SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

AMENDED ORDINANCE NO. 10-025

RELATING TO DEVELOPMENT FEES
FOR THE ADMINISTRATION OF TITLE 30 SCC; ADDING SECTIONS TO, AND
REPEALING AND AMENDING SECTIONS OF CHAPTER 30.86 SCC; AND
AMENDING ORDINANCE NO. 10-014

WHEREAS, under Revised Code of Washington (RCW) 82.02.020, the county may collect reasonable fees from an applicant to cover the cost to the county of processing applications, inspecting and reviewing plans, and preparing detailed statements required by chapter 43.21C RCW; and

WHEREAS, chapter 30.86 SCC establishes fees required to be paid by an applicant to cover county costs of administering the Unified Development Code (title 30) SCC, which is administered by the Department of Planning and Development Services (PDS); and

WHEREAS, the county must adjust fees to maintain financial self-sufficiency in providing permitting services, to align the fees charged to applicants with the type and level of services provided, and to provide for improved cost recovery, fee simplification and equity; and

WHEREAS, PDS utilizes a cost of services model to estimate the cost of providing permitting services at the present level of service and the fees necessary to recover permitting costs; and

WHEREAS, as an initial step in cost recovery and fee structure simplification, the county council adopted amendments and additions to chapter 30.86 SCC in Amended Ordinance No. 08-122 on November 10, 2008, to recover the costs of processing applications; and

WHEREAS, the restructuring of the drainage and grading fee tables was postponed until adoption of stormwater management regulations necessary to comply with the requirements of Snohomish County's National Pollutant Discharge Elimination System (NPDES) Phase I Municipal Stormwater Permit No. WAR04-4502 (NPDES Permit); and

WHEREAS, other fee updates to chapter 30.86 SCC are necessary to implement new stormwater management regulations; and

WHEREAS, SCC 30.86.510 is repealed and restructured to establish fees necessary to administer plan review and inspection of land disturbing activities including clearing and land conversion; and

WHEREAS, the proposed fee updates in chapter 30.86 SCC support implementation of new stormwater management regulations adopted in compliance with the NPDES Permit; and

WHEREAS, the county council held a public hearing on June 9, 2010, to consider the entire record and to hear public testimony on this Ordinance No. 10-025; and

WHEREAS, the county council considered the entire legislative record, including written and oral testimony submitted during the hearing before the county council.

NOW, THEREFORE, BE IT ORDAINED:

Section 1. The foregoing recitals are incorporated herein as findings of fact and conclusions as if set forth in full.

Section 2. The county council makes the following additional findings of fact and conclusions:

A. In 2002, PDS began soliciting recommendations for permit fee adjustments. Based on results of financial analyses in 2002 and 2005, PDS determined that costs were under-recovered for permitting and that permit fee adjustments were necessary.

B. In 2008, the council determined that a comprehensive analysis of permitting fees was necessary for consideration and PDS subsequently established a project team to perform an extensive fee study.

C. The fee study project team developed a methodology (cost of services model) to establish the costs of various development and regulatory services and related fee requirements. The cost of services model also provided the analytical framework to assess the adequacy of current fees to recover permitting costs.

D. The full cost of services basis for setting development fees was based on four main cost layers: labor (salary and benefits); non-labor expenses; county-wide overhead; and additional costs related to development review. Within the labor cost layer of the cost of services model are three categories (direct, indirect and overhead costs) that are included in the proposed fees.

E. Using the cost of services model, the fee study project team determined that current fees were inadequate to recover costs and that a reduction in the total number of drainage and grading fees and fee variations in SCC Table 30.86.510(2) and SCC Table 30.86.520(2) would make these fees easier to understand and administer.

F. At the same time the fee study project team was developing recommendations, a separate project team was working on updates to the county's stormwater management regulations, which impact the process by which drainage and grading fees are determined.

G. PDS postponed restructuring of the drainage and grading fee tables originally slated to be updated with the 2008 Fee Study to achieve a better understanding of the additional county resources that would be required to implement stormwater management regulations under the NPDES Permit.

H. The NPDES Permit increases the county's responsibility regarding the regulation of drainage and requires the regulation of land disturbing activities, which include clearing, grading, filling and excavation.

I. Regulation of land disturbing activities under the NPDES Permit requires PDS to establish new clearing fees. The proposed ordinance considers incorporation and alignment of new land disturbing activity fees related to reviewing clearing activities.

