

## **City Council Study Session**

**June 13, 2016 - 5:30 PM**

**Auburn City Hall**

### **AGENDA**

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#### **I. CALL TO ORDER**

##### **A. Roll Call**

#### **II. ANNOUNCEMENTS, REPORTS, AND PRESENTATIONS**

#### **III. AGENDA ITEMS FOR COUNCIL DISCUSSION**

##### **A. Resolution No. 5235 (20 Minute Presentation/10 Minute Q&A)\* (Snyder)**

A Resolution of the City Council of the City of Auburn, Washington, authorizing the City to expend funds to abate the litter, junk, weeds, and attractive nuisances in the City of Auburn and authorizing the City's cost thereof

##### **B. Ordinance No. 6600 (10 Minute Presentation/10 Minute Q&A)\* (Snyder)**

Ordinance No. 6600 provides amendments and the creation of new sections to Title 18. It repeals section 18.31.230 of Auburn City Code and provides for the amortization of setback requirements, relating to zoning and land use code provisions for animals

##### **C. 1st Quarter 2016 Financial Report (10 Minute Presentation/5 Minute Q&A)\* (Coleman)**

##### **D. Council Retreat Goals - Affordable Housing (5 Minute Presentation/10 Minute Q&A)\* (Hinman)**

##### **E. Payback Agreements Overview and Review of the Pending Ordinance No. 6602 Bert Warm Sewer Payback Agreement (10 Minute Presentation/10 Minute Q&A)\* (Snyder)**

##### **F. Ordinance No. 6601 (10 Minute Presentation/10 Minute Q&A)\* (Snyder)**

Amendments to Title 15 adopting the 2015 International Building Code, Washington State Amendments, and local building code amendments

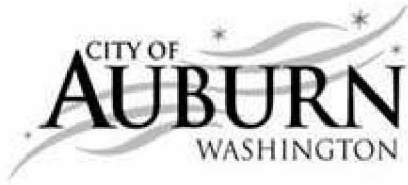
##### **G. Capital Project Status Report and Feature Capital Project (20 Minute Presentation/10 Minute Q&A) (Sweeting)**

#### **IV. ADJOURNMENT**

*Agendas and minutes are available to the public at the City Clerk's Office, on the City website (<http://www.auburnwa.gov>), and via e-mail. Complete agenda packets are available for review at the City Clerk's Office.*

\*Denotes attachments included in the agenda packet.





## AGENDA BILL APPROVAL FORM

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**Agenda Subject:**

Resolution No. 5235 (20 Minute Presentation/10 Minute Q&A)

**Date:**

June 6, 2016

**Department:**

Community Development &  
Public Works

**Attachments:**

[Agenda Bill](#)  
[Resolution No. 5235](#)

**Budget Impact:**

\$0

**Administrative Recommendation:**

Discussion only.

**Background Summary:**

Please see the attached Agenda Bill.

**Reviewed by Council Committees:**

Other: Legal, Community Development

**Councilmember:****Staff:**

Snyder

**Meeting Date:** June 13, 2016

**Item Number:** DI.A



## AGENDA BILL APPROVAL FORM

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                     |                           |
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| <b>Agenda Subject:</b> Resolution 5235 – Abatement at 304 T Street SE, 1322 17 <sup>th</sup> Street NE, 911 17 <sup>th</sup> Street NE, 12124 SE 314 <sup>th</sup> Place, 32237 46 <sup>th</sup> Place South, 714 8 <sup>th</sup> Street SE, 1235 23 <sup>rd</sup> Street SE, and unaddressed Parcel Numbers 3327020460, 0221049122, 0221049179                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                     | <b>Date:</b> May 19, 2016 |
| <b>Department:</b> Community Development & Public Works                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Attachments:</b> Resolution 5235 | <b>Budget Impact:</b> N/A |
| <b>Administrative Recommendation:</b> City Council to introduce and adopt Resolution No. 5235 authorizing the city to expend funds to abate public nuisances and vegetation at 304 T Street SE, 1322 17 <sup>th</sup> Street NE, 911 17 <sup>th</sup> Street NE, 12124 SE 314 <sup>th</sup> Place, 32237 46 <sup>th</sup> Place South, 714 8 <sup>th</sup> Street SE, 1235 23 <sup>rd</sup> Street SE, and unaddressed Parcel Numbers 3327020460, 0221049122, 0221049179.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                     |                           |
| <b>Background Summary:</b><br><p>The City of Auburn conducts progressive code enforcement action in accordance with Chapter 1.25 (Civil Penalties for Violations) and other applicable Titles and Chapters of the Auburn City Code. The City of Auburn opened code compliance cases for 10 properties in the first half of 2016 related to issues such as unmaintained vegetation, litter, junk, debris, unpermitted buildings, unauthorized grading activities and inoperable vehicles. Consistent with standard operating procedure, code enforcement officers attempted to obtain compliance by working with the owners of the properties. A formal Notice to Correct has been issued for each property however inadequate action has been taken to remedy the subject violations or there has been demonstrated non-compliance in prior years for the same violation that is present today. Subsequent formal Notices of Penalty and/or Infractions have been issued for each property however each property remains in a state of non-compliance.</p> <p>Community Development Code Enforcement staff have determined that the current condition of these properties, pertaining to the identified public nuisances, warrant abatement action by the City of Auburn. The passage of this Resolution would authorize the Mayor or designee to engage in substantive abatement action. The condition of these properties, in staff's professional determination, present a threat to the public health, safety and welfare of the residents of the surrounding properties and negatively impacts the community's quality of life. The 10 properties are identified as follows:</p> <ul style="list-style-type: none"> <li>• 304 T Street SE – unmaintained vegetation <ul style="list-style-type: none"> <li>○ Case #VIO16-0244 – Notice to Correct issued on May 13, 2016 with a compliance deadline of May 20, 2016.</li> </ul> </li> <li>• 1322 17<sup>th</sup> Street NE – unmaintained vegetation <ul style="list-style-type: none"> <li>○ Graffiti Case #VIO16-0216 – Notice to Correct issued on May 3, 2016 with a compliance deadline of May 12, 2016. This property is in foreclosure and is vacant. Code Enforcement anticipates having to continue to return to this property on repeated occasion.</li> </ul> </li> <li>• 911 17<sup>th</sup> Street NE – unmaintained vegetation, litter and debris, unsecured structure <ul style="list-style-type: none"> <li>○ Case #VIO16-0173 – Notice to Correct issued on April 15, 2015 with a compliance deadline of April 21, 2016. This property is vacant. Code Enforcement anticipates having to continue to return to this property on repeated occasion and has had to address the same repeat violations in 2014 and 2015.</li> </ul> </li> <li>• 12124 SE 314<sup>th</sup> Place – unmaintained vegetation <ul style="list-style-type: none"> <li>○ Case #VIO16-0172 – Notice to Correct issued on April 20, 2016 with a compliance deadline of April 29, 2016. This property is in foreclosure and is vacant. Code Enforcement anticipates having to continue to return to this property on repeated occasion.</li> </ul> </li> <li>• 32237 46<sup>th</sup> Place South – unmaintained vegetation, litter and debris, junk/inoperable vehicles, unpermitted buildings, buildings within setbacks <ul style="list-style-type: none"> <li>○ Case #VIO16-0033 – Notice to Correct issued on January 4, 2016 with a compliance deadline of February 1, 2016; Notice of Infraction issued February 5, 2016; Municipal Court upheld issuance of Infraction on April 29, 2016.</li> </ul> </li> <li>• 714 8<sup>th</sup> Street SE – unmaintained vegetation, litter and debris, unsecured structure <ul style="list-style-type: none"> <li>○ Case #VIO16-0052 – Notice to Correct issued on February 12, 2016 with a compliance deadline</li> </ul> </li> </ul> |                                     |                           |

- of February 19, 2016; Notice of Penalty issued on March 1, 2016.
- 1235 23<sup>rd</sup> Street SE – unmaintained vegetation, litter and debris, junk/inoperable vehicles
    - Case #VIO16-0053 – Notice to Correct issued on February 12, 2016 with a compliance deadline of February 19, 2016; Notice of Penalty issued on March 7, 2016; Notice of Infraction issued on February 24, 2016 and March 25, 2016.
  - Parcel Number 3327020460 – unmaintained vegetation
    - Case #VIO16-0203 – Notice to Correct issued on April 28, 2016 with a compliance deadline of May 6, 2016; Notice of Infraction issued on May 12, 2016. The same violations occurred in 2015 for this property without any attempt on the property owner to resolve the issues.
  - Parcel Number 0221049122 – unauthorized grading and clearing, unmanaged stormwater and lack of erosion control
    - Case #VIO16-0027 – Notice to Correct was issued on January 28, 2016 with a compliance deadline of February 12, 2016; Notice of Penalty was issued on May 12, 2016.
  - Parcel Number 0221049179 – unauthorized grading and clearing, unmanaged stormwater and lack of erosion control
    - Case #VIO15-0629 – Notice to Correct was issued on January 28, 2016 with a compliance deadline of February 12, 2016; Notice of Penalty was issued on February 24, 2016; Notice of Infraction was issued on March 30, 2016.

Following passage of the Resolution by the City Council, staff will provide notification to the property owner of the abatement authority. Once notice has been provided the property owner has 3 days to remedy the violation before any abatement action occurs. Often times, abatement notification is effective at getting the property owner to take the necessary action. As a result, it is not uncommon for Code Enforcement to no longer need to exercise the abatement action. In the event the property owner fails to comply, Code Enforcement will contract with a qualified service provider to conduct cleanup of the exterior portions of the property, and/or securing of structures, and/or removal of inoperable vehicles. Staff anticipates that there may be a need to conduct on-going clean up and securement activity until the City can obtain compliance action from the ownership entity. All costs associated with first time and on-going abatement actions will be applied as a lien against the property that will have to be paid in order for any future sale of the property to occur.

The City will also track and apply all administrative costs (staff time, court costs, filing fees, etc.) associated with the conduct of abatement against this property and apply them as a lien against the property as well.

Community Development has adequate budget capacity within the abatement line item in our 2015 budget to cover anticipated costs associated with abatement actions potentially through the remainder of the calendar year. These anticipated costs range between \$500 and \$2,000 per property. However, as noted above, it is likely that the notice of abatement action will result in the property owner taking the necessary action(s) which allows the City to avoid incurring abatement costs.

**Reviewed by Departments & Divisions:**

- |                                               |                                              |
|-----------------------------------------------|----------------------------------------------|
| <input type="checkbox"/> Building             | <input type="checkbox"/> M&O                 |
| <input type="checkbox"/> Cemetery             | <input type="checkbox"/> Mayor               |
| <input type="checkbox"/> Finance              | <input type="checkbox"/> Parks               |
| <input type="checkbox"/> Fire                 | <input checked="" type="checkbox"/> Planning |
| <input checked="" type="checkbox"/> Legal     | <input type="checkbox"/> Police              |
| <input type="checkbox"/> Public Works         | <input type="checkbox"/> Human Resources     |
| <input type="checkbox"/> Information Services | <input type="checkbox"/> Surveying           |

**Action:**

Council Approval: ☐ Yes ☐ No      Call for Public Hearing \_\_\_\_/\_\_\_\_/\_\_\_\_  
 Referred to \_\_\_\_\_ Until \_\_\_\_/\_\_\_\_/\_\_\_\_  
 Tabled \_\_\_\_\_ Until \_\_\_\_/\_\_\_\_/\_\_\_\_

**Staff:** Tate

**Meeting Date:** June 13, 2016

Exhibit 1: Proposed Resolution No. 5235 authorizing abatement action

## **RESOLUTION NO. 5235**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AUTHORIZING THE CITY TO EXPEND FUNDS TO ABATE THE LITTER, JUNK, WEEDS AND ATTRACTIVE NUISANCES IN THE CITY OF AUBURN AND AUTHORIZING STEPS TO RECOVER THE CITY'S COSTS THEREOF

WHEREAS, Article XI, Section 11 of the Washington State Constitution, and Sections 35.22.280, 35.21.310, and 35A.21.160 of the Revised Code of Washington (RCW), among other statutes, authorize cities to abate nuisances within their corporate limits; and

WHEREAS, Title 8 of the Auburn City Code (ACC) provides a mechanism for the City to abate nuisances and to enforce laws regulating the presence of junk, litter, debris and overgrown weeds and vegetation on property; and

WHEREAS, ACC 8.12 empowers the City to take corrective action when efforts to have a property owner cure nuisances on the person's property have been unsuccessful; and

WHEREAS, the property at 304 T Street SE, in Auburn, Washington, constitutes a nuisance property under ACC 8.20.010 due to a lack of vegetation maintenance; and

WHEREAS, the City's Code Enforcement staff have communicated with and given a corrective notice to the owner of the property at 304 T Street SE, which efforts have been unsuccessful in prompting the owner to maintain the vegetation on the premises; and

WHEREAS, the property at 1322 17<sup>th</sup> Street NE, in Auburn, Washington, constitutes a nuisance property under ACC 8.20.010 due to a lack of vegetation maintenance; and

WHEREAS, the City's Code Enforcement staff have communicated with and given a corrective notice to the owner of the property at 1322 17<sup>th</sup> Street NE, which efforts have been unsuccessful in prompting the owner to maintain the vegetation on the premises; and

WHEREAS, the property at 911 17<sup>th</sup> Street NE, in Auburn, Washington, constitutes a nuisance property under ACC 8.20.010 due to a lack of vegetation maintenance, ACC 8.12.020 due to the presence of junk and trash, and ACC 15.06.010 because the building is not secure; and

WHEREAS, the City's Code Enforcement staff have communicated with and given a corrective notice to the owner of the property at 911 17<sup>th</sup> Street NE, which efforts have been unsuccessful in prompting the owner to secure the building at that property and maintain the vegetation on the premises or to remove the junk and trash; and

WHEREAS, the property at 12124 SE 314<sup>th</sup> Place, in Auburn, Washington, constitutes a nuisance property under ACC 8.20.010 due to a lack of vegetation maintenance; and

WHEREAS, the City's Code Enforcement staff have communicated with and given a corrective notice to the owner of the property at 12124 SE 314<sup>th</sup> Place, which efforts have been unsuccessful in prompting the owner to secure the building at that property and maintain the vegetation on the premises; and



WHEREAS, the property at 32237 46<sup>th</sup> Place South, in Auburn, Washington, constitutes a nuisance property under ACC 8.12.020 due to the presence of junk and trash, ACC 8.14.030 due to the presence of junk and/or inoperable vehicles, ACC 15.07.050 due to the construction of buildings without a permit, and ACC 18.07.030 due to the placement of buildings within setbacks; and

WHEREAS, the City's Code Enforcement staff have communicated with and given a corrective notice to the owner of the property at 32237 46<sup>th</sup> Place South, which efforts have been unsuccessful in prompting the owner to remove the junk and trash, remove junk and/or inoperable vehicles, obtain a building permit for buildings that require a permit, and to comply with zoning setbacks; and

WHEREAS, the property at 714 8<sup>th</sup> Street SE, in Auburn, Washington, constitutes a nuisance property under ACC 8.20.010 due to a lack of vegetation maintenance, ACC 8.12.020 due to the presence of junk and trash, and ACC 15.06.010 because the building is not secure; and

WHEREAS, the City's Code Enforcement staff have communicated with and given a corrective notice to the owner of the property at 714 8<sup>th</sup> Street SE, which efforts have been unsuccessful in prompting the owner to secure the building at that property, to maintain the vegetation on the premises, or to remove the junk and trash; and

WHEREAS, the property at 1235 23<sup>rd</sup> Street SE, in Auburn, Washington, constitutes a nuisance property under ACC 8.12.020 due to the presence of junk and trash, ACC 8.14.030 due to the presence of junk and/or inoperable vehicles, and ACC 8.20.010 due to a lack of vegetation maintenance; and

WHEREAS, the City's Code Enforcement staff have communicated with and given a corrective notice to the owner of the property at 1235 23<sup>rd</sup> Street SE, which efforts have been unsuccessful in prompting the owner to remove the junk and trash, remove junk and/or inoperable vehicles, or maintain vegetation; and

WHEREAS, the property identified as King County Parcel Identification Number 3327020460, in Auburn, Washington, constitutes a nuisance property under ACC 8.20.010 due to a lack of vegetation maintenance; and

WHEREAS, the City's Code Enforcement staff have communicated with and given a corrective notice to the owner of the property identified as King County Parcel Identification Number 3327020460, which efforts have been unsuccessful in prompting the owner to maintain the vegetation on the premises; and

WHEREAS, the property identified as King County Parcel Identification Number 0221049122, in Auburn, Washington, constitutes a nuisance property under ACC 15.74.040 for failure to obtain a grading permit prior to conducting grading and clearing activities and ACC 13.48.225 as a result of uncontrolled stormwater management; and

