, 2030		

**Agenda Sheet for City Council:****Committee:** Finance & Administration **Date:** 02/24/2025**Committee Agenda type:** Discussion**Date Rec'd**

2/17/2025

Clerk's File #

ORD C36647

Cross Ref #**Project #****Council Meeting Date:** 03/24/2025**Submitting Dept**

MAYOR

Bid #**Contact Name/Phone**

ADAM 6779

Requisition #**Contact E-Mail**

AMCDANIEL@SPOKANECITY.ORG

Agenda Item Type

First Reading Ordinance

Council Sponsor(s)

PDILLON KKLITZKE

Sponsoring at Administrators Request

NO

Lease? NO**Grant Related?** NO**Public Works?** NO**Agenda Item Name**

0520 ANIMAL LICENSE CODE CLEANUP ORDINANCE

Agenda Wording

An ordinance recodifying a section relating to animals into the correct chapter; repealing SMC Chapter 10.24 and Section SMC 10.24.060; and adopting new Section 10.74.075 of the Spokane Municipal Code.

Summary (Background)

The Spokane City Council adopted Ordinance C36289 in 2022 which recodified several local statutes and created an independent Chapter entitled "Offenses Involving Animals". SMC Section 10.24.060 was inadvertently not transferred to this new chapter. This ordinance recodifies SMC 10.24.060 into the correct code chapter and repeals the duplicative Animals code chapter.

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?

N/A

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

N/A

Council Subcommittee Review

N/A

Fiscal Impact	
Approved in Current Year Budget?	N/A
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	N/A
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	SCOTT, ALEXANDER
Division Director	
Accounting Manager	BUSTOS, KIM
Legal	SCHOEDEL, ELIZABETH
For the Mayor	PICCOLO, MIKE
Distribution List	
	amcdaniel@spokanecity.org

ORDINANCE NO. C36647

An ordinance recodifying a section relating to animals into the correct chapter; repealing SMC Chapter 10.24 and Section SMC 10.24.060; and adopting new Section 10.74.075 of the Spokane Municipal Code.

WHEREAS, the Spokane City Council adopted Ordinance C36289 in 2022 which recodified several local statutes and created an independent Chapter entitled “Offenses Involving Animals”; and

WHEREAS, SMC Section 10.24.060 was inadvertently not transferred to this new chapter; and

WHEREAS, this ordinance recodifies SMC 10.24.060 into the correct code chapter and repeals the duplicative Animals code chapter.

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. That Chapter 10.24 of the Spokane Municipal Code is repealed.

Section 2. That there is a new section 10.74.075 added to Chapter 10.74 of the Spokane Municipal Code to read as follows:

Section 10.74.075 Property Damage

No owner or custodian of any animal may cause or knowingly permit the animal to enter upon or do damage to any public park or any private premises to the injury of the owner or occupant of such premises.

PASSED by the City Council on _____

Council President

Attest:

Approved as to form:

City Clerk

City Attorney

Mayor

Date

Effective Date

**Agenda Sheet for City Council:****Committee:** Finance & Administration **Date:** 02/24/2025**Committee Agenda type:** Discussion**Date Rec'd**

2/17/2025

Clerk's File #

ORD C36648

Cross Ref #**Project #****Council Meeting Date:** 03/24/2025**Submitting Dept**

MAYOR

Bid #**Contact Name/Phone**

ADAM 6779

Requisition #**Contact E-Mail**

AMCDANIEL@SPOKANECITY.ORG

Agenda Item Type

First Reading Ordinance

Council Sponsor(s)

PDILLON KKLITZKE

Sponsoring at Administrators Request

NO

Lease? NO**Grant Related?** NO**Public Works?** NO**Agenda Item Name**

0520 ORDINANCE RELATING TO MECHANICAL NEWSPAPER DISPENSERS

Agenda Wording

An ordinance relating to mechanical newspaper dispensers; repealing Section 08.02.0212 and Chapter 10.38 of the Spokane Municipal Code.

Summary (Background)

Section 08.02.0212 of the Spokane Municipal Code outlines annual fees for each location of a mechanical newspaper dispenser, and Chapter 10.38 specifies the requirements for licensing and location of such dispensers. This Chapter also includes civil penalties for noise violations.

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?

N/A

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

N/A

Council Subcommittee Review

N/A

Fiscal Impact	
Approved in Current Year Budget?	N/A
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	N/A
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	N/A
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	SCOTT, ALEXANDER
Division Director	
Accounting Manager	BUSTOS, KIM
Legal	SCHOEDEL, ELIZABETH
For the Mayor	PICCOLO, MIKE
Distribution List	
	amcdaniel@spokanecity.org

ORDINANCE NO. C36648

An ordinance relating to mechanical newspaper dispensers; repealing Section 08.02.0212 and Chapter 10.38 of the Spokane Municipal Code.

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. That Section 08.02.0212 (Newspaper Dispensers) of the Spokane Municipal Code is repealed.

Section 1. That Chapter 10.38 (Mechanical Newspaper Dispensers) of the Spokane Municipal Code is repealed.

PASSED by the City Council on _____

Council President

Attest:

Approved as to form:

City Clerk

City Attorney

Mayor

Date

Effective Date

**Agenda Sheet for City Council:****Committee:** Finance & Administration **Date:** 02/24/2025**Committee Agenda type:** Discussion**Council Meeting Date:** 03/24/2025

Date Rec'd		2/18/2025
Clerk's File #		ORD C36649
Cross Ref #		
Project #		
Submitting Dept	MAYOR	Bid #
Contact Name/Phone	ADAM 6779	Requisition #
Contact E-Mail	AMCDANIEL@SPOKANECITY.ORG	
Agenda Item Type	First Reading Ordinance	
Council Sponsor(s)	PDILLON KKLITZKE	
Sponsoring at Administrators Request	NO	
Lease? NO	Grant Related? NO	Public Works? NO
Agenda Item Name	0520 ORDINANCE RELATING TO PURCHASING AND CONTRACTS	

Agenda Wording

This proposed ordinance seeks to align and make consistent the naming of the Purchasing and Contracts Department and Director of Purchasing and Contracts in the Spokane Municipal Code and operational documents.

Summary (Background)

Current SMC refers to "Contracts and Purchasing" and the "Contracts and Purchasing Director." This ordinance will align SMC with budget and operational practices which refer to "Purchasing and Contracts" for both its department and director.

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?

N/A

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

N/A

Council Subcommittee Review

N/A

Fiscal Impact	
Approved in Current Year Budget?	N/A
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	N/A
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	N/A
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	SCOTT, ALEXANDER
Division Director	
Accounting Manager	BUSTOS, KIM
Legal	SCHOEDEL, ELIZABETH
For the Mayor	PICCOLO, MIKE
Distribution List	
	amcdaniel@spokanecity.org
jnechanicky@spokanecity.org	

ORDINANCE NO. C36649

An ordinance relating to the Purchasing & Contracts department and Director of Purchasing and Contracts; amending Sections 03.01A.315, 07.06.020, 07.06.030, 07.06.035, 07.06.097, 07.06.155, 07.06.160, 07.06.170, 07.06.173, 07.06.190, 07.06.200, 07.06.220, 07.06.270, 07.06.290, 07.06.310, and 07.06.330 of the Spokane Municipal Code.

WHEREAS, the City Budget describes the Purchasing and Contracts department, and operational documents refer to the Purchasing and Contracts department; and

WHEREAS, SMC 03.01A.315 and other sections of the Spokane Municipal Code refer to the Contracts & Purchasing department; and

WHEREAS, this proposed ordinance seeks to align and make consistent the naming of the Purchasing and Contracts Department and Director of Purchasing and Contracts in the Spokane Municipal Code and operational documents.

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. That Section 03.01A.315 of the Spokane Municipal Code is amended to read as follows:

Section 03.01A.315 (~~Contracts and Purchasing~~) Purchasing and Contracts Department

- A. The (~~Contracts and Purchasing~~) Purchasing and Contracts Department is a financial administrative department responsible for the administration and operational support to program managers including contract engagement and compliance monitoring, relative performance and financial tracking, and budget review. Additionally, the department is responsible for the procurement of public works, goods and services by competitive bid, quote or proposal; processing purchase orders and contracts; managing inventories; and the disposal of surplus property.
- B. The department director, Director of Purchasing and Contracts, shall act as the Chief Compliance & Procurement Officer for all City activities involving purchasing.

Section 2. That Section 07.06.020 of the Spokane Municipal Code is amended to read as follows:

Section 07.06.020 Designees

Reference to the Mayor, City Clerk or (~~Contracts and Purchasing Director~~) Director of Purchasing and Contracts includes their respective designees.

Section 3. That Section 07.06.030 of the Spokane Municipal Code is amended to read as follows:

Section 07.06.030 Guidelines

The (~~Contracts and Purchasing Director~~) Director of Purchasing and Contracts is authorized to establish procedures to serve as guidelines for the implementation of this chapter.

Section 4. That Section 07.06.035 of the Spokane Municipal Code is amended to read as follows:

Section 07.06.035 “Committee to Receive Bids” Defined

The committee to receive bids consists of the (~~Contracts and Purchasing Director~~) Director of Purchasing and Contracts and the City Clerk. The committee receives bids and refers them to the department requesting the work, or the purchaser, for evaluation and recommendation to the City Council for acceptance or rejection. In the case of a joint bid with another governmental agency, only one (1) committee member need be present to receive bids.

Section 5. That Section 07.06.097 of the Spokane Municipal Code is amended to read as follows:

Section 07.06.097 Use of Credit Cards

- A. The Director of Finance, Treasury and Administration maintains a credit card account with a suitable financial institution.
- B. The (~~Contracts and Purchasing Director~~) Director of Purchasing and Contracts distributes cards to such employees as appropriate for their use in making small purchases.
- C. Should a charge be disallowed, the charging employee must pay the amount of any disallowed charge to the City immediately. Should the employee fail to timely pay, the City has a lien against any sums payable to the employee, including wages.

- D. Use of procurement cards is subject to such rules and regulations as detailed in the City's policies and procedures. A card may not be used for cash advances.

Section 6. That Section 07.06.155 of the Spokane Municipal Code is amended to read as follows:

Section 07.06.155 Bid Protests

A. Definitions.

1. "Bid Protest" means a written objection by an interested party to a solicitation issued by an agency for bids for a proposed contract for Public Works or a written objection by an interested party to a proposed award or the award of such a contract (31 U.S.C. Section 3551[1]). If the protest does not meet the time or content requirements, the (~~Contracts and Purchasing Director~~) Director of Purchasing and Contracts may reject the protest.
2. "Interested Party" means any party person (a) who is an actual bidder or prospective bidder or offeror whose direct economic interest would be affected by the award of the contract or by the failure to award (31 U.S.C. Section 3551((2)).
3. "Filing of a Bid Protest" – any interested party may file a bid protest on a Public Works project which is the subject of competitive bids on the basis that the City has failed to comply with applicable Federal or State law or with local regulations. Valid bid protests shall be heard by City Council. The protest must be filed in accordance with the timing requirements set forth in this subsection herein, and must include:
 - a. The name, address, telephone numbers of the protestor;
 - b. The number of the specification/contract solicitation;
 - c. All information indicating the protestor is an interested party;
 - d. A written statement of the grounds for the protest and in particular the Federal, or State law or local regulation alleged to have been violated. This statement should be accompanied by any relevant support documentation, and a statement regarding the course of action the protestor desires that (~~Contracts and Purchasing Director~~) Director of Purchasing and Contracts take.
 - e. All information establishing the timelines of the protest; and
 - f. The signature of the protestor.

- B. Any bid protest must be filed within five (2) days of bid opening
- C. Upon receipt of a proper filing of a bid protest regarding the award of a contract, the City will not issue a notice to proceed to the contractor until the protest has been resolved, unless the work is necessary to protect the interests of the City.
- D. A decision on a protest will be made as expeditiously as possible after receiving all relevant information. The ~~((Contracts and Purchasing Director))~~ Director of Purchasing and Contracts reserves the right to proceed with the appropriate action in the procurement process or under the contract in the following cases:
 - 1. Where the Public Works project is urgently required;
 - 2. Where the ~~((Contracts and Purchasing Director))~~ Director of Purchasing and Contracts determines that protest was frivolous; and
 - 3. Where delivery or performance will be unduly delayed or other undue harm will occur, by failure to make the award promptly.
- E. All valid protests will be forwarded to City Council for review and the City shall not execute a contract for the project with anyone other than the protesting bidder without first providing at least two (2) full business days' written notice of the City's intent to execute a contract for the project; provided, that the protesting bidder submits notice in writing of its protest no later than two (2) full business days following bid opening (RCW 39.04.105).
- F. The determination by the City Council on a bid protest is final and may not be appealed.

Section 7. That Section 07.06.160 of the Spokane Municipal Code is amended to read as follows:

Section 07.06.160 Alternatives to Public Bidding

- A. When it is considered impractical to initially prepare a procurement description to support an award based upon price, the ~~((Contracts and Purchasing Director))~~ Director of Purchasing and Contracts and the requesting department may utilize a Request for Information (RFI) or a Request for Proposals (RFP), including in appropriate cases design-build proposals. The information received in response to the requests may serve as the basis for a future ITB or as the basis for competitive negotiation.
- B. When the City pursues an alternative Public Works contracting procedure, such as for design-build proposals or procurement under an approved general contractor/construction manager ("GC/CM") procurement method pursuant to

Chapter 39.10 RCW, the City shall include, as part of the evaluation factors for all Requests for Qualifications (RFQ), the firm's proximity to the project location.

Section 8. That Section 07.06.170 of the Spokane Municipal Code is amended to read as follows:

Section 07.06.170 Sole Source Procurement

The City Council by resolution may, for contracts above the Minor Contract threshold, waive public bid requirements for purchases:

- A. Public Works and services that are clearly and legitimately limited to a single source of supply as determined by documented research;
- B. Public Works and services involving special facilities or market conditions;
- C. of insurance or bonds; or
- D. of pharmaceuticals

The (~~Contracts and Purchasing Director~~) Director of Purchasing and Contracts conducts negotiations, as appropriate, as to price, delivery and terms.

Section 9. That Section 07.06.173 of the Spokane Municipal Code is amended to read as follows:

Section 07.06.173 Purchase of Used Goods

- A. The City Council may authorize the purchase of used goods without public bidding if the requesting department and (~~Contracts and Purchasing Director~~) Director of Purchasing and Contracts have fully justified the acquisition of the used goods without bidding.
- B. Justification requires using independent appraisals to establish that the proposed purchase price is not above the fair market value of the goods.
 - 1. At least two appraisals will be done whenever possible, but in no event may there be fewer than one (1).
 - 2. The appraisals are to be made by competent persons, not associated with either the prospective seller or the City, who are knowledgeable of the goods' market value.

Section 10. That Section 07.06.190 of the Spokane Municipal Code is amended to read as follows:

Section 07.06.190 Minor Procurement

- A. Procurements not subject to public bid shall be made with such competition as is practicable under the circumstances and as provided by the City's policies and procedures. Procurement requirements may not be artificially divided so as to constitute a minor procurement under this section.
- B. In accordance with state law, the City or third-party vendor shall at least twice a year publish a notice of the existence of vendor lists and solicit the names of vendors for the lists. In accordance with state law, the ~~((Contracts and Purchasing Director))~~ Director of Purchasing and Contracts shall establish a procedure for securing appropriate quotations from vendors.
- C. The mayor on a case-by-case basis may authorize securing in the open market, without quotation, any supplies, materials, equipment or services when the delay and expense in handling quotations would not be advantageous to the City.

Section 11. That Section 07.06.200 of the Spokane Municipal Code is amended to read as follows:

Section 07.06.200 Cancellation of Invitations for Bids

An ~~((ITB))~~ invitation to bid may be canceled, or any and all bids may be rejected in whole or in part, when the ~~((Contracts and Purchasing Director))~~ Director of Purchasing and Contracts determines that it is in the best interests of the City. The City Council also may reject any or all bids prior to formal award of the contract.

Section 12. That Section 07.06.220 of the Spokane Municipal Code is amended to read as follows:

Section 07.06.220 Specifications – Maximum Practicable Competition

- A. All specifications are to be drafted to promote overall economy for the intended purposes and encourage competition while satisfying the City's needs, and not be unduly restrictive.

- B. In following the obligations of this section, the (~~Contracts and Purchasing Director~~) Director of Purchasing and Contracts may consider lease, lease-purchase or purchase methods of procurement.

Section 13. That Section 07.06.270 of the Spokane Municipal Code is amended to read as follows:

Section 07.06.270 Purchase Order Contracts

The (~~Contracts and Purchasing Director~~) Director of Purchasing and Contracts is designated to execute Purchase Order (PO) contracts in a representative capacity for the Mayor, except contracts:

- A. which have been publicly bid; and
- B. exceeding the then current Minor Contract threshold, in a twelve-month period require prior City Council approval.

Section 14. That Section 07.06.290 of the Spokane Municipal Code is amended to read as follows:

Section 07.06.290 Selection Process

- A. In the procurement of Architect, Engineer, and Land Surveyor services, the (~~Contracts and Purchasing Director~~) Director of Purchasing and Contracts encourages firms engaged in the lawful practice of their profession to submit annually a Statement of Qualifications (SOQ) and performance data.
- B. Current (~~SOQ~~) Statement of Qualifications and performance data on file with the (~~Purchasing Director~~) Director of Purchasing and Contracts or third-party manager, together with those that may be submitted by other firms regarding the proposed project, are evaluated by the City to determine the most qualified professional service provider for the proposed project.
- C. Discussions with one or more firms regarding anticipated concepts and the relative utility of alternative methods of approach for furnishing the required services are conducted and the selection is made from those discussions, based upon criteria established by the City, of the firm deemed to be the most highly qualified to provide the services required for the proposed project.

Section 15. That Section 07.06.310 of the Spokane Municipal Code is amended to read as follows:

Section 07.06.310 Bid Security - Public Works

A. When Required.

Bid security is required for all public bidding of Public Works contracts. Bid security is a bond provided by a surety company authorized to do business in the state of Washington, or the equivalent in cash, or otherwise supplied in a form satisfactory to the City. Nothing herein prevents the requirement of such security on Public Works contracts under the public bid limits when the circumstances warrant.

B. Amount of Bid Security.

Bid security is at least five percent (5%) of the total amount of the bid.

C. Rejection of Bids for Noncompliance with Bid Security Requirements.

When the ITB requires security, noncompliance requires that the bid be rejected unless it is determined that the bid fails to comply in a nonsubstantial manner with the security requirements.

D. Withdrawal of Bids.

After the bids are opened they are irrevocable for the period specified in the ITB. If a bidder is permitted to withdraw its bid before award, no action is had against the bid or the bid security. Withdrawal of inadvertently erroneous bids before or after award or cancellation of awards or contracts based on such bid mistakes may be permitted. Except as otherwise provided by regulation, all decisions to permit the withdrawal of bids, or to cancel awards or contracts based on bid mistakes, shall be supported by a written determination made by the ~~((Purchasing Director))~~ Director of Purchasing and Contracts.

Section 16. That Section 07.06.330 of the Spokane Municipal Code is amended to read as follows:

Section 07.06.330 Bid and Performance Bonds on Purchase and Other Contracts

A. Bid and performance bonds or other security may be requested for purchase contracts and other contracts as the ~~((Contracts and Purchasing Director))~~ Director of Purchasing and Contracts or requesting department deems advisable to protect the City's interest.

B. Bid or performance bonds are not to be used as a substitute for a determination of a bidder or offeror's responsibility.

PASSED by the City Council on _____

Council President

Attest:

Approved as to form:

City Clerk

City Attorney

Mayor

Date

Effective Date

**Agenda Sheet for City Council:****Committee:** Finance & Administration **Date:** 02/24/2025**Committee Agenda type:** Discussion**Date Rec'd**

2/18/2025

Clerk's File #

ORD C36650

Cross Ref #**Project #****Council Meeting Date:** 03/24/2025**Submitting Dept**

MAYOR

Bid #**Contact Name/Phone**

ADAM 6779

Requisition #**Contact E-Mail**

AMCDANIEL@SPOKANECITY.ORG

Agenda Item Type

First Reading Ordinance

Council Sponsor(s)

PDILLON KKLITZKE

Sponsoring at Administrators Request

NO

Lease? NO**Grant Related?** NO**Public Works?** NO**Agenda Item Name**

0520 INTERGOVERNMENTAL PURCHASE CONTRACTS & INTERLOCAL

Agenda Wording

An ordinance relating to Intergovernmental Purchase Contracts and Interlocal Purchase Agreements; amending Section 07.06.140; repealing Section 07.06.261 of the Spokane Municipal Code.