J. The NPDES Permit also requires increases in reporting and inspections (including preconstruction site inspections), additional analysis regarding discharge to wetlands, detention and retention ponds, and more restrictive exemptions from stormwater management regulations.

K. SCC Table 30.86.500 relating to fees required for environmental review pursuant to the State Environmental Policy Act (SEPA) is amended. Reference note (3) related to fee reductions for single family dwellings (SFR), duplexes, accessory structures, and commercial structures 8,000 square feet or less per SCC 30.86.400(9), grading of 500 cubic yards or less per SCC 30.86.520, and short subdivisions per SCC 30.86.110 is deleted. To more accurately reflect the cost of performing SEPA environmental review, threshold determination fees are no longer reduced by the critical area review fee for such actions when critical area review is required. Reference notes are renumbered after the deletion of reference note 3. SCC Table 30.86.500 is also amended to repeal a provision related to fees for playing fields on designated recreational land, which expired on April 4, 2008. SCC Table 30.86.500 is also amended to add withdrawal of determination of nonsignificance (DNS) to fees for issuing a

new threshold determination. SCC Table 30.86.500 is further amended to delete reference note 8, which is addressed by existing SCC 2.51.100.

L. Existing SCC Table 30.86.510(2), relating to fees required for drainage, and existing SCC Table 30.86.520(2), relating to fees required for grading, are repealed. The addition of a new SCC Table 30.86.510(2) establishes fees for both drainage plan review and inspection and land disturbing activities.

M. In the process of consolidating fees for land disturbing activities into new SCC Table 30.86.510(2), outdated provisions from existing SCC Table 30.86.510(2) and SCC Table 30.86.520(2) are deleted.

N. Consolidating plan review and inspection fees for drainage and land disturbing activities into one table reduces the amount of fee variations (multiple fee payments), prevents overlapping review (for simultaneous drainage and grading review) and results in simplified administration of the fee tables.

O. The applicable grading fees deleted in the repeal of existing SCC Table 30.86.520(2) are updated in new SCC Table 30.86.510(2)(A), which addresses all land disturbing activities.

P. The proposed drainage and land disturbing activity fees in new SCC Table 30.86.510(2)(A) and (B) reflect progressive levels of project complexity, concurrent plan review and inspection requirements. These fees are structured by project threshold levels for single activities and/or multiple activities and are based upon plan review and inspection labor costs for single and multiple activities.

Q. The drainage fee levels in new SCC Table 30.86.510(2)(A) are based on the quantities of proposed new, replaced, or new plus replaced impervious surface in square feet. The grading fee levels in new SCC Table 30.86.510(2)(A) are based on the quantities of proposed cut and/or fill, whichever is greater, in cubic yards.

R. There are three level 1 categories in the proposed new SCC Table 30.86.510(2)(A). These levels include grading only, drainage only, and grading and drainage (combined).

S. Level 1(a) provides the thresholds that apply to projects involving drainage activity only. Level 1(b) applies to projects involving grading activity only. Level 1(a)+(b) thresholds apply to projects performing both drainage and grading activity. These Level 1 fees include review of the required abbreviated Stormwater Pollution Prevention Plan (SWPPP) and site plan.

T. Level 2 fees for drainage and/or grading activity in new SCC Table 30.86.510(2)(A) are established for projects that require review of a targeted stormwater site plan.

U. Level 3 fees for drainage and/or grading activity in new SCC Table 30.86.510(2)(A) are established for projects that require review of a full stormwater site plan.

V. Level 4, Level 5 and Level 6 fees for drainage and/or grading activity in new SCC Table 30.86.510(2)(A) are established for progressively larger and more complex projects requiring additional stormwater management regulations and higher levels of review. In addition to submitting a full stormwater site plan, project applicants for drainage and/or grading activity at these levels must also submit multiple technical reports.

W. Fees for Levels 4, 5 and 6 were considered in the cost of services data in Attachment 3 of the accompanying staff report. Fees are based on actual grading volumes for applicants' projects and average real-time labor costs for PDS staff to review, inspect and monitor such projects. Fees associated with the breaks in the threshold quantities for Levels 4, 5 and 6 were established to achieve the optimum equity among applicants for these levels of services.

X. Fee levels 1 through 3 for clearing in new SCC Table 30.86.510(2)(B) apply exclusively to clearing activity. When clearing and other land disturbing activities require review, the applicant must pay for the applicable drainage and/or grading fee in addition to the clearing fee.