WHEREAS, the City's Code Enforcement staff have communicated with and given a corrective notice to the owner of the property identified as King

County Parcel Identification Number 0221049122, which efforts have been unsuccessful in prompting the owner to obtain a grading permit and/or to take action to control stormwater runoff; and

WHEREAS, the property identified as King County Parcel Identification Number 0221049179, in Auburn, Washington, constitutes a nuisance property under ACC 15.74.040 for failure to obtain a grading permit prior to conducting grading and clearing activities and ACC 13.48.225 as a result of uncontrolled stormwater management; and

WHEREAS, the City's Code Enforcement staff have communicated with and given a corrective notice to the owner of the property identified as King County Parcel Identification Number 0221049179, which efforts have been unsuccessful in prompting the owner to obtain a grading permit and/or to take action to control stormwater runoff; and

WHEREAS, because matters such as overgrown grass and weeds, the presence of junk vehicles and litter, the presence of junk or inoperable vehicles, unsecured structures, buildings constructed without a permit and without adhering to zoning laws, and unpermitted clearing and grading activities that lack appropriate stormwater management techniques all present a danger to public health, safety and welfare it is appropriate that the City take appropriate steps to abate these nuisance conditions on said properties and to take all steps provided in code to recover the City's costs of such corrective action.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, HEREBY RESOLVES as follows:

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Resolution No. 5235  
June 6, 2016  
Page 5 of 10

**Section 1. Findings of Nuisance.** That the City Council makes the following findings:

a) The vegetation at the property at 304 T Street SE has remained in violation of city public nuisance regulations and therefore presents a threat to the public health and safety. The condition of the vegetation at the presents a sight distance hazard and encroaches into the City right of way and is therefore appropriate to remedy.

b) The property at 1322 17<sup>th</sup> Street NE has remained vacant and unmaintained for several months which qualifies the property as an attractive nuisance and presents a threat to the public health and safety. The condition of the vegetation at the Property has remained unmaintained which contributes to visual blight, property value degradation, attraction of criminal activity, and the harborage of rodents and pests.

c) The property at 911 17<sup>th</sup> Street NE has remained vacant and unmaintained for at least two years which qualifies the property as an attractive nuisance and presents a threat to the public health and safety. The condition of the vegetation and junk/trash at the Property has remained unmaintained which contributes to visual blight, property value degradation, attraction of criminal activity, and the harborage of rodents and pests.

d) The property at 12124 SE 314<sup>th</sup> Place has remained vacant and unmaintained for at least two years which qualifies the property as an attractive nuisance and presents a threat to the public health and safety. The condition of the vegetation at the Property has remained unmaintained which

contributes to visual blight, property value degradation, attraction of criminal activity, and the harborage of rodents and pests.

e) The property at 32237 46<sup>th</sup> Place South is occupied by individuals who are illegally residing within a recreational vehicle, have constructed buildings without permits, have constructed buildings within property setbacks, have collected junk and/or inoperable vehicles, and have allowed junk and trash to accumulate all of which qualifies the property as an attractive nuisance and presents a threat to the public health and safety. The condition of the junk/trash, unpermitted structures, and junk/inoperable vehicles at the Property has remained unmaintained which contributes to visual blight, property value degradation, attraction of criminal activity, and the harborage of rodents and pests.

f) The property at 714 8<sup>th</sup> Street SE has remained unmaintained for several months which qualifies the property as an attractive nuisance and presents a threat to the public health and safety. The condition of the vegetation, the unsecured structure, and junk/trash at the Property has remained unmaintained which contributes to visual blight, property value degradation, attraction of criminal activity, and the harborage of rodents and pests.

g) The property at 1235 23<sup>rd</sup> Street SE has remained unmaintained for several months which qualifies the property as an attractive nuisance and presents a threat to the public health and safety. The condition of the junk/trash and the presence of inoperable vehicles at the Property has

continued to remain unmaintained which contributes to visual blight, property value degradation, attraction of criminal activity, and the harborage of rodents and pests.

h) The property at 3327020460 has remained vacant and unmaintained for at least two years which qualifies the property as an attractive nuisance and presents a threat to the public health and safety. The condition of the vegetation at the Property has remained unmaintained which contributes to visual blight, property value degradation, attraction of criminal activity, and the harborage of rodents and pests.

i) The property at 0221049122 was cleared and graded without permits which qualifies the property as an attractive nuisance and presents a threat to the public health and safety. In addition to the failure to obtain a grading permit, the condition of the Property continues to lack stormwater management and erosion control techniques.

j) The property at 0221049179 was cleared and graded without permits which qualifies the property as an attractive nuisance and presents a threat to the public health and safety. In addition to the failure to obtain a grading permit, the condition of the Property continues to lack stormwater management and erosion control techniques.

k) The conditions of these properties constitute a nuisance that warrants abatement under ACC Chapters 8.12, 8.14, 8.20, 15.74, and 13.48.



l) The condition of the properties is detrimental to health, safety and welfare of the public and necessitates corrective action to preserve the public health, safety and welfare.

m) The City has provided persons or entities with an interest in each property with notice of the violations, the nuisance conditions, and necessary remedial action and they have all failed to take corrective action.

**Section 2. Authorization for Abatement and Cost Recovery.** That if the nuisance conditions herein described are not fully corrected within three days of receipt of written notice of abatement of these nuisance conditions to the person(s) or entity owning, occupying or controlling each premises, the Mayor is authorized to utilize City resources to correct and abate the nuisance conditions at any said property, to record all costs of abatement, and to take all legal steps to recover these costs from the person(s) or entity owning or controlling the property(ies).

**Section 3. Continuing Abatement Authorization.** That after the Mayor has exercised the authority granted in Section 2, the Mayor finds that any of the above findings describe the condition of one of the properties, the Mayor is authorized to again give notice of abatement to the person(s) or entity owning, occupying or controlling such premises and, if no corrective action is taken within three days of the date of receipt of the notice, to again utilize City resources to correct and abate the nuisance conditions at said property and take all legal steps to recover the costs from the person(s) or entity owning or controlling the premises.

**Section 4. Administrative Procedures.** That the Mayor is authorized to implement such administrative procedures as may be necessary to carry out the directives of this legislation.

**Section 5. Effective Date.** This Resolution shall take effect and be in full force upon passage and signatures.

Dated and Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

CITY OF AUBURN

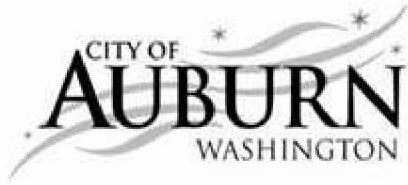
ATTEST:

\_\_\_\_\_  
NANCY BACKUS, MAYOR

\_\_\_\_\_  
Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Daniel B. Heid, City Attorney



## AGENDA BILL APPROVAL FORM

**Agenda Subject:**

Ordinance No. 6600 (10 Minute Presentation/10 Minute Q&A)

**Date:**

June 7, 2016

**Department:**

Community Development & Public Works

**Attachments:**

[Ordinance No. 6600](#)

**Budget Impact:**

\$0

**Administrative Recommendation:**

For discussion only.

**Background Summary:**

The proposed ordinance would modify the City's regulations for the keeping of animals on residential properties, as summarized below. Discussions were held with the Planning Commission in February 2, and March 8, of this year along with a final presentation on May 3rd followed up with a formal public hearing conducted on May 17th.

The Planning Commission's recommendation of proposed changes is summarized as follows:

- 1) add new definitions and regulations for beekeeping
- 2) update definitions and regulations for keeping domestic fowl (e.g. chickens)
- 3) modify the definition for small domestic animals ("household pets") to except animals such as fish
- 4) modify and clarify the definition for medium domestic animals (e.g. miniature goats)
- 5) modify and clarify the definition for large domestic animals (e.g. horses)
- 6) combine the existing two code sections that contain the regulations for keeping animals into one section, update incorrect or non-applicable code verbiage (e.g. licensing requirements for potbelly pigs does not exist) in these sections, and other general updates (e.g. add chicken coops must meet setbacks)
- 7) add section that requires existing areas or structures housing animals to meet these updated Code provisions for setbacks within 30 days of notification by the City. Language is included that allows a request for extension beyond the 30 days.

Additionally, at the May 17th public hearing, the Planning Commission initiated a discussion about the maximum number of small domestic animals (e.g. cats and

dogs) that a property owner is allowed to have on their property. Staff did not initiate this conversation nor did any members of the public. The Planning Commission looked at a section of code that has been in place since prior to the mid 1980's which establishes the limit of domestic animals at four (4). While the purpose of the staff initiated amendments was to address targeted areas of the existing code, the limit of 4 small domestic animals is not an area that staff believed needed to be changed. Nonetheless, the Planning Commission asked staff why the limit was set at 4. Not knowing that this would be an area of concern, Staff did not know the history of how the number 4 was derived. The Planning Commission felt that this limitation was arbitrary and voted to recommend that it be increased to 5. Staff has no basis for recommending that this limit be increased from 4 to 5 and believes that 5 is equally arbitrary. Additionally, since staff is not able to produce documentation that the existing limit of 4 is problematic, staff is a bit perplexed at the rational for changing the limit from 4 to 5. A change to 5 animals would also necessitate a further change to ACC 6.04.040 "Maximum number of dogs or cats". **Staff encourages City Council to consider the appropriateness of this part of the Planning Commission's recommendation.**

**Reviewed by Council Committees:**

Other: Planning, Legal, Building

**Councilmember:**

**Staff:** Snyder

**Meeting Date:** June 13, 2016

**Item Number:** DI.B

**ORDINANCE NO. 6 6 0 0**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, CREATING NEW SECTIONS 18.04.115, 18.04.237, 18.04.238, 18.04.523, AND 18.04.617, OF THE CITY CODE , AMENDING SECTIONS 18.04.325, 18.04.622, 18.04.823 (FORMERLY SECTION 18.04.495), 18.07.020, 18.07.030 AND 18.31.220 OF THE CITY CODE AND REPEALING SECTION 18.31.230 OF THE AUBURN CITY CODE, AND PROVIDING FOR THE AMORTIZATION OF SETBACK REQUIREMENTS, RELATING TO ZONING AND LAND USE CODE PROVISIONS FOR ANIMALS

WHEREAS, the current language of the Auburn City Code includes zoning and land use code provisions that address various different animal and pet regulations; and

WHEREAS, with respect to some of those provisions, additions to and modifications of provisions would be valuable for the City to be better able to address issues related to the zoning and land use issues in ways that accommodate the interaction between the City's nuisance codes.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN as follows:

**Section 1. New Section to City Code.** That a new Section 18.04.115 of the Auburn City Code be, and the same hereby is created to read as follows:

18.04.115 Apiary

"Apiary" ("apiaries") means a place where honey bees (apis mellifera) are kept; a collection of beehives. "Beekeeping" is included under this definition.

**Section 2. New Section to City Code.** That a new Section 18.04.237 of the Auburn City Code be, and the same hereby is created to read as follows:

18.04.237 Chicken coop.

"Chicken coop" means a building for housing and weather protection for domestic fowl. The chicken coop is treated as an accessory structure.

**Section 3. New Section to City Code.** That a new Section 18.04.238 of the Auburn City Code be, and the same hereby is created to read as follows:

18.04.238 Chicken run.

"Chicken run" or "chicken pen" means an area enclosed by fencing or netting which may or may not be connected to a coop within which domestic fowl can move about freely within a limited portion of the property or site.

**Section 4. New Section to City Code.** That a new Section 18.04.523 of the Auburn City Code be, and the same hereby is created to read as follows:

18.04.523 Large domestic animal.

"Large domestic animal" means horses, ponies, donkeys, cows, standard size goats, llamas, oxen, standard size pigs, and other similar sized animals.

**Section 5. New Section to City Code.** That a new Section 18.04.617 of the Auburn City Code be, and the same hereby is created to read as follows:

18.04.617 Medium domestic animal.

"Medium domestic animal" means potbelly pigs, miniature goats, miniature horses, and other similar sized animals that are larger than a small domestic animal and smaller than a large domestic animal.

**Section 6. Amendment to City Code.** That Section 18.04.325 of the Auburn City Code be and the same hereby is amended to read as follows:

18.04.325 Domestic fowl and poultry.

"Domestic fowl and poultry" includes all species of chickens, turkeys, geese, ~~and ducks, pigeons or other fowl or poultry of similar size and character.~~ Roosters and peafowl are not included in this definition and are not permitted.  
(Ord. 6369 § 5, 2011.)

**Section 7. Amendment to City Code.** That Section 18.04.622 of the Auburn City Code be and the same hereby is amended to read as follows:



18.04.622 Miniature goat.

"Miniature goats" include species of goats commonly known as pygmy (Capra hircus hircus pygmy), or Nigerian dwarf (Capra hircus hircus nigerian dwarf) ~~and miniature goats~~. (Ord. 6369 § 6, 2011.)

**Section 8. Amendment to City Code.** That Section 18.04.823 (formerly 18.04.495) of the Auburn City Code be and the same hereby is amended to read as follows:

18.04.823 Household pet Small domestic animal.

~~"Household pet Small domestic animal"~~ means a domesticated animal of ordinary species that lives, or is commonly known to be capable of living, within the confines of a residence such as dogs, cats, common rabbits, ferrets, or other similar sized animals. Other indoor animals weighing less than ten (10) pounds, such as, but not limited to, caged birds, small rodents, fish, and non-venomous reptiles or amphibians, and not kept for commercial purposes, are not regulated under this title. Any endangered or exotic species are prohibited. Animals considered to be common household pets include but are not necessarily limited to the following: dogs, cats, rabbits, indoor birds, small rodents, and fish, miniature goats, potbelly pigs, and domestic fowl. Animals not considered to be common household pets include but are not necessarily limited to the following: horses, cows, goats, sheep, swine, donkeys full-size swine, full-size goats and endangered or exotic species and any similar species. (Ord. 6369 § 1, 2011; Ord. 6245 § 3, 2009; Ord. 5777 § 1, 2003; Ord. 4229 § 2, 1987. Formerly 18.04.720, and 18.04.495.)

**Section 9. Amendment to City Code.** That Section 18.07.020 of the Auburn City Code be and the same hereby is amended to read as follows:

Table 18.07.020

Permitted Use Table – Residential Zoning Designations

| P = Permitted A = Administrative C = Conditional Use X = Not Permitted |                     |     |     |     |                |                |                |
|------------------------------------------------------------------------|---------------------|-----|-----|-----|----------------|----------------|----------------|
| Land Uses                                                              | Zoning Designations |     |     |     |                |                |                |
|                                                                        | RC                  | R-1 | R-5 | R-7 | R-10           | R-16           | R-20           |
| A. Residential Uses.                                                   |                     |     |     |     |                |                |                |
| Accessory dwelling units                                               | P                   | P   | P   | P   | X <sup>1</sup> | X <sup>1</sup> | X <sup>1</sup> |



Table 18.07.020

## Permitted Use Table – Residential Zoning Designations

| P = Permitted A = Administrative C = Conditional Use X = Not Permitted                                                                                                    |                     |                |                |                |                |                |                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Land Uses                                                                                                                                                                 | Zoning Designations |                |                |                |                |                |                |
|                                                                                                                                                                           | RC                  | R-1            | R-5            | R-7            | R-10           | R-16           | R-20           |
| Accessory use, residential                                                                                                                                                | P                   | P              | P              | P              | P              | P              | P              |
| Adult family home                                                                                                                                                         | P                   | P              | P              | P              | P              | P              | P              |
| Bed and breakfast                                                                                                                                                         | P                   | P              | P              | P              | P              | P              | P              |
| Communal residence four or less individuals                                                                                                                               | P                   | P              | P              | P              | P              | P              | P              |
| Duplexes; provided, that minimum <u>lot</u> size of zoning designation is met and subject to compliance with Chapter 18.25 ACC (Infill Residential Development Standards) | X                   | X              | A              | P              | P              | P              | X              |
| Foster care homes                                                                                                                                                         | P                   | P              | P              | P              | P              | P              | P              |
| Group residence facilities (7 or more residents)                                                                                                                          | X                   | X              | X              | X              | C              | C              | C              |
| Group residence facilities (6 or fewer residents)                                                                                                                         | P                   | P              | P              | P              | P              | P              | P              |
| Keeping <u>household pets of animals</u> <sup>4</sup>                                                                                                                     | P <sup>2</sup>      | P <sup>2</sup> | P <sup>2</sup> | P <sup>2</sup> | P <sup>2</sup> | P <sup>2</sup> | P <sup>2</sup> |
| Multiple-family dwellings                                                                                                                                                 | X                   | X              | X              | X              | A              | P              | P              |
| Neighborhood recreational buildings and facilities owned and managed by the neighborhood homeowners' association                                                          | A <sup>6</sup>      | A <sup>6</sup> | A <sup>6</sup> | A <sup>6</sup> | A <sup>6</sup> | P              | P              |
| Use as dwelling units of (1) recreational vehicles that are not part of an approved recreational vehicle park, (2) boats, (3) automobiles, and (4) other vehicles         | X                   | X              | X              | X              | X              | X              | X              |
| Renting of rooms, for lodging purposes only, to accommodate not more than two persons in addition to the family or owner occupied unit <sup>8</sup>                       | P                   | P              | P              | P              | P              | P              | P              |
| Residential care facilities including but not limited to assisted living facilities, convalescent homes, continuing care retirement facilities                            | P                   | P              | X              | X              | A              | P              | P              |
| Single-family detached dwellings, new                                                                                                                                     | P                   | P              | P              | P              | P              | P              | X              |