Summary (Background)

The Director of Purchasing and Contracts is authorized and encouraged by the City Council under SMC 07.06.140 to enter into joint intergovernmental purchasing agreements that secure favorable procurements for the City. SMC 07.06.261 authorizes the City Administrator to sign intergovernmental/interlocal purchasing agreements. This proposed ordinance seeks to combine these two sections, update the correct title of the Director of Purchasing and Contracts, and clarify that the City Administrator's designee such as the Director of Purchasing and Contracts is authorized to enter into intergovernmental purchasing agreements.

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?

N/A

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

N/A

Council Subcommittee Review

N/A

Fiscal Impact	
Approved in Current Year Budget?	N/A
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	N/A
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	N/A
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	SCOTT, ALEXANDER
Division Director	
Accounting Manager	BUSTOS, KIM
Legal	SCHOEDEL, ELIZABETH
For the Mayor	PICCOLO, MIKE
Distribution List	
	amcdaniel@spokanecity.org
jnechanicky@spokanecity.org	

ORDINANCE NO. C36650

An ordinance relating to Intergovernmental Purchase Contracts and Interlocal Purchase Agreements; amending Section 07.06.140; repealing Section 07.06.261 of the Spokane Municipal Code.

WHEREAS, the Director of Purchasing and Contracts is authorized and encouraged by the City Council under SMC 07.06.140 to enter into joint intergovernmental purchasing agreements that secure favorable procurements for the City; and

WHEREAS, SMC 07.06.261 authorizes the City Administrator to sign intergovernmental/interlocal purchasing agreements; and

WHEREAS, this proposed ordinance seeks to combine these two sections, update the correct title of the Director of Purchasing and Contracts, and clarify that the City Administrator's designee such as the Director of Purchasing and Contracts is authorized to enter into intergovernmental purchasing agreements.

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. That Section 07.06.140 of the Spokane Municipal Code is amended to read as follows:

Section 07.06.140 Intergovernmental Purchase Contracts – Interlocal Purchase Agreements

- A. The ~~((Contracts and Purchasing Director))~~ Director of Purchasing and Contracts is encouraged to enter into joint or pooled purchase contracts with the state of Washington and other governmental units.
- B. The City Council may authorize the purchase of goods without public bidding from a contract available through:
 1. the Washington State Purchasing Cooperative; or
 2. another governmental unit whenever the ~~((Contracts and Purchasing Director))~~ Director of Purchasing and Contracts and using department have shown that the procurement meets the City's requirements and represents the most favorable procurement for the City considering price and other evaluation factors.
- C. The City Administrator or their designee, in a representative capacity for the Mayor, may execute interlocal purchase agreements with other agencies and entities and join

cooperative purchasing programs without individual Council approval of each agreement.

D. The Clerk is authorized to attest such signatures.

Section 2. That Section 07.06.261 (Interlocal Purchase Agreements) of the Spokane Municipal Code is repealed.

PASSED by the City Council on _____

Council President

Attest:

Approved as to form:

City Clerk

City Attorney

Mayor

Date

Effective Date

**Agenda Sheet for City Council:****Committee:** Finance & Administration **Date:** 02/24/2025**Committee Agenda type:** Discussion**Date Rec'd**

2/18/2025

Clerk's File #

ORD C36651

Cross Ref #**Project #****Council Meeting Date:** 03/24/2025**Submitting Dept**

MAYOR

Bid #**Contact Name/Phone**

ADAM 6779

Requisition #**Contact E-Mail**

AMCDANIEL@SPOKANECITY.ORG

Agenda Item Type

First Reading Ordinance

Council Sponsor(s)

PDILLON KKLITZKE

Sponsoring at Administrators Request

NO

Lease? NO**Grant Related?** NO**Public Works?** NO**Agenda Item Name**

0520 GENERAL BUSINESS & REGULATORY LICENSE CODE CONSOLIDATION

Agenda Wording

The attached memo recommends the adoption of an ordinance to consolidate and streamline the City of Spokane's general business license and regulatory business licensing code into a single chapter, eliminate redundant and conflicting code language, repeal out-of-date licensing requirements, and clarify the City's regulatory authority under state law.

Summary (Background)

Executive Summary - Business License & Regulatory License Code Consolidation I. Background: The City of Spokane, like every city across the state, requires the licensing of most business activities. The City of Spokane also regulates and requires additional licensing or permitting of certain types of businesses and activities that have a "potential to cause social or economic evil" or "making extraordinary use of public property" through an annual regulatory business license (or permit). Business licensing is generally administered by the Finance and Administration Division although certain licensed or permitted activities are administered by other departments. Most cities in the state of Washington, including Spokane, are required to adopt certain model business license requirements and partner with the Department of Revenue's Business License Service for general business licensing. The State of Washington has established a definition for "engaging in business" that applies to businesses operating within the city limits as well as businesses physically located elsewhere but doing business in (or with) the city. II. Issue: The City's business license and regulatory licensing requirements are in separate sections of the code making it hard to follow specific requirements. Certain regulatory licensing requirements are no longer relevant. The current general business license code lacks clarity around a requirement to obtain a specific city of Spokane endorsement. The code also lacks clarity around the authority and circumstances that a business license or regulatory license may be revoked, suspended, or not renewed and how that decision may be appealed. The lack of clear standards and clarity under these code sections can create confusion for current and prospective business owners and the staff implementing these code sections.

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?

N/A

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

N/A

Council Subcommittee Review

N/A

Fiscal Impact	
Approved in Current Year Budget?	N/A
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	N/A
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	N/A
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	SCOTT, ALEXANDER
Division Director	
Accounting Manager	BUSTOS, KIM
Legal	SCHOEDEL, ELIZABETH
For the Mayor	PICCOLO, MIKE
Distribution List	
	amcdaniel@spokanecity.org
nzollinger@spokanecity.org	



Memorandum

Office of the Mayor

DATE:

FROM: Adam McDaniel – Policy Advisor, Office of the Mayor

TO: Councilmember Paul Dillon – Chair, Finance and Administration Committee

RE: General Business and Regulatory License Code Consolidation Ordinance

This memo recommends the adoption of an ordinance to consolidate and streamline the City of Spokane’s general business license and regulatory business licensing code into a single chapter, eliminate redundant and conflicting code language, repeal out-of-date licensing requirements, and clarify the City’s regulatory authority under state law.

Executive Summary – Business License & Regulatory License Code Consolidation

I. **Background:** The City of Spokane, like every city across the state, requires the licensing of most business activities. The City of Spokane also regulates and requires additional licensing or permitting of certain types of businesses and activities that have a “potential to cause social or economic evil” or “making extraordinary use of public property” through an annual regulatory business license (or permit). Business licensing is generally administered by the Finance and Administration Division although certain licensed or permitted activities are administered by other departments.

Most cities in the state of Washington, including Spokane, are required to adopt certain model business license requirements and partner with the Department of Revenue’s Business License Service for general business licensing. The State of Washington has established a definition for “engaging in business” that applies to businesses operating within the city limits as well as businesses physically located elsewhere but doing business in (or with) the city.

II. **Issue:** The City’s business license and regulatory licensing requirements are in separate sections of the code making it hard to follow specific requirements. Certain regulatory licensing requirements are no longer relevant. The current general business license code lacks clarity

around a requirement to obtain a specific city of Spokane endorsement. The code also lacks clarity around the authority and circumstances that a business license or regulatory license may be revoked, suspended, or not renewed and how that decision may be appealed. The lack of clear standards and clarity under these code sections can create confusion for current and prospective business owners and the staff implementing these code sections.

III. Policy Recommendations

The Council should adopt an ordinance to consolidate the general business license and regulatory license code into a single code chapter for clarity. The ordinance will eliminate conflicting code and regulatory requirements that are no longer enforceable or relevant. This ordinance will streamline licensing procedures for better understanding to current and prospective business owners and City staff tasked with implementing these codes.

Proposed Ordinance Table of Contents

- Section 1. Repeals SMC Chapter 04.04
- Section 2. Amends SMC 08.01.020
- Section 3. Repeals SMC 08.01.025
- Section 4. Amends SMC 08.01.070
- Section 5. Amends SMC 08.01.090
- Section 6. Repeals SMC 08.01.110
- Section 7. Amends SMC 08.01.120
- Section 8. Repeals SMC 08.01.130
- Section 9. Amends SMC 08.01.150
- Section 10. Amends SMC 08.01.160
- Section 11. Repeals SMC 08.01.200
- Section 12. Repeals SMC 08.01.210
- Section 13. Amends SMC 08.01.220
- Section 14. Repeals SMC 08.01.230
- Section 15. Repeals SMC 08.01.320
- Section 16. Establishes SMC 08.01.321

Section 1. Repeals SMC 04.04 - Special Administrative Procedures – Licensing

This repeals SMC 04.04 to consolidate into the Business Registrations SMC chapter 08.01.

- The definitions of the ‘Licensing’ code (SMC 04.04.010) are incorporated into the Business Registration Definitions section (SMC 08.01.020)
- SMC 04.04.020 (Activities Requiring Registrations and Licenses) is established into a new section within the Business Registrations chapter – SMC 08.01.071
- SMC 04.04.030 (Application Procedure) is already established in SMC 08.01. Certain regulatory licenses have additional application procedures outlined in their respective SMC chapter under the License Code in Title 10.



- SMC 04.04.040 (Functions of License Officer) is distributed throughout SMC 08.01 and the respective Title 10 License Code chapters.
- SMC 04.04.050 (Refusal to issue, revocation of, or refusal to renew business license) is consolidated into a new section SMC 08.01.321 in the Business Registrations chapter.
- SMC 04.04.060 (Record of Licenses) is not necessary as the requirements for specific regulatory licenses are outlined in the respective License Code chapter in SMC Title 10.
- SMC 04.04.070 (Responsibilities of Licensees) is not necessary as these requirements are already included in the Business Registrations chapter SMC 08.01 or outlined in the respective License Code chapter in SMC Title 10.
- SMC 04.04.080 (Orders to Comply) is duplicative of the generalized procedures of refusal to issue, revocation of, or refusal to renew a business license.
- The hearing and appeal process for licensees and applicants who have licenses denied, revoked, or refused to be renewed (SMC 04.04.090 and SMC 04.04.100) are added to a new section SMC 08.01.321.
- The term of the license (SMC 04.4.110) is duplicative and incorporated into SMC 08.01.070.

Section 2. Amends SMC 08.01.020 (Definitions)

- This section assumes the relevant definitions eliminated in the repeal of SMC 04.04.010.
- The definitions of “General Business License” and “Regulatory Business License”, as defined in RCW 35.090.010, are added to distinguish between the two types of licenses.
- This section also consolidates the definition of ‘Consumer Show’ which has a separated code section in SMC 08.01.025 that is no longer necessary.

Section 3. Repeals SMC 08.01.025 (Consumer Show Definitions)

This section eliminates SMC 08.01.025 (Consumer Show Definitions). These definitions are consolidated in the Definitions section of the Business Registrations chapter (SMC 08.01.020).

Section 4. Amends SMC 08.01.070 (Business Registration Required)

- This section clarifies that a Spokane city endorsement is required. This clarification is requested by the Finance and Administration Division as an estimated 5% of all

registered businesses operating in the city of Spokane do not have this endorsement.

- This section consolidates the Term of [Business] Registration section in SMC 08.01.130. This separated section is no longer necessary and is subsequently repealed in Section 9 of the ordinance.
- This section consolidates SMC 08.01.230 (Name or Location Change), which requires a business to update the general business license through the Business License Service of the Department of Revenue.

This section also consolidates all general business licenses and regulatory licensed activities into a singular class with the Chief Financial Officer (or their designee) serving as the single licensing officer unless otherwise designated.

For decades the City has regulated certain activities under a special regulatory business licensing procedure in SMC 04.04.

The current business license framework establishes three separate classes of licenses:

Class I licenses include: “ordinary vocations and businesses on private property by private means”;

Class II licenses include “activities which have a potential to cause social or economic evil, or useful occupations which may under certain circumstances become a public or private nuisance offensive or dangerous to health, safety, morals, or good order”; and

Class III licenses are activities involving the right-of-way (“claiming a private right in or making extraordinary use of public property”).

<u>Class I</u>	<u>Class II</u>	<u>Class III</u>
peddling merchandise, and	maintaining places and devices of amusement and entertainment facilities;	moving buildings;
solicitation of money or things of value.	keeping of animals;	operating cable television;
	building relocation;	certain contracting;
	certain contracting;	collecting garbage or commercial recyclables;
	commercial use and sale of fireworks;	distributing natural gas;
	private or special police;	maintaining mechanical newspaper vendors;
	dealing in used goods;	operating telephone and telegraph equipment;
	operating for-hire vehicles.	operating sidewalk cafes; and doing commercial tree work.



Nearly all activities requiring regulatory licenses also have a corresponding code chapter under the Regulation of Activities (SMC Title 10) License Code.

Additionally, SMC 04.04 assigns a designated licensing officer to each license class. However, not all regulatory licenses designate a licensing officer. Some licensing requirements designate a specific City official such as the Director of Solid Waste or fire official.

Unless designated, generally, the current licensing officer for Class I activities is the Chief Financial Officer while the Chief of Police serves as the licensing officer for Class II and Class III activities. The License Code further categorizes Licensing Officers by five suffixes. For example, a license with the suffix ‘E’ is licensed by the Director of Engineering Services. Under the current regulatory scheme, the Licensing Officer is responsible for reviewing license applications and has the authority to refuse to issue, revoke, or refuse to renew licenses based on specific criteria.

<u>License</u>	<u>SMC Title 10 Chapter</u>	<u>Licensing Officer</u>
Amusement Facilities	SMC 10.23A	Chief Financial Officer (IIA)
Animals	SMC 10.24	Chief of Police (II)
Commercial Tree Work	SMC 10.25	Chief Financial Officer (IIIA)
Building Moving and Relocation	SMC 10.26	Chief of Police (III)
Cable Communications Code	SMC 10.27A	Chief of Police (III)
Sidewalk Cafes	SMC 10.28	Director of Engineering Services (IIIE)
Contractors and Workers	SMC 10.29	Director of Engineering Services (IIE) ¹
1986 Fireworks Code	SMC 10.33A	“Fire Official”
Garbage Collection	SMC 10.35	Director of Solid Waste
Gas Transmission and Distribution	SMC 10.36	Chief of Police (III)
Mechanical Newspaper Vendors	SMC 10.38	Director of Engineering Services (III)
Special Police Officers	SMC 10.41A	Chief of Police (II)
Solicitation	SMC 10.42	Chief Financial Officer (I)
Telephone and Telegraph Construction	SMC 10.43	Director of Engineering Services (III)
Used Goods	SMC 10.45	Chief of Police (II)

There are also regulatory business licensing requirements within SMC Title 10 but are not listed under the Licensing code in SMC 04.04. Other activities requiring additional licensing include:

<u>License</u>	<u>SMC Title 10 Chapter</u>	<u>Licensing Officer</u>
For-Hire Transportation	SMC 10.34A	Chief Financial Officer

¹ While blasting licenses are licensed by the Director of Engineering Services. Boiler, and Heating Mechanics licenses are licensed by the Building Official (IIB).

Special Events	SMC 10.39	Chief of Police
Itinerant Vendors	SMC 10.40	None
Emergency Medical Transport	SMC 10.47	None
False Alarms	SMC 10.48	Chief of Police
Marijuana Producer, Processor and Retailer	SMC 10.50	None
Mobile Food Vendors	SMC 10.51	Director of Engineering Services (IIIE)
Fair Meal Delivery Requirements	SMC 10.515	None
Short Term Rentals	SMC 10.52	Director of Planning Services
Parklets and Streateries	SMC 10.55	Director of Engineering Services (IIIE)
Reality-Based Police Shows	SMC 10.56	None
Regulation of Residential Rental Housing	SMC 10.57	None ²

- This ordinance removes regulatory licensing requirements for animals. All animal licensing is currently regulated by Spokane County. The Animals chapter under the licensing code in SMC 10.24 will be repealed by ordinance. The one remaining section related to property damage by animals (SMC 10.24.060) will be incorporated into the new Animal code section (SMC 10.74). SMC 10.24.060 was inadvertently not included in the new Animal code section established in 2022.
- This ordinance also removes regulatory licensing requirements for mechanical newspaper dispensers. The subsequent chapter related to mechanical newspaper dispensers will be repealed (SMC 10.38) in another ordinance.
- Several regulated activities in Title 10 do not require an annual regulatory license or annual permit other than a general business license. These include Operating cable television (SMC 10.27A) Gas Transmission and Distribution (SMC 10.36), Special Events (SMC 10.39), Used Goods (SMC 10.45), Emergency Medical Transport (SMC 10.47), False Alarms (SMC 10.47), Marijuana Producer, Processor and Retailer (SMC 10.50), Reality-Based Police Shows (SMC 10.56).

Section 5. Amends SMC 08.01.090 (Exemptions)

- This section clarifies in the Section title that these exemptions refer to General Business License Exemptions.
- This section extends the business license exemption to farmers and gardeners selling, delivering, or peddling their produce. This exemption is provided by RCW 36.71.090.
- This section extends the business license exemption to school groups conducting occasional sales from temporary locations where the proceeds are used for school-related activities.
- This section extends the business license exemption to a City-initiated contractor who has no more than \$12,000 in contracts with the City.

² Code Enforcement is responsible for the registration and inspection process.



Section 6. Repeals SMC 08.01.110 (Registration – Class)

- With the consolidation of all business and regulatory licenses into a singular class, SMC 08.01.110 is no longer relevant.

Section 7. Amends SMC 08.01.120 (Registration – Application)

- This section removes specific form information and references the information solicited for a general business licensing is determined by the Department of Revenue.
- This section also clarifies that additional regulatory business license information is provided to the Taxes and Licenses Office (and therefore is outside of the Department of Revenue general business licensing process).

Section 8. Repeals SMC 08.01.130 (Term of Registration)

- The term of a general business license or regulatory business license is one year (as specified by RCW 35.22.282). This term length is incorporated into SMC 08.01.070 therefore SMC 08.01.130 is no longer necessary.

Section 9. Amends SMC 08.01.150 (Registration - Transfer)

- This section clarifies that both general business licenses and regulatory licenses are non-transferable.

Section 10. – Amends SMC 08.01.160 (Multiple Businesses or Locations)

- This section makes small non-substantive corrections and updates the general licensing officer to be the Chief Financial Officer in subsection 2 of the section.

Section 11. – Repeals SMC 08.01.200 (Businesses Within City)

- This SMC is duplicative to multiple sections including SMC 08.01.070 and SMC 08.01.195.

Section 12. – Repeals SMC 08.01.210 (Businesses Outside City)

- This SMC is duplicative to multiple sections including SMC 08.01.070 and SMC 08.01.195.

Section 13. – Amends SMC 08.01.220 (Temporary Business Registration – Itinerant Vendor Permit)

- This section makes no substantive changes (replacing the term division with office for the Taxes and Licenses Office)
- Clarifies temporary business licenses are temporary *general* business licenses.

Section 14. – Repeals SMC 08.01.230 (Name or Location Change)

- This SMC section is incorporated into SMC 08.01.070.

Section 15. – Repeals SMC 08.01.320 (Denial or Revocation of Business License – Illegal Activity)

- SMC 08.01.320, adopted by the City Council in 2023 (Ordinance C36444), focuses specifically on massage and reflexology businesses. Additionally, there are already criteria for the *refusal to issue, revocation of, or refusal to renew business licenses* in SMC 04.04.050. These sections are duplicative.
- This section repeals the specific language focused on massage and reflexology businesses and incorporates it into a consolidated section that encompasses all criteria for determining when the City may refuse to issue, revoke, or refuse to renew a general and/or regulatory business license.

Section 16. – New Section SMC 08.01.321 (Denial or Revocation of Business License – Illegal Activity)

- This section consolidates SMC 04.04.050 and SMC 08.01.320 into a single code section and adds the hearings and appeal process established in SMC 04.04.090 and SMC 04.04.100 into this section. This streamlines and standardizes the process of denying or refusing to renew a general business or regulatory license, as necessary.
- This section further clarifies that the City may deny, revoke, or refuse to renew business licenses for applicants or registrants who fail to comply with local, state, or federal law.

ORDINANCE NO. C36651

An ordinance consolidating the general business license and regulatory business license codes into a single code section; clarifying licensing requirements under state law; eliminating conflicting and duplicative code and regulatory requirements; repealing SMC Chapter 04.04 and SMC Sections 08.01.025, 08.01.110, 08.01.130, 08.01.200, 08.01.210, 08.01.230, and 08.01.320; adopting a new SMC Section 08.01.321; amending SMC Sections 08.01.020, 08.01.070, 08.01.090, 08.01.120, 08.01.150, 08.01.160, and 08.01.220 of the Spokane Municipal Code.

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. That SMC Chapter 04.04 (Special Administrative Procedures – Licensing) is repealed.