Y. The fee for renewal of a land disturbing activity approval or permit in existing SCC 30.86.520(4) is replaced in new SCC Table 30.86.510(2)(C). The amount of the fee is modified to $400 plus a percentage of the original permit fee equal to the percentage of permit activity remaining to be completed.

Z. The pre-application site review fee from repealed SCC Table 30.86.520(2) is merged into new SCC Table 30.86.510(2)(C) and remains $250. The reference note associated with the pre-application site review fee allowing a credit to be applied towards site review/permit fees at the time of application is deleted in the merge to new SCC Table 30.86.510(2). This allows PDS to recover some of the cost of staffing pre-application meetings.

AA. The fee for dike and levee construction or reconstruction grading plan review and inspection from repealed SCC 30.86.520(4) is merged into new SCC Table 30.86.510(2)(C).

BB. A fee for drainage review of mining operations is established in new SCC Table 30.86.510(2)(C) to more accurately recover the cost of performing drainage review for mining operations. On March 9, 2005, Snohomish County adopted Rule 3600, which establishes provisions for the calculation of title 30 SCC fees on mining sites. The provisions from Rule 3600 are now contained in reference note 5 to provide clarity on the proposed fee. The fee for drainage review of mining operations has been recalculated from $60 per acre to $156 per acre based on data from the cost of services model. Rule 3600 will no longer be needed after it is incorporated into new SCC Table 30.86.510(2)(C) and will be repealed.

CC. In the process of evaluating drainage review fees for mining operations, PDS revealed that fees were not established for monitoring associated with mining operations. A new fee for ongoing monitoring associated with mining operations is established in new SCC Table 30.86.510(2)(C) based on the cost of services model.

DD. New fees are established in new SCC Table 30.86.510(2)(C) for consultation with PDS pursuant to proposed SCC 30.63B.030(2) and 30.63B.100(2). The new fees are structured according to the level of consultation with PDS required by applicants' projects.

EE. A new section SCC Table 30.86.515 is added to establish stormwater modification, waiver and reconsideration fees necessary to implement new stormwater regulations. Fees for stormwater modifications, waivers and reconsiderations are based on the cost of services model.

FF. SCC 30.86.710 is amended to reduce the EDDS deviation fee from $1,500 to $1,350 to more accurately reflect estimated review costs based on PDS's real timekeeping data. The proposed EDDS deviation fee is made consistent with the proposed fees for stormwater modifications in new SCC Table 30.86.515.

GG. The council considered the PDS staff report and finds that the process by which the proposed fees were determined, as explained in the staff report and supported by additional documentation, is accurate and fair. The resulting development fees are reasonable and were calculated in accordance with RCW 82.02.020.

HH. The council concludes that this ordinance is related solely to government procedures, not the Growth Management Act, and therefore, does not

adopt development regulations under SCC 30.10.080. Pursuant to SCC 30.73.040(2)(b), planning commission review is not required.

II. Amendments to chapter 30.86 SCC, pertaining to fees, are categorically exempt from SEPA under Washington Administrative Code (WAC) 197-11-800(19).

JJ. The council concludes that this ordinance is in the best interest of Snohomish County citizens and will promote the health, safety and welfare of the citizens of Snohomish County.

Section 3. Snohomish County Code Section 30.86.500, last amended by Amended Ordinance No. 07-108 on November 19, 2007, is amended to read:

30.86.500 SEPA (environmental review) fees. ((~~See also chapter 30.61 SCC.~~))

Table 30.86.500 - SEPA FEES (1)

CHECKLIST REVIEW/THRESHOLD DETERMINATION (TD) (2), (((3))) (((7)))(6)	
Single family dwellings or duplex	$350
Short Subdivisions	
0 to 4 lots	$660
5 to 9 lots	$780
Subdivisions	
0 to10 lots	$780
11 to 20 lots	$900
21 to 50 lots	$1,080
51 to 100 lots	$1,320
101 to 200 lots	$1,620

Greater than 200 lots	$1,920
Commercial (project actions requiring commercial zoning or commercial building permits, and multiple family construction in any zone):	
0 to 2 acres	$600
3 to 5 acres	$840
6 to 10 acres	$1,020
11 to 20 acres	$1,200
21 to 100 acres	$1,440
Greater than 100 acres	$1,680
((~~Environmental review fees for playing fields on designated recreational land in accordance with SCC 30.28.076 and chapter 30.33B SCC.~~))	((~~$0~~))
Industrial (project actions requiring industrial zoning):	
0 to 2 acres	$720
3 to 5 acres	$960
6 to 10 acres	$1,200
11 to 20 acres	$1,440
21 to 100 acres	$1,800
Greater than 100 acres	$2,400
Threshold determinations (TD) for all other project actions not specifically listed((:))	$600
Staff review of special studies submitted to supplement the environmental checklist	$72/Hour
MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS) ((~~(4)~~))(3), ((~~(7)~~)) (6)	