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Table 18.07.020

## Permitted Use Table – Residential Zoning Designations

| P = Permitted A = Administrative C = Conditional Use X = Not Permitted                                                                          |                     |     |     |     |      |      |      |
|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-----|-----|-----|------|------|------|
| Land Uses                                                                                                                                       | Zoning Designations |     |     |     |      |      |      |
|                                                                                                                                                 | RC                  | R-1 | R-5 | R-7 | R-10 | R-16 | R-20 |
| Supportive housing, subject to the provisions of ACC 18.31.160                                                                                  | X                   | X   | X   | X   | X    | P    | P    |
| Swimming pools, tennis courts and similar outdoor recreation uses only accessory to residential or park uses                                    | P                   | P   | P   | P   | P    | P    | P    |
| Townhouses (attached)                                                                                                                           | X                   | X   | X   | X   | P    | P    | P    |
| B. Commercial Uses.                                                                                                                             |                     |     |     |     |      |      |      |
| Commercial horse riding and bridle trails                                                                                                       | A                   | X   | X   | X   | X    | X    | X    |
| Commercial retail, included as part of mixed-use development and not a home occupation in compliance with Chapter 18.60 ACC                     | X                   | X   | X   | X   | A    | A    | A    |
| Daycare, limited to a mini daycare center. Daycare center, preschool or nursery school may also be permitted but must be located on an arterial | X                   | A   | A   | A   | A    | A    | A    |
| Home-based daycare as regulated by RCW 35.63.185 and through receipt of approved city business license                                          | P                   | P   | P   | P   | P    | P    | P    |
| Home occupations subject to compliance with Chapter 18.60 ACC                                                                                   | P                   | P   | P   | P   | P    | P    | P    |
| Mixed-use development <sup>3</sup>                                                                                                              | X                   | X   | X   | X   | P    | P    | P    |
| Nursing homes                                                                                                                                   | X                   | X   | X   | X   | C    | C    | C    |
| Private country clubs and golf courses, excluding driving ranges                                                                                | X                   | X   | C   | C   | C    | X    | X    |
| Privately owned and operated parks and playgrounds and not homeowners' association-owned recreational area                                      | X                   | A   | A   | A   | A    | P    | P    |
| Professional offices, included as part of mixed-use development and not a home occupation in compliance with Chapter 18.60 ACC                  | X                   | X   | X   | X   | A    | A    | A    |

Table 18.07.020

## Permitted Use Table – Residential Zoning Designations

| P = Permitted A = Administrative C = Conditional Use X = Not Permitted                                                                                                           |                     |     |     |     |      |      |      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-----|-----|-----|------|------|------|
| Land Uses                                                                                                                                                                        | Zoning Designations |     |     |     |      |      |      |
|                                                                                                                                                                                  | RC                  | R-1 | R-5 | R-7 | R-10 | R-16 | R-20 |
| C. Resource Uses.                                                                                                                                                                |                     |     |     |     |      |      |      |
| Agricultural enterprise: <sup>7</sup>                                                                                                                                            |                     |     |     |     |      |      |      |
| When 50 percent, or more, of the total site area is dedicated to active agricultural production during the growing season, and with 52 or less special events per calendar year  | A <sup>7</sup>      | X   | X   | X   | X    | X    | X    |
| When less than 50 percent of the total site area is dedicated to active agricultural production during the growing season, or with more than 52 special events per calendar year | C <sup>7</sup>      | X   | X   | X   | X    | X    | X    |
| Agricultural type uses are permitted provided they are incidental and secondary to the single-family use:                                                                        |                     |     |     |     |      |      |      |
| Agricultural crops and open field growing (commercial)                                                                                                                           | P                   | X   | X   | X   | X    | X    | X    |
| Barns, silos and related structures                                                                                                                                              | P                   | X   | X   | X   | X    | X    | X    |
| Commercial greenhouses                                                                                                                                                           | P                   | X   | X   | X   | X    | X    | X    |
| Pasturing and grazing <sup>4</sup>                                                                                                                                               | P                   | X   | X   | X   | X    | X    | X    |
| Public and private stables <sup>4</sup>                                                                                                                                          | P                   | X   | X   | X   | X    | X    | X    |
| Roadside stands, for the sale of agricultural products raised on the premises. The stand cannot exceed 300 square feet in area and must meet the applicable setback requirements | P                   | X   | X   | X   | X    | X    | X    |
| Fish hatcheries                                                                                                                                                                  | C                   | X   | X   | X   | X    | X    | X    |
| D. Government, Institutional, and Utility Uses.                                                                                                                                  |                     |     |     |     |      |      |      |
| Civic, social and fraternal clubs                                                                                                                                                | X                   | X   | X   | X   | A    | A    | A    |
| Government facilities                                                                                                                                                            | A                   | A   | A   | A   | A    | A    | A    |

Table 18.07.020

## Permitted Use Table – Residential Zoning Designations

| P = Permitted A = Administrative C = Conditional Use X = Not Permitted |                     |                |                |                |                |                |                |
|------------------------------------------------------------------------|---------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Land Uses                                                              | Zoning Designations |                |                |                |                |                |                |
|                                                                        | RC                  | R-1            | R-5            | R-7            | R-10           | R-16           | R-20           |
| Hospitals (except animal hospitals)                                    | X                   | X              | X              | X              | X              | C              | C              |
| Municipal parks and playgrounds                                        | A                   | P              | P              | P              | P              | P              | P              |
| Museums                                                                | X                   | X              | X              | X              | A              | A              | A              |
| Religious institutions, less than one acre lot size                    | A                   | A              | A              | A              | A              | A              | A              |
| Religious institutions, one acre or larger lot size                    | C                   | C              | C              | C              | C              | C              | C              |
| Transmitting towers                                                    | C                   | C              | C              | C              | C              | C              | C              |
| Type 1-D wireless communication facility (see ACC 18.04.912(J))        | P                   | P              | P              | P              | P              | P              | P              |
| Utility facilities and substations                                     | C <sup>5</sup>      | C <sup>5</sup> | C <sup>5</sup> | C <sup>5</sup> | C <sup>5</sup> | C <sup>5</sup> | C <sup>5</sup> |

1. An accessory dwelling unit may be permitted with an existing single-family residence pursuant to ACC 18.31.120.

2. Please see the supplemental development standards for animals in ACC 18.31.220.

3. Individual uses that make up a mixed-use development must be permitted within the zone. If a use making up part of a mixed-use development requires an administrative or conditional use permit, the individual use must apply for and receive the administrative or conditional use approval, as applicable.

4. Proximity of pasture or livestock roaming area to wells, surface waters, and aquifer recharge zones is regulated by the King or Pierce County board of health, and property owners shall comply with the provisions of the King County board of health code.

5. Excludes all public and private utility facilities addressed under ACC 18.02.040(E).

6. Administrative use permit not required when approved as part of a subdivision or binding site plan.

7. Agricultural enterprise uses are subject to supplemental development standards under ACC 18.31.210, Agricultural enterprises development standards.

8. An owner occupant that rents to more than two persons but no more than four persons is required to obtain a city of Auburn rental housing business license and shall meet the standards of the International Property Maintenance Code.

(Ord. 6565 § 2, 2015; Ord. 6560 § 9, 2015; Ord. 6477 § 8, 2013; Ord. 6369 § 2, 2011; Ord. 6363 § 3, 2011; Ord. 6269 § 3, 2009; Ord. 6245 § 5, 2009.)

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**Section 10. Amendment to City Code.** That Section 18.07.030 of the Auburn City Code be and the same hereby is amended to read as follows:

Table 18.07.030  
Residential Development Standards

|   | Standard                                                                | RC      | R-1    | R-5   | R-7   | R-10                                       | R-16                                       | R-20                                       |
|---|-------------------------------------------------------------------------|---------|--------|-------|-------|--------------------------------------------|--------------------------------------------|--------------------------------------------|
| A | Base density (units per net acre)                                       | 0.25    | 1      | 5     | 7     | 10                                         | 16                                         | 20                                         |
| B | Minimum density (units per net acre) <sup>1</sup>                       | 0.25    | 1      | 4     | 5     | 8                                          | 12                                         | 15                                         |
| C | Minimum average lot area per dwelling unit (square feet)                | 174,240 | 35,000 | 8,000 | 6,000 | 4,300                                      | 2,700                                      | 2,175                                      |
| D | Minimum lot area per dwelling unit (square feet)                        | 174,240 | 35,000 | 6,000 | 4,300 | 2,000                                      | 2,000                                      | 2,000                                      |
| E | Minimum lot width (feet) <sup>2</sup>                                   | 125     | 125    | 50    | 40    | 20 for interior lots; 35 for exterior lots | 20 for interior lots; 35 for exterior lots | 20 for interior lots; 35 for exterior lots |
| F | Minimum setbacks (feet) <sup>2,3</sup>                                  |         |        |       |       |                                            |                                            |                                            |
| 1 | Residence front setback <sup>3</sup>                                    | 35      | 35     | 10    | 10    | 10                                         | 10                                         | 10                                         |
| 2 | Garage (minimum front setback required from street access) <sup>3</sup> | 20      | 20     | 20    | 20    | 20                                         | 20                                         | 20 unless alley-loaded then 15 provided    |

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Table 18.07.030  
Residential Development Standards

|   | Standard                                                                                                                                                                                                                                                  | RC | R-1 | R-5 | R-7 | R-10 | R-16 | R-20                                       |
|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|------|------|--------------------------------------------|
|   |                                                                                                                                                                                                                                                           |    |     |     |     |      |      | there are<br>20 feet<br>from any<br>garage |
| 3 | Setback to any property line for barns, stables, <del>coops</del> , or similar structures for enclosure of <u>large domestic animals</u> .<br><a href="#">For other animals, see the supplemental development standards for animals in ACC 18.31.220.</a> | 75 | X   | X   | X   | X    | X    | X                                          |
| 4 | Setback to any property line for any corral, exercise yard, or arena <a href="#">for large domestic animals</a> .<br><a href="#">For other animals, see the supplemental development standards for animals in ACC 18.31.220.</a>                          | 35 | X   | X   | X   | X    | X    | X                                          |
| 5 | Interior side setback                                                                                                                                                                                                                                     | 20 | 10  | 5   | 5   | 5    | 5    | 5                                          |
| 6 | Street side setback <sup>3</sup>                                                                                                                                                                                                                          | 35 | 20  | 10  | 10  | 10   | 10   | 10                                         |
| 7 | Rear setback <sup>3</sup>                                                                                                                                                                                                                                 | 35 | 35  | 20  | 20  | 20   | 20   | 20                                         |
| 8 | Rear setback, detached structure                                                                                                                                                                                                                          | 15 | 15  | 10  | 5   | 5    | 5    | 5                                          |

Table 18.07.030  
Residential Development Standards

|   | Standard                                                                                                      | RC              | R-1 | R-5 | R-7 | R-10 | R-16 | R-20 |
|---|---------------------------------------------------------------------------------------------------------------|-----------------|-----|-----|-----|------|------|------|
|   | In all zones, 20 ft for structure with vehicular entrance oriented toward street or public alley <sup>3</sup> |                 |     |     |     |      |      |      |
| G | Maximum lot coverage (%)                                                                                      | 25              | 35  | 40  | 50  | 60   | 70   | 70   |
| H | Maximum impervious area (%)                                                                                   | 25              | 50  | 65  | 75  | N/A  | N/A  | N/A  |
| I | Maximum building height (feet)                                                                                | 35              | 35  | 35  | 35  | 45   | 45   | 50   |
| J | Maximum height of accessory buildings and structures                                                          | 35 <sup>4</sup> | 35  | 16  | 16  | 16   | NA   | NA   |
| K | Minimum front setback area landscape strip (feet)                                                             | N/A             | N/A | 5   | 5   | 10   | 10   | 10   |
| L | Minimum side setback area landscape strip (feet)                                                              | N/A             | N/A | 5   | 5   | 10   | 10   | 10   |
| M | Minimum landscaped open space (%)                                                                             | N/A             | N/A | N/A | N/A | 20   | 20   | 20   |

1. For purposes of calculating minimum density, critical area buffers are not included in net site area. See ACC 18.02.065 for calculation of net acreage for minimum density.

2. All minimum lot widths, setbacks, and landscaping strips are subject to demonstration to the satisfaction of the city engineer that all required utility infrastructure, access requirements, and street elements can be accommodated in accordance with the design and construction standards.

3. In addition to meeting setback requirements, all structures must meet sight distance requirements in accordance with city design and construction standards.

4. Barns and other specialized structures used for agricultural purposes may exceed the height limits.



**Section 11. Amendment to City Code.** That Section 18.31.220 of the Auburn City Code be and the same hereby is amended to read as follows:

18.31.220 Permitted animals.<sup>1</sup>

The types and allowed number of animals permitted, are listed as follows, provided the following requirements are met. The specified minimum lot size per animal are absolute requirements. No variances, waivers, and/or modifications under the Auburn City Code shall be granted. The keeping of animals that require no lot size or lesser lot size are allowed to be cumulative, when lot size requirements have been met. For example, on a 12,500 square-foot lot, the keeping of one (1) miniature goat, one (1) potbelly pig, and two (2) dogs could be allowed. Licensing of pets and animal control is governed by ACC Title 6, Animals.

A. Small Domestic-domestic Fowlanimals. Small Domestic-domestic fowl-animals may be kept as small animals if the owner complies with the following:

1. Small domestic animals are permitted as an accessory use to a residence or business.

2. Up to five (5) four-(4) small domestic animals, including foster animals, per dwelling or commercial building regardless of lot size. Offspring less than six (6) months of age are not included in this number.

3. A pet license is required for each cat or dog in accordance with chapter 6.04, Animal Licensing.

B. Domestic fowl. Domestic fowl may be kept if the owner complies with the following:

1. Domestic fowl and poultry are permitted as an accessory use to a single-family residence.

2. Roosters and peafowl are not permitted.

23. Structures, or yard areas including chicken coops, pens or runs, housing domestic fowl must comply with accessory structure setbacks applicable in the zoning district where the shelter property is to be located.

34. Up to a total of four (4) domestic fowl and poultry can be kept on lots that are at least 6,000 gross-square feet in size. On lots that are larger than 6,000 gross-square feet, one additional small-lot domestic fowl or poultry animal may be kept per additional 2,000 gross-square feet as shown in ACC 18.31.230. The maximum number of domestic fowl allowed per lot is ten (10); this maximum does not apply to properties zoned RC, Residential Conservancy or R-1, residential one dwelling unit per acre.

<sup>1</sup> Code reviser's note: Ordinance 6369 adds these provisions as Section 18.31.210. The section has been renumbered to avoid duplication of numbering.

~~45. Please reference~~The keeping conforms to ACC 8.28.010 regarding noise disturbance, ACC 8.12.020 regarding nuisances affecting public health and safety, and ACC 6.24.020 regarding slaughtering.

~~BC.~~ Miniature Goats. Miniature goats are medium domestic animals and may be kept ~~as small animals if they are licensed as follows~~ if the owner complies with the following:

1. Miniature goats are permitted as accessory use to a single-family residence.

2. Male miniature goats must be neutered.

23. All miniature goats must be dehorned.

34. Nursing offspring of miniature goats ~~licensed according to the provisions of this code~~ may be kept until weaned, but no longer than 12 weeks from birth without meeting the requirements contained herein.

~~45. Shelter~~The location of structures housing miniature goats must comply with accessory structure setbacks applicable in the zoning district where the ~~shelter property~~ is to be located.

~~56. Licensing must be done in accordance with ACC Title 6, Animals, which incorporates the provisions of King County Code Title 11, Animal Care and Control.~~

6. Up to two (2) miniature goats are allowed on lots that are at least 12,500 ~~gross~~ square feet in size. On lots that are greater than 12,500 ~~gross~~ square feet, one (1) additional medium size domestic animal may be kept per additional 7,500 ~~gross~~ square feet ~~as shown in ACC 18.31.230~~.

7. ~~Please reference~~The keeping conforms to ACC 8.28.010 regarding noise disturbance, ACC 8.12.020 regarding nuisances affecting public health and safety, and ACC 6.24.020 regarding slaughtering.