Section 2. That Section 08.01.020 is amended to read as follows:

Section 08.01.020 Definitions

Words are to be given their usual meaning except the following terms and their derivations have the meaning given when used in this chapter. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular((,)) and words in the singular include the plural. The word “shall” is always mandatory and not merely directory.

A. “Business” includes all activities, occupations, trades, pursuits, professions, and matters located or engaged in within the city with the object of gain, benefit, or advantage to the registrant or to another person or class, directly or indirectly.

B. “Business License Service” means the office within the Washington State Department of Revenue handling the application for the City of Spokane general business licensing and issuing the document to registered taxpayers to display at the respective places of business.

((B)) C. “Certified B Corporation” means any for-profit company certified by the non-profit B Lab to meet rigorous standards of social and environmental performance, accountability, and transparency.

D. “City” means the City of Spokane.

E. “City Council” means the City Council of the City of Spokane

F. “Consumer show” is an organized exhibition, display, or show that lasts for not more than five consecutive days and involves ten or more exhibitors It includes those events that partake the character of a unified display as well as those that are open to the public or limited to a prospective clientele It does not include shows exempted under [SMC 8.01.090\(C\)](#).

1. A consumer show includes events that may occur:

- i. within a building,
- ii. within a connected set of buildings,
- iii. at parks or on grounds, or

2. The term “consumer show” includes in addition to its common meaning any of the following:

- i. An antique show, boat show, sports show, arts and crafts or hobby show, agricultural show, street fair, festival, consumer show, horticultural show, or industrial show.
- ii. An art exhibit, coin, stamp, or hobby show.
- iii. A home show or recreational vehicle show.
- iv. A commercial or business fair; or
- v. Any other show or exhibition of a similar nature.

3. “Consumer show” excludes a farmer’s market, “flea” market, antique mart, bazaar, or similar congregation of vendors and/or exhibitors that offer goods or services to the public at the same location on a recurrent basis more than four times per year or other events of similar character.

~~((G))~~ G. “Engaging in business” means commencing, conducting, or continuing in business, and also the exercise of corporate or franchise powers, as well as liquidating a business when the liquidators thereof hold themselves out to the public as conducting such business.

H. “General business license” has the same meaning as “General business license” in RCW 35.090.010.

~~((D))~~ I. “Gross income” means the total income to the registering entity from engaging in business within the city without any deductions for taxes, bad debt, or other deductions. It is not computed separately for each individual partner, principal, employee, or other constituent part of the registrant.

J. “Insignia”, or its singular number, “insigne”, is any tag, plate, badge, emblem, sticker or any other kind of device required for use in connection with any license.

((E)) K. "Itinerant Vendor", as used in this section is defined in [SMC 10.40.010](#).

L. "License" includes the words "permit" or "permittee" means the general privilege or the holder of any privilege, respectively, under this code or other law or ordinance.

M. "License officer" is the Chief Financial Officer or their designee, unless otherwise designated.

((F)) N. "Nonprofit Corporation" or "Nonprofit Organization" means a corporation, organization or limited liability corporation:

1. Formed and organized under chapter 24.03 RCW, and
2. In accordance with Internal Revenue Code sections 501(c)(3) or 501(c)(4), and as hereafter amended.
3. Where the term nonprofit organization is used, it is meant to include a nonprofit corporation or nonprofit limited liability corporation.

O. "Person" or "Persons" is meant to include individual natural persons, partnerships, joint ventures, societies, associations, clubs, trustees, trusts, or corporations.

((G)) P. "Personnel" means any person employed by or working for any business located within the city, and/or persons who perform any part of their duties within the city. This includes officers, owners, agents, or other staff functions.

1. All officers, agents, dealers, LLC members, etc., of a corporation or business trust, and all partners of a partnership are counted as personnel within this definition.
2. A sole proprietor, owner and spouse are not counted as personnel.
3. Each part-time or each temporary person must be counted as one personnel.
4. Volunteers are not counted as personnel in determining the business registration fee.

Q. "Premises" is meant to include all lands, structures, places, equipment, and appurtenances connected or used in any business, and any personal property or fixture used in connection with any business.

((H)) P. "Registrant" includes any person who:

1. Engages in business,
2. Is required to have a business license and/or registration,
3. Is liable for any license fee, registration fee, or tax, or

4. Performs any act for which a license fee, registration fee, or tax is imposed by this chapter.

R. “Regulatory business license” has the same meaning as “Regulatory business license” in RCW 35.090.010.

((I)) S. “Social Purpose Corporation” means a corporation that has elected to be governed as a social purpose corporation under chapter 23B.25 RCW.

Section 3. That Section 08.01.025 (Consumer Show Definitions) is repealed.

Section 4. That Section 08.01.070 is amended to read as follows:

Section 08.01.070 Business Registration Required

A. No person may engage in business in the ((City)) city of Spokane or with the City without first having obtained and being the holder of a valid annual business registration or temporary business registration with a Spokane city endorsement as provided in this chapter. Annual general business ((registrations)) licenses with a Spokane city endorsement shall be issued and registered through the Washington State Department of Revenue’s Business Licensing Service (BLS). A general business license is good for twelve months and must be renewed before expiration for the next twelve months. Any temporary registrations, to include itinerant vendor registrations shall be issued and registered by the City of Spokane ((taxes and licenses department)) Taxes and Licenses Office. In addition, persons whose activities fall within the definition of [SMC 10.40.010](#) must obtain an “itinerant vendor” permit as provided in [SMC 10.40.010](#), in addition to a business registration. A business ((registration)) license does not authorize illegal activities.

B. If a business changes names or locations during a registration year, it must notify the Washington State Business Licensing Service to obtain a new registration document to display in the place of business that reflects the change of name or location. A change of location may require the filing of a new application through the Business Licensing Service, as described in this chapter.

C. A person or business conducting the following activities shall register for an annual regulatory business license or obtain an annual permit in addition to obtaining a general business license and shall follow the requirements of the activity's respective chapter:

Annual Regulatory Licenses and Permits	Licensing Requirements
Amusement Facility License	SMC 10.23A
Commercial Tree License	SMC 10.25

Building Moving and Relocation Permit	SMC 10.26
Sidewalk Café Permit	SMC 10.28
Contractors and Workers Licensing: Blaster, Boiler Operator, Fire Equipment Servicer, Gas Hearing Mechanic	SMC 10.29
Fireworks Permit	SMC 10.33A
For-hire Vehicle Driver and For-hire Operator License	SMC 10.34A
Infectious Waste License	SMC 10.35
Itinerant Vendor License	SMC 10.40
Special Police Officer License	SMC 10.41A
Charitable Solicitation License	SMC 10.42
Telephone and Telegraph Construction Permit	SMC 10.43
Emergency Medical Transport Permit	SMC 10.47
Mobile Food Vendor License	SMC 10.51
Food Delivery License	SMC 10.515
Short Term Rental License	SMC 10.52
Parklets and Streateries Licenses	SMC 10.55
Residential Rental House License	SMC 10.57

Section 5. That Section 08.01.090 is amended to read as follows:

Section 08.01.090 General Business Exemptions

Unless otherwise provided, the following exemptions apply to the requirement to obtain a general business (~~(registration)~~) license with Spokane city endorsement under this chapter:

A. Presenters of a show, such as a trade show, that is directly associated with or ancillary to a convention or a major national meeting, when entry is limited to those attending the convention or meeting and the immediate family or associates of the conventioners.

B. Consumer Show Exhibitors.

Consumer show organizers remain responsible (~~(to purchase)~~) for purchasing a (~~(regular)~~) general business registration unless otherwise exempted.

C. Persons or entities otherwise subject to the requirement to obtain a business registration, but only to the extent such requirement arises from operating at locations operated or managed by an airport board pursuant to interlocal agreement arising under the authority of chapter 14.08 RCW, where such locations have been annexed to the city, said annexation taking effect on or after January 1, 2012; and

D. Where preempted by the federal or state constitution or laws.

E. Operators of market gardens under chapter [17C.380 SMC](#) or any farmer or gardener selling, delivering, or peddling any fruits, vegetables, berries, eggs, or any farm produce or edibles raised, gathered, produced, or manufactured by such person as described in RCW 36.71.090.

F. A school group conducting occasional sales from a temporary location when the proceeds from such sales are used for school-related activities.

G. A business or person in a City-initiated contractual relationship with one or more contracts with no more than \$12,000 in accumulated value.

Section 6. That Section 08.01.110 (Registration - Class) is repealed.

Section 7. That Section 08.01.120 is amended to read as follows:

Section 08.01.120 Registration – Application

A. The application for a general business license (~~((registration))~~) shall be made on forms (~~((which))~~) set forth by the (~~((:))~~) Washington State Department of Revenue through the Business License Service.

- ~~((1. name of the applicant,~~
- ~~2. applicant's residence,~~
- ~~3. place of business,~~
- ~~4. nature of the business,~~
- ~~5. number of personnel, and~~
- ~~6. amount of the registration fee.))~~

B. Applicants (~~((whose circumstances fall under the definition of SMC 10.40.010 must further disclose information as required in SMC 10.40.030))~~) engaging in businesses requiring an annual regulatory business license shall provide any additional information as required under its respective SMC chapter to the City of Spokane Taxes and Licenses Office.

Section 8. That Section 08.01.130 (Term of Registration) is repealed.

Section 9. That Section 08.01.150 is amended to read as follows:

Section 08.01.150 (~~Registration – Transfer~~) Transfer of Licenses

All general business (~~registrations~~) licenses and regulatory business licenses are personal and non-transferable. Whenever there is a change of ownership a new (~~registration~~) license must be applied for by the new owner as provided for in this chapter.

Section 10. That Section 08.01.160 is amended to read as follows:

Section 08.01.160 Multiple Businesses or Locations

- A. Except as otherwise provided in this paragraph, when a registrant operates two or more businesses in the City, or two or more business locations within the City, whether or not related, a separate City general business (~~registration~~) license is required for each business or business location. For purposes of this paragraph, a single registrant that is in the business of renting multiple residential real property units in Spokane may register as a single business(~~,~~) but must list all residential units by street address separately as required in [SMC 10.57.020\(B\)](#).
- B. If a single business has at least one permanent location in the (~~City~~) city and also conducts business on a temporary or seasonal basis from temporary or mobile locations, such as from portable stands or vehicles, the (~~registrant~~) must obtain a secondary location (~~registration~~) license for each such location or stand or vehicle directly from the City as provided in [SMC 8.01.070](#).
 1. To the extent such temporary or mobile activities include those activities defined in [SMC 10.40.010](#) (Itinerant Vendor Designation) the requirements of that chapter shall also apply.
 2. The (~~chief of police~~) Chief Financial Officer or their designee may temporarily suspend or relocate a secondary location (~~registration~~) license allowing business activity on or adjacent to a public street or other public place within the boundaries of a permitted special event under [chapter 10.39 SMC](#) when such business activity may conflict with the special event.

Section 11. That Section 08.01.200 (Businesses Within City) is repealed.

Section 12. That Section 08.01.210 (Businesses Outside City) is repealed.

Section 13. That Section 08.01.220 is amended to read as follows:

Section 08.01.220 Temporary General Business ((Registration)) License – Itinerant Vendor Permit

A. Temporary general business ((registrations)) licenses available for a period of ninety days or less shall be issued by the City of Spokane ((taxes and licenses division)) Taxes and Licenses Office.

B. All “itinerant vendor” permits per [SMC 10.40.010](#), shall be issued by the City of Spokane ((taxes and licenses division)) Taxes and Licenses Office. An “itinerant vendor” permit must be obtained in addition to a general business ((registration)) license (temporary or regular) per [SMC 10.40.010](#).

C. A school group conducting occasional sales from a temporary location when the proceeds from such sales are used for school-related activities are exempt from obtaining an itinerant vendor permit.

Section 14. That Section 08.01.230 (Name or Location Change) is repealed.

Section 15. That Section 08.01.320 (Denial or Revocation of Business License – Illegal Activity) is repealed.

Section 16. That there is a new Section 08.01.321 to read as follows:

Section 08.01.321 Denial, Revocation or Refusal to Renew License or Permit

A. The City of Spokane may refuse to issue, revoke, or refuse to renew any license issued under the provisions of this chapter. The City shall notify such applicant or registrant of the refusal to issue, revocation of, or refusal to renew and include on the notice what grounds such a decision was based. The City may refuse to issue, may revoke, or may refuse to renew any license issued under this chapter on one or more of the following grounds:

1. The applicant or registrant has not made good tender of the license fee, failed to comply with local, state, or federal laws or requirements, or is otherwise ineligible for the license;
2. The license was procured by fraud, or false representation of fact, or for the violation of, or failure to comply with, any of the provisions of this chapter by the person holding such license, or any of the person's servants, agents, or employees, while acting within the scope of their employment;

3. The property at which the business is located has been determined by a court to be a chronic nuisance property as provided in SMC 10.68;

4. The applicant or registrant is a person subject within the last ten years to a court order entering final judgment for violations of chapters 49.46, 49.48, or 49.52 RCW, and the judgment was not satisfied within 30 days of the later of either:

a. The expiration of the time for filing an appeal from the final judgment order under the court rules in effect at the time of the final judgment order, or

b. if a timely appeal is made, the date of the final resolution of that appeal and any subsequent appeals resulting in the final judicial affirmation of the findings of violations of chapters 49.46, 49.48, or 49.52 RCW.

5. Within the last ten years the applicant or registrant is a person subject to a final and binding citation and notice of assessment from the Washington State Department of Labor and Industries for violations of chapters 49.46, 49.48 or 49.52 RCW, and the citation amount and penalties assessed therewith were not satisfied within 30 days of the date the citation became final and binding.

6. An applicant or registrant has been convicted of an offense under Chapter 9A.88 RCW or a comparable law of another state, and no person convicted of an offense under Chapter 9A.60 RCW or a comparable law of another state, when such violation of Chapter 9A.60 RCW or comparable law of another state is related to the operation of a massage business or reflexology business as defined in RCW 18.108.010.

B. An applicant or registrant whose application has been denied, revoked, or refused to renew may file within fourteen days of the denial, revocation, or refusal to renew an appeal to the Hearing Examiner. The appeal shall contain a factual statement and legal grounds for the appeal and be filed with the City Clerk. The Hearing Examiner causes a verbatim record of testimony, and a file of documents introduced to be made and causes findings or conclusions on the issues in dispute to be made in writing as part of the record and affirms, overrules, modifies, or remands the decision appealed.

PASSED by the City Council on _____

Council President

Attest:

Approved as to form:

City Clerk

City Attorney

Mayor

Date

Effective Date

**Agenda Sheet for City Council:****Committee:** Finance & Administration **Date:** 02/24/2025**Committee Agenda type:** Discussion**Date Rec'd**

2/18/2025

Clerk's File #

ORD C36652

Cross Ref #**Project #****Council Meeting Date:** 03/24/2025**Submitting Dept**

MAYOR

Bid #**Contact Name/Phone**

ADAM 6779

Requisition #**Contact E-Mail**

AMCDANIEL@SPOKANECITY.ORG

Agenda Item Type

First Reading Ordinance

Council Sponsor(s)

PDILLON KKLITZKE

Sponsoring at Administrators Request

NO

Lease? NO**Grant Related?** NO**Public Works?** NO**Agenda Item Name**

0520 AN ORDINANCE CORRECTING MUNICIPAL CODE REFERENCES

Agenda Wording

An ordinance correcting municipal code references resulting from the streamlining of general business and regulatory licensing processes and procedures.

Summary (Background)

An ordinance correcting municipal code references resulting from the streamlining of general business and regulatory licensing processes and procedures; amending Sections 10.23A.010, 10.23A.020, 10.23A.070, 10.25.010, 10.26.010, 10.26.070, 10.29.010, 10.29.020, 10.29.031, 10.29.060, 10.29.070, 10.39.070, 10.40.010, 10.40.025, 10.41A.010, 10.41A.040, 10.42.030, 10.51.020, 10.51.110, 10.51.130, 10.515.060, 10.52.020, 10.52.030, 10.55.020, and 17C.316.050; repealing Sections 10.23A.075, 10.28.020, and 10.40.020 of the Spokane Municipal Code.

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?

N/A

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

N/A

Council Subcommittee Review

N/A

Fiscal Impact	
Approved in Current Year Budget?	N/A
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	N/A
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	N/A
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	SCOTT, ALEXANDER
Division Director	
Accounting Manager	BUSTOS, KIM
Legal	SCHOEDEL, ELIZABETH
For the Mayor	PICCOLO, MIKE
Distribution List	
	amcdaniel@spokanecity.org
nzollinger@spokanecity.org	

ORDINANCE NO. C36652

An ordinance correcting municipal code references resulting from the streamlining of general business and regulatory licensing processes and procedures; amending Sections 10.23A.010, 10.23A.020, 10.23A.070, 10.25.010, 10.26.010, 10.26.070, 10.29.010, 10.29.020, 10.29.031, 10.29.060, 10.29.070, 10.39.070, 10.40.010, 10.40.025, 10.41A.010, 10.41A.040, 10.42.030, 10.51.020, 10.51.110, 10.51.130, 10.515.060, 10.52.020, 10.52.030, 10.55.020, and 17C.316.050; repealing Sections 10.23A.075, 10.28.020, and 10.40.020 of the Spokane Municipal Code.

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. That Section 10.23A.010 of the Spokane Municipal Code is amended to read as follows:

Section 10.23A.010 Definitions

For the purpose of this chapter:

- A. "All ages venue" is an entertainment facility where live or recorded entertainment involving music, singing, dancing, or other similar entertainment is presented to the public, where patrons of all ages are admitted.
- B. "Amusement facility," or "entertainment facility" is any business, club, or location that is required to have a City business license or permit in accordance with chapter ((4-04)) [08.01](#) SMC where concerts, dances, carnivals, circuses, teen club, all ages venue, or a cabaret is presented to the public as a regular course of doing business, not including:
 - 1. a government entity, public or private schools or college; or
 - 2. a facility operated by an organization which has been recognized as exempt from federal income taxation and when the entertainment activities are but an occasional activity not related to the facility's primary purposes; or
 - 3. licensed businesses whose primary function is to provide products or services and where the entertainment provided is not material to the economic viability of the business.
- C. "Cabaret" is an entertainment venue involving live or recorded music, singing, dancing, or other similar entertainment that is presented to the public.
- D. "Carnivals" are any organized event for the primary purpose of presenting a traveling show having sideshows, rides, games of skill, and food vendors, whether

indoors or outdoors.

- E. "Circuses" are any organized event for the primary purpose of exhibition of feats of performers, entertainers, acrobats, and trained animals, whether indoors or outdoors.
- F. "Concerts" are any organized event for the primary purpose of presenting live or recorded music or other amplified sounds for entertainment, whether indoors or outdoors.
- G. "Dance" is any organized event for the primary purpose of presenting live or recorded music for dancing, whether indoors or outdoors.
- H. "Event facility" is any establishment, licensed under this chapter, where an admission fee is charged and/or tickets are sold for entry which is being presented to the public."
- I. "Outdoor entertainment" is a venue involving live or recorded music, singing, or other similar entertainment that is presented to the public.
- J. "Teen club" is any building, or part of, or other enclosed facility, or place where a teen dance or venue is held or teen dancing is permitted.
- K. "Teen dance" is a dance or venue open to the public to which persons under the age of twenty-one years are admitted.
- L. "Venue" is an entertainment facility involving live or recorded music, singing, dancing, or other similar entertainment presented at a facility, location, or established place of business licensed under this chapter.

Section 2. That Section 10.23A.020 of the Spokane Municipal Code is amended to read as follows:

Section 10.23A.020 License Required

- A. No person may conduct or maintain an entertainment or amusement facility without first obtaining an entertainment facility license.

~~((B The entertainment facility license is a class IIA license as provided in [chapter 4.04 SMC.](#)))~~

~~((C))~~ B. Anyone conducting or operating a business, event, or venue where concerts, dances, carnivals, or circuses are presented to the public as a regular course of doing

business shall have a license or permit issued under this chapter, unless otherwise exempted by this chapter.

Section 3. That Section 10.23A.070 of the Spokane Municipal Code is amended to read as follows:

Section 10.23A.070 Application, Transfer, and Renewal

- A. An entertainment facility license issued under this chapter is not transferable as to person or place.
- B. Application for License.
 - 1. The application is filed and all applicable license fee(s) are paid to, the ~~((Department of Taxes and Licenses))~~ Taxes and Licensing Office.
 - 2. The ~~((Chief of Police, or designated))~~ license officer, does not approve the license until the application has been reviewed and approved by a designated building official, fire marshal, and director of taxes and licenses as required.
- C. An entertainment facility shall be at all times during normal business hours available for access by any law enforcement.
- D. This chapter is subject to the administrative provisions of chapter ~~((4.04))~~ 08.01 SMC.
 - 1. An entertainment facility license may be suspended, revoked, or denied if:
 - a. any datum furnished on the application is false or is not updated in a timely fashion;
 - b. the structure ceases to comply with all applicable building, fire, and zoning provisions;
 - c. any condition of the license, or voluntary consent agreement issued under this chapter has been violated; or
 - d. any provision of this chapter is violated.
 - 2. Any authorized City official may issue a warning order requiring licensee to correct any condition or practice that presents a threat to the public health or safety.
 - 3. Authorized City departments may invoke their powers granted under the Spokane Municipal Code to immediately close an entertainment facility if

the conditions present an imminent threat to public health and safety.