Review fee for school, park, and road mitigation	$180
County professional staff time spent in making the determination beyond the scope of initial review of mitigation	$72/Hour
ENVIRONMENTAL IMPACT STATEMENT ((~~See Footnote 6~~)) ~~(5), (6)~~	
WITHDRAWAL OF DETERMINATION OF NONSIGNIFICANCE (DNS) OR DETERMINATION OF SIGNIFICANCE (DS) AND NEW TD ~~(((5), (7), (8)))~~ (4), (6)	Fee equal to original fee for environmental checklist review

REFERENCE NOTES:

(1) These fees, which are in addition to any other fees provided for by law, shall be charged when Snohomish County is the lead agency for a non-county proposal.

(2) The fee shall be collected prior to undertaking the threshold determination. Time periods provided in SCC 30.61.060 for making a threshold determination shall not begin to run until fee payment occurs.

((~~(3) Threshold determination fees required for these actions shall be reduced by the amount of the critical area review fee for such actions when critical area review is required: SFR dwellings, duplexes, accessory structures, and commercial structures 8,000 square feet or less per SCC 30.86.400(9); grading of 500 cubic yards or less per SCC 30.86.520; and short subdivisions per SCC 30.86.110.~~))

((~~(4)~~)) (3) For every mitigated threshold determination considered as provided by SCC 30.61.120 and WAC 197-11-350, one, or a combination of the following fees, shall be paid by the applicant. If after 30 days of the date an applicant receives "Notice of Payment Due" by certified mail, the required fees remain unpaid, the county shall discontinue action on the proposal, including postponement of scheduled hearings, until the fees are paid. Such fees are in addition to the initial threshold determination fees above.

((~~(5)~~)) (4) This fee shall be charged for the additional environmental review conducted when a determination of significance is withdrawn and a new threshold determination is made for the same proposal. The fee shall be paid prior to issuance of the new threshold determination.

((~~(6)~~)) (5)(a) The following EIS preparation and distribution costs shall be borne by the applicant or proponent:

(i) Actual cost of the time spent by regular county professional, technical, and clerical employees required for the preparation and distribution of the applicant's impact statement. The costs shall be accounted for properly. No costs shall be charged for processing of the application which would be incurred with or without the requirement for an EIS or which are covered by the regular application fee;

(ii) Additional costs, if any, for experts not employed by the county, texts, printing, advertising,

and for any other actual costs required for the preparation and distribution of the EIS; and

(iii) When an EIS is to be prepared by a consultant, actual consultant fees which shall be solely the responsibility of and billed directly to the applicant or proponent. The applicant or proponent shall also bear such additional county costs as provided for in (i) and (ii) above as are incurred in the review, revision, approval, and distribution of the EIS.

(b) When an EIS is to be prepared by the county, following consultation with the applicant, the lead department shall inform the applicant of estimated costs and completion date for the draft EIS prior to accepting the deposit required by (4) above. Such estimate shall not constitute an offer or covenant by the lead department nor shall it be binding upon the county. In order to assure payment of the above county costs, the applicant or proponent shall post with the county cash, surety bond, or other sufficient and acceptable bond in the minimum amount of $1,800 in accordance with chapter 30.84 SCC regarding bonding security administration.

(c) If a proposal is modified so that an EIS is no longer required, the responsible official shall refund any fees collected pursuant to reference note (4) above which remain after incurred costs are paid.

((~~(7)~~)) (6) The county shall collect a reasonable fee from an applicant pursuant to SCC 30.70.045(6) to cover the cost of meeting the public notice requirements of this title relating to the applicant's proposal.

((~~(8) The county may charge any person for copies of any document prepared under this title, and for mailing the document in the manner provided by chapter 42.17 RCW.~~))

Section 4. Snohomish County Code Section 30.86.510, last amended by Amended Ordinance No. 08-122 on November 10, 2008, is repealed.