~~CD.~~ Potbelly Pigs. Miniature potbelly pigs are medium domestic animals and may be kept ~~as a small animal; provided, that no swine that is greater than 22 inches in height at the shoulder or more than 150 pounds in weight may be kept in the city~~ in the owner complies with the following:

1. Potbelly pigs are permitted as accessory use to a single-family residence.

2. Potbelly pigs are no greater than 24 inches in height at the shoulder and no more than 150 pounds.

3. Nursing offspring of potbelly pigs ~~licensed according to the provisions of this code~~ may be kept until weaned, but no longer than 12 weeks from birth without meeting the requirements contained herein.

~~24. Shelter~~The location of structures housing potbelly pigs must comply with accessory structure setbacks applicable in the zoning district where the ~~shelter property~~ is to be located.

~~35. Licensing must be done in accordance with ACC Title 6, Animals, which incorporates the provisions of King County Code Title 11, Animal Care and Control.~~



45. Two (2) potbelly pigs can be kept on lots that are at least 12,500 gross-square feet in size. On lots that are greater than 12,500 gross-square feet, one (1) additional medium size domestic animal may be kept per additional 7,500 gross-square feet ~~as shown in ACC 18.31.230.~~

56. ~~Please reference The keeping conforms to~~ ACC 8.28.010 regarding noise disturbance, ACC 8.12.020 regarding nuisances affecting public health and safety, and ACC 6.24.020 regarding slaughtering.

E. Large domestic animals. Large domestic animals may be kept if the owner complies with the following:

1. Large domestic animals are allowed as an accessory use to a single-family residence.

2. Two (2) large domestic animals can be kept on lots that are at least one (1) acre in size.

3. On lots that are larger than one (1) acre, one (1) additional large domestic animal may be kept per additional 21,780 square feet.

4. The location and structures housing large domestic animals and any corral, exercise yard or arena, must comply with the setbacks applicable in the zoning district where the property is located.

5. The keeping conforms to ACC 8.28.010 regarding noise disturbance, ACC 8.12.020 regarding nuisances affecting public health and safety, and ACC 6.24.020 regarding slaughtering.

F. Apiaries (keeping of honey bees [apis mellifera]), also referred to as beekeeping, may be permitted if the owner complies with the following:

1. Beekeeping is allowed as an accessory use to a single-family residence.

2. All hives are registered with the State Department of Agriculture.

3. No more than two (2) hives, each with only one (1) swarm, shall be kept on lots of less than ten thousand (10,000) square feet.

4. Hives shall not be located within twenty-five (25) feet of any property line with the hive(s) entrance(s) facing away from the nearest property line.

5. The keeping conforms to ACC 8.28.010 regarding noise disturbance and ACC 8.12.020 regarding nuisances affecting public health and safety.

G. Amortization of pre-existing, nonconforming, structures housing animals and runs or pens. An individual who receives written notice from the city that a structure (coop) or yard area (runs or pens) housing animals regulated by this section, except small domestic animals, that does not comply with setback requirements shall have thirty (30) days from the date of notification to bring the property/structure into compliance. If any individual believes that his or her circumstances pose particular difficulty in meeting the 30-day timeframe for compliance with the setback requirements of this section, the individual may request in writing of the community development & public works director (planning director) or designee additional time to bring his or her activity into

conformity. Decisions of the community development & public works director (planning director) or designee to grant or deny the extension shall be final and conclusive. (Ord. 6369 § 8, 2011.)

**Section 12. Repeal of Section in City Code.** That Section 18.31.230 of the Auburn City Code be and the same hereby is repealed.

**Section 13. Implementation.** The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

**Section 14. Severability.** The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

**Section 15. Effective date.** This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

INTRODUCED: \_\_\_\_\_

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

**CITY OF AUBURN**

\_\_\_\_\_  
NANCY BACKUS, MAYOR

ATTEST:

\_\_\_\_\_  
Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Daniel B. Heid, City Attorney

Published: \_\_\_\_\_

## SECTION BEING DELETED

### 18.31.230 Table of allowed districts.<sup>1</sup>

The allowable numbers of animals permitted outright, provided the minimum lot size is met, are detailed in the following table. The specified minimum lot sizes are absolute requirements. No variances, waivers, and/or modifications under the Auburn City Code may be granted. The keeping of animals that require lesser lot size is allowed to be cumulative, when lot size requirements have been met. Licensing of pets and animal control is governed by ACC Title 6, Animals, which incorporates the provisions of King County Code Title 11, Animal Care and Control.

|          | RC | R-1 | R-5 | R-7 | R-10 | R-16 | R-20 | RO | C-1 | C-2 | C-3 |
|----------|----|-----|-----|-----|------|------|------|----|-----|-----|-----|
| Goats    | Y  | Y   | Y   | Y   | C*   | C*   | C*   | N  | N   | N   | Y   |
| Pigs     | Y  | Y   | Y   | Y   | C*   | C*   | C*   | N  | N   | N   | Y   |
| Chickens | Y  | Y   | Y   | Y   | C*   | C*   | C*   | N  | N   | N   | Y   |

Y = Yes

N = No

C = Conditional

\*Permitted as an outright use if more than 50 percent of the property is not covered with impervious surface. If the property is more than 50 percent covered with impervious surface then the applicant must apply for an administrative use permit pursuant to Chapter 18.64 ACC. These applications will not be processed as conditional use permits.

| Type of Animal                                                                                                                                       | Maximum Number of Animals Permitted Outright                                                                                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Household pets: dogs, cats, rabbits, caged indoor birds, small rodents, and if weighing less than 10 pounds any nonvenomous reptiles and amphibians. | 4* per dwelling or commercial building regardless of lot size. A pet license is required for each cat or dog.                                                                                        |
| Domestic fowl.                                                                                                                                       | 4 on lots that are at least 6,000 gross sq. ft. in size. On lots that are larger than 6,000 gross sq. ft., 1 additional small lot domestic animal may be kept per additional 2,000 gross sq. ft.     |
| Medium size animals: potbelly pigs, and miniature goats that are smaller than 24 inches at the shoulder and/or not more than 150 pounds in weight.   | 2 on lots that are at least 12,500 gross sq. ft. in size. On lots that are greater than 12,500 gross sq. ft., 1 additional medium lot domestic animal may be kept per additional 7,500 gross sq. ft. |
| Large size animals: horses, ponies, donkeys, cows, standard size goats, llamas, oxen, standard size pigs.                                            | 2 on lots that are at least 1 gross acre in size. On lots that are larger than 1 gross acre, 1 additional large lot domestic animal may be kept per additional 21,780 sq. ft.                        |

\*Includes foster animals.

(Ord. 6369 § 9, 2011.)

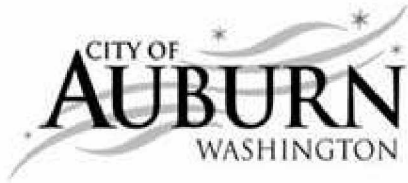
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Ordinance No. 6600

June 7, 2016

Page 16 of 17

[1](#) Code reviser's note: Ordinance 6369 adds these provisions as Section 18.31.211. The section has been renumbered to match the renumbering of the preceding section.





## AGENDA BILL APPROVAL FORM

**Agenda Subject:**

1st Quarter 2016 Financial Report (10 Minute Presentation/5 Minute Q&A)

**Date:**

June 7, 2016

**Department:**

Finance

**Attachments:**

[Quarterly Financial Report](#)

**Budget Impact:**

\$0

**Administrative Recommendation:**

For discussion only.

**Background Summary:**

The purpose of the quarterly financial report is to summarize for the City Council the general state of Citywide financial affairs and to highlight significant items or trends that the City Council should be aware of. The following provides a high level summary of the City's financial performance; further details can be found within the attached financial report.

The first quarter status report is based on financial data available as of June 1, 2016 for the period ending March 31, 2016. Sales tax information represents business activity that occurred through January 2016.

**General Fund:**

The General Fund is the City's largest fund and accounts for the majority of City resources and services, other than those required by statute to be accounted for in another fund.

Through March 2016, General Fund revenues totaled \$11.6 million compared to a budget of \$11.1 million and were \$0.1 million higher than the revenues collected for the same period in 2015. Notable variances to budget in the first quarter of 2016 include:

- Property tax collections through Q1-2016 totaled \$796,000, which is 11.5% or \$103,000 below budget expectations but exceeded collections in the same period last year by \$12,000, or 1.5%. The majority of property tax revenues are collected during the months of April and October, coinciding with the due dates for the County property tax billings.

- The other taxes category performed better than budget through Q1-2016. Collections in electric and natural gas tax revenues were above budget by \$72,000 and \$29,000, respectively. City utility tax revenues were also above budget by \$44,000, and gambling excise tax revenues were above budget by \$102,000. These revenues were somewhat offset by an unfavorable variance in telephone tax collections of \$124,000.
- Development services fees through March totaled \$252,000 and exceeded budget by \$90,000. The increased revenues were predominantly attributable to plan check revenues, which surpassed budget expectations by \$60,000.
- Other fees and charges exceeded the year-to-date budget through Q1-2016 by \$102,000, or 43.4%, and exceed Q1-2015 revenue in this category by \$45,000.

General Fund expenditures through March totaled \$14.3 million as compared with a budget of \$15.4 million. This represents a 6.8% underspend compared to budget.

In the first quarter of 2016, 1,153 pet licenses were sold resulting in \$32,560 in revenue. For the same period in 2015, 1,279 licenses were sold resulting in \$36,980 in revenue.

#### Street Funds:

The City's three street funds are special revenue funds where the revenue sources and expenditures are legally restricted. These funds are used for street capital construction projects, local street repair and arterial street repair and preservation projects. In Q1-2016, Arterial Street fund revenues collected totaled \$140,000 as compared to collections of \$277,000 for the same period in 2015; expenditures totaled \$516,000 as compared to \$364,000 spent in the first quarter last year. Local Street fund revenues exceeded budget expectations for the quarter by \$135,000, or 25.0%, due to higher than anticipated sales tax revenues from local construction projects; expenditures were virtually at budget. Lastly, Arterial Street Preservation fund revenues totaled \$511,000 as compared to a budget of \$504,000, while expenditures totaled \$95,000.

#### Proprietary Funds:

The City's seven proprietary funds account for operations with revenues primarily provided from user fees, charges or contracts for services.

At the end of Q1-2016, the Water fund had net operating income of \$738,000 compared to operating income of \$772,000 at the end of Q1-2015. The Sewer fund ended the period with net income of \$638,000 compared to income of \$527,000 in the previous year. The Sewer-Metro Utility ended the quarter with a net operating loss of \$40,000 as compared to an operating loss of 215,000 in 2015. Lastly, the Stormwater Utility ended the quarter with operating income of \$713,000 compared to operating income of \$1.1 million for the same period in 2015.

The Cemetery ended Q1-2016 with net operating income of \$155,000 compared to operating income of \$123,000 for the same period in 2015.

Internal Service Funds:

Internal Service Funds provide services to other City departments and include functions such as Insurance, Worker's Compensation, Facilities, Innovation and Technology, and Equipment Rental. All funds have sufficient revenues to cover year-end expenditures.

Investment Portfolio:

The City's total cash and investments at the end of the quarter was \$114.7 million, and compares to \$118.3 million at the end of Q1-2015.

**Reviewed by Council Committees:**

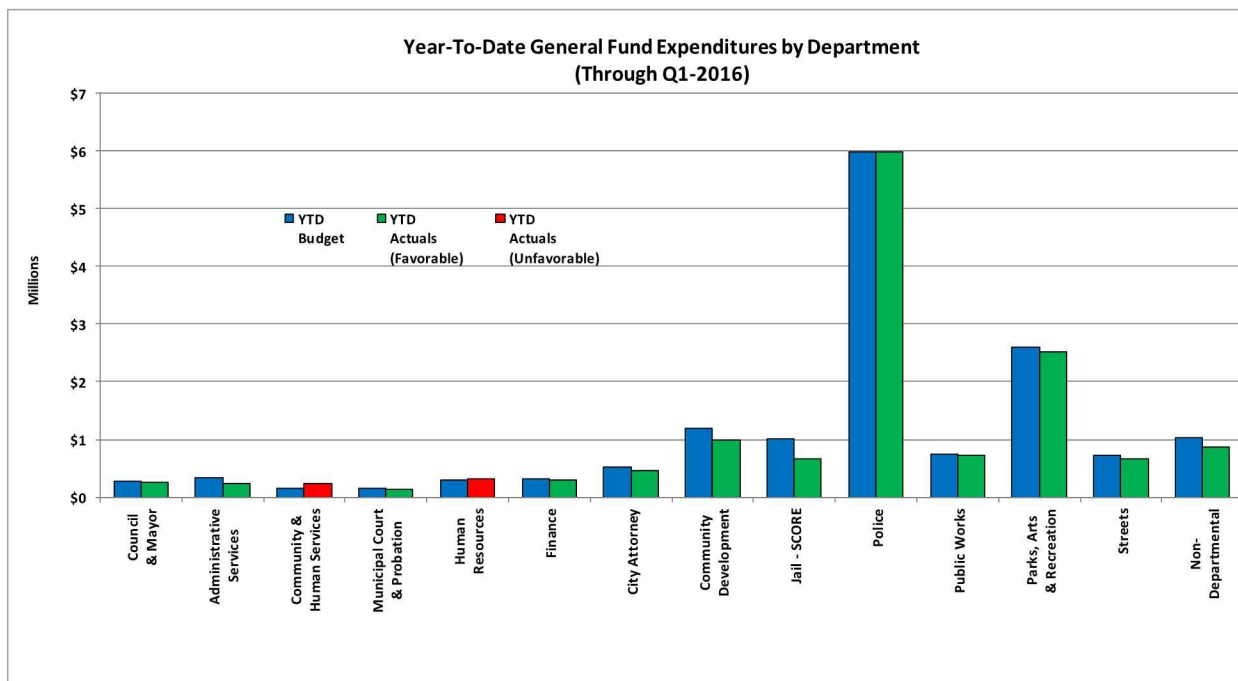
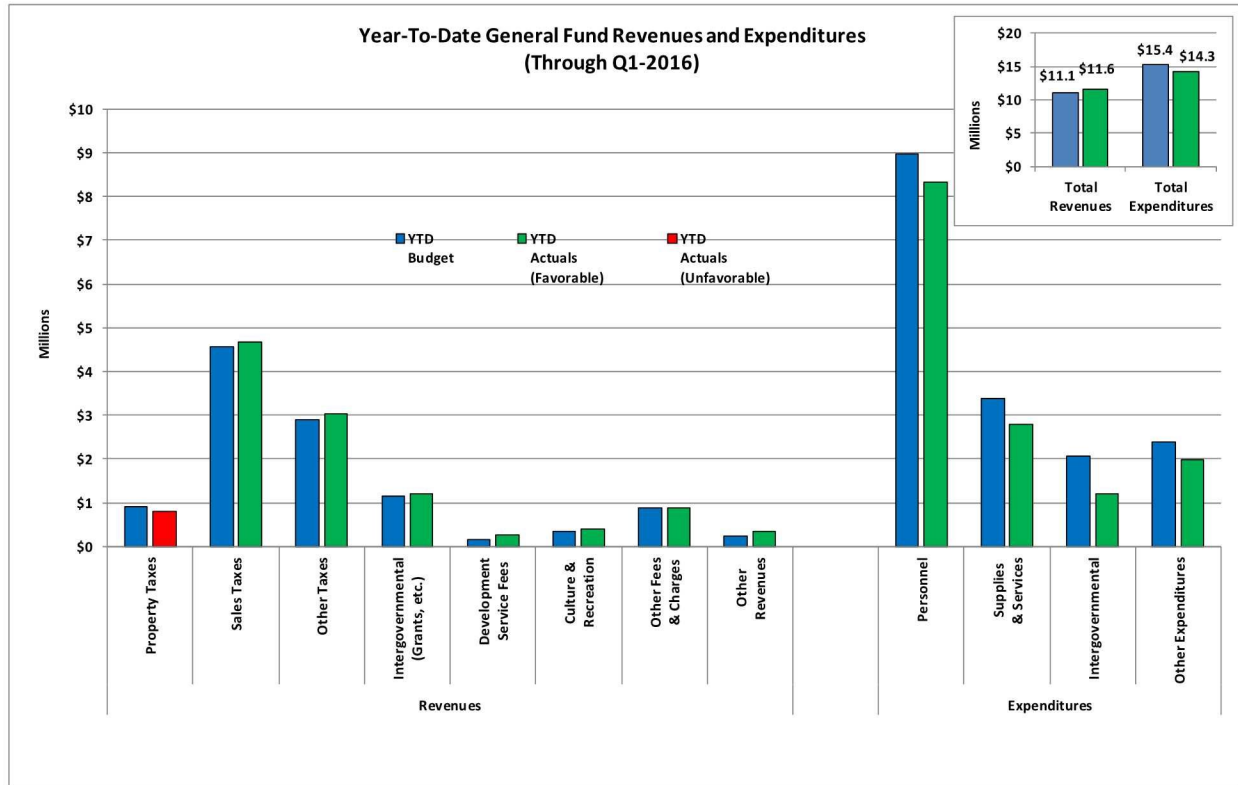
**Councilmember:**