E. Renewal of application:

1. Application for renewal shall be made no later than thirty days prior to expiration of license.
2. The applicant shall pay all applicable fees.
3. The applicant must obtain relevant confirmations from the fire department; the building services department; and the police department.

F. All license fees are non refundable.

G. Any person required to obtain a license under this chapter and who fails to do so in the time required by this code is subject to payment of interest on the outstanding balance at the rate of one percent per month or part of a month. In addition to the interest, penalties are assessed at the rate of:

1. Fifteen percent for the amount due for any amount past due more than thirty days; and
2. Twenty percent for the amount past due more than sixty days.

H. Penalties and interest provided for in this section are collected as part of the license fee. Collection of the penalties and interest, or discontinuance of the activity, does not excuse noncompliance and is not a defense to prosecution.

Section 4. That Section 10.23A.075 of the Spokane Municipal Code is repealed

Section 5. That Section 10.25.010 of the Spokane Municipal Code is amended to read as follows:

Section 10.25.010 Commercial Tree License

A. Any person or entity retained or hired to prune, plant, or remove a public tree (~~(, as defined in [SMC 12.02.945](#))~~) or street tree as defined in (~~([SMC 12.02.952](#))~~) [SMC 12.02.910](#) must be licensed to perform commercial tree work by the City under this section. Each day of a continuing violation is a new and separate violation. (Cross Reference: [SMC 12.02.910](#), et seq., pruning permit)

B. A license to perform commercial tree work is issued to each applicant who meets the following qualifications:

1. Is, or has an employee who is, an arborist certified through the International Society of Arboriculture.
2. Uses only International Society of Arboriculture certified arborist or certified tree workers in performing work which involves tree climbing or tree pruning, planting, or removal.
3. Has not been found in violation of any requirements of [chapter 12.02 SMC](#) within the preceding year.
4. Maintains public liability insurance with combined bodily injury and property damage limits of at least one million dollars. At the time of permit application, the applicant must furnish proof of such insurance, naming the City of Spokane as an additional insured. The insurance must include a provision for at least thirty days written notice to the City risk manager prior to cancellation or material change in coverage to be given. The risk manager may allow insurance to be provided on an annual basis and may increase the amount of coverage for more extensive work as the public interest may require.

C. The license expires one year from the date of issuance, or sooner if the liability insurance lapses.

~~((D. Licenses required by this section are class IIIA licenses under [chapter 4.04 SMC](#).)~~

~~((E))~~ D. Enforcement.

1. Whenever it appears to the City that there has been a violation of the Spokane Municipal Code by a licensee in connection with the enjoyment of licensed privileges, a warning letter is issued specifying the apparent violation and any other information. If the City believes damages apply, the warning letter may include that information and demand for payment. The letter shall state a time for response and offer to meet with the party. The City may always independently seek restitution for any damages through any lawful means.
2. If it appears to the City that a second violation has arisen within a three-year period after the first warning letter under subsection (E)(1) of this section, the matter is referred to the City prosecutor to seek penalties and full restitution for any apparent violations and damages claimed, including any items not resolved from the first warning letter. In addition, upon a court determination of any violation by a party required to hold a license under [SMC 10.25.010](#), said party's license is suspended six months. A party may apply for reinstatement after that time, conditioned on payment of all fines, penalties and damages applicable.

3. If it appears to the City that a third violation has arisen within a three-year period after the first warning letter under subsection (E)(1) of this section, the matter is referred to the City prosecutor to seek penalties and full restitution for any apparent violations and damages claimed, including any items not resolved from prior accrued violations. In addition, upon a court determination of an additional violation by a party required to hold a license under [SMC 10.25.010](#) beyond any prior court determination under subsection (E)(2) of this section, said party's license is suspended two years. A party may apply for reinstatement after that time, conditioned on payment of all fines, penalties and damages applicable.
4. Nothing herein prevents the City from contacting a party and resolving issues by any means outside the procedures stated herein.

Section 6. That Section 10.26.010 of the Spokane Municipal Code is amended to read as follows:

Section 10.26.010 Relocation Permit Required

- A. A person needs a relocation permit issued by the ~~((development services center))~~ Development Services Center to relocate or place a building or structure upon any property in the ~~((City))~~ city.
- B. The applicant must be either the owner of the building or a state-registered contractor.
- C. The relocation permit is in addition to the building moving permit and the street obstruction permit as provided in [SMC 17G.010.210\(B\) and \(D\)](#) and chapter [12.02 SMC](#). ~~((While the moving and street obstruction permits are class III licenses under chapter [4.04 SMC](#), the))~~ The relocation permit is a species of building permit.

Section 7. That Section 10.26.070 of the Spokane Municipal Code is amended to read as follows:

Section 10.26.070 Building Moving - Additional Provisions

- A. Notwithstanding and in addition to the provisions of ~~((chapter [4.04 SMC](#),))~~ chapter [12.02 SMC](#) and [chapter 17G.010 SMC](#) with respect to the permits for relocating a building, moving a building and obstructing a street, the moving of the building is subject to the further provisions of this section.
- B. The building official coordinates review and comment on the proposal among the City departments of police, development services center, engineering services,

street, and among all utility companies having lines or other facilities along the proposed route.

- C. Before the moving permit is issued the building official incorporates, by endorsement or attachment, a written description of the approved route and the time and date of the move. At least fifteen days before the move the applicant must sign the permit thereby agreeing to:
1. the route and time frame;
 2. notifying the police department, the street department and affected utilities at least twenty-four hours in advance of the move; and
 3. reimburse the affected departments and utility companies for the actual costs of inspections, moving lines or otherwise enabling the move.

When the holder of a building moving permit gives notice as provided in this section, every owner of utility facilities is required to raise, remove and replace, bypass or take other reasonable action regarding such facilities to accommodate the moving of the building.

Section 8. That Section 10.28.020 of the Spokane Municipal Code is repealed:

Section 9. That Section 10.29.010 of the Spokane Municipal Code is amended to read as follows:

Section 10.29.010 License and Permit

- A. A. No person may work as a blaster or operate as a contractor using explosives or blasting agents without a current license issued by the city engineer, bond and insurance as provided in [SMC 17G.010.210](#).
- B. No person may conduct blasting operations without a blasting permit as provided in [SMC 17G.010.210\(A\)](#).
- C. The blasting license (~~and permit are in the nature of a class IIE license under [chapter 4.04 SMC](#)~~) is an annual license subject to the licensing procedures of 08.01 SMC.
- D. Additionally, IFC section 105.6.15 requires a permit from the fire official to:
1. manufacture, possess, store, sell, use or dispose of explosives or blasting agents;

2. operate a terminal for handling explosives or blasting agents, and to deliver or receive same at a terminal during the hours of darkness; or
3. transport explosives or blasting agents or transport blasting caps on the same vehicle with explosives.

Section 10. That Section 10.29.020 of the Spokane Municipal Code is amended to read as follows:

Section 10.29.020 Operator's License

No person may operate or have charge of a steam boiler of any size or a hot water heating or supply boiler of five hundred thousand BTU input or larger without a license, issued by the building services department, of the appropriate class as follows:

- A. A low-pressure boiler operator's license authorizes the holder to have charge of and operate any specifically described and located fifteen-pound steam boiler or hot water boiler used for heating purposes only not exceeding four million BTU; or
- B. A small high-pressure boiler operator's license authorizes the holder to have charge of and operate a small high-pressure boiler not exceeding eight hundred thousand BTU input or one hundred fifty pounds psi.
- C. A third-class boiler operator's license authorizes the holder to have charge of and operate a high-pressure (power) boiler not exceeding four million BTU input, or
 1. and operate any size low-pressure boiler, or
 2. an opposite shift to a second-class boiler operator.
- D. A second-class boiler operator's license authorizes the holder to have charge of:
 1. and operate a high-pressure boiler not exceeding eight million BTU, or
 2. an opposite shift to a first-class boiler operator, or
 3. and operate any size low-pressure boiler.
- E. A first-class boiler operator's license authorizes the holder to have charge of any size high-pressure or low-pressure boiler.
- F. ~~((Boiler operator's licenses are class IIB licenses under [chapter 4.04 SMC](#)))~~ Boiler Operator is an annual subject to the licensing procedures of 08.01 SMC.

~~((1. They are annual licenses which expire on December 31st.))~~

Section 11. That Section 10.29.031 of the Spokane Municipal Code is amended to read as follows:

Section 10.29.031 ~~((Term of Licenses))~~ Heating Mechanics License

~~((Licenses))~~ A license for heating mechanics are class IIB licenses under [chapter 4.04 SMC](#) which expire on December 31st.) is an annual regulatory license subject to the licensing procedures of 08.01 SMC.

Section 12. That Section 10.29.060 of the Spokane Municipal Code is amended to read as follows:

Section 10.29.060 Registered Fire Equipment Servicer

- A. Fire equipment servicer registration is listed in [SMC 17F.080.270](#).
- B. A registered fire equipment servicer license is ~~((a class IIF))~~ an annual regulatory license ((under [chapter 4.04 SMC](#))) subject to the licensing procedures of 08.01 SMC.

Section 13. That Section 10.29.070 of the Spokane Municipal Code is amended to read as follows:

Section 10.29.070 License Suspension

- A. In supplementation of ~~(([chapter 4.04 SMC](#)))~~ chapter 08.01 SMC, the building official may order the suspension of a license under this chapter, except a blasting license, upon any of the following grounds attributable to the licensee:
 - 1. Unworkmanlike installations.
 - 2. Code infractions.
 - 3. Habitual excessive use of alcohol or drugs.
 - 4. Misrepresentation in obtaining the license.

5. Special circumstances which require suspension in the interests of public safety and welfare.

B. The licensee may appeal as provided in (~~(SMC 4.04.100)~~) SMC 08.01.

Section 14. That Section 10.39.070 of the Spokane Municipal Code is amended to read as follows:

Section 10.39.070 Appeal of Denial of Special Event Permit

A denial of a special events permit may be appealed pursuant to (~~(SMC 4.04.100)~~) SMC 08.01.

Section 15. That Section 10.40.010 of the Spokane Municipal Code is amended to read as follows:

Section 10.40.010 Itinerant Vendor Designation & Permit - When Required

A regular or temporary business issued a registration under chapter 8.01 SMC must obtain a separate "itinerant vendor" permit from the City of Spokane (~~(taxes and licenses division)~~) Taxes and Licensing Officer under any of the following circumstances:

- A. Where the person is engaged in the business of selling or delivering goods or services within the City from a fixed or temporary location as an itinerant vendor, except those vendors operating under the provisions of chapter 10.51 SMC Mobile Food Vending shall not be considered itinerant vendors.
 1. Examples are people selling prepackaged food or wares from roving vehicles in the streets, except mobile food vendors. (Cross Reference: SMC 8.01.220 and chapter 10.51 SMC).
- B. Where the person travels from door to door as the principle means of conducting business offering, exposing for sale, or selling within the City any goods, merchandise, service or product.
- C. Where the person engages in any business in the City with no permanent location. (Cross Reference: SMC 8.01.070).
- D. A person who engages in constitutionally protected expressive activities in the public right-of-way shall not be required to obtain a business registration unless the person engages in business activities. Constitutionally protected expressive activities conducted in the public right-of-way shall include, but is not limited to, street performers. For the purposes of this section, a street performer means an

individual, including street musicians, who performs any form of artistic expression. The voluntary contribution of money or other items of value by members of the public to the individual in association with the expressive activity shall not result in the requirement of obtaining a business registration. A person who engages in constitutionally protected expressive activities in the public right-of-way must still comply with all other regulations regarding conduct in the public right-of-way.

Section 16. That Section 10.40.020 of the Spokane Municipal Code is repealed:

Section 17. That Section 10.40.025 of the Spokane Municipal Code is amended to read as follows

Section 10.40.025 Violation

- A. If a person engages in activities defined in [SMC 10.40.010](#) without a current itinerant vendor permit issued by the City of Spokane (~~taxes and licenses division~~) Taxes and Licensing Office, they are subject to a penalty.
- B. A violation of this chapter is a class 1 civil infraction. Each day upon which a violation occurs or is knowingly continued constitutes a separate violation.
- C. Itinerant vendors must comply with all state and local laws.

Section 18. That Section 10.41A.010 of the Spokane Municipal Code is amended to read as follows:

Section 10.41A.010 In General

- A. This chapter (~~supplements and~~) specifies the general administrative procedures of (~~chapter 4.04 SMC~~) chapter 08.01 SMC and provides substantive regulations of special police officers.
- B. Special or private police officers under this chapter differ from private detectives and security guards licensed under chapter 18.165 RCW and chapter 18.170 RCW in that they have a police commission and they differ from members of the police reserve force.

Section 19. That Section 10.41A.040 of the Spokane Municipal Code is amended to read as follows:

Section 10.41A.040 License Required

- A. No person may act or pretend to act as a special police officer without a current valid commission.
- B. No person may employ an individual as a special police officer unless the individual has a current valid commission.
- C. The license required for a special police officer is in the form of a commission from the chief of police and is a ~~((class II))~~ license as provided in ~~((chapter 4.04 SMC))~~ chapter 08.01 SMC.

Section 20. That Section 10.42.030 of the Spokane Municipal Code is amended to read as follows:

Section 10.42.030 Charitable Solicitation Permit Required

- A. No person may solicit for charitable purposes without a charitable solicitation permit.
- B. A permit is not required for solicitation by members of a charitable or religious organization among its members or persons present at a regular meeting of the organization.
- C. A charitable solicitation ~~((permit is a class I))~~ annual license ~~((as provided in chapter 4.04 SMC))~~ subject to the licensing procedures in 08.01 SMC.

Section 21. That Section 10.51.020 of the Spokane Municipal Code is amended to read as follows:

Section 10.51.020 Mobile Food Vending License ((Class))

Mobile food vending ~~((permits are Class IIIE))~~ annual licenses ~~((as provided in chapter 4.04 SMC))~~ subject to the procedures in chapter 08.01 SMC.

Section 22. That Section 10.51.110 of the Spokane Municipal Code is amended to read as follows:

Section 10.51.110 Indemnity-Permit Revocation (Mobile Food Vendor)

The applicant for a mobile food vendor permit shall deliver to the City, on a form supplied by the City, signed and acknowledge agreement by the applicant to defend, indemnify, and hold the City harmless from any and all claims, actions or damages or liabilities of every kind and description which may accrue to, or be suffered by, any persons by reason of or related to the operation of such mobile food vending unit. In addition, the agreement

shall contain a provision that the permit is wholly of a temporary nature, that it vests no permanent right whatsoever, that it may be suspended or revoked pursuant to the procedures set forth in (([SMC-4.04.080](#))) chapter 08.01 SMC.

Section 23. That Section 10.51.130 of the Spokane Municipal Code is amended to read as follows:

Section 10.51.130 Violation

- A. This chapter is subject to the administrative provisions of chapter (([4.04 SMC](#))) 08.01 SMC. In the event of an appeal, the hearing officer shall be the City of Spokane hearing examiner.
- B. Mobile food vendors must comply with all state and local laws.
- C. A violation of this chapter is a class 1 civil infraction. Each day upon which a violation occurs or is permitted to continue constitutes a separate violation.

Section 24. That Section 10.515.060 of the Spokane Municipal Code is amended to read as follows:

Section 10.515.060 Violation and penalty

- A. It is a violation of this chapter to fail to comply with any provision of this chapter.
- B. This chapter is subject to the administrative provisions of (([chapter 4.04 SMC](#))) chapter 08.01 SMC. In the event of an appeal, the hearing officer shall be the City of Spokane hearing examiner.
- C. Violation of this chapter by any business is a Class 1 Civil Infraction and subject to the penalties set forth in [chapter 1.05 SMC](#).
- D. Each day of a continuing violation is a separate offense.

Section 25. That Section 10.52.020 of the Spokane Municipal Code is amended to read as follows:

Section 10.52.020 License Officer

For purposes of chapter ((4.04)) [8.01 SMC](#), the Director of Planning and Economic Development Services shall be the license officer.

Section 26. That Section 10.52.030 of the Spokane Municipal Code is amended to read as follows:

Section 10.52.030 Violation

- A. This chapter is subject to the administrative provisions of chapter ~~((4.04))~~ [08.01 SMC](#). In the event of an appeal, the hearing officer shall be the City of Spokane hearing examiner.
- B. Short-term rental owners and operators must comply with all state and local laws.
- C. A violation of this chapter is a class 2 civil infraction. Each day upon which a violation occurs or is permitted to continue constitutes a separate violation.

Section 27. That Section 10.55.020 of the Spokane Municipal Code is amended to read as follows:

Section 10.55.020 ~~((License Class))~~ Parklet and Streatery License

Parklet and streatery licenses are ~~((Class III E))~~ annual licenses ~~((and are))~~ subject to ~~(([SMC Chapter 04.04](#)))~~ chapter 08.01 SMC.

Section 28. That Section 17C.316.050 of the Spokane Municipal Code is amended to read as follows:

Section 17C.316.050 Short-Term Rentals in Other Zones

- A. Allowed Structure Types. A short-term rental is allowed only in a conforming residential structure or a residential dwelling unit within a mixed-use building. All other structures must complete the Change of Use/Occupancy process to establish a Retail Sales and Service use, as defined in [17C.190.270 SMC](#).
- B. Maximum number of short-term rental units. Maximum short-term rental units are calculated by structure rather than per lot.
 - 1. One short-term rental is allowed in a detached single-family structure, accessory dwelling unit, or an attached single-family structure. One short-term rental is allowed in one of the units of a duplex.
 - a. One short-term rental is allowed in both a detached or attached single-family structure and an accessory dwelling unit, subject to the owner occupancy requirements in [Section 17C.300.110\(B\) SMC](#).

2. All other multifamily or mixed-use buildings are limited to a maximum percentage of short-term rental units dependent on the below requirements:
 - a. Buildings that are fire sprinklered may have no more than thirty percent of the total number of residential units as short-term rentals within the building. All calculations will be rounded up to the nearest full unit.
 - b. Buildings that are not fire sprinklered must go through the Change of Use/Occupancy process to establish a Retail Sales and Service use, as defined in [17C.190.270 SMC](#).
 - c. When calculating the maximum number of units results in a fraction, the units allowed are rounded up to the next whole number.

C. Standards.

1. All short-term rentals must comply with the consumer safety and liability insurance requirements as listed in Chapter 64.37 RCW.
2. Bedroom requirements. The City's Building Official must verify that each bedroom to be rented to overnight guests:
 - a. Meets the current building code requirements for a sleeping room
 - b. Meets current fire code requirements;
 - c. Common areas, such as but not limited to living rooms, lofts, or closets shall not qualify as sleeping accommodations for the purposes of determining maximum occupancy.
3. Number of residents and guests. The total number of residents and guests occupying a dwelling unit that includes a short-term rental may not exceed any lawful limits on occupant load per square foot or generally applicable health and safety provisions as established by applicable building or fire code, as provided in RCW 35.21.682.
4. Parking. [See Spokane Municipal Code Chapter 17C.230 Parking and Loading](#).
5. Advertising. All advertising for the short-term rental must include short-term rental permit number and is subject to sign requirements of [Chapter 17C.240 Signs](#).

D. Permit Required. The owner or operator of a short-term rental must obtain a permit. The permit requires the owner and operator to agree to abide by the requirements of this section and to comply with the requirements outlined in Chapter 64.37 RCW.

1. Required information for permit.

- a. Completed application form bearing the address of the property, the name, signature, address, and telephone number of the owner and operator if operator is not also an owner, and an emergency contact.
 - b. A short-term rental application and permit fee established by [SMC 08.02.066](#).
 - c. A copy of the owner's current City of Spokane business license.
 - d. A site plan and floor plan.
 - e. A completed and notarized Life Safety Compliance form.
- E. Renewal of and Revoking a Short-Term Rental Permit. A short-term rental permit must be renewed per the procedures in Chapter ((04.04)) [08.01](#) SMC and can be revoked according to the outlined procedures for failure to comply with the regulations of this chapter.
- 1. A permit may be revoked for activities on site such as nuisances, littering, or public disturbance as listed under [Title 10 SMC](#).
 - 2. For revocation of permit the owner or operator receives one warning of violation. Non-compliance or a repeat of non-compliance in a 12-month period shall result in revocation of permit per a type two civil infraction as referenced in [SMC 01.05.160](#).
 - 3. When a short-term rental permit has been revoked, a new short-term rental permit will not be issued to the owner at that site for 2 years.