Section 5. A new section is added to Chapter 30.86 of the Snohomish County Code to read:

30.86.510 Drainage and land disturbing activity fees.

(1) This section establishes fees for plan review and inspection conducted by the county to compensate the department for the costs of administering this title and issuing land disturbing activity permits and approvals. These fees apply when drainage or land disturbing activity review is a required component of a permit application or is a condition of a land use approval. Such fees are in addition to any other fees required by law.

(2) Fees for plan review and inspection of drainage plans and land disturbing activities are established in SCC Table 30.86.510(2)(A) and (B). SCC Table 30.86.510(2)(A) and (B) includes fees for plan review and inspection of independent activities as well as fees for plan review and inspection of multiple activities. Whenever two or more proposed activities subject to fees in SCC Table 30.86.510(2) are submitted concurrently as part

of the same project, the applicant shall only pay one fee; the applicable fee shall be the one associated with the proposed activity that meets the highest threshold level in SCC Table 30.86.510(2)(A) and (B).

(3) Drainage and land disturbing activity fees shall be paid at the time of application.

Table 30.86.510(2)

FEES FOR DRAINAGE AND LAND DISTURBING ACTIVITIES

(A) FEE LEVELS FOR PLAN REVIEW AND INSPECTION[1]	**DRAINAGE (new, replaced, or new plus replaced impervious surface in square feet)**		**GRADING (cut or fill in cubic yards, whichever is greater)**	**FEE**
Level 1(a): Drainage only	1 – 1,999			$ 375
Level 1(b): Grading only			1 – 500	$ 350
Level 1(a)+(b): Drainage and Grading	1 – 1,999	**and**	1 – 500	$ 725
Level 2	2,000 – 4,999	**and/or**	1 – 500	$ 1,575
Level 3	5,000 – 9,999	**and/or**	501 – 4,999	$ 2,450
Level 4	10,000 – 39,999	**and/or**	5,000 – 14,999	$ 4,800
Level 5	40,000 – 99,999	**and/or**	15,000 – 69,999	$ 12,700
Level 6	100,000 **or more**	**and/or**	70, 000 **or more**	$ 34,700
(B) FEE LEVELS FOR PLAN REVIEW AND INSPECTION[1]	**CLEARING[2]**			**FEE**
Level 1	1 – 6,999 sq. ft.			$ 750
Level 2	7,000 sq. ft. or more			$ 1,650
Level 3: Conversion only	Converts three-quarters of an acre (32,670 sq. ft.) or more of native vegetation to lawn/landscaped areas, or converts 2.5 acres (108,900 sq. ft.) or more of native vegetation to pasture.			$ 2,800

(C) FEES FOR ACTIVITIES NOT OTHERWISE LISTED:	
Pre-application site review	$ 250
Subsequent plan review[3]	$ 350
Field revisions[4]	$ 350
Modification, waiver, or reconsideration issued pursuant to SCC 30.63A.830 through 30.63A.842	See SCC 30.86.515
Investigation pursuant to SCC 30.52A.210	$ 350 plus $ 0.33 per cubic yard of earth moved
Renewal of a land disturbing activity approval or permit[5]	$400 plus a percentage of the

	original permit fee equal to the percentage of approved or permitted activity to be completed
Dike or levee construction or reconstruction grading plan review and inspection fee when implementing a Snohomish County approved floodplain management plan	$ 60 per hour
Drainage plan review for mining operations[6]	$ 156 per acre
Monitoring associated with drainage plan review for mining operations	$ 141 per hour
Consultation pursuant to SCC 30.63B.030(2) or 30.63B.100(2) (a) Land Use (b) Engineering (a)+(b) Land Use and Engineering Combination	 (a) $ 850 (b) $ 975 (a)+(b) $ 1,655
(D) SECURITY ADMINISTRATION FEES:	
Performance Security	$ 19.50 per subdivision or short subdivision lot or $0.005 per square foot of impervious area for commercial building permits
Warranty Security	$ 26.00 per subdivision or short subdivision lot or $0.007 per square foot of impervious area for commercial building permits
Maintenance Security	$ 15.00 per subdivision or short subdivision lot or $0.003 per square foot of impervious area for commercial building permits

REFERENCE NOTES:

(1) Drainage and land disturbing activity reviews associated with projects administered by Snohomish Conservation District shall not be subject to plan review and inspection fees.

(2) Fee includes drainage plan review and inspection for clearing activity only. When clearing is combined with other land disturbing activities in SCC Table 30.86.510(2)(A), fee levels 1 – 6 for drainage and/or grading plan review and inspection also apply.