**Staff:** Coleman

**Meeting Date:** June 13, 2016

**Item Number:** DI.C

# General Fund Summary



| General Fund<br>Summary of Sources and Uses | 2016                 |                      |                      | 2015                 | 2016 YTD Budget vs. Actual        |               |
|---------------------------------------------|----------------------|----------------------|----------------------|----------------------|-----------------------------------|---------------|
|                                             | Annual<br>Budget     | YTD Budget           | YTD Actual           | YTD Actual           | Favorable (Unfavorable)<br>Amount | Percentage    |
| <b>Operating Revenues</b>                   |                      |                      |                      |                      |                                   |               |
| Property Tax                                | \$ 17,733,500        | \$ 899,300           | \$ 796,137           | \$ 783,959           | \$ (103,163)                      | (11.5) %      |
| Sales Tax                                   | 14,572,000           | 3,665,900            | 3,691,967            | 3,627,140            | 26,067                            | 0.7 %         |
| Sales Tax - Annexation Credit               | 1,912,000            | 477,400              | 496,407              | 487,969              | 19,007                            | 4.0 %         |
| Criminal Justice Sales Tax                  | 1,747,000            | 430,400              | 484,107              | 444,625              | 53,707                            | 12.5 %        |
| Brokered Natural Gas Tax                    | 282,000              | 94,700               | 88,617               | 83,760               | (6,083)                           | (6.4) %       |
| City Utilities Tax                          | 3,521,200            | 821,300              | 865,034              | 830,856              | 43,734                            | 5.3 %         |
| Admissions Tax                              | 333,600              | 61,300               | 49,849               | 64,119               | (11,451)                          | (18.7) %      |
| Electric Tax                                | 3,297,700            | 816,800              | 888,465              | 777,771              | 71,665                            | 8.8 %         |
| Natural Gas Tax                             | 852,000              | 228,400              | 257,763              | 263,620              | 29,363                            | 12.9 %        |
| Cable TV Franchise Fee                      | 906,700              | 224,400              | 245,425              | 226,595              | 21,025                            | 9.4 %         |
| Cable TV Franchise Fee - Capital            | 64,000               | 16,000               | 16,561               | 18,071               | 561                               | 3.5 %         |
| Telephone Tax                               | 1,820,000            | 529,600              | 405,093              | 476,329              | (124,507)                         | (23.5) %      |
| Garbage Tax (external)                      | 106,000              | 26,490               | 30,540               | 27,110               | 4,050                             | 15.3 %        |
| Leasehold Excise Tax                        | 33,000               | 6,300                | 16,208               | 10,536               | 9,908                             | 157.3 %       |
| Gambling Excise Tax                         | 234,400              | 61,700               | 164,088              | 70,728               | 102,388                           | 165.9 %       |
| <b>Taxes sub-total</b>                      | <b>\$ 47,415,100</b> | <b>\$ 8,359,990</b>  | <b>\$ 8,496,259</b>  | <b>\$ 8,193,187</b>  | <b>\$ 136,269</b>                 | <b>1.6 %</b>  |
| Business License Fees                       | \$ 221,000           | \$ 91,800            | \$ 73,583            | \$ 115,833           | \$ (18,217)                       | (19.8) %      |
| Building Permits                            | 1,190,000            | 307,800              | 238,584              | 327,641              | (69,216)                          | (22.5) %      |
| Other Licenses & Permits                    | 533,600              | 110,200              | 125,959              | 131,375              | 15,759                            | 14.3 %        |
| Intergovernmental (Grants, etc.)            | 5,269,580            | 1,154,819            | 1,215,030            | 1,235,559            | 60,211                            | 5.2 %         |
| Charges for Services                        |                      |                      |                      |                      |                                   |               |
| General Government Services                 | 67,200               | 18,100               | 25,760               | 23,767               | 7,660                             | 42.3 %        |
| Public Safety                               | 520,300              | 130,075              | 169,101              | 165,721              | 29,026                            | 22.3 %        |
| Development Services Fees                   | 680,600              | 162,300              | 252,474              | 355,121              | 90,174                            | 55.6 %        |
| Culture and Recreation                      | 2,105,080            | 354,200              | 401,083              | 400,152              | 46,883                            | 13.2 %        |
| Fines and Forfeits                          | 796,180              | 208,200              | 243,206              | 250,099              | 35,006                            | 16.8 %        |
| <b>Fees/Charges/Fines sub-total</b>         | <b>\$ 11,383,540</b> | <b>\$ 2,537,494</b>  | <b>\$ 2,734,781</b>  | <b>\$ 3,005,267</b>  | <b>\$ 197,287</b>                 | <b>7.8 %</b>  |
| Interest and Other Earnings                 | \$ 35,200            | \$ 8,200             | \$ 20,517            | \$ 10,150            | \$ 12,317                         | 150.2 %       |
| Rents, Leases and Concessions               | 588,600              | 108,800              | 143,068              | 98,285               | 34,268                            | 31.5 %        |
| Contributions and Donations                 | 32,000               | 6,000                | 1,808                | 7,158                | (4,192)                           | (69.9) %      |
| Other Miscellaneous                         | 157,800              | 30,600               | 79,862               | 43,095               | 49,262                            | 161.0 %       |
| Transfers In                                | 76,000               | 76,000               | 76,000               | 76,000               | 0                                 | 0.0 %         |
| Insurance Recoveries - Capital & Operating  | 25,000               | 6,248                | 16,845               | 58,487               | 10,597                            | 169.6 %       |
| <b>Other Revenues sub-total</b>             | <b>\$ 914,600</b>    | <b>\$ 235,848</b>    | <b>\$ 338,100</b>    | <b>\$ 293,176</b>    | <b>\$ 102,253</b>                 | <b>43.4 %</b> |
| <b>Total Operating Revenues</b>             | <b>\$ 59,713,240</b> | <b>\$ 11,133,331</b> | <b>\$ 11,569,141</b> | <b>\$ 11,491,630</b> | <b>\$ 435,809</b>                 | <b>3.9 %</b>  |
| <b>Operating Expenditures</b>               |                      |                      |                      |                      |                                   |               |
| Council & Mayor                             | \$ 985,404           | \$ 268,800           | \$ 258,683           | \$ 232,012           | \$ 10,117                         | 3.8 %         |
| Administration                              | 1,307,747            | 327,000              | 229,903              | 182,908              | 97,097                            | 29.7 %        |
| Community & Human Services                  | 971,096              | 158,900              | 229,100              | 160,056              | (70,200)                          | (44.2) %      |
| Municipal Court & Probation                 | 2,356,172            | 143,700              | 131,787              | 114,007              | 11,913                            | 8.3 %         |
| Human Resources                             | 1,277,320            | 299,800              | 312,488              | 246,012              | (12,688)                          | (4.2) %       |
| Finance                                     | 1,322,606            | 320,700              | 287,781              | 297,749              | 32,919                            | 10.3 %        |
| City Attorney                               | 2,217,978            | 526,100              | 469,102              | 455,501              | 56,998                            | 10.8 %        |
| Community Development                       | 4,479,061            | 1,200,700            | 984,252              | 1,018,198            | 216,448                           | 18.0 %        |
| Jail - SCORE                                | 5,583,542            | 1,005,000            | 669,912              | 914,716              | 335,088                           | 33.3 %        |
| Police                                      | 24,114,426           | 5,998,200            | 5,984,384            | 5,540,500            | 13,816                            | 0.2 %         |
| Public Works                                | 2,841,494            | 743,100              | 720,694              | 653,336              | 22,406                            | 3.0 %         |
| Parks, Arts & Recreation                    | 11,491,699           | 2,611,400            | 2,516,794            | 2,464,694            | 94,606                            | 3.6 %         |
| Streets                                     | 3,431,557            | 729,500              | 665,582              | 558,209              | 63,918                            | 8.8 %         |
| Non-Departmental                            | 4,852,158            | 1,035,751            | 857,956              | 442,453              | 177,795                           | 17.2 %        |
| <b>Total Operating Expenditures</b>         | <b>\$ 67,232,261</b> | <b>\$ 15,368,651</b> | <b>\$ 14,318,419</b> | <b>\$ 13,280,351</b> | <b>\$ 1,050,232</b>               | <b>6.8 %</b>  |



**Overview**

This financial overview reflects the City's overall financial position for the fiscal period ending March 31, 2016 and represents financial data available as of May 11, 2016.

Through March 2016, General Fund revenues totaled \$11.5 million compared to a budget of \$11.1 million, and were \$77,000 higher than the revenues collected during the same period in 2015. Some notable variances to budget year-to-date include:

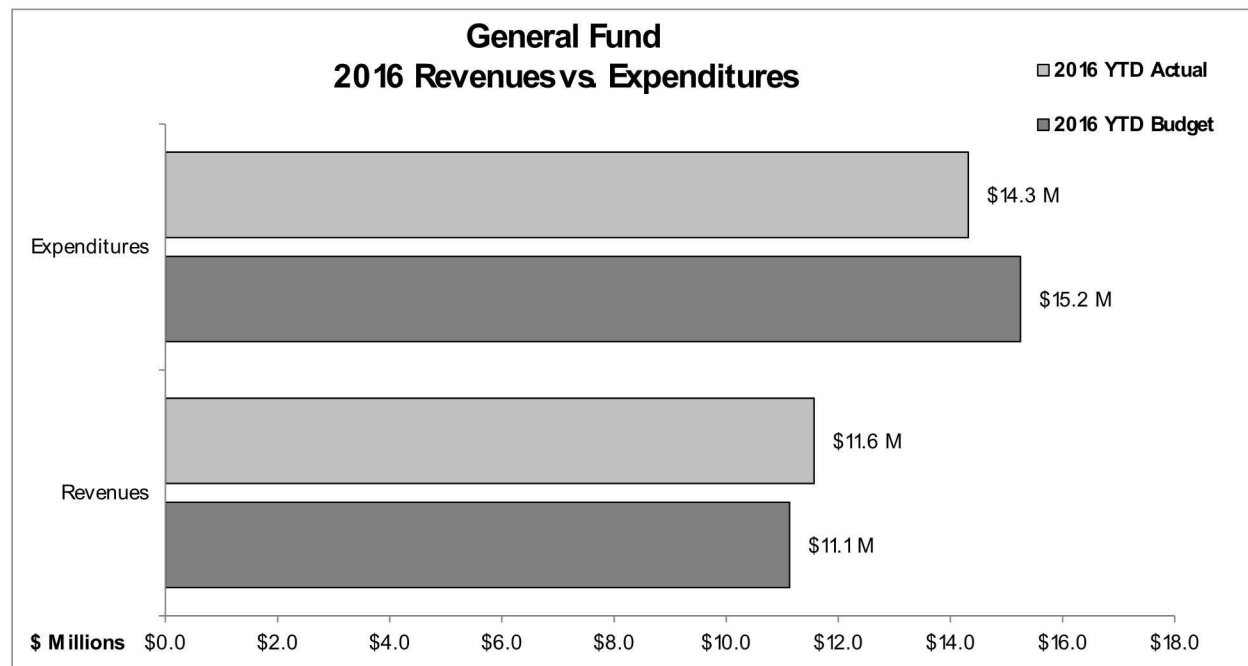
- Property tax collections through Q1-2016 totaled \$796,000, which is 11.5% or \$103,000 below budget expectations but exceeded collections in the same period last year by \$12,000, or 1.5%. The majority of property tax revenues are collected during the months of April and October, coinciding with the due dates for the County property tax billings.
- General Fund sales tax revenues totaled \$3.7 million, exceeding budget by 0.7% or \$26,000, and exceeding 2015 collections by \$65,000. The areas of significant increase in sales activity compared to 2015 were primarily seen in the service, wholesale trade, and transportation and warehousing categories.
- The other taxes category performed better than budget through Q1-2016. Collections in electric and natural gas tax revenues were above budget by \$72,000 and \$29,000, respectively. City utility tax revenues were also above budget by \$44,000, and gambling excise tax revenues were above budget by \$102,000. These revenues were somewhat offset by an unfavorable variance in telephone tax collections of \$124,000.
- Development services fees through March totaled \$252,000 and exceeded budget by \$90,000. The increased revenues were predominately attributable to plan check revenues, which surpassed budget expectations by \$60,000. A significant contributing factor to the favorability of plan check fee revenues was the Multicare Emergency Room remodel project.
- Culture and recreation revenues exceeded budget by \$47,000, and exceeded collections for the same period last year by \$1,000, or 0.23%. Revenue sources with significant increases compared to Q1-2015 include Auburn Theater ticket sales, the Cultural Arts Program, and recreational classes, which combined for a total \$65,000 of favorable variance from the same period the prior year. These variances were offset by lower than expected league fees and Auburn Golf Course greens fees, which totaled \$61,000 and which can vary widely with the seasons.
- Other fees and charges exceeded the year-to-date budget through Q1-2016 by \$102,000, or 43.4%, and exceed Q1-2015 revenue in this category by \$45,000. This was partially due to purchase card rebates exceeding budget projections by \$20,000, or 100%, and the receipt of a one-time settlement in the City's favor of \$10,600 for past-due leasehold excise tax (LHET) from a sub-lessee of City-leased property.

General Fund expenditures through the third quarter of 2016 totaled \$14.3 million as compared to a budget of \$15.2 million, representing 6.1% less than budget. The Human Resources and Community and Human Services departments exceeded their allocated budgets through Q1-2016. The Community and Human Services department represented the largest unfavorable variance



percentage-wise at 44.2% over budget, or \$70,200. The principal factor affecting this was an up-front payment of \$60,000 to the City of Renton for joint Human Services funding, which covers the City’s entire annual expenditures for several service programs

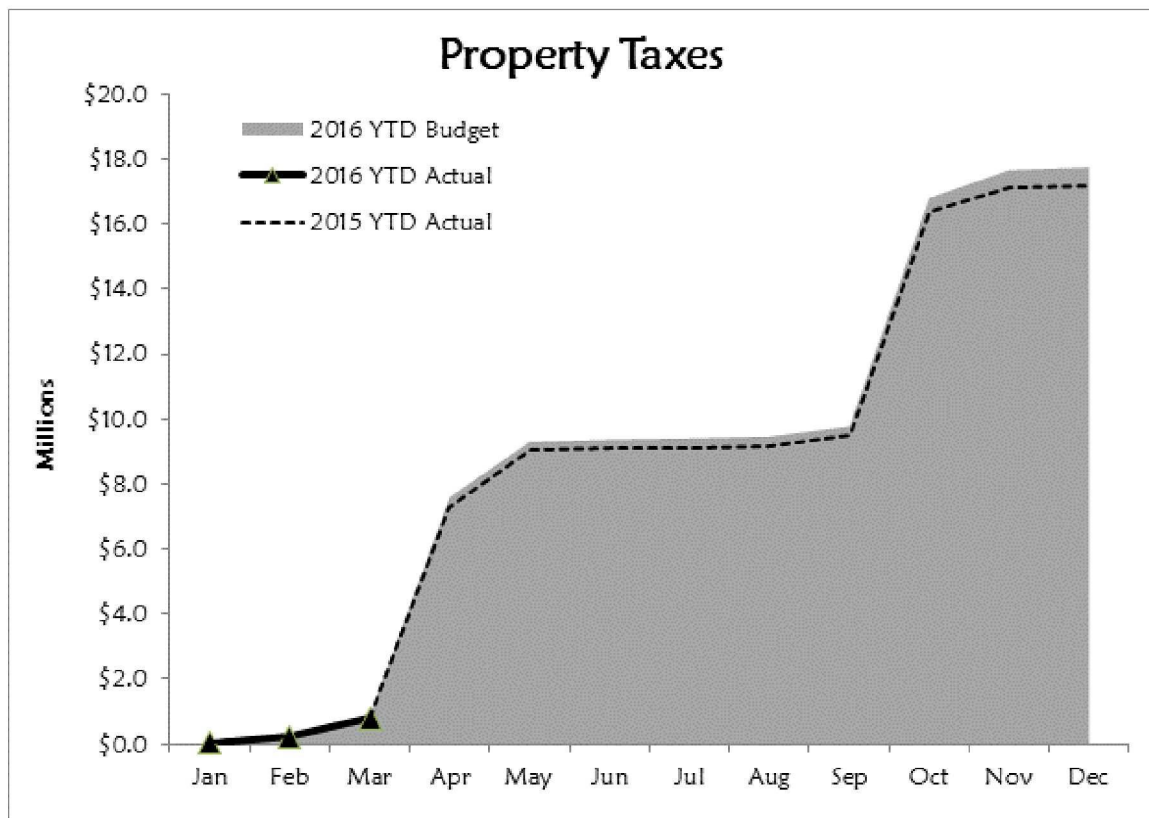
Year-to-date General Fund expenditures ended the period \$1.0 million, or 7.8%, higher than the same period last year. The increase in year-over-year expenditures was attributable to several factors, including a \$155,000 (18.8%) increase in charges paid to Valley Communications for 911 services. Salary and benefit costs increased by \$486,000, or 6.2%, from the same period last year due to several factors including increased costs associated with healthcare and pension expenses. Intergovernmental services and payments for the quarter increased by \$200,000 from Q1-2015, in large part due to the timing of budgeted transfers from the General Fund to the Cumulative Reserve Fund.



