

Local Government & Housing

HB 1523

Brief Description: Reconciling conflicting provisions in laws pertaining to cities and towns.

Sponsors: Representatives Mielke, Mulliken, Dunshee and Edmonds.

Brief Summary of Bill

- *Changes the appeal time for a board of adjustment decision in a code city from ten days to twenty-one days from the date of the action.*
- *Makes provisions for municipal indebtedness for cities the same for code cities.*

Hearing Date: 2/5/01

Staff: Scott MacColl (786-7106).

Background:

Part I

Code cities of twenty-five hundred or more residents that create a planning agency are required to create a board of adjustment. Code cities of less than twenty-five hundred residents may create a board of adjustment at its option.

A code city board of adjustment hears appeals from decisions or determinations made by a code city enforcement official, applications for variances, applications for conditional use permits, and any other administrative determinations as delegated by its authorizing ordinance.

The action of the board of adjustment is final, unless an appeal is filed by the applicant in superior court within ten days.

Cities and counties planning under Chapter 35.63 RCW have no specified appeal process for actions of the board of adjustment.

Counties planning under Chapter 36.70 RCW have in statute a twenty day time window for appeals of actions of the board of adjustment.

Part II

The city indebtedness limit without a vote of the people is one and one-half percent of the value of taxable property in the district, and with such vote the total indebtedness is not to exceed two and one-half percent the value of taxable property.

The code city indebtedness limit without a vote of the people is three-fourths of one percent of the value of taxable property in the district, and with such vote the total indebtedness is not to exceed two and one-half percent of the value of taxable property.

In 1994, the Legislature passed SSB 6069 (C 277 s 1) which raised the debt limit without a vote from three-fourths of one percent to one and one-half percent the value of taxable property for counties, cities and towns, however the statute pertaining to code cities was not amended at that time.

Summary of Bill:

Part I

The time window for an appeal of a code city board of adjustment action has been increased to twenty-one days.

Part II

The code city debt limit without voter approval is altered from three-fourths of one percent to one and one-half percent, to be consistent with all cities and counties.

Effective Date: *Ninety days after adjournment of session in which bill is passed.*

Appropriation: *None.*

Fiscal Note: *Not Requested.*