(3) These fees apply on third and subsequent plan review submittals when an applicant fails to submit required corrections noted on "markup" plans, drawings, or other required submittal documents.

(4) These fees apply whenever an applicant proposes changes, additions, or revisions to previously approved plans, drawings, or other required submittal documents.

(5) Requests for renewals of land disturbing activity approvals or permits must include a written statement of the percentage of approved or permitted activity that remains to be completed. Applicants may provide this written statement for all level 1 projects. The engineer of record must provide the written statement for all other projects.

(6) Acreage for drainage plan review for mining operations is based on mined area. Mined area includes all area disturbed in conjunction with the mining operation which shall include, but is not limited to,

areas cleared, stock piles, drainage facilities, access roads, utilities, mitigation areas, and all other activity which disturbs the land.
Fees for phased mine developments and mining site restoration plans of phased mine developments shall be calculated separately for each phase of mining based upon the area for each phase.

Section 6. A new section is added to Chapter 30.86 of the Snohomish County Code to read:

30.86.515 Stormwater modification, waiver and reconsideration request fees.

This section establishes fees for a modification, waiver or reconsideration request, submitted pursuant to SCC 30.63A.830 through 30.63A.842 and modifications requested pursuant to SCC 30.63C.060(4). These fees are established by the county to compensate the department for the costs of administering this title. Such fees are in addition to any other fees required by law.

Table 30.86.515 –

STORMWATER MODIFICATION, WAIVER AND RECONSIDERATION FEES

STORMWATER MODIFICATION, WAIVER AND RECONSIDERATION FEES:	
Stormwater modification requests pursuant to SCC 30.63A.830 and modifications requested pursuant to SCC 30.63C.060(4)	$ 1,350
Stormwater waiver requests pursuant to SCC 30.63A.840	$ 3,600
Reconsideration of a stormwater modification or waiver decision pursuant to SCC 30.63A.835 or 30.63A.842	$ 630

Section 7. Snohomish County Code 30.86.520, last amended by Ordinance No. 10-014 on April 7, 2010, is repealed.

Section 8. Snohomish County Code Section 30.86.710, adopted by Amended Ordinance No. 07-108 on November 19, 2007, is amended to read:

30.86.710 Engineering, Design and Development Standards (EDDS) deviations.

Table 30.86.710 –

ENGINEERING, DESIGN AND DEVELOPMENT STANDARDS (EDDS) DEVIATION FEES

Activity	Fee
Application for deviation from Engineering, Design and Development Standards (EDDS)[1]	((~~$1,500~~)) $ 1,350
(1) Modifications and waivers of chapter 5 of the EDDS are authorized under SCC 30.63A.170. The fee for a modification or waiver is established in SCC 30.86.515. Deviations from chapter 5 of the EDDS are not authorized.	

Section 9. Section 3 of Ordinance No. 10-014, adopted on April 7, 2010, is amended to read:

Sections 5, 7, 9, 11, 13, 15((~~,~~)) and 17 ((~~and 19~~)) of this ordinance shall take effect consistent with Snohomish County Charter Section 2.110, and shall be repealed on April 29, 2011 (twelve months later).

Section 10. Section 4 of Ordinance No. 10-014, adopted on April 7, 2010, is amended to read:

Sections 6, 8, 10, 12, 14, 16((~~,~~)) and 18 ((~~and 20~~)) of this ordinance shall take effect on April 29, 2011 (immediately upon the repeal of Sections 5, 7, 9, 11, 13, 15((,)) and 17 ((~~and 19~~)) of this Ordinance).

Section 11. Sections 19 and 20 of Ordinance No. 10-014, adopted on April 7, 2010, are repealed.

Section 12. Effective date. The effective date of this ordinance will be September 30, 2010.

Section 13. Severability. If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided, however, that if any section, sentence, clause or phrase of this ordinance is held to be invalid by the court of competent jurisdiction, then the section, sentence, clause or phrase in effect

prior to the effective date of this ordinance shall be in full force and effect for that individual section, sentence, clause or phrase as if this ordinance had never been adopted.

PASSED this 9th day of June, 2010.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Dave Gossett
Chairperson

ATTEST:

Sheila McCallister
Asst. Clerk of the Council

(✓) APPROVED
( ) EMERGENCY
( ) VETOED

County Executive 6/21/10
Date

AARON REARDON
County Executive

ATTEST:

Barry L Pennike

Approved as to form:

Deputy Prosecuting Attorney

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