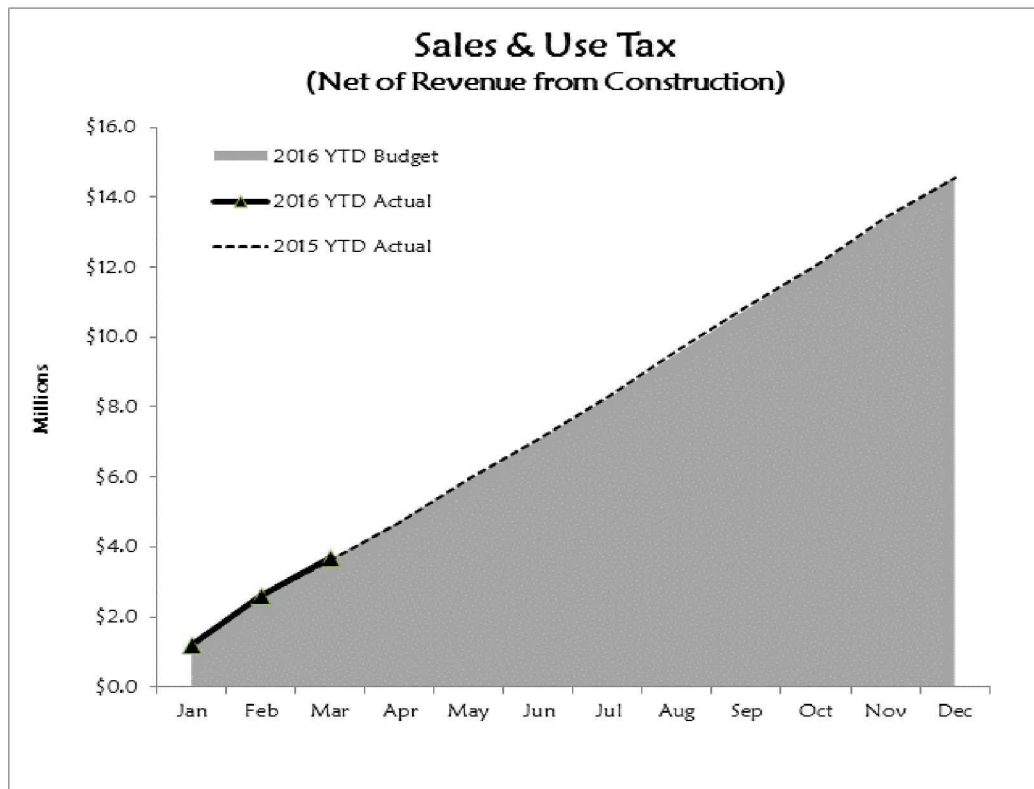
### Revenues

The combined total of property, sales/use, utility, gambling, and admissions taxes provides approximately 80% of all resources supporting general governmental activities. The following section provides additional information on these sources.

**Property Tax** collections through Q1-2016 totaled \$796,000, which is 11.5% or \$103,000 below budget expectations. The property tax collection through Q1-2016 exceeded collections in the same period last year by \$12,000, or 1.5%. The majority of property tax revenues are collected during the months of April and October, coinciding with the due dates for the County property tax billings. Note that by mid-May, property tax collections were at \$12 million and 68% of total budget. This YTD shortfall at March 31 is merely a timing difference.



**Sales tax** collections totaled \$4.2 million, of which \$3.7 million was distributed to the General Fund and \$524,000 was distributed to the Local Street Fund (SOS) program.\* Through March 2016, total sales tax revenue distributions to the General Fund exceeded budget expectations by \$26,000, or 0.7%.



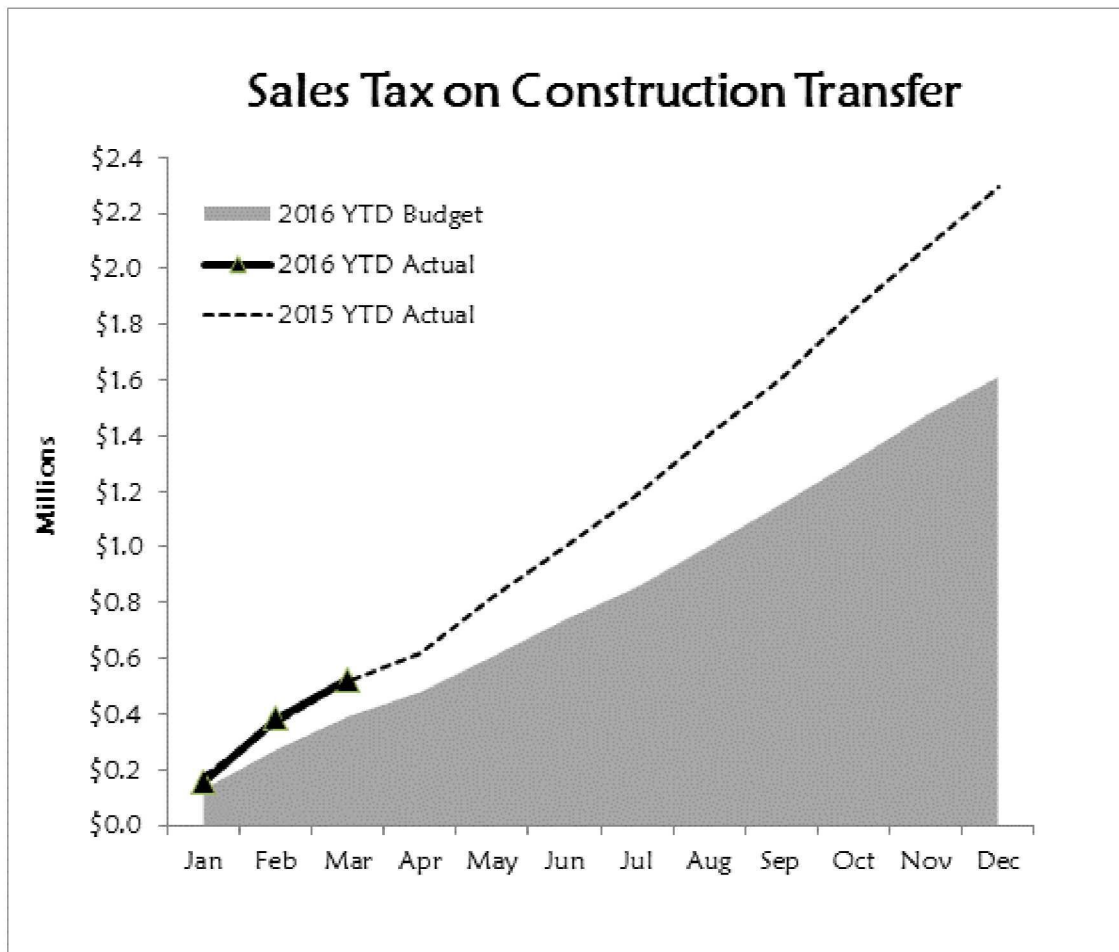
\* Beginning in 2013, Local Street Fund (Fund 103) street repairs have been funded from sales taxes on construction. The total amount transferred year-to-date through Q1-2016 was \$524,200. The graphic above presents sales taxes under the current policy.

The following table breaks out the City's base sales tax, excluding Criminal Justice, Annexation Credit and Streamlined Sales Tax Mitigation, by major business sector.

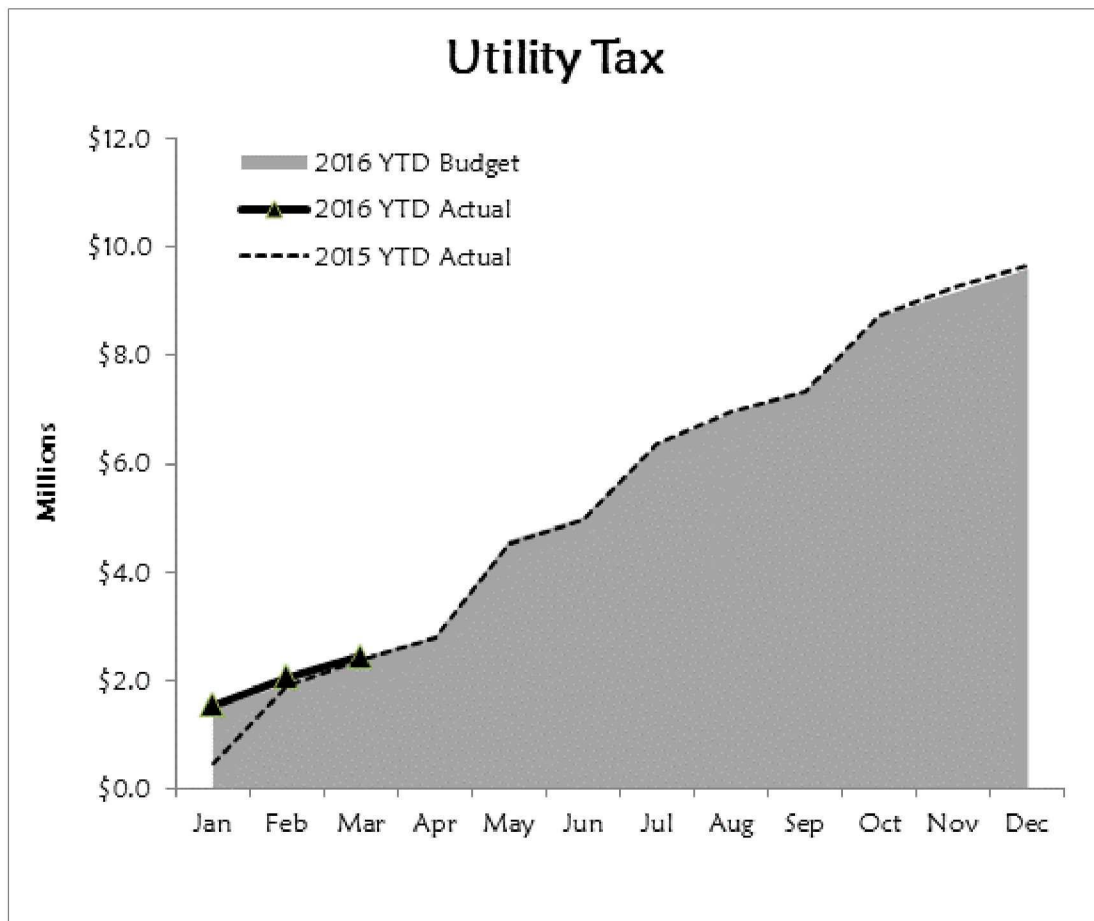
| Comparison of Sales Tax Collections by SIC Group |                |                |                  |            |
|--------------------------------------------------|----------------|----------------|------------------|------------|
| March-2016                                       |                |                |                  |            |
| Component Group                                  | 2015<br>Actual | 2016<br>Actual | Change from 2015 |            |
|                                                  |                |                | Amount           | Percentage |
| Construction                                     | \$ 518,935     | \$ 524,200     | \$ 5,265         | 1.0 %      |
| Manufacturing                                    | 206,323        | 210,717        | 4,394            | 2.1 %      |
| Transportation & Warehousing                     | 16,160         | 23,257         | 7,096            | 43.9 %     |
| Wholesale Trade                                  | 285,979        | 295,294        | 9,315            | 3.3 %      |
| Automotive                                       | 859,381        | 862,367        | 2,986            | 0.3 %      |
| Retail Trade                                     | 1,364,184      | 1,333,483      | (30,701)         | (2.3) %    |
| Services                                         | 905,073        | 973,192        | 68,119           | 7.5 %      |
| Miscellaneous                                    | 23,358         | 25,331         | 1,973            | 8.4 %      |
| YTD Total                                        | \$ 4,179,394   | \$ 4,247,841   | \$ 68,447        | 1.6 %      |

Total sales tax revenue collected through Q1-2016 exceeded prior year collections by \$68,000, or 1.6%. The business sectors showing the largest increase in revenues compared to last year were the service, wholesale trade, and transportation and warehousing industries.

Total sales tax revenue on construction, which is transferred to the Local Street Fund (Fund 103) for local street repair and maintenance, totaled \$524,200, which is \$5,000 higher than the same period last year and exceeds year-to-date budgeted revenue by \$133,000.



**Utility Taxes** consist of interfund taxes on City utilities (Water, Sewer, Storm and Solid Waste) and taxes on external utilities (Electric, Natural Gas, Telephone and Solid Waste). Utility taxes collected through Q1-2016 totaled \$2.4 million and exceeded year-to-date budget by \$23,000 or 1.0%.

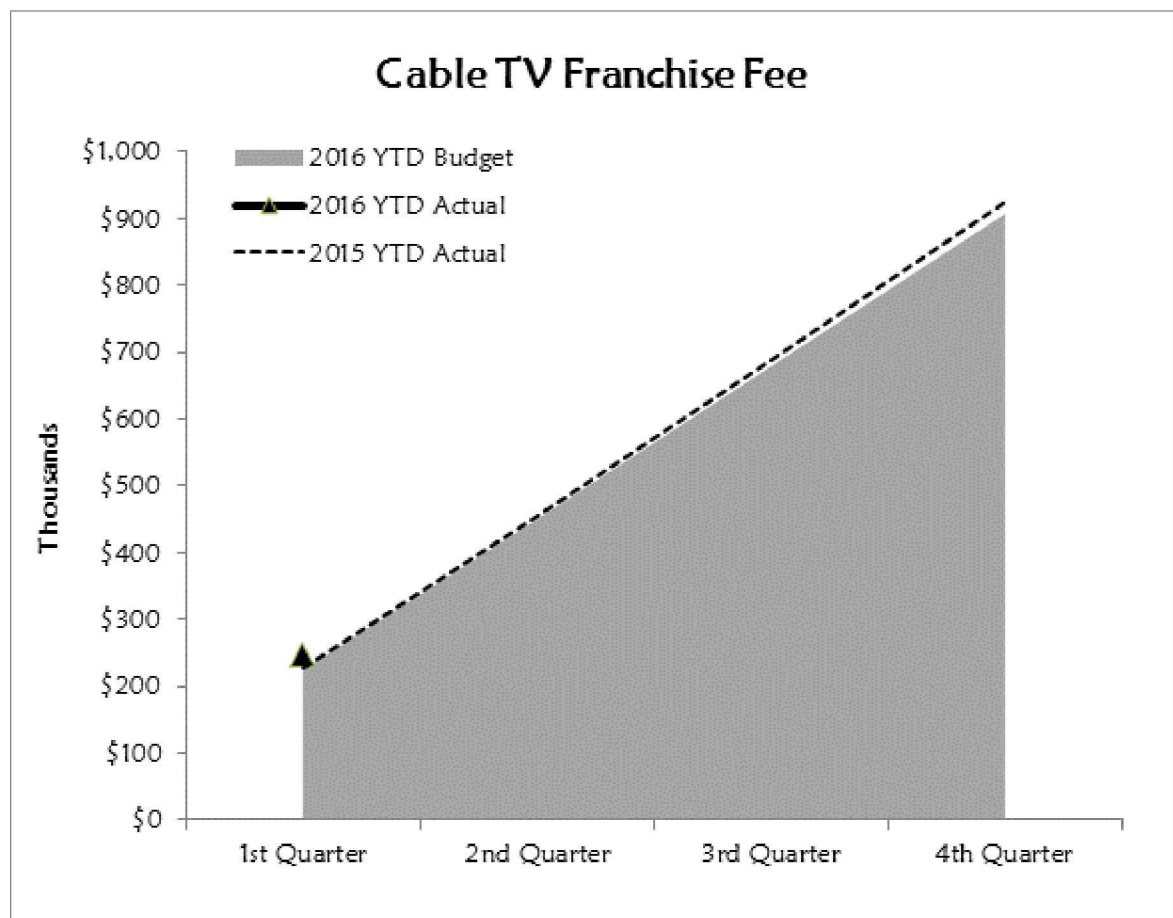


As shown in the table below, overall utility tax revenues collected year-to-date were \$24,000, or 1.0%, above budget. Favorable variances in City interfund utility tax, Electric tax and Natural Gas tax revenues more than offset lower than expected collections from the Telecommunication industry. The April budget amendment, BA#5, reduced this revenue by \$200,000. This budget reduction will be reflected on the next quarterly report for period ending June 30.

| Utility Tax by Type<br>March 2016 |                |                |                |                      |            |                 |            |
|-----------------------------------|----------------|----------------|----------------|----------------------|------------|-----------------|------------|
| Utility Tax Type                  | 2015<br>Actual | 2016<br>Budget | 2016<br>Actual | 2016 vs. 2015 Actual |            | 2016 vs. Budget |            |
|                                   |                |                |                | Amount               | Percentage | Amount          | Percentage |
| City Interfund Utility Taxes      | \$ 830,856     | \$ 821,300     | \$ 865,034     | \$ 34,177            | 4.1 %      | \$ 43,734       | 5.3 %      |
| Electric                          | 777,771        | 816,800        | 888,465        | \$ 110,694           | 14.2 %     | 71,665          | 8.8 %      |
| Natural Gas                       | 263,620        | 228,400        | 257,763        | \$ (5,857)           | (2.2) %    | 29,363          | 12.9 %     |
| Telephone                         | 476,329        | 529,600        | 405,093        | \$ (71,236)          | (15.0) %   | (124,507)       | (23.5) %   |
| Solid Waste (external)            | 27,110         | 26,490         | 30,540         | \$ 3,430             | 12.7 %     | 4,050           | 15.3 %     |
| YTD Total                         | \$ 2,375,686   | \$ 2,422,590   | \$ 2,446,894   | \$ 71,208            | 3.0 %      | \$ 24,304       | 1.0 %      |



**Cable TV Franchise Fees**, which are collected quarterly, totaled \$245,000 and exceeded the year-to-date budget of \$224,000 by \$21,000, or 9.4%.