PASSED by the City Council on _____

Council President

Attest:

Approved as to form:

City Clerk

City Attorney

Mayor

Date

Effective Date

**Agenda Sheet for City Council:****Committee:** Finance & Administration **Date:** 02/24/2025**Committee Agenda type:** Discussion**Council Meeting Date:** 03/24/2025

		Date Rec'd	2/19/2025
		Clerk's File #	ORD C36653
		Cross Ref #	
		Project #	
Submitting Dept	PLANNING & ECONOMIC	Bid #	
Contact Name/Phone	SPENCER 6097	Requisition #	
Contact E-Mail	SGARDNER@SPOKANECITY.ORG		
Agenda Item Type	First Reading Ordinance		
Council Sponsor(s)	JBINGLE PDILLON		
Sponsoring at Administrators Request	NO		
Lease? NO	Grant Related? NO	Public Works? NO	
Agenda Item Name	0650 - ORDINANCE REVISIONS - STREET COST RECOVERY		

Agenda Wording

Adding new sections to chapter 12 of the Spokane Municipal Code, consistent with state law (Ch 35.72 RCW).

Summary (Background)

To allow for cost recovery of the costs of installation by developers through a charge to later users of the systems who did not contribute toward capital costs.

What impacts would the proposal have on historically excluded communities?

We strive to offer a consistent level of service to all, distribute public investment throughout the community, and respond to gaps in services identified in various City plans.

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?

Public Works follows the City's established procurement and public works bidding regulations and policies to bring items forward and then uses contract management best practices to ensure desired outcomes and regulatory compliance.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This work is consistent with annual budget strategies to limit costs and approved projects in the 6-year CIP.

Council Subcommittee Review

Fiscal Impact	
Approved in Current Year Budget?	N/A
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Neutral \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source N/A	
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	Additional Approvals
Dept Head	GARDNER, SPENCER
Division Director	GARDNER, SPENCER
Accounting Manager	BAIRD, CHRISTI
Legal	SCHOEDEL, ELIZABETH
For the Mayor	PICCOLO, MIKE
Distribution List	
	sgardner@spokanecity.org
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mfeist@spokanecity.org	smacdonald@spokanecity.org
ebrown@spokanecity.org	rhulvey@spokanecity.org

ORDINANCE NO. C36653

AN ORDINANCE relating to the public ways and property, adopting new sections 12.13, 12.13.010, 12.13.020, 12.13.030, 12.13.040, 12.13.050, 12.13.060, 12.13.070, 12.13.080, 12.13.090, 12.13.100, 12.13.110, 12.13.200, 12.13.210, 12.13.220, 12.13.230, 12.13.240, and 12.13.250; to chapter 12 of the Spokane Municipal Code; and setting an effective date.

The City of Spokane does ordain:

Section 1. That there is adopted a new section SMC 12.13.010 to read as follows:

Chapter 12.13. Road, Street, and Highway Transportation Project Cost Recovery

Section 12.13.010 Purpose of Chapter

Pursuant to the authority conferred by chapter 35.72 RCW, this chapter is enacted to encourage the private construction of specified public roads, streets and highway transportation projects required by ordinance by providing means for the recovery of the costs of installation by developers through a charge to later users of the systems who did not contribute to the capital costs thereof. Further, this chapter also authorizes the City, as determined by the Director of Public Works and approval of the City Council, to establish Assessment Reimbursement Areas to permit the City to recover the cost of specified public roads, streets, and highway projects funded by the City which directly benefit those in the Assessment Reimbursement Area required for further development.

Section 2: That there is adopted a new section SMC 12.13.020 to read as follows:

Article I. Private Project Cost Recovery – Latecomer Agreements

Section 12.13.020 Application

- A. Any property owner who uses private funds to construct transportation projects required by City ordinance for the purpose of serving the area in which the real property of such owner is located may apply to the City to establish a latecomer agreement under RCW 35.72 et seq. to recover a pro rata share of the costs from subsequent users of the system.

- B. The application must be on forms prescribed by the City Engineer and must be accompanied by a nonrefundable application fee determined by the City Engineer.
- C. The City Engineer establishes policies and procedures for processing applications and initially determining eligibility of a system for a latecomer agreement.
- D. The applicant is required to submit to the City Engineer a certified statement by a State of Washington licensed professional engineer containing an itemization of the total projected cost of the system which may include the design plans.

Section 3. That there is adopted a new section SMC 12.13.030 to read as follows:

Section 12.13.030 Processing of Application and Charges

- A. Upon receipt of the applicant's statement of project costs, the City Engineer prepares for the City Council a report setting forth the agreement terms, which shall include:
 - 1. the total area and frontage of property currently paying or sharing the costs of construction of the transportation project;
 - 2. the total area and frontage of property directly benefited by the transportation project;
 - 3. the names and mailing addresses of the owners of the property determined to be within the area;
 - 4. the fair pro rata share of the cost for each property in the benefited area which:
 - i. would directly benefit from the transportation project;
 - ii. would require similar transportation projects upon development;
 - iii. did not contribute to the original cost of the transportation project;
 - 5. a determination whether the transportation project is consistent with the plan of the department of engineering services and the City's Comprehensive Plan;
 - 6. a list of other necessary services presently available or planned for the area as part of the adopted plan;

7. a recommendation whether the application meets the criteria of this chapter and the policies and procedures of the City Engineer and ought to be accepted.
- B. If the City Council accepts the application, it shall pass a resolution declaring its intent to enter into a transportation project latecomer agreement, subject to the further requirements of this chapter.
 - C. After the transportation project is completed, the applicant must present to the City Engineer a final statement detailing the actual total project costs, including application fees, design, construction and inspection fees.
 1. In addition, the applicant must submit “as-built” plans showing the transportation project and the service area.
 - D. If both the as-built plans and the final statement of costs are consistent with the improvement contemplated, the City shall enter into the latecomer agreement.
 - E. If the final statement exceeds or is inconsistent with the projected cost, or if the as-built plans significantly differ from the original design, the City Engineer shall meet with the applicant to determine the reason for the increased cost or different design.
 - F. The City Engineer will make a further report and recommendation to the City Council. The City Council may approve, reject or modify the latecomer agreement.

Section 4. That there is adopted a new section SMC 12.13.034 to read as follows:

Section 12.13.040 Ownership of System

- A. To be eligible, a transportation project must comply with all City ordinances, rules and regulations applicable to the design and construction of the transportation project.
- B. Upon approval of the latecomer agreement the constructed transportation project becomes the property of the City.
 1. Maintenance and operation costs of the system are the responsibility of the City.

Section 5. That there is adopted a new section SMC 12.13.050 to read as follows:

Section 12.13.050 Restrictions on Development

- A. Under the terms of the latecomer agreement the City will not allow any person to develop any property within the reimbursement area without prior payment, or assurance of payment, to the applicant or the applicant's successor(s) or assign(s), herein referred to collectively as "beneficiary", of the latecomer charge, including interest and costs of administration.
- B. The latecomer agreement obligates the City to exercise its best efforts to assure compliance with this section, but the City shall not incur liability for an unauthorized development.

Section 6. That there is adopted a new section SMC 12.13.060 to read as follows:

Section 12.13.060 Payment of Charge

- A. Payment shall be made by those property owners within the agreement area who develop their property within the period of time that the contract is effective and at the time of development were not required to install similar street projects because they were already provided for by the agreement.
- B. Payments of the latecomer charge may be made to the City or to the beneficiary in accordance with the City's rules.
- C. Payment to the City must be by one lump sum including administrative costs.
 - 1. The City pays amounts due the beneficiary within sixty days of receipt.
- D. If payment of the latecomer charge is made to someone other than the City, the City will require proof of payment in the form of a release from the beneficiary before allowing development, including but not limited to, issuance of a permit, or preliminary plat approval.
 - 1. The City will not be involved in enforcing private payment arrangements or mediating payment disputes between parties.

- E. Throughout the term of the agreement the beneficiary must, in writing, certify in January every two years the name(s) and address(es) of the beneficiary.
1. The City is not responsible for locating any person who may be entitled to benefits under any agreement.
 2. Failure to receive the annual certification required under this subsection gives the City cause to refuse to make payment under the agreement and money received may become the sole and exclusive property of the City.

Section 7. That there is adopted a new section SMC 12.13.070 to read as follows:

Section 12.13.070 Interest on Latecomer Charge

- A. The latecomer agreement will provide that the beneficiary will receive interest.
- B. If a latecomer pays the charge within thirty days from the date of execution of the agreement, no interest is payable. Otherwise, interest is payable from the date of execution of the agreement to the date of payment of the latecomer charge.
- C. The rate of interest will be the rate payable on 12.00% at the time the City signs the latecomer agreement.
- D. Interest is calculated on the basis of a three-hundred-sixty-five-day year and is not compounded.
- E. Total interest payable may not exceed the principal amount of the latecomer charge.

Section 8. That there is adopted a new section SMC 12.13.080 to read as follows:

Section 12.13.080 Term of Agreement

No latecomer agreement can have a term longer than fifteen years, except that the agreement may provide for an extension of the reimbursement period for a time not to exceed the duration of any moratorium, phasing ordinance, concurrency designation, or other governmental action that prevents making applications for, or the approval of, any new development within the benefit area for a period of six months or more. Upon the extension of the reimbursement period, the agreement must specify the duration of the agreement extension and must be filed and recorded with the county auditor. Property

owners who are subject to the reimbursement obligations shall be notified by the City of the extension.

Section 9. That there is adopted a new section SMC 12.13.090 to read as follows:

Section 12.13.090 City Liability Limited

- A. The agreement will provide that the developer of the transportation project waives and releases the City from all claims arising from the establishment, administration and enforcement of the latecomer agreement.
- B. In no event will the City be considered a guarantor of any project or improvement by virtue of this chapter or any agreement made pursuant to this chapter.
- C. By entering into an agreement, the City is not obligating itself to make any improvements to any state facilities.

Section 10. That there is adopted a new section SMC 12.13.100 to read as follows:

Section 12.13.100 Notice of Agreement, Recording of Agreement, and Releases

- A. The preliminary determination of area boundaries and assessments, along with a description of the property owners' rights and options, shall be forwarded by certified mail to the property owners of record within the proposed agreement area. If any property owner requests a hearing in writing within twenty days of the mailing of the preliminary determination, a hearing shall be held before the City Council, notice of which shall be given to all affected property owners in the agreement area. The City Council's ruling is determinative and final.
- B. The agreement must be recorded in the appropriate county auditor's office within thirty days of the final execution of the agreement, and shall be binding on owners of record within the assessment area who are not party to the contract.
- C. When the latecomer charge for a particular lot or parcel has been paid, the City Engineer shall furnish proof of payment to the owner of the lot or parcel and within thirty days record with the auditor of the county in which the property is located a release, giving the legal description of the lot or parcel.

Section 11. That there is adopted a new section SMC 12.13.110 to read as follows:

Section 12.13.110 City Option to Participate in Agreement

As an alternative to financing projects under this chapter solely by owners of real estate, the City may join in the financing of improvement projects and may be reimbursed in the same manner as the owners of real estate who participate in the transportation projects.

Section 12. That there is adopted a new section SMC 12.13.200 to read as follows:

Article II. Assessment Reimbursement Areas

Section 12.13.200 Creation of Transportation Assessment Reimbursement Area

As an alternative to the provisions set forth in SMC 12.13.020, the City may create an assessment reimbursement area and may construct transportation projects without the participation of a private owner, finance the costs of the road or street improvements, and become the sole beneficiary of the reimbursements that are contributed. The City may be reimbursed only for the costs of improvements that benefit that portion of the public who will use the developments within the assessment reimbursement area established pursuant to RCW 35.72.040(1) and SMC 12.13.210. which will permit development of a limited number of properties within a defined geographic area, and by resolution, create an assessment reimbursement area. Any assessment reimbursement areas shall only be created for locations where the City's ordinances and comprehensive plan require transportation facilities to be improved or constructed as a prerequisite to further property development or redevelopment. The City is not obligated to improve any state facilities due to creation of an assessment reimbursement area.

Section 13. That there is adopted a new section SMC 12.13.210 to read as follows:

Section 12.13.210 Reimbursement Area Boundaries and Assessment Calculation

The boundaries of an assessment reimbursement area shall be formulated by the City Engineer, or qualified third-party expert, based upon a determination of which parcels in the proposed area would require transportation facilities upon development or redevelopment.

The reimbursement assessment shall be the fair pro rata share of the cost for each property in the benefited area which:

1. would directly benefit from the transportation project;
2. would require similar transportation projects upon development;
3. did not contribute to the original cost of the transportation project;

Section 14. That there is adopted a new section SMC 12.13.220 to read as follows:

Section 12.13.220 Preliminary Determination and Notice

Upon Resolution of the City Council, a preliminary determination of the assessment reimbursement area boundaries and assessments, along with a description of property owners' rights and options, shall be sent by certified mail to each owner of record of real property within the proposed assessment reimbursement area. Owners of property within the proposed area may request a public hearing by submitting a written request to the City within twenty days of the preliminary determination's mailing. If a written request is submitted, the City Council shall hold a public hearing on the assessment reimbursement area. Notice of the hearing shall be provided to all affected property owners. Any rulings of the City Council are determinative and final, subject to judicial review.

Section 15. That there is adopted a new section SMC 12.13.230 to read as follows:

Section 12.13.230 Final Determination; Recording

The final determination of the assessment reimbursement area boundaries and assessments will be recorded in the Spokane County Auditor's office.

Section 16. That there is adopted a new section SMC 12.13.240 to read as follows:

Section 12.13.240 Reimbursement Area Payment

- A. Payment shall be made by those property owners within the assessment reimbursement area who develop their property within the period of time that the assessment area is effective, as set forth in SMC 12.13.080, and at the time of

development were not required to install similar street projects because they were already provided for by City development and funds.

- B. Payments of the charge shall be made at the time of issuance of a permit, or preliminary plat approval, whichever comes first. The City may, by development agreement, administrative policy, or other lawful mechanism, allow for delayed or phased payment based upon an approved phasing plan for development project. The property owner accepts the alternate payment plan voluntarily and may elect to submit full payment up front if desired.

Section 17. That there is adopted a new section SMC12.13. 250 to read as follows:

Section 12.13.250 Interest on Assessment Charges

If the assessment reimbursement charge is paid within 30 days from the date the ordinance confirming the assessment reimbursement goes into effect, no interest is payable. Otherwise, interest is payable from the date the ordinance confirming the assessment goes into effect. Interest is calculated on the basis of a 360-day year and is not compounded. Total interest payable may not exceed the principal amount of the assessment reimbursement charge.

Section 18. This ordinance shall take effect and be in force on _____.

PASSED BY THE CITY COUNCIL ON _____

Council President

Attest:

City Clerk

Mayor

Approved as to form:

Assistant City Attorney

Date

Effective Date

**Agenda Sheet for City Council:****Committee:** Finance & Administration **Date:** 02/24/2025**Committee Agenda type:** Discussion**Council Meeting Date:** 03/24/2025

Date Rec'd		2/19/2025
Clerk's File #		ORD C36654
Cross Ref #		
Project #		
Submitting Dept	PUBLIC WORKS	Bid #
Contact Name/Phone	MARLENE FEIST 6505	Requisition #
Contact E-Mail	MFEIST@SPOKANECITY.ORG	
Agenda Item Type	First Reading Ordinance	
Council Sponsor(s)	KKLITZKE PDILLON	
Sponsoring at Administrators Request	NO	
Lease? NO	Grant Related? NO	Public Works? YES
Agenda Item Name	5200 - ORDINANCE REVISION TO SMC CH. 13.08	

Agenda Wording

SMC Ordinance Revision - relating to utility cost recovery methods

Summary (Background)

Repealing SMC sections 13.03.0702 through 13.03.0712 of Ch. 13.03; and amending and adding additional sections to 13.08

What impacts would the proposal have on historically excluded communities?

Public Works Services and projects are designed to serve all citizens and businesses. We strive to offer a consistent level of service to all, distribute public investment throughout the community, and respond to gaps in services identified in various City plans.

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?

Public Works follows the City's established procurement and public works bidding regulations and policies to bring items forward and then uses contract management best practices to ensure desired outcomes and regulatory compliance.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This work is consistent with annual budget strategies to limit costs and approved projects in the 6-year CIP

Council Subcommittee Review

Fiscal Impact	
Approved in Current Year Budget?	N/A
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Neutral \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source N/A	
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	N/A
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	FEIST, MARLENE
Division Director	FEIST, MARLENE
Accounting Manager	BAIRD, CHRISTI
Legal	SCHOEDEL, ELIZABETH
For the Mayor	PICCOLO, MIKE
Distribution List	
	eschhoedel@spokanecity.org
tfischer@spokanecity.org	rhulvey@spokanecity.org
mfeist@spokanecity.org	ebrown@spokanecity.org

ORDINANCE NO. C36654

AN ORDINANCE relating to utility cost recovery methods, repealing SMC 13.03.0702, 13.03.0704, 13.03.0706, 13.03.0708, 13.03.0710, and 13.03.0712 to chapter 13.03; amending 13.08.010, and 13.08.020 to chapter 13.08; and adding new SMC sections 13.08.200, 13.08.210, 13.08.220, 13.08.230, 13.08.240, 13.08.250, 13.08.300, 13.08.310, 13.08.320, 13.08.330, 13.08.340, 13.08.350, and 13.08.360 to chapter 13.08 of the Spokane Municipal Code; and setting an effective date.

The City of Spokane does ordain:

Section 1. That SMC section 13.03.0702 entitled “Special Connection Agreements – Execution” is repealed.

~~((13.03.0702 Special Connection Agreements – Execution~~

~~Whenever the connection to a City public sewer requires a written agreement, the director of engineering services is authorized to execute it on behalf of the City.))~~

Section 2. That SMC section 13.03.0704 entitled “Special Connection Charge Authorized – Basis” is repealed.

~~((13.03.0704 Special Connection Charge Authorized – Basis~~

~~A. In addition to sewer connection permit fees required by this code, there is imposed, and the owners of properties which have not been assessed or charged or borne an equitable share of the cost of the City’s sewerage system must pay prior to connection to a City sewer, a special connection charge in an amount to be computed under [SMC 13.03.0712](#).~~

~~B. Property owners subject to the special connection charge must execute and record all appropriate documents required by this chapter necessary to secure full payment and costs of collection, including reasonable attorney’s fees.~~

~~C. Projects subject to the special connection charge are specifically identified by the City and are subject to the express review and approval of the city council.))~~

Section 3. That SMC section 13.03.0706 entitled “Notice” is repealed.

