

CITY OF SULTAN
SULTAN WASHINGTON
ORDINANCE 970-07

AN ORDINANCE OF THE CITY OF SULTAN ADDING CHAPTER 3.06 TO
ESTABLISH A TRANSPORTATION IMPACT FEE FUND AND TO AMEND
CHAPTER 16.112.100

WHEREAS Chapter 16.112.100 creates an Impact Fee Fund that is inclusive all impact fees collected; and

WHEREAS the Council would like a detailed and segregated accounting for each type of impact fee collected; now therefore

THE CITY COUNCIL OF THE CITY OF SULTAN DO ORDAIN AS FOLLOWS:

Section 1: Chapter 16.112.100 is hereby amended to read as follows:

Chapter 16.112.100: Impact fee funds will be created and established under SMC Title 3. The Finance Department will establish separate accounts and maintain records for each type of impact fee.

Section 3. Chapter 3.06 of the Sultan Municipal Code is hereby added to read as follows:

Chapter 3.06
Transportation Impact Fees

Sections:

3.06.010	Establishment and Purpose
3.06.020	Funding Sources
3.06.030	Use of Funds
3.06.040	Reporting

3.06.010 Establishment and Purpose: There is hereby created a special purpose transportation impact fee fund.

3.06.020 Funding Sources: All transportation impact fees shall be deposited into the transportation impact fee fund. Procedures for administration of the funds shall be established by the Finance Department. Investment interest generated by these fees may be allocated in accordance with state law.

3.06.030 Use of Funds: A. Transportation impact fees shall be used for development of transportation facilities that constitute system improvements.

B. Impact fees may be spent on the following items to the extent that they directly relate to a particular system improvement: facility planning, land acquisition, site improvements, necessary off-site improvements, facility construction, facility engineering and design work, facility permit fees, facility financing, grant-matching funds, applicable mitigation costs, capital equipment pertaining to a particular system improvement, and any other capital costs related to a particular system improvement, including but not limited to signalization, traffic safety, and nonmotorized transportation improvements.

C. Impact fees may also be used to recoup transportation facility improvement costs previously incurred by the City to the extent that new growth and development will be served by the previously acquired or constructed improvements resulting in such costs.

D. In the event that bonds or similar debt instruments are or have been issued for the construction of public facility or system improvements for which impact fees may be expended, impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that the facilities or improvements provided are consistent with the requirements of this chapter and are used to serve new development.

3.06.040 Reporting: Annually, the City shall prepare a report on the impact fee account showing the source and amount of all monies collected, interest earned, and capital or system improvements that were financed in whole or in part by these impact fees

Severability: This ordinance is severable and if any portion of it shall be declared invalid or unconstitutional, the remaining portion shall remain valid and enforceable.

Effective Date: This ordinance shall be in full force and effect five days after publication as required by law.

REGULARLY ADOPTED this day of December, 2007.

Benjamin Tolson, Mayor

Attest:

Laura J. Koenig, City Clerk

Approved as to form:

Thom Graafstra, City Attorney

Published:

ATTACHMENT D

16.112.100 Impact fee fund.

There is hereby created and established a special purpose, nonlapse impact fee fund. The city clerk shall establish separate accounts within such fund and maintain records for each such account whereby impact fees collected can be segregated by type of facility.

A. All interest shall be retained in the account and extended for the purposes for which the impact fees were imposed.

B. Each year, the city clerk shall provide a report for the previous calendar year on each impact fee account showing the source and amount of monies collected, earned, or received and system improvements that were financed by impact fees. (Ord. 630 § 2[16.13.100], 1995)

ATTACHMENT F