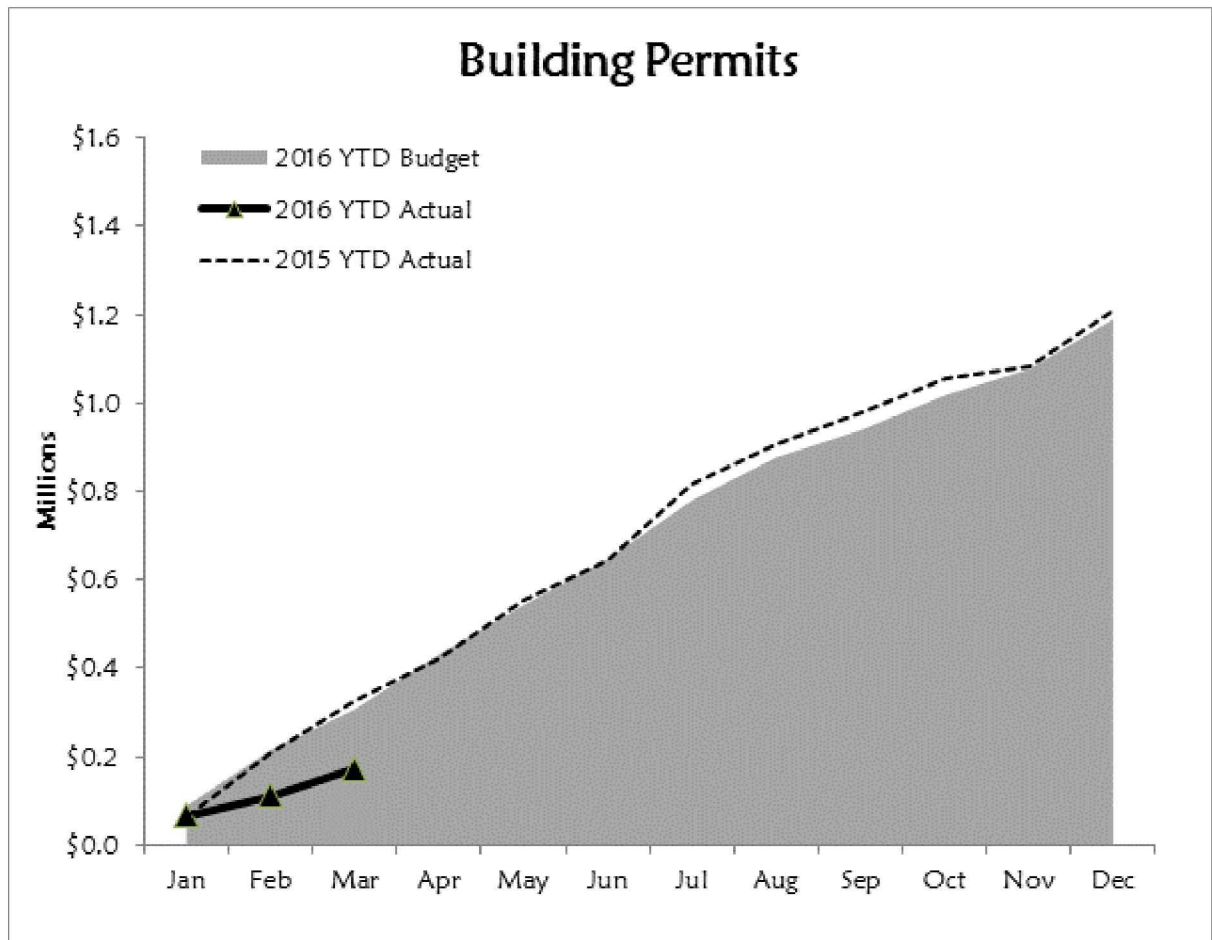




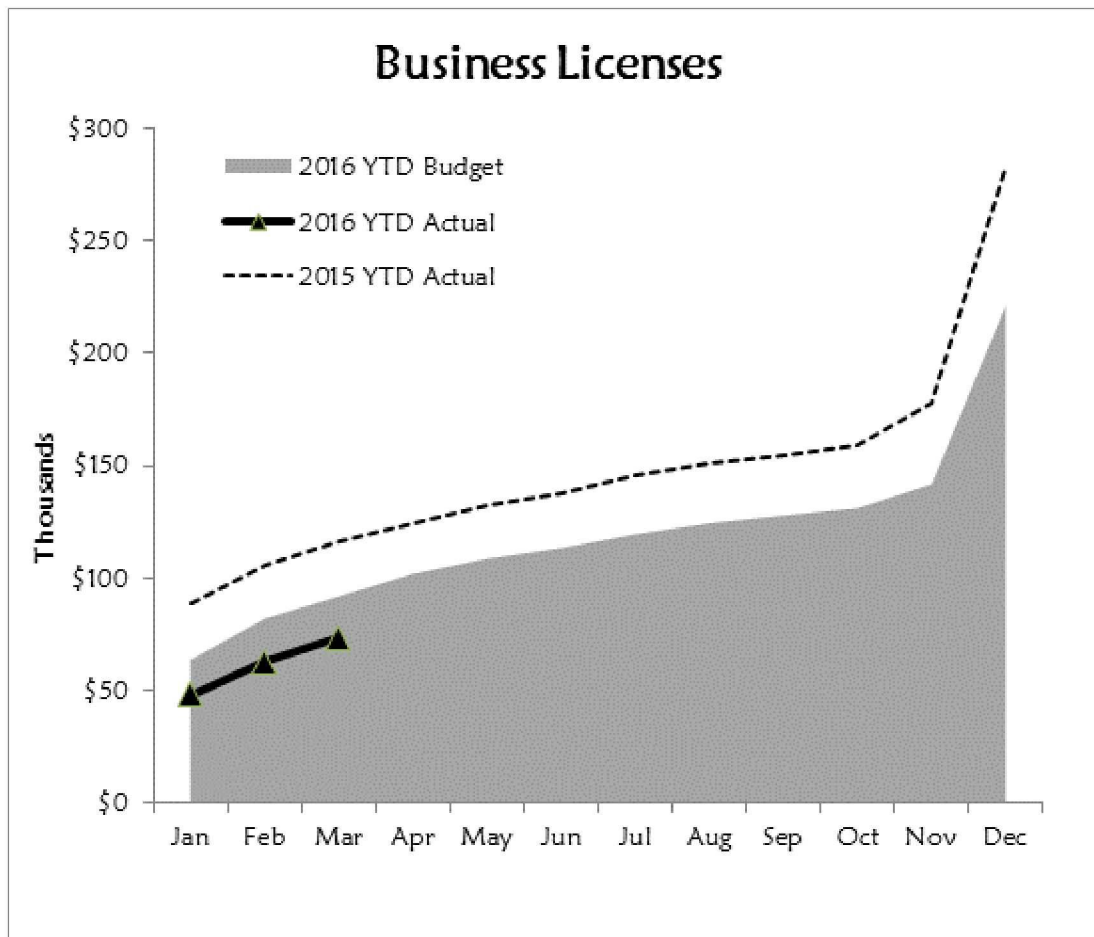
**Licenses and Permits** include business licenses, building permits, plumbing, electric and other licenses and permit fees. Building permit fees and business licenses make up about 70% of the annual budgeted revenue in this category.

Building permit revenues collected in through March totaled \$239,000, compared to a year-to-date budget of \$308,000. Building permits issued through March total 155, and compares to 190 issued during the same period in 2015. Major projects contributing revenues this quarter include building permits for the Estate at Hillside Gardens, Edgeview, and Boeing's Auburn fabrication plant.

This trend looks dismal as of March 31. Looking forward through the end of May this revenue stands at \$500,000 and 41% of budget which puts this revenue stream back on track.



Business license revenues collected through March totaled \$74,000 compared to a budget of \$92,000; these revenues were below budget by \$18,000 largely due to timing of collections. The graphic below reflects the timing of payments by business owners, where the majority of business license payments are typically collected during the first two months of the year and the last month of the year. Review of December 2015 receipts shows that there was \$63,000 more collected than anticipated. This again is a timing issue.



**Intergovernmental revenues** include Grants (Direct & Indirect Federal, State and Local), compact revenue from the Muckleshoot Indian Tribe (MIT), intergovernmental and state shared revenues. Collections to date totaled \$1.2 million and were \$60,000, or 5.2%, over budget.

Favorable variances in Motor Vehicle Fuel Tax revenue and Liquor Excise revenue more than offset the reduced revenues received in Federal grant monies, Streamlined Sales Tax, and MIT compact revenue.

Effective during the state's 2016 fiscal year budget cycle, the City of Auburn does not qualify for Criminal Justice High Crime revenues because the City's crime rate for the last reporting period did not exceed the statewide average. Therefore, the City of Auburn will not receive these distributions for reporting periods Q3-2015 through Q2-2016. The estimate fiscal impact to the City of Auburn in 2016 is a reduction in General Fund revenues in the amount of \$48,000.

| Intergovernmental<br>March 2016  |              |              |              |                      |           |                 |          |
|----------------------------------|--------------|--------------|--------------|----------------------|-----------|-----------------|----------|
| Revenue                          | 2015         | 2016         | 2016         | 2016 vs. 2015 Actual |           | 2016 vs. Budget |          |
|                                  | Actual       | Budget       | Actual       | Amount               | % Change  | Amount          | % Change |
| Federal Grants                   | \$ 7,672     | \$ 6,800     | \$ 1,794     | \$ (5,878)           | (76.6) %  | \$ (5,006)      | (73.6) % |
| State Grants                     | 53,319       | 29,000       | 32,824       | (20,495)             | (38.4) %  | 3,824           | 13.2 %   |
| Interlocal Grants                | 0            | 0            | 2,500        | 2,500                | 0.0 %     | 2,500           | N/A      |
| Muckleshoot Casino Emerg.        | 158,617      | 157,500      | 152,315      | (6,302)              | (4.0) %   | (5,185)         | (3.3) %  |
| Intergovernmental Service        | 5,231        | 4,191        | 0            | (5,231)              | (100.0) % | (4,191)         | N/A      |
| State Shared Revenues            |              |              |              |                      |           |                 |          |
| Streamlined Sales Tax            | 497,179      | 500,000      | 481,850      | (15,329)             | (3.1) %   | (18,150)        | (3.6) %  |
| Motor Vehicle Fuel Tax           | 245,573      | 223,600      | 269,097      | 23,524               | 9.6 %     | 45,497          | 20.3 %   |
| Criminal Justice - High Crime    | 48,266       | 0            | 0            | (48,266)             | (100.0) % | 0               | N/A      |
| Criminal Justice - Population    | 4,872        | 4,400        | 5,083        | 212                  | 4.3 %     | 683             | 15.5 %   |
| Criminal Justice - Special Prog. | 17,899       | 16,600       | 18,586       | 687                  | 3.8 %     | 1,986           | 12.0 %   |
| Marijuana Enforcement            | 0            | 0            | 4,878        | 4,878                | N/A       | 4,878           | N/A      |
| State DUI                        | 3,280        | 3,700        | 2,972        | (309)                | (9.4) %   | (728)           | (19.7) % |
| Fire Insurance Tax               | 0            | 0            | 0            | 0                    | N/A       | 0               | N/A      |
| Liquor Excise                    | 37,124       | 50,653       | 80,048       | 42,924               | 115.6 %   | 29,395          | 58.0 %   |
| Liquor Profit                    | 163,528      | 158,375      | 163,084      | (444)                | (0.3) %   | 4,709           | 3.0 %    |
| Total State Shared:              | 1,017,720    | 957,328      | 1,025,598    | 7,878                | 0.8 %     | 68,270          | 7.1 %    |
| YTD Total                        | \$ 1,242,559 | \$ 1,154,819 | \$ 1,215,030 | \$ (27,529)          | (2.2) %   | \$ 60,211       | 5.2 %    |

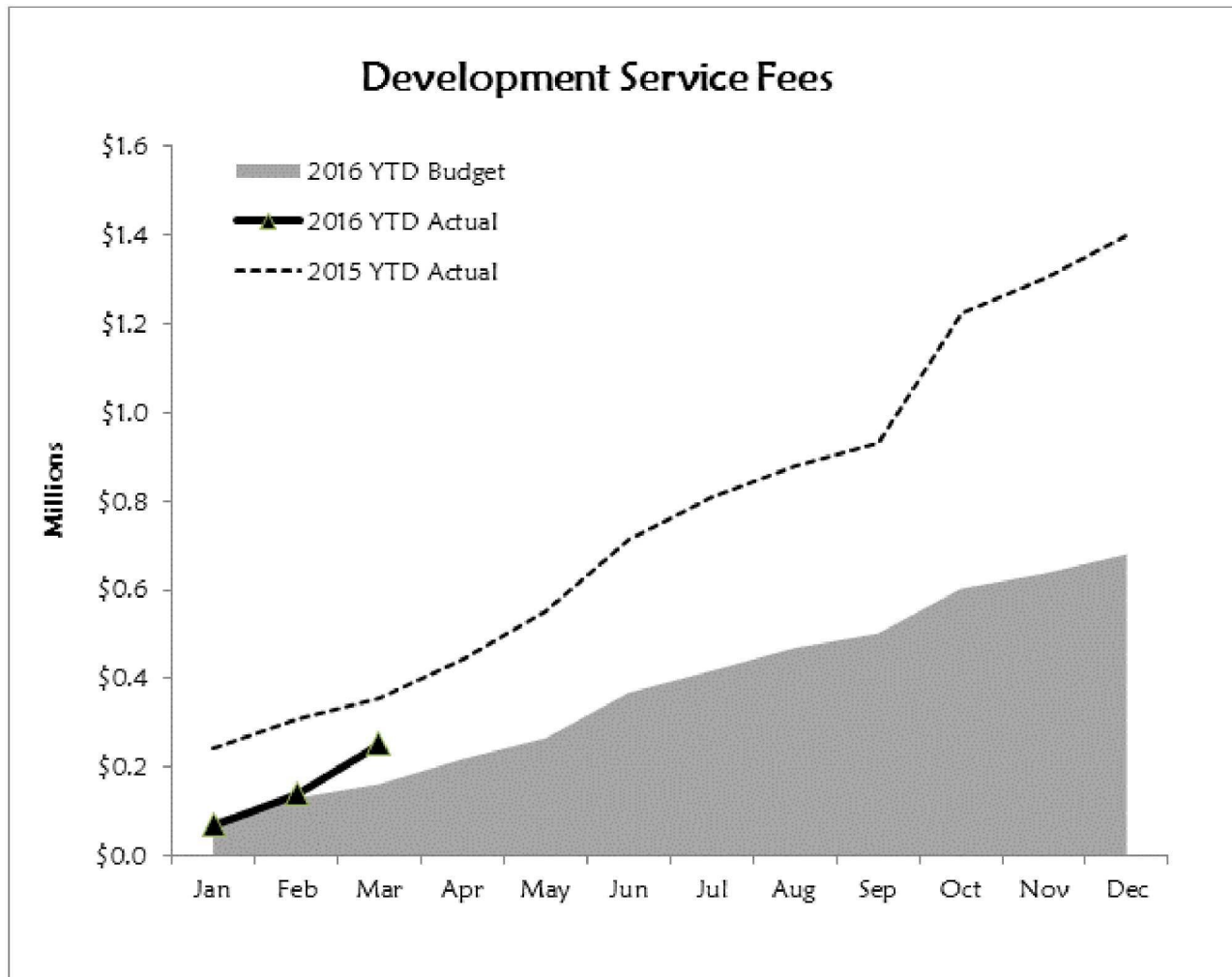
**Charges for Services** consist of general governmental services, public safety, development service fees and cultural & recreation fees. Overall, charges for services collected through Q1-2016 totaled \$838,000 compared to a budget of \$660,000. Total revenues collected thus far exceed budget by \$173,000, or 26.1%.