~~((13.03.0706 Notice~~

- ~~A. The City records appropriate notice with the county auditor concerning real property (which has been specifically identified by the director of engineering services and approved by the city council as property for which sewer facilities either have been constructed or which it contemplates will be constructed) for which a special connection charge will be levied upon connection of such property to the City sewer system, pursuant to the requirements of RCW 65.08.170 and RCW 65.08.180.~~
- ~~B. Such notice shall be effective until there is recorded with the county auditor a certificate of payment and release executed by the City, which certificate must be recorded within thirty days of full payment of such special connection charge.))~~

Section 4. That SMC section 13.03.0708 entitled "Payment" is repealed

~~((13.03.0708 Payment~~

~~A. Cash or Contract.~~

- ~~1. The special connection charge is paid in cash or under installment contract within the discretion of the City.
 - ~~a. Interest charged under an installment contract is at the same rate as the effective annual interest of the most recent City of Spokane local improvement district bond issue, computed annually on unpaid balances.~~~~
- ~~2. Such contract must provide:
 - ~~a. for a down payment of twenty percent of the total connection charge, payable upon execution of the contract;~~
 - ~~b. for payment of the balance in ten installments, payable annually;~~
 - ~~c. that any unpaid balance may be paid in full in any year at the time the annual payment of such year is due and payable.~~~~

~~Such contract contains the legal description of the property served by the sewer, is executed and acknowledged by the property owner and is recorded by the City with the county auditor, at the expense of the property owner.~~

3. ~~The special connection charge is paid in full or the installment contract is executed, as a condition precedent to the issuance of a permit for connection to the City sewer system.~~

~~B. Unpaid Charges.~~

1. ~~Delinquent payments of special collection charges under such installment contract or otherwise unpaid special collection charges are a lien upon the described property as provided in RCW 35.67.220, enforceable in accordance with RCW 35.67.220 through RCW 35.67.280.~~
2. ~~Upon full payment of the charges due, the finance, treasury and administration division director on behalf of the City executes and delivers to the property owner a release of such lien.))~~

Section 5. That SMC section 13.03.0710 entitled "Project Accrued Interest" is repealed

~~((13.03.0710 Project Accrued Interest~~

- A. ~~In addition to interest charges allowable under payment by installment contract, the amount of the special connection charge includes the project accrued interest on the construction costs, computed from the date of construction of the sewer system until the date of connection, except that the computation period shall not exceed ten years.~~
- B. ~~The project accrued interest is set by the City treasurer at a rate commensurate with the interest rate of the local improvement district bond issue most recent to the date of city council approval of the project for special connection charges, or as otherwise determined pursuant to RCW 35.92.025, except the:~~
 1. ~~interest may not exceed ten percent, and~~
 2. ~~aggregate amount of interest charge to a property may not exceed the share of the cost of the system allocated to that property.))~~

Section 6. That SMC section 13.03.0712 entitled "Special Connection Charge - Computation" is repealed

~~((13.03.0712 Special Connection Charge - Computation~~

~~A. Determination by Director of Engineering Services.~~

~~The special connection charge imposed pursuant to this chapter is paid into the sewer fund and is computed based on the areas to be served by the sewer, which determination is made by the director of engineering services. Notwithstanding the methods of computing the special connection charge provided below, the City may use any other method or combination of methods to compute special connection charges which may be deemed to most fairly reflect the sewer service to the properties subject to the special connection charge. The amount may be computed as follows:~~

~~1. Method I: Lineal Front Footage—Square Footage.~~

~~a. Lateral Sewers.~~

~~The lineal feet of frontage of property to be served by the sewer, as determined by the director of engineering services, is multiplied by the average cost per front foot of lateral sewers constructed in the City for the year in which the sewer to which the property is to be connected was constructed and accepted.~~

~~i. Exhibit “A” to Ordinance C26649 shall set forth those costs per front foot of lateral sewers previously completed and accepted by the City.~~

~~b. Trunk Sewers.~~

~~The number of square feet of property to be served, as determined by the director of engineering services, is multiplied by the cost per square foot of service area (in the year of actual construction) of the trunk sewer to which a connection is being made.~~

~~i. Exhibit “A” to Ordinance C26649 shall set forth those costs per area served of trunk sewers previously completed and accepted by the City.~~

~~2. Method II: Actual Cost.~~

~~For those specifically identified projects (as determined by the director of engineering services) where the computation of special connection charges for trunk sewer can be determined based on actual cost and where the City can identify at the outset of the project the service area and those properties for which the sewer facilities have been constructed, the special connection charge may be computed as follows:~~

~~a. Trunk Sewers.~~

~~The trunk service area is divided generally into those zones which are immediately serviceable by the trunk (with the addition of lateral lines) and those zones which are not serviceable by the existing trunk without an extension or subtrunk (plus the necessary laterals). Each separate lot, tract, parcel or other property within the trunk sewer service area is divided into those zones, as determined by the director of engineering services.~~

~~i. Based upon the specific project cost, the director of engineering services computes an estimated cost of completing the trunk system necessary to serve the entire service area.~~

~~ii. A cost per acre is then computed for the entire service area and this cost is the basis for special connection charges within the zone receiving immediate trunk sewer service from the completed project.~~

~~iii. The special connection charges outside the immediately serviceable zone are based upon the average cost per acre after the charges for the immediately serviceable zone are deducted from the specific project costs.~~

~~b. Lateral Service in Conjunction with Trunk Service.~~

~~Where lateral service is provided together with trunk sewer service (i.e., a side sewer connecting directly into the trunk line), a lateral service fee may be charged as a part of the special connection fee.~~

~~i. This lateral fee is determined by multiplying the average cost, per square foot of area served, of lateral sewers constructed and accepted in the City in the year in which the sewer being connected to was constructed and accepted, by the area being served by the new connection.~~

~~c. The projects described above are subject to the approval of the city council for this charge and are specified in Exhibit "B" to Ordinance G26649.~~

~~B. Annual Average.~~

~~The director of engineering services is authorized to annually compute and establish the average cost per area for lateral and trunk sewers completed by local improvement district and accepted by the City during the previous calendar year, which average assessment is used in computing the special connection charge imposed under this section.~~

- ~~1. The director of engineering services is also authorized to compute and establish the special connection charges based on actual construction costs for lateral and trunk sewers, constituting special projects for which properties subject to the special connection charge can be identified at the outset of the project.~~
- ~~2. Such actual costs and the manner in which the special connection charges will be computed are determined by the director of engineering services upon completion and acceptance of the project by the City.~~
- ~~3. Such special projects shall be designated by project name and shall conform to the notice requirements of [SMC 13.03.0706](#).~~
- ~~4. A copy of the rates for computation of special connection charges is delivered and filed with the city clerk. Annual rate computations based on average costs are filed with the city clerk each year.)~~

Section 7. That SMC section 13.08 is amended to read as follows:

Chapter 13.08 ((Private)) Utility Cost Recovery Methods

Section 8. That SMC section 13.08.010 is amended to read as follows:

13.08.010 Purpose of Chapter

Pursuant to the authority conferred in the Municipal Water and Sewer Facilities Act, chapter 35.91 RCW, this chapter is enacted to encourage the private construction of municipal water and sewer systems by providing means for the recovery of the costs of installation through a charge to later users of the systems who did not contribute to the capital costs thereof. Further, this chapter also authorizes the City, as determined by the Director of Public Works and approval of the City Council, to establish assessment reimbursement areas as a means for the City to recover the cost of utility improvements

funded by the City, (or obligated by the City for reimbursement) which directly benefit those properties located within the assessment reimbursement area.

Section 9. That SMC section 13.08.020 is amended to read as follows:

Article I. Private Utility Cost Recovery – Latecomer Agreements

13.08.020 Application

- A. Any property owner who uses private funds to construct domestic water and/or sewer systems in the City or within ten miles from the city limits to connect to existing public City water or sewerage systems for the purpose of serving the area in which the real property of such owner is located may apply to the City to establish a latecomer agreement under RCW 35.91.020 in order to recover a pro rata share of the costs from subsequent users of the system.
- B. The application must be on forms prescribed by the ~~((city engineer))~~Director of Engineering Services and must be accompanied by a nonrefundable application fee determined by the ~~((city engineer))~~Director of Engineering Services.
- C. The Director of Engineering Services ~~((city engineer))~~ establishes policies and procedures for processing applications and initially determining eligibility of a system for a latecomer agreement.
- D. The applicant is required to submit to the Director of Engineering Services ~~((city engineer))~~ a certified statement by a State of Washington licensed professional engineer containing an itemization of the total projected cost of the system which may include the design plans.

Section 10. That there is adopted a new section 13.08.200 to chapter 13.08 SMC to read as follows:

Article II. Special Connection Charges (formerly 13.03.0702 to 13.03.0712)

Section 11. That there is adopted a new section 13.08.200 to chapter 13.08 SMC to read as follows:

13.08.200 Special Connection Agreements - Execution

Whenever the connection to a City public water or sewer requires a written agreement, the Director of Engineering Services is authorized to execute it on behalf of the City.

Section 12. That there is adopted a new section 13.08.210 to chapter 13.08 SMC to read as follows:

13.08.210 Special Connection Charge Authorized - Basis

- A. In addition to connection, permit, tap and meter fees required by this code, there is imposed, upon the owners of properties which have not been assessed or charged or contributed the property's pro-rata share of the cost of construction of the City's sewerage or water system, must pay prior to connection to a City utility, a special connection charge in an amount to be computed under SMC 13.08.250.
- B. Property owners subject to the special connection charge must execute and record all appropriate documents required by this chapter necessary to secure full payment and costs of collection, including reasonable attorney's fees.
- C. Projects subject to the special connection charge are specifically identified by the City and are subject to the express review and approval of the city council.

Section 13. That there is adopted a new section 13.08.220 to chapter 13.08 SMC to read as follows:

13.08.220 Notice

- A. The City records appropriate notice with the Spokane County Auditor concerning real property (which has been specifically identified by the Director of Engineering Services and approved by the City Council as property for which water or sewer facilities either have been constructed or which it contemplates will be constructed) for which a special connection charge will be levied upon connection of such property to the City water or sewer system, pursuant to the requirements of RCW 65.08.170 and RCW 65.08.180.
- B. Such notice shall be effective until there is recorded with the county auditor a certificate of payment and release executed by the City, which certificate must be recorded within thirty days of full payment of such special connection charge.

Section 14. That there is adopted a new section 13.08.230 to chapter 13.08 SMC to read as follows:

13.08.230 Payment

A. Cash or Contract.

1. The special connection charge is paid in cash or under installment contract within the discretion of the City.
 - a. Interest charged under an installment contract is the Washington State investment pool rate of interest on the date that the ordinance confirming the special connection charge by the City Council. calculated based on a 360-day year and is not compounded. Total interest payable may not exceed the principal amount of the assessment reimbursement charge.
2. Such contract must provide:
 - a. for a down payment of twenty percent of the total connection charge, payable upon execution of the contract;
 - b. for payment of the balance in ten installments, payable annually;
 - c. that any unpaid balance may be paid in full in any year at the time the annual payment of such year is due and payable.

Such contract contains the legal description of the property served by the water or sewer, is executed and acknowledged by the property owner and is recorded by the City with the county auditor, at the expense of the property owner.

3. The special connection charge is paid in full or the installment contract is executed, as a condition precedent to the issuance of a permit for connection to the City water or sewer system.

B. Unpaid Charges.

1. Delinquent payments of special collection charges under such installment contract or otherwise unpaid special collection charges are a lien upon the described property as provided in RCW 35.67.220, enforceable in accordance with RCW 35.67.220 through RCW 35.67.280.

2. Upon full payment of the charges due, the finance, treasury and administration division director on behalf of the City executes and delivers to the property owner a release of such lien.

Section 15. That there is adopted a new section 13.08.240 to chapter 13.08 SMC to read as follows:

13.08.240 Project Accrued Interest

- A. In addition to interest charges allowable under payment by installment contract, the amount of the special connection charge includes the project accrued interest on the construction costs, computed from the date of construction of the water or sewer system until the date of connection, except that the computation period shall not exceed ten years.
- B. The project accrued interest is set as the Washington State investment pool rate of interest on the date that the ordinance confirming the special connection charge by the City Council of the project for special connection charges, or as otherwise determined pursuant to RCW 35.92.025, except the:
 1. interest may not exceed ten percent, and
 2. aggregate amount of interest charge to a property may not exceed the share of the cost of the system allocated to that property.

Section 16. That there is adopted a new section 13.08.250 to chapter 13.08 SMC to read as follows:

13.08.250 Special Connection Charge – Computation

- A. Determination by Director of Engineering Services.

The special connection charge imposed pursuant to this chapter is paid into the sewer or water fund, as applicable and is computed based on the areas to be served by the water or sewer, which determination is made by the Director of Engineering Services. Notwithstanding the methods of computing the special connection charge provided below, the City may use any other method or combination of methods to compute special connection charges which may be deemed to most fairly reflect the sewer service to the properties subject to the special connection charge. The amount may be computed as follows:

1. Method I: Lineal Front Footage – Square Footage.

a. Lateral Lines.

The lineal feet of frontage of property to be served by the water or sewer, as determined by the director of engineering services, is multiplied by the average cost per front foot of lateral line constructed in the City for the year in which the water or sewer to which the property is to be connected was constructed and accepted.

b. Trunk/Distribution/Transmission Lines.

The number of square feet of property to be served, as determined by the director of engineering services, is multiplied by the cost per square foot of service area (in the year of actual construction) of the trunk/distribution/transmission line to which a connection is being made.

2. Method II: Actual Cost.

For those specifically identified projects (as determined by the Director of Engineering Services) where the computation of special connection charges for trunk/distribution/transmission line can be determined based on actual cost and where the City can identify at the outset of the project the service area and those properties for which the water or sewer facilities have been constructed, the special connection charge may be computed as follows:

a. Trunk/Distribution/Transmission Lines.

The trunk service area is divided generally into those zones which are immediately serviceable by the trunk (with the addition of lateral lines) and those zones which are not serviceable by the existing trunk without an extension or sub line (plus the necessary laterals). Each separate lot, tract, parcel or other property within the trunk/distribution/transmission liner service area is divided into those zones, as determined by the director of engineering services.

i. Based upon the specific project cost, the Director of Engineering Services computes an estimated cost of completing the trunk/transmission/distribution system necessary to serve the entire service area.

ii. A cost per acre is then computed for the entire service area and this cost is the basis for special connection charges within the

zone receiving immediate trunk/distribution/transmission line service from the completed project.

- iii. The special connection charges outside the immediately serviceable zone are based upon the average cost per acre after the charges for the immediately serviceable zone are deducted from the specific project costs.

b. Lateral Service in Conjunction with Trunk/Distribution/Transmission Service.

Where lateral service is provided together with trunk line service (i.e., a side water or sewer connecting directly into the trunk/distribution/transmission line), a lateral service fee may be charged as a part of the special connection fee.

- i. This lateral fee is determined by multiplying the average cost, per square foot of area served, of lateral lines constructed and accepted in the City in the year in which the water or sewer being connected to was constructed and accepted, by the area being served by the new connection.

B. Annual Average.

The Director of Engineering Services is authorized to annually compute and establish the average cost per area for lateral and trunk/distribution/transmission lines completed by the City during the previous calendar year, which average assessment is used in computing the special connection charge imposed under this section.

1. The Director of Engineering Services is also authorized to compute and establish the special connection charges based on actual construction costs for lateral and trunk/distribution/transmission lines, constituting special projects for which properties subject to the special connection charge can be identified at the outset of the project.
2. Such actual costs and the manner in which the special connection charges will be computed are determined by the Director of Engineering Services upon completion and acceptance of the project by the City.
3. Such special projects shall be designated by project name and shall conform to the notice requirements of SMC 13.08.220.

4. A copy of the rates for computation of special connection charges is delivered and filed with the city clerk. Annual rate computations based on average costs are filed with the city clerk each year.

Article III Assessment Reimbursement Areas

Section 17. That there is adopted a new section 13.08.300 to chapter 13.08 SMC to read as follows:

13.08.300 Creation of Utility Assessment Reimbursement Area Application

As an alternative to the provisions set forth in SMC 13.08.020 and consistent with RCW 35.91.060, the City may construct a sewer or water system improvement which will provide service to or benefit only a limited number of properties within a defined geographic area, and by resolution, create an assessment reimbursement area. Any assessment reimbursement areas shall only be created for locations where the City's ordinances require water or sewer facilities to be improved or constructed as a prerequisite to further property development or redevelopment.

Section 18. That there is adopted a new section 13.08.310 to chapter 13.08 SMC to read as follows:

13.08.310 Reimbursement Area Boundaries and Assessment Calculation

The boundaries of an assessment reimbursement area shall be formulated by the Director of Engineering Services, based upon a determination of which parcels in the proposed area would require construction or improvement of water or sewer facilities upon development or redevelopment, or would be allowed connection to or usage of constructed or improved water or sewer facilities.

The reimbursement assessment shall be no greater than a property's pro rata share of costs associated with construction of the water or sewer facilities required to meet utility service and fire suppression standards. The City shall determine the reimbursement share of each property owner by using a method of cost apportionment that is based on the benefit to the property owner from the costs to design, engineer, construct, and install the project. The calculation shall be consistent with the method used to determine the cost and reimbursement share under RCW [35.91.020](#)(1) (a) and (b). The City shall not assess reimbursement of costs for the portion of construction or improvements that only benefit property outside of the assessment reimbursement area. The City may recalculate the reimbursement assessment charge based on final project costs. If the City adopts

revised Additional Connection Charges, then the City will refund the difference if costs are smaller.

Section 19. That there is adopted a new section 13.08.320 to chapter 13.08 SMC to read as follows:

13.08.320 Preliminary Determination and Notice

Upon Resolution of the City Council, a preliminary determination of the assessment reimbursement area boundaries and assessments, along with a description of property owners' rights and options, shall be sent by certified mail to each owner of record of real property within the proposed assessment reimbursement area. Owners of property within the proposed area may request a public hearing by submitting a written request to the municipality within twenty days of the preliminary determination's mailing. If a written request is submitted, the City Council shall hold a public hearing on the assessment reimbursement area. Notice of the hearing shall be provided to all affected property owners. Any rulings of the City Council are determinative and final, subject to judicial review.

Section 20. That there is adopted a new section 13.08.330 to chapter 13.08 SMC to read as follows:

13.08.330 Final Determination; Recording

The final determination of the assessment reimbursement area boundaries and assessments will be recorded in the Spokane County Auditor's office.

Section 21. That there is adopted a new section 13.08.340 to chapter 13.08 SMC to read as follows:

13.08.340 Reimbursement Area Charge Triggers

The Additional Connection Charges are triggered by any of the following actions:

- any development on a vacant site; or
- any new construction requiring a new connection to or extension of the water system; or

- redevelopment of a parcel(s) based on value of improvements as defined by the Spokane Municipal Code; or
- the installation of a new water meter for the property

Section 22. That there is adopted a new section 13.08.350 to chapter 13.08 SMC to read as follows:

13.08.350 Assessment Area Charge Process

Applications for connection to the water or sewer systems shall be made to the City of Spokane Development Services Center for that purpose, and the Public Works Department shall calculate the applicable additional Connection charge, including interest, at that time. The additional Connection Charges will be paid by the applicant at the same time the City collects the General Facility Charges for the parcel(s). A development consisting of multiple parcels and/or buildings will pay the additional connection charges for the entire Development with the first building's General Facility Charge. General Facility Charge credits not used towards the first connection will remain available towards any remaining connections planned as part of the Development.

Section 23. That there is adopted a new section 13.08.360 to chapter 13.08 SMC to read as follows:

13.08.360 Interest on Assessment Charges

Pursuant to RCW 35.92.025, interest charges may be applied from the date of construction of the water or sewer system until the connection, or for a period not to exceed ten years, at a rate commensurate with the rate of interest applicable to the city or town at the time of construction or major rehabilitation of the water or sewer system, or at the time of installation of the water or sewer lines to which the property owner is seeking to connect but not to exceed ten percent per year.

Section 24 Severability Clause. If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, the decision shall not affect the validity of the remaining portions of this ordinance.

Section 25. This ordinance shall take effect and be in force on _____.

PASSED BY THE CITY COUNCIL ON _____

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 03/10/2025**Committee Agenda type:** Discussion**Date Rec'd**

2/26/2025

Clerk's File #

ORD C36657

Cross Ref #**Project #****Council Meeting Date:** 03/31/2025**Submitting Dept**

DEVELOPMENT SERVICES CENTER

Bid #**Contact Name/Phone**

TAMI 6157

Requisition #**Contact E-Mail**

TPALMQUIST@SPOKANECITY.ORG

Agenda Item Type

First Reading Ordinance

Council Sponsor(s)

JBINGLE KKLITZKE

Sponsoring at Administrators Request

NO

Lease? NO**Grant Related?** NO**Public Works?** NO**Agenda Item Name**

4700 – DSC FEE AMENDMENTS

Agenda Wording

An Ordinance relating to fees and charges amending Chapter 08.02 of the Spokane Municipal Code. Specifically amending Section 08.02.031 Building Code, Section 08.02.039 Special Inspections and Other Fees, the Development Fee Schedule and the Historic Preservation Fee Schedule

Summary (Background)

City Council approved the new fee schedules for the DSC and Historic Preservation on December 9, 2024. After implementation it was made apparent that a couple fees were too high, there needed to be clarifying language added for units of measurement and some fees should have been combined for ease of use.

What impacts would the proposal have on historically excluded communities?

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?

Subsequent review of development fees will occur on a more regular basis.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

Council Subcommittee Review

Fiscal Impact	
Approved in Current Year Budget?	N/A
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	N/A
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	Additional Approvals
<u>Dept Head</u>	PALMQUIST, TAMI
<u>Division Director</u>	MACDONALD, STEVEN
<u>Accounting Manager</u>	ZOLLINGER, NICHOLAS
<u>Legal</u>	SCHOEDEL, ELIZABETH
<u>For the Mayor</u>	PICCOLO, MIKE
Distribution List	
	tpalmquist@spokanecity.org
smacdonald@spokanecity.org	akiehn@spokanecity.org

ORDINANCE NO C36657

An Ordinance relating to fees and charges amending Chapter 08.02 of the Spokane Municipal Code. Specifically amending Section 08.02.031 Building Code, Section 08.02.039 Special Inspections and Other Fees, the Development Fee Schedule and the Historic Preservation Fee Schedule, and other matters properly related thereto.

The City of Spokane does hereby ordain:

Section 1. That SMC section 08.02.031 is amended to read as follows:

Section 08.02.031 Building Code

A. Building Permit.

Building permit fees are based on the value of the work to be done as follows:

VALUE OF WORK

(in dollars)

FEE

(in dollars)

1 – 2,000

73.00

2,001 - 25,000

73.00 plus 13.00 for each 1,000 over 2,000

25,001 - 50,000

372.00 plus 10.00 for each 1,000 over 25,000

50,001 - 100,000

622.00 plus 7.00 for each 1,000 over 50,000

100,001 - 500,000

972.00 plus 5.00 for each 1,000 over 100,000

500,001 - 1,000,000

2,972.00 plus 4.00 for each 1,000 over 500,000

1,000,001 - 99,999,999

4,972.00 plus 3.00 for each 1,000 over 1,000,000

B. Valuation.

1. The value of construction for purposes of calculating the amount of the fee is determined by using the:

- a. most current building valuation data from the International Code Council (ICC) as published and updated by the ICC twice annually;
or

- b. total construction valuation, whichever is greater. The total construction valuation shall include the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems, and any other permanent equipment.
2. "Gross area" when used in conjunction with the ICC building valuation data to determine valuation of a project is the total area of all floors, measured from the exterior face, outside dimension, or exterior column line of a building, including basements and balconies but excluding unexcavated areas.
3. The fee is based on the highest type of construction to which a proposed structure most nearly conforms, as determined by the building official.
4. For roofing permits, the value is determined to be:
 - a. two hundred fifty dollars per square for recovering roofs;
 - b. three hundred fifty dollars per square for roofing projects when existing layers of roofing are torn off and a new layer is installed;
 - c. four hundred dollars per square for roofing projects when existing layers of roofing are torn off, new sheeting is installed, and a new layer of roof is installed;
 - d. or the contract valuation if it is greater.

C. Building Plan Review.

1. Fees are provided in the Development Fee Schedule

D. Demolition

1. Permit fees are provided in the Development Fee Schedule.
2. All demolition permit fees provided in the Development Fee Schedule received by the city are to be deposited in the historic preservation incentives fund established by [SMC 07.08.152](#).

E. Fencing.

Permit fees are provided in the Development Fee Schedule.

F. Grading.

1. Permit fees are provided in the Development Fee Schedule.
2. Plan review fees are provided in the Development Fee Schedule.
3. Failure to obtain a grading permit is a class one infraction under [SMC 1.05.150](#).

G. Sign Permits.

1. Permit fees are provided in the Development Fee Schedule.
2. Plan review fees are provided in the Development Fee Schedule.

H. Factory-built Housing.

1. The installation fee for factory-built housing is provided in the Development Fee Schedule.
2. A foundation or basement requires a separate building permit.
3. Decks, carports and garages require a separate building permit.
4. The development services review fee is provided in the Development Fee Schedule.

I. Manufactured (Mobile) Home.

1. The installation fee for a manufactured (mobile) home is provided in the Development Fee Schedule.
2. A basement requires a separate building permit.
3. Decks, carports and garages require a separate building permit.
4. The development services review fee is provided in the Development Fee Schedule.

J. Temporary Structures.

1. Permit fees are provided in the Development Fee Schedule.
2. Review fees are provided in the Development Fee Schedule.
3. No third session will be permitted.

K. Relocation.

~~((1. Inspection fees for bond determination are provided in the Development Fee Schedule.~~

~~2. Review))~~ 1. Relocation determination fees are provided in the Development Fee Schedule.

~~((3.))~~ 2. Any repairs or alterations required for relocation are handled by various building permits and the fees for such building permits are in addition to the relocation permit fee.

L. Early Start and Fast Track Approval.

The fee for an early start or fast track building permit approval is twenty-five percent of the building permit fee rounded to the next whole dollar amount and is in addition to all other applicable fees.

M. Certificate of Occupancy.

1. There is no separate fee for the issuance of a certificate of occupancy following final inspection of a permit; otherwise, the minimum fee for a building permit and certificate of occupancy is provided in the Development Fee Schedule plus a processing fee.
2. The fees for the issuance of a certificate of occupancy not resulting from work done under permit are as provided in [SMC 8.02.060](#).
3. The building official will assess a fee not to exceed one hundred percent of the building permit fee for the issuance or extension of any temporary certificate of occupancy. ~~((The minimum fee))~~ Temporary certificate of occupancy issuance and extension fees will be the lesser of:
 - a. the fee amounts provided in the Development Fee Schedule ~~((five-hundred and twenty dollars))~~ plus a processing fee ~~((when the building permit fee exceeds this amount))~~;
 - b. ~~((equal to the))~~ an amount equal to ~~((of))~~ the building permit fee plus a processing fee ~~((when the building permit fee is less than five-hundred and twenty dollars))~~.

N. Swimming Pools.

1. Permit fees are provided in the Development Fee Schedule.
2. Review fees are provided in the Development Fee Schedule.

3. Mechanical, electrical and fence permits are additional.

O. Parking Lot and Site Work Permits.

The fee for a site work permit is charged in accordance with the fee table in subsection (A) of this section.

P. Reinspections.

Reinspection fees are provided in the Development Fee Schedule.

Q. Inspections Outside Normal Inspector Working Hours.

Fees for inspections outside normal inspector working hours are provided in the Development Fee Schedule.

R. Work Done Without a Permit/Investigation Fees.

Where work has commenced without first obtaining the required permit(s), a work without permit fee equivalent to the greater of:

1. twice the inspection fee, or
2. the permit fee plus three hundred dollars, must be paid prior to the issuance of the permit(s).

S. Safety Inspections.

1. Safety inspection fees are provided in the Development Fee Schedule.

T. Recording Fee Use of Public Right-of-way and Large Accessory Building Agreement.

The property owner shall be charged a pass-through fee equal to the amount assessed by Spokane County when erecting a fence, retaining wall or other structure in a public right-of-way. This is a recording fee for the acknowledged agreement whereby the property owner covenants to remove the encroachment upon notice by the City. An additional processing fee is required when a permit is not issued in conjunction with the recording. Processing fees are provided in the Development Fee Schedule.

U. Expired Permits(~~(-Over Six Months)~~).

1. Building Permits.

- a. No inspections have been made: Permits require full resubmittal, and if a commercial project, plan review. Original valuation shall be contained in description of new permit.
- b. Footings and foundations only have been inspected and approved: Minimum of seventy-five percent of the original assessed permit fee plus new processing fees. Original valuation shall be contained in description of new permit.
- c. All rough-in inspections approved: Minimum of twenty-five percent of original permit fee plus new processing fees. Original valuation shall be contained in description of new permit.
- d. Additional work done not on original permit: New valuation shall be calculated based upon either square footage if new construction, or valuation if remodel.

2. Plumbing Permits.

- a. No inspections: A full new permit for all fixtures is required.
- b. Partial inspections approved: If water tests, top outs and ground plumbing have been approved, then twenty-five percent of the original itemized permit fees plus new processing fee.

3. Mechanical Permits.

- a. No inspections: A full new permit is required.
- b. Partial inspections: If all rough-in inspections and air tests have been approved, then twenty-five percent of the original permit fee plus new processing fee.

4. Electrical Permit.

- a. No inspections: A full new permit is required.
- b. Partial inspections: If all rough-in inspections and service inspections have been approved, then twenty-five percent of the original fees plus new processing fee.

V. Processing Fee.

In addition to all of the fees identified in [SMC 8.02.031](#), the processing fee for each permit is as provided in the Development Fee Schedule, unless specifically stated otherwise.

W. Solar Permits.

1. Solar permit fees are provided in the Development Fee Schedule.
2. Additional electrical fees are as provided in [SMC 08.02.032](#).

Section 2. That SMC section 08.02.039 is amended to read as follows:

08.02.039 Special Inspections and Other Fees

- A. The fee for re-inspection as provided in the adopted codes, to be billed to each permittee, is provided in the Development Fee Schedule.
- B. The fee for inspection by any building services department personnel outside normal working hours is provided in the Development Fee Schedule. A minimum of two hours is payable at the time the request is made.
- C. The fee for investigation of work done without a permit is provided in the Development Fee Schedule.
- D. The minimum fee for any permit or inspection not otherwise provided for is provided in the Development Fee Schedule.
- E. Refund of Fees.
 1. All requests for refunds must be in writing to the building official.
 - a. Refundable amounts of less than \$30 are not eligible for reimbursement.
 2. Refunds of permit and inspection fees will be granted only if the:
 - a. work described on the permit was not done and no inspections or site visits were made, or
 - b. permit was a duplicate of an already issued permit in error, or
 - c. permit was issued in error by the department.
 3. The following fees are not refundable:
 - a. Plan review fees once any plan review work has begun.
 - b. Application fees, to include processing fees and the ((state building code fee.
- F. The processing fee for each ~~((printed))~~ permit is provided in the Development Fee Schedule.
- G. The fee for doing research of files and codes or preparing reports is provided in the Development Fee Schedule with a one-hour minimum, plus actual copying or printing expense.
- H. The fee to recommence suspended or abandoned work under an extended permit is provided in SMC 08.02.031(U).

Section 3: Clerical Errors. Upon approval by the city attorney, the city clerk is authorized to make necessary corrections to this ordinance, including scrivener's errors

or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

PASSED by the City Council on _____

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

Historic Preservation Fee Schedule 2025

Spokane Register of Historic Places Nomination Fees:	
Residential Property:	\$50.00
Commercial Property:	\$100.00
All nominated properties must also pay the Auditor's Filing Fee	County Determined Fee
Special Valuation Tax Incentive Fees:	
Residential Property:	\$150.00
Commercial Property (based on cost of rehab):	
Less than \$1M	\$350.00
\$1M to \$5M	\$1,000.00
Over \$5M	\$1,500.00
All properties receiving Special Valuation must also pay the Auditor's Filing Fee	County Determined Fee
Design Review of Historic Properties	
<i>Spokane Register of Historic Places Individually Listed:</i>	
Residential - Administrative	\$75.00
Residential - Full Landmarks Commission	\$250.00
Commercial - Administrative	\$175.00
Commercial - Full Landmarks (based on project cost)	
Project cost:	
\$0-99,999	\$250.00
\$100,000 - \$499,999	\$500.00
\$500,000 - \$999,999	\$1,000.00
\$1,000,000 - \$2,000,000	\$2,000.00
Over \$2,000,000	\$3000 max
<i>Spokane Register of Historic Places District Property:</i>	
District Property - Administrative	\$75.00
District Property - Full Landmarks Commission	\$250.00
Retroactive Design Review for work done without a Certificate of Appropriateness	\$250.00
(((Retroactive Design Review (work done without a Certificate of Appropriateness):	
Residential	\$250.00
Commercial	\$250.00))
Demolition Review Fees (((to determine historically eligible properties (SMC 17D.100.230)) or those listed on the Spokane Register or within a Spokane Register Historic District):	
((under)) Up to 4000 sq feet:	\$150.00
4001-10,000 sq feet:	\$250.00
10,001-25,000 sq feet:	\$500.00
Over 25,000 ((+)) sq feet:	\$1,000.00

HP Deconstruction Fee - For properties that must be deconstructed according to SMC 15.06, ((HP)) <u>this</u> fee will be capped at \$1500 total including the above fees	\$1500 total in combination with fees above
Historic Plaque Purchase:	\$250.00

Development Fee Schedule 2025

Automatic Annual Adjustment

Effective January 1, 2026, and the first January of each year thereafter, the development fees shall be adjusted by the City of Spokane Building Official for an amount equal to the Consumer Price Index for West Urban Consumers (CPI) adjustment for the previous July-to-July U.S. All City Average (CPI-U and CPI-W). The adjusted fees shall include an upper limit based on the average CPI rate over the past three years. The newly determined amount shall be rounded up to the nearest dollar and shall not exceed the calculated upper limit “average percentage”. In addition, the adjusted fees shall be presented to the city council for approval and a copy of the approved fees filed with the city clerk and city building official before becoming effective. No other fee schedules shall be affected by such automatic adjustments unless expressly noted.

Building permit fees shall not be included in the annual automatic adjustment because updates occur semi-annually through the International Code Council (ICC) published updates.

All hourly and other variable fees are based on the designated metric or fraction thereof.

Development Fee Schedule	Fee Amount
Shared Fees	
Processing/ Application Fee (except as otherwise identified)	\$65.00
Technology Fee	2.5%
Development Services Review Fee	\$115.00
Re-Inspection Fee	\$150.00
Work Beyond Scope of Permit	\$150.00
Work Done Without Permit/Investigative Fees - Greater Of:	2x the Inspection Fee(s) or \$300
Inspection Outside Normal Working Hours (2-hr minimum)	\$115 per hour
Additional, Excessive, Phased Reviews	50% Original Review Fee
Additional, Excessive, Phased Inspections	\$105.00
Trade Review (2-hr minimum)	\$115 per hour
Refund Administration Fee - Plan Review and Processing/ Application Fees are non-refundable, no refunds of less than \$30 unless City error.	N/A
State Building Code Fee	State Determined Fee
Permit or Application Extension Fee	\$45.00
Recording Fee	County Determined Fee
((Technology Fee	2.5%))
State Environmental Policy Act (SEPA)	
SEPA Environmental Checklist Initial Review	\$500.00
Threshold Determination of MDNS	\$325.00
Threshold Determination Resulting in Declaration of Significance	Actual Cost
Threshold Determination Resulting in Declaration of Significance - Deposit	\$3,250.00
Public Notice	Actual Cost
Environmental Document Reproduction	Actual Cost

Appeal Fees	
Appeal of Administrative Decision to Hearing Examiner	\$350.00
Exception: Junk Vehicle Determination Appeal	\$200.00
Appeal of Hearing Examiner Decision to City Council	\$700.00
Appeal Preparation Fee	Actual Cost
((Appeal Filing Fee (except as otherwise provided))) Request for Reconsideration	\$250.00
Blasting Licenses and Permits	
Blaster's License	\$55.00
Blasting Permit	\$275.00
Blasting Transportation Permit	\$65.00
Boiler and Gas Heating Mechanic License Fees	
((Boiler Exam))License Application and Examination Fee	\$110.00
((Fireman Boiler License))Annual License Fee	\$55.00
((3rd Class Engineer	\$55.00
2nd Class Engineer	\$55.00
1st Class Engineer	\$55.00
Boiler License))Annual Inspector License Fee	\$55.00
((Gas Heating Mechanic Fees	
Gas Heating Mechanic Exam Fee	\$110.00
Gas Heating Mechanic I	\$55.00
Gas Heating Mechanic II	\$55.00
Apprentice Heating Mechanic	\$55.00
Oil Burner Servicer/Installer	\$55.00
Oil, Gas I, or Gas II Inspector	\$55.00
Boiler Installation Inspection Fees	
Low Pressure & Hot Water Boiler < 500,000 BTUs	\$157.00 (((\$175.00))
LP & HWB 500,000 to < 2,000,000 BTUs	\$265.00 (((\$300.00))
LP & HWB 2,000,000 BTUs and greater	\$425.00 (((\$450.00))
Power Boilers < 1,000,000 BTUs	\$425.00 (((\$450.00))
Power Boilers from 1,000,000 to < 5,000,000 BTUs	\$850.00
Power Boilers 5,000,000 BTUs and greater - Base	\$850.00
Power Boilers 5,000,000 BTUs and greater - Additional Charge per million BTUs	\$25.00
Electric Boiler < 250 kw	\$250.00
Unfired Pressure Vessel	\$80.00 (((\$95.00))
Boiler Operating Permit & Accessory Fees	
Boilers - Base City Inspected Operating Permit Fee	\$85.00 (((\$98.00))
Boilers - per Vessel	\$35.00
Hydrostatic Pressure Test	\$145.00
Repair Inspections - Hourly	\$115.00
Building Permit Fees	

\$1 - \$2,000 Job Value Fee - Base	\$73.00
\$2,001 - \$25,000 Job Value Fee - Base	\$73.00
\$2,001 - \$25,000 Job Value Fee - Variable per \$1000 over \$2000	\$13.00
\$25,001 - \$50,000 Job Value Fee - Base	\$372.00
\$25,001 - \$50,000 Job Value Fee - Variable per \$1000 over \$25,000	\$10.00
\$50,001 - \$100,000 Job Value Fee - Base	\$622.00
\$50,001 - \$100,000 Job Value Fee - Variable per \$1000 over \$50,000	\$7.00
\$100,001 - \$500,000 Job Value Fee - Base	\$972.00
\$100,001 - \$500,000 Job Value Fee - Variable per \$1000 over \$100,000	\$5.00
\$500,001 - \$1,000,000 Job Value Fee - Base	\$2,972.00
\$500,001 - \$1,000,000 Job Value Fee - Variable per \$1000 over \$500,000	\$4.00
Over \$1,000,000 Job Value Fee - Base	\$4,972.00
Over \$1,000,000 Job Value Fee - Variable per \$1000 over \$1,000,000	\$3.00
Plan Review for Commercial & Multi-Family over 2 units	65% of Job Value Fee
Fast Track Plan Review Fee	125% of Job Value Fee
Early Start and Fast Track Approval	25% Additional fee
Stock Plan Review Fee	25% of Job Value Fee
Reduced Plan Review Fee	25% of Job Value Fee
<i>*Applications for successive identical buildings on a single site submitted simultaneously are eligible for the Reduced Plan Review Fee. In these instances, the full plan review fee applies to the first of the duplicate buildings.</i>	
Plan Review for New Single-Family Residences (SFR), Accessory Dwelling Units, & Duplexes	50% of Job Value Fee
Plan Review for SFR & Duplex Accessory Structures & Additions	25% of Job Value Fee
Revision Review Fee - Hourly	\$115 per hour
Plan Review for SFR & Duplex Accessory Structure Remodels	25% of Job Value Fee
Demolition of SFR or Duplex	\$45.00
Demolition of Other Structures - Per 1,000 Sq Ft - [maximum fee ((MAXIMUM FEE)) \$450]	\$45.00
Demolition of Residential Accessory Structures - (i.e. -garages, pools)	\$35.00
<i>*Additional fees may be required for historically eligible or listed properties in accordance with Historic Preservation's Fee Schedule</i>	
Fence Permit Fee per 100 linear feet or fraction thereof	\$20.00
Grading Permit Fee for 10,000 cubic yards or less ((of Grading or Fill - Base))	\$145.00
((10,000 cubic yards or more of Grading or Fill - Base	(\$145.00))
10,000 cubic yards or more of Grading or Fill - Variable over 10,000)) Grading Permit Fee for each additional 10,000 cubic yards or fraction thereof	\$30.00
Grading Plan Review for 1,000 cubic yards or less	\$75.00
Grading Plan Review for 1,001 - 100,000 cubic yards ((-Base))	\$190.00
Grading Plan Review for each 10,000 cubic yards over 100,000 ((-Variable over 100,000))	\$10.00
Sign Permit Fee for Wall, Projecting, and Incidental Signs ((Permit Fee)) - Per Sign	\$47.00
Sign Permit Fee for Pole and Billboard ((-and Off-Premises Sign Permit Fee)) - Per Sign	\$117.00
Sign Review Fee	\$115.00
Factory Built Housing - Per Section	\$75.00
Manufactured (Mobile) Home - Per Section	\$75.00

Temporary Structures - 1st 180 days	\$250.00
Temporary Structures - 2nd 180 days	\$550.00
Relocation Determination Fee	\$75.00
Swimming Pool Permit Fee (when accessory to SFR or Duplex)	\$95.00
Swimming Pool Permit Fee (for all others)	\$215.00
Adult Family Home Inspection	\$245.00
Family Home Child Care Capacity Inspection	\$245.00
Safety Inspection - Commercial Building - Per hour (2-hr minimum)	\$115 ((\$114)) per hour
Safety Inspection - SFR, Electrical Only	\$95.00
Safety Inspection - SFR, 2 or more categories	\$190.00
Safety Inspection - Duplex	\$245.00
Safety Inspection - Multi-Family 3 to 6 units	\$315.00
Safety Inspection - Multi-Family over 6 units - Base	\$315.00
Safety Inspection - Multi-Family over 6 units – Variable per unit over 6	\$35.00
Electrical Service Reconnect - Residence	\$40.00 ((\$50.00))
Electrical Service Reconnect - Commercial	\$95.00 ((\$110.00))
Expired Building Permit Renewal when No Inspections	100% of Permit Fee
Expired Building Permit Renewal when Foundation Approved	75% of Permit Fee
Expired Building Permit Renewal when All Rough-ins Approved	25% of Permit Fee
Expired Building Permit Renewal with Additional Work	Job Value Fee
Expired Plumbing Permit Renewal when No Inspections	100% of Permit Fee
Expired Plumbing Permit Renewal when Top Outs Approved	25% of Permit Fee
Expired Mechanical Permit Renewal when No Inspections	100% of Permit Fee
Expired Mechanical Permit Renewal when Rough-Ins Approved	25% of Permit Fee
Expired Electrical Permit Renewal when No Inspections	100% of Permit Fee
Expired Electrical Permit Renewal when Rough-Ins/Service Approved	25% of Permit Fee
Certificate of Occupancy Fees	
For Change of Occupancy when no work is required	\$90.00
Temporary Certificate of Occupancy Issuance (not to exceed 100% of the building permit fee)	\$500.00
Temporary Certificate of Occupancy Extension (not to exceed 100% of the building permit fee)	\$250.00
Solar Fees	
SFR-Duplex Solar Plan Review Fee (DSC)	\$75.00
SFR-Duplex Solar Inspection Fee (DSC)	\$150.00
MFCOM Solar Plan Review Fee (DSC)	65% of Job Value Fee
MFCOM Solar Inspection Fee (DSC)	Job Value Based
Electrical fees assessed as applicable to the scope of work	See Electrical Fees
Fire Review and Inspection Fees assessed in accordance with the Fire Codes	See Fire Code
Electrical Permit Fees	
New Square Footage up to 5000 sq ft - Variable per 100 sq ft	\$5.00
New Square Footage over 5,000 sq ft - Base	\$250.00
New Square Footage over 5,000 sq ft - Variable per 100 sq. ft.	\$3.00
Alterations/Wiring of Existing Space (per circuit)	\$7.00
Light Standard	\$10.00

Service, 1-200 Amps	\$50.00
Service, 201-400 Amps	\$62.00
Service, 401-600 Amps	\$75.00
Service, 601-800 Amps	\$87.00
Service, 801-1,000 Amps	\$100.00
Service, Over 1,000 Amps - Base	\$100.00
Service, Over 1,000 Amps - Variable per 100 Amps over 1,000 Amps	\$7.00
Service, Over 600V, Surcharge	\$60.00
Alarms, Telecommunications, and Control Circuits other low-voltage systems (per 2,500 sq. ft.)	\$15.00
Temporary Service ((and Load Test))	\$45.00
Transformer - Base	\$40.00
Transformer - Variable per 200 Amps or fraction thereof	\$12.00
Generator (emergency, standby, and resource recovery) - Base	\$40.00
Generator (emergency, standby, and resource recovery) - Variable per 200 Amps or fraction thereof	\$12.00
Note: Generators of 50 kW or less are considered equivalent to a 200 Amp service	NA
Feeder or Subpanel	\$20.00
Ground Work-Ground Ufer	\$30.00
Extensive Ground Work	\$105.00
Annual Electrical Permit, 12 Inspections/1 - 3 Electricians	\$2,300.00
Annual Electrical Permit, 24 Inspections/4 - 6 Electricians	\$4,600.00
Annual Electrical Permit, 36 Inspections/7 - 12 Electricians	\$6,900.00
Annual Electrical Permit, 52 Inspections/13+ Electricians	\$8,200.00
((Electrical Permit)) Load Test	\$45.00
Energy Storage Systems	\$50.00
Elevator Permit Fees	
Install: Elevator, Escalator, or Moving Walk \$5,000 Value or Less	\$250.00
Install: Elevator, Escalator, or Moving Walk Install > \$5,000 Value - Base	\$250.00
Install: Elevator, Escalator, or Moving Walk Install > \$5,000 Value – Variable per <u>\$1,000 in valuation over \$5,000</u>	\$4.00
Install: Stair Climber or Platform ((Plan-Form)) Lift	\$88.00(((\$80-00))
Install: Dumbwaiter or Material Lift	\$177.00(((\$170-00))
Install: Temporary Personnel Hoist (Construction Lift)	\$350.00
Operating Permit: Hydraulic Elevator - Annual, Base	\$177.00
Operating Permit: Hydraulic Elevator - Annual, Variable <u>per stop over two</u>	\$22.00
Operating Permit: Cable Elevator - Annual, Base	\$353.00
Operating Permit: Cable Elevator - Annual, Variable <u>per stop over two</u>	\$22.00
Operating Permit: Escalator or Moving Walk	\$353.00
Operating Permit: Dumbwaiter, Platform/Material Lift, or Stair Climber	\$88.00
Alteration or Repair: \$5,000 Value or Less	\$250.00
Alteration or Repair: > \$5,000 Value - Base	\$250.00
Alteration or Repair: > \$5,000 Value – Variable <u>for each \$1,000 over \$5,000</u>	\$4.00
Elevator Reinspection: Hourly	\$115.00(((\$114-00))
Uncorrected Deficiencies (assessed at 90, 120, and 150 days)	\$177.00
Document Replacement Fee	\$65.00

Temp Hoist: Semi-Annual or Jump Inspection	\$177.00
Temp Hoist: Semi-Annual Operating Permit	\$177.00
Temporary Operating Permit Fee - Base	\$115.00
Temporary Operating Permit Fee – Variable <u>per stop over two</u>	\$15.00
Plan Review for Installs and Major Alterations	\$115.00
Variance Request w/ Site Visit - Base	\$177.00
Variance Request w/ Site Visit - Variable	\$88.00
Variance Request via Desk Evaluation (w/o site visit)	\$88.00
Technical Advice Site Visit Fee - Base	\$177.00
Technical Advice Site Visit Fee – Variable <u>per hour more than two</u>	\$88.00
Decommissioning Conveyance Fee	\$177.00
Re-Commissioning Conveyance Fee - Base	\$177.00
Re-Commissioning Conveyance Fee – Variable <u>per hour more than two</u>	\$88.00
Operating a Conveyance w/o Permit: 30 Day Penalty Fee <u>Conveyances in operation without a permit more than 120 days may be removed from service by the inspector</u>	\$164.00
Mechanical Permit Fees	
Air Handler (per 10,000 cfm or fraction of)	\$17.00
Clothes Dryer (Gas)	\$15.00
Ductwork System	\$15.00
Evaporative Cooler	\$15.00
Gas Log	\$15.00
Gas Piping: per outlet	\$4.00
((Gas)) Water Heater	\$15.00
<u>Hot Water Tank Heat Pump</u>	<u>\$15.00</u>
Heat Pump, <u>Compressor</u> , or A/C: <u>less than</u> 15 tons	\$23.00
Heat Pump, <u>Compressor</u> , or A/C: 15 to 50 tons	\$45.00
Heat Pump, <u>Compressor</u> , or A/C: Over 50 tons	\$75.00
Heating Equipment: 1 to 100,000 BTUs <u>or 32 kW</u>	\$17.00
Heating Equipment: More than 100,000 BTUs <u>or 32 kW</u>	\$25.00
Hood: Type I (per 12 ft or 12 ft portion of hood)	\$70.00
Hood: Type II	\$15.00
Hydronic Piping: per outlet	\$4.00
Miscellaneous (items not covered elsewhere)	\$15.00
Propane Tanks	\$15.00
Range/ <u>Cooking Equipment</u> (Gas)	\$15.00
Refrigeration <u>or Absorption ((Unit)) System</u> : 1 - 500,000 BTUs	\$25.00
Refrigeration <u>or Absorption ((Unit)) System</u> : 500,000 ((1)) - 1,750,000 BTUs	\$45.00
Refrigeration <u>or Absorption ((Unit)) System</u> : Over 1,750,000 BTUs	\$75.00
Unlisted ((Gas)) <u>or Unused</u> Appliance: Up to 400,000 BTUs	\$75.00
Unlisted ((Gas)) <u>or Unused</u> Appliance: Over 400,000 BTUs	\$125.00
((Used Appliance: Up to 400,000 BTUs	\$75.00
Used Appliance: Over 400,000 BTUs	\$125.00))
Vent Fans	\$10.00 ((15.00))
Wood/ <u>Pellet</u> Stove or Insert	\$40.00

<u>Electrical Disconnects/Reconnects for HVAC replacements and thermostat wiring are assessed at the “Alterations... per circuit” rate found within the Electrical Permit Fees.</u>	
Plumbing Permit Fees	
Per Plumbing Fixture on a trap	\$13.00
<i>*** Includes, but is not limited to, installs, relocations, replacements, and rough-ins of backflow devices, dishwashers, garbage disposals, drains, showers, sinks, toilets, tubs, water softeners, etc.</i>	
((Bar Sink	\$15.00
Bathtub	\$15.00
Clothes Washer	\$15.00
Dishwasher	\$15.00
Drinking Fountain	\$15.00
Floor Drain	\$15.00
Floor Sink	\$15.00
Garbage Disposal	\$15.00
Kitchen Sink	\$15.00
Lawn Sprinkler (with 1 backflow device)	\$15.00))
Medical Gas Outlet	\$13.00 ((\$15.00))
((Miscellaneous (items not covered elsewhere)	\$15.00))
Sewage Ejector	\$13.00 ((\$15.00))
((Shower	\$15.00
Sink	\$15.00
Toilet	\$15.00
Urinal	\$15.00
Utility Sink	\$15.00))
Vacuum Breaker/Backflow Device	\$13.00 ((\$15.00))
((Water Softener	\$15.00))
Miscellaneous (plumbing not covered elsewhere)	\$13.00
<i>Water Heaters are covered within Mechanical Permit Fees</i>	
Code Enforcement: Existing Building and Conservation Code Fees	
General: Bill equal to all costs and expenses incurred by City	Cost Incurred
Boarding and Securing	Cost Incurred
Property Monitoring	\$300.00
Annual Hearing Processing Fee - First Year	\$2,000.00
Annual Hearing Processing Fee - Each Subsequent Year	\$5,000.00
Code Enforcement: Obstruction From Vegetation and Debris Fees	
Vegetation and Debris Abatement	Cost Incurred
Vegetation and Debris Abatement Surcharge	\$250.00
Code Enforcement: Existing Building and Conservation Code Fees	
Annual Foreclosure Property Registration Fee	\$350.00
Sidewalk Café Fees	
Sidewalk Café Annual Fee	\$150.00

Site Modification Review Fee	\$275.00
Initial Review Fee	\$300.00
<u>Parklets and Streateries</u>	
Annual License Fee	\$150.00
Site Modification Review Fee	\$275.00 (\$300.00)
Initial Review Fee	\$300.00
Refundable Cash Bond	\$1,000.00
2-hour zone per square foot per month	\$3.04
4-hour and all-day zones per square foot per month	\$2.05
Time-restricted fee parking	\$1.05
((Devise)) Device Removal and Replacement Fee - Single Space Meter	\$60.00
((Devise)) Device Removal and Replacement Fee - Dual Space Meter	\$120.00
((Devise)) Device Removal and Replacement Fee - Kiosk	\$500.00
<u>Streets and Airspace Fees</u>	
Skywalk Application to Hearing Examiner	\$7,160.00
Skywalk Annual Inspection	\$588.00
Skywalk Renewal (within 20 years of permit issuance)	\$2,290.00
Street Address Assignment	\$15.00
Street Address Change	\$61.00
ROW Obstruction: Dumpster or Temp Storage Unit (Pod) <u>per 15-day period</u>	\$150.00
ROW Obstruction: Long-term (more than 20 days) <u>per square foot per month</u>	\$0.20
ROW Obstruction: With Excavation 1-3 Days	\$150.00
ROW Obstruction: With Excavation Each Additional Day	\$25.00
ROW Obstruction: No Excavation 1-3 Days	\$40.00
ROW Obstruction: No Excavation Each Additional Day	\$20.00
Master Annual Permit	Expense based
Obstruction W/O Permit or Exempt Notification	\$500.00
Work Beyond Scope of Permit	\$250.00
No Fee for Activities Done Under City Contract	\$0.00
Traffic Control Plan Review Fee	\$78.00
Building Move Permit	\$172.00
Road Oiling (and other dust palliatives)	\$156.00
Street Vacation Application Fee	\$623.00
Approach Permit: Commercial	\$52.00
Approach Permit: Residential Driveway	\$31.00
IT Plan Review for Fiber Projects	\$95 per hour
<u>House Move Rescheduling Fee – This is an additional processing fee assessed for house moves that are rescheduled after arrangements for staff had already been made.</u>	<u>\$65.00</u>
<u>Oversize or Overweight Movements</u>	
Oversize Load - Per 30 Days or fraction of	\$78.00
Overweight Load (on specified route) - Per 30 Days or fraction of	\$117.00
Superload - Per Trip	\$117.00
<u>((Private Construction Plan Review and Inspection))</u>	

(Engineering) Private Construction Plan Review Fee Table:	
\$1 - \$10,000 Job Value Fee	\$300.00
\$10,001 - \$50,000 Job Value Fee - Base	\$300.00
\$10,001 - \$50,000 Job Value Fee - Variable for each \$1,000 over \$10,000	\$15.00
\$50,001 - \$100,000 Job Value Fee - Base	\$900.00
\$50,001 - \$100,000 Job Value Fee - Variable for each \$1,000 over \$50,000	\$13.00
\$100,001 - \$500,000 Job Value Fee - Base	\$1,550.00
\$100,001 - \$500,000 Job Value Fee - Variable for each \$1,000 over \$100,000	\$10.50
\$500,001 - \$1,000,000 Job Value Fee - Base	\$5,750.00
\$500,001 - \$1,000,000 Job Value Fee - Variable for each \$1,000 over \$500,000	\$9.50
Over \$1,000,000 Job Value Fee - Base	\$10,500.00
Over \$1,000,000 Job Value Fee - Variable for each \$1,000 over \$1,000,000	\$8.75
Additional Review (for excessive plan changes)	\$115 per hour
On-Site Water Systems Review Fee - outside City limits or no bldg permit	\$250.00
On-Site Sanitary Sewer Systems Review - outside City limits or no bldg permit	\$250.00
Standard (Simple) Stormwater Systems Review: Under 10 lots - Base	\$400.00
Standard (Simple) Stormwater Systems Review: Under 10 lots - Variable per lot	\$10.00
Standard (Simple) Stormwater Systems Review: 10 - 100 lots - Base	\$500.00
Standard (Simple) Stormwater Systems Review: 10 - 100 lots - Variable per lot	\$10.00
Standard (Simple) Stormwater Systems Review: Over 100 lots - Base	\$700.00
Standard (Simple) Stormwater Systems Review: Over 100 lots - Variable per lot	\$10.00
Stormwater Review Fee Up to 2 acres - outside City limits or no bldg permit	\$250.00
Stormwater Review Fee Over 2 acres - outside City limits or no bldg permit	\$500.00
Complex Stormwater Systems Review: Under 10 lots - Base	\$500.00
Complex Stormwater Systems Review: Under 10 lots - Variable per lot	\$10.00
Complex Stormwater Systems Review: 10 - 100 lots - Base	\$750.00
Complex Stormwater Systems Review: 10 - 100 lots - Variable per lot	\$15.00
Complex Stormwater Systems Review: Over 100 lots - Base	\$1,000.00
Complex Stormwater Systems Review: Over 100 lots - Variable per lot	\$15.00
Stormwater Review Fee Up to 2 acres - outside City limits or no bldg permit	\$500.00
Stormwater Review Fee Over 2 acres - outside City limits or no bldg permit	\$1,000.00
Storm Sewer Review - in accordance with subsection (A) above.	No Charge
Waiver or Variance Review	\$115.00
Site Development Plan Review	\$250.00
Traffic Impact Analysis Review Fee	\$200.00
Hydraulic Analysis Review Fee	\$580.00
(Engineering) Private Construction Inspection Fee Table:	
\$1 - \$5,000 Job Value Fee	\$500.00
\$5,001 - \$10,000 Job Value Fee	\$1,000.00
\$10,001 - \$50,000 Job Value Fee - Base	\$1,000.00
\$10,001 - \$50,000 Job Value Fee - Variable for each \$1,000 over \$10,000	\$25.00
\$50,001 - \$100,000 Job Value Fee - Base	\$2,000.00
\$50,001 - \$100,000 Job Value Fee - Variable for each \$1,000 over \$50,000	\$20.00
\$100,001 - \$500,000 Job Value Fee - Base	\$3,000.00
\$100,001 - \$500,000 Job Value Fee - Variable for each \$1,000 over \$100,000	\$15.00
\$500,001 - \$1,000,000 Job Value Fee - Base	\$9,000.00

\$500,001 - \$1,000,000 Job Value Fee - Variable for each \$1,000 over \$500,000	\$10.00
Over \$1,000,000 Job Value Fee - Base	\$14,000.00
Over \$1,000,000 Job Value Fee - Variable for each \$1,000 over \$1,000,000	\$5.00
Non-Typical, Specialty Project Inspection	\$115.00
Non-Typical, Specialty Project Overtime Inspection	1.5x the Inspection Fee(s)
Non-Typical, Specialty Project Survey Crew Inspection	\$115.00
Non-Typical, Specialty Project Survey Crew Overtime Inspection	1.5x the Inspection Fee(s)
<u>Multi-Family Housing Property Tax Incentive Program</u>	
Multi-Family Tax Exemption (MFTE) Application	\$1,000.00
MFTE Extension Application	\$1,000.00
MFTE Final Certificate	\$2,000.00
MFTE Final Certificate Conversion from 12 to 8 year	\$500.00
<u>Shorelines Management</u>	
\$2,500 - \$10,000 Project Value Fee	\$1,200.00
\$10,001 - \$50,000 Project Value Fee	\$1,600.00
\$50,001 - \$250,000 Project Value Fee	\$3,000.00
\$250,001 - \$1,000,000 Project Value Fee	\$5,800.00
Over \$1,000,000 Project Value Fee - Base	\$7,000.00
Over \$1,000,000 Project Value Fee - Variable	0.1% of project valuation
Variance Fee	\$2,300.00
Conditional Use Fee	\$2,000.00
Pre-Submittal Review	\$600.00
Shoreline Exemption Fee	\$600.00
Permit Amendment Fee	80% of fee in this schedule
<u>Plats</u>	
Long Plat: One-Year Extension of Preliminary Approval	\$500.00
Long Plat: Phasing of Approved Preliminary Plat	\$600.00
Long Plat: Vacation	\$800.00
Final Long Plat - Base	\$3,305.00
Final Long Plat - Additional fee per lot	\$30.00
Long Plat: Alteration of Approved Preliminary or Final Long Plat	80% of fee in this schedule
Short Plat: One-Year Extension One-Year Extension of Preliminary Approval	\$500.00
Short Plat: Phasing of Approved Preliminary Plat	\$600.00
Short Plat: Vacation	\$800.00
Final Short Plat Filing Fee	\$2,271.00
Final Short Plat Filing Fee - Additional fee per lot	\$30.00
Final Short Plat Filing Fee with Minor Engineering Review	\$350.00
Final Short Plat Filing Fee with Minor Engineering Review - Additional fee per lot	\$30.00
Short Plat: Alteration of Approved Preliminary or Final Short Plat	80% of fee in this schedule

Binding Site Plan: One-Year Extension of Preliminary Approval	\$500.00
Final Binding Site Plan	\$2,970.00
Final Binding Site Plan - fee per additional acre	\$30.00
Binding Site Plan: Alteration of Approved Preliminary or Final	80% of fee in this schedule
Boundary Line Adjustment Filing Fee	\$370.00
Street Name Change	\$2,500.00
Public Hearing for Other Matters	\$1,895.00
Use of Planning Staff Not Covered by Plat Fees	\$115.00
Concurrency Inquiry Application	\$200.00
Zoning	
Staff Preparation of Notification Map and Associated Documents	\$207.00
Type I Application	\$1,085.00
Type II Application	\$4,325.00
Type II Application - per additional acre	\$60.00
Type II Application with Minor Engineering Review	\$1,085.00
Type III Application	\$4,590.00
Type III Application - per additional acre	\$215.00
Site Plan Review and/or Modification	\$815.00
Site Plan Review and/or Modification - per additional 10 acres	\$550.00
Planned Unit Development (PUD) Bonus Density	\$880.00
Final PUD	\$3,295.00
Temporary Use Permit	\$675.00
Floodplain Development Permit	\$1,139.00
Floodplain Development Permit -per additional acre	\$55.00
Formal Written Interpretation of Zoning Code	\$727.00
Public Hearing for Other Matters	\$1,895.00
Use of Planning Staff Not Covered by Above Fees - Hourly	\$115.00
Zoning Verification Letter	\$115.00
Design Review	
Design Review by Urban Design Staff	\$600.00
Design Review by Design Review Board	\$1,275.00
Comprehensive Plan and Land Use Code Amendments	
Threshold Review Fee	\$500.00
Comp Plan, Map, Text, or other Land Use Code Amendment - Base	\$7,000.00
Comp Plan, Map, Text, or other Land Use Code Amendment - Variable per additional 10 acres	\$1,075.00
Use of Planning Staff Not Covered by Above Fees	\$115.00
Formal Written Interpretation of Comp Plan	\$1,075.00
Short Term Rental License Fee	
Registration for STR - Residential Zone - Application	\$200.00
Registration for STR - Residential Zone - Renewal	\$100.00
Registration for STR - Other Zone - Application	\$300.00
Registration for STR - Other Zone - Renewal	\$150.00 ((\$100.00))