General governmental revenues through Q1-2016 totaled \$26,000 compared to a budget of \$18,000. Budget expectations for these revenues were revised from the prior year due to the fact that the City no longer provides services to the City of Algona; therefore the City does not receive reimbursement for services.

Public safety revenues collected year-to-date totaled \$159,000, compared to budget of \$130,000. Public safety revenues consist of revenues generated for Police Officer extra duty overtime, where officers are contracted for services and reimbursement is made by the hiring contractor. Effective June 2014, public safety revenue also includes reimbursement from the Muckleshoot Indian Tribe (MIT) for a full-time dedicated Police Officer and associated expenditures.

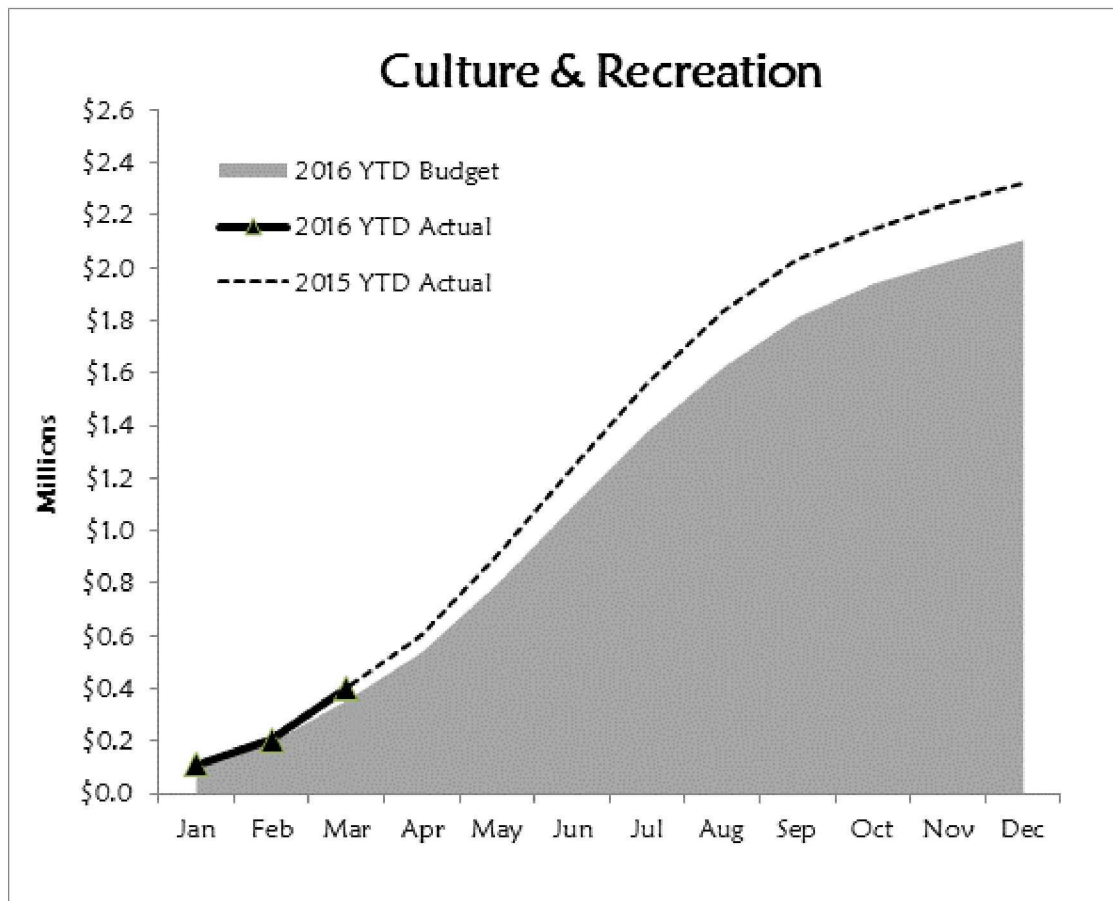
Development services fee collections, which primarily consist of plan check fees, totaled \$252,000 and exceeded budget by \$90,000. Total plan check fees collected this quarter totaled \$197,000, compared to a budget of \$138,000 and Q1-2015 collections of \$307,000. Plan check revenues in Q1-2016 included revenues from several commercial projects including Auburn MultiCare, Christopher Garden apartments, and the Promenade Apartment project on Lea Hill. Some of the single family housing projects included Edgeview, Sonata Hill, and Mountain View North.

| Charges for Services by Type<br>March 2016 |                |                |                |                      |            |                 |            |
|--------------------------------------------|----------------|----------------|----------------|----------------------|------------|-----------------|------------|
| Revenue                                    | 2015<br>Actual | 2016<br>Budget | 2016<br>Actual | 2016 vs. 2015 Actual |            | 2016 vs. Budget |            |
|                                            |                |                |                | Amount               | Percentage | Amount          | Percentage |
| General Government                         | \$ 23,767      | \$ 18,100      | \$ 25,760      | \$ 1,993             | 8.4 %      | \$ 7,660        | 42.3 %     |
| Public Safety                              | 165,721        | 130,075        | 159,101        | (6,620)              | (4.0) %    | 29,026          | 22.3 %     |
| Development Services                       | 355,121        | 162,300        | 252,474        | (102,647)            | (28.9) %   | 90,174          | 55.6 %     |
| Culture & Recreation                       | 400,152        | 354,200        | 401,083        | 931                  | 0.2 %      | 46,883          | 13.2 %     |
| YTD Total                                  | \$ 944,761     | \$ 664,675     | \$ 838,418     | \$ (106,343)         | (11.3) %   | \$ 173,743      | 26.1 %     |





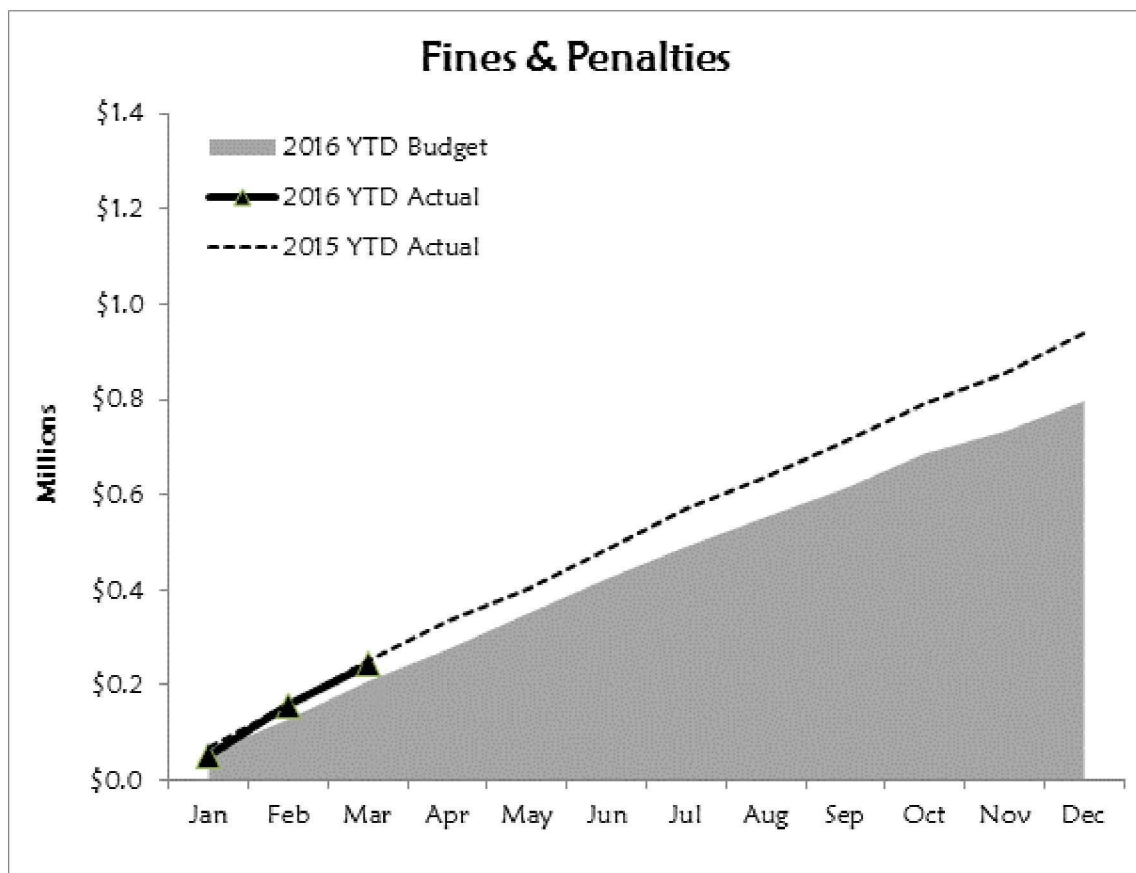
Culture and recreation revenues totaled \$401,000 and exceeded year-to-date budget by \$47,000, or 13.2%. A substantial portion of this favorable variance was due to the Cultural Arts Program, which has already exceeded annual budgeted revenue by \$13,000, or 74.1%. Recreational classes have also exceeded expectations by \$22,000, or 21.2%. Auburn Golf Course greens fees revenues were down \$20,000, or 18.1%, from the same period last year.





**Fines & Penalties** include traffic and parking infraction penalties, criminal fines (including criminal traffic, criminal non traffic and other criminal offenses) as well as non-court fines such as false alarm fines. Total revenue collected through Q1-2016 totaled \$243,000, compared to a budget of \$208,000.

| Fines & Forfeits by Type<br>March 2016 |                |                |                |                      |            |                 |            |
|----------------------------------------|----------------|----------------|----------------|----------------------|------------|-----------------|------------|
| Month                                  | 2015<br>Actual | 2016<br>Budget | 2016<br>Actual | 2016 vs. 2015 Actual |            | 2016 vs. Budget |            |
|                                        |                |                |                | Amount               | Percentage | Amount          | Percentage |
| Civil Penalties                        | \$ 3,037       | \$ 4,000       | \$ 2,383       | \$ (654)             | (21.5) %   | \$ (1,617)      | (40.4) %   |
| Civil Infraction Penalties             | 138,883        | 123,800        | 125,459        | \$ (13,425)          | (9.7) %    | \$ 1,659        | 1.3 %      |
| Redflex Photo Enforcement              | 1,541          | 0              | 7,204          | \$ 5,662             | 367.4 %    | \$ 7,204        | N/A        |
| Parking Infractions                    | 33,194         | 24,100         | 35,130         | \$ 1,936             | 5.8 %      | \$ 11,030       | 45.8 %     |
| Criminal Traffic Misdemeanor           | 16,386         | 13,400         | 10,160         | \$ (6,227)           | (38.0) %   | \$ (3,240)      | (24.2) %   |
| Criminal Non-Traffic Fines             | 13,335         | 12,600         | 12,256         | \$ (1,079)           | (8.1) %    | \$ (344)        | (2.7) %    |
| Criminal Costs                         | 16,130         | 11,900         | 16,111         | \$ (19)              | (0.1) %    | \$ 4,211        | 35.4 %     |
| Non-Court Fines & Penalties            | 27,592         | 18,400         | 34,505         | \$ 6,913             | 25.1 %     | \$ 16,105       | 87.5 %     |
| YTD Total                              | \$ 250,099     | \$ 208,200     | \$ 243,206     | \$ (6,893)           | (2.8) %    | \$ 35,006       | 16.8 %     |

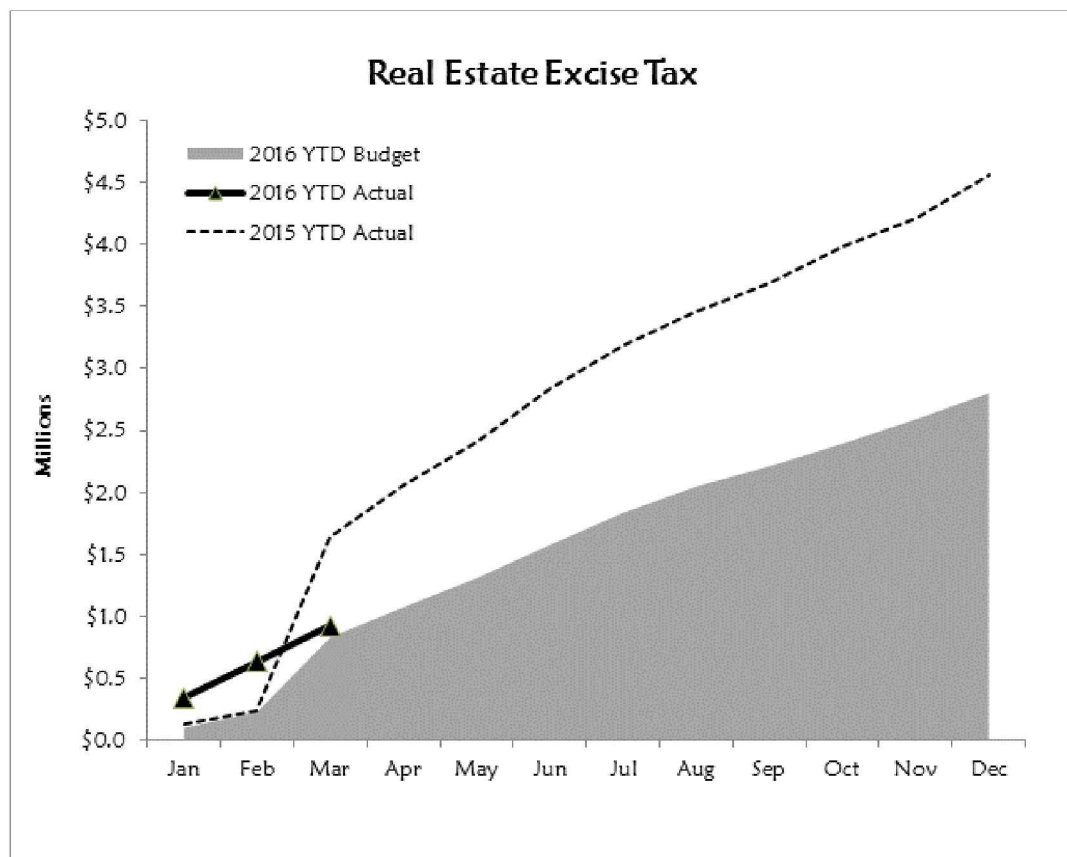


**Miscellaneous revenues** primarily consist of investment earnings, income from facility rentals, contributions & donations, and other miscellaneous income, which includes the quarterly purchasing card (P-card) rebate monies. Total revenues collected in this category through Q1-2016 totaled \$245,000 and exceeded budget expectations by \$92,000, or 59.7%. Primary contributors to this revenue performance include purchase card rebates, which exceeded expectations by \$20,000, or 107.5%; a settlement in the City's favor for \$11,000; an insurance recovery of \$12,000 for damage to the Dragon slide; and interest and investment earnings that exceeded expectations by \$12,000, or 150.2%.

| Miscellaneous Revenues by Type |                |                |                |               |            |                 |            |
|--------------------------------|----------------|----------------|----------------|---------------|------------|-----------------|------------|
| March 2016                     |                |                |                |               |            |                 |            |
| Month                          | 2015<br>Actual | 2016<br>Budget | 2016<br>Actual | 2016 vs. 2015 |            | 2016 vs. Budget |            |
|                                |                |                |                | Amount        | Percentage | Amount          | Percentage |
| Interest & Investments         | \$ 10,150      | \$ 8,200       | \$ 20,517      | \$ 10,367     | 102.1 %    | \$ 12,317       | 150.2 %    |
| Rents & Leases                 | 98,285         | 108,800        | 143,068        | \$ 44,783     | 45.6 %     | \$ 34,268       | 31.5 %     |
| Contributions & Donations      | 7,158          | 6,000          | 1,808          | \$ (5,350)    | (74.7) %   | \$ (4,192)      | (69.9) %   |
| Other Miscellaneous Revenue    | 43,095         | 30,600         | 79,862         | \$ 36,767     | 85.3 %     | \$ 49,262       | 161.0 %    |
| YTD Total                      | \$ 158,688     | \$ 153,600     | \$ 245,255     | \$ 86,567     | 54.6 %     | \$ 91,655       | 59.7 %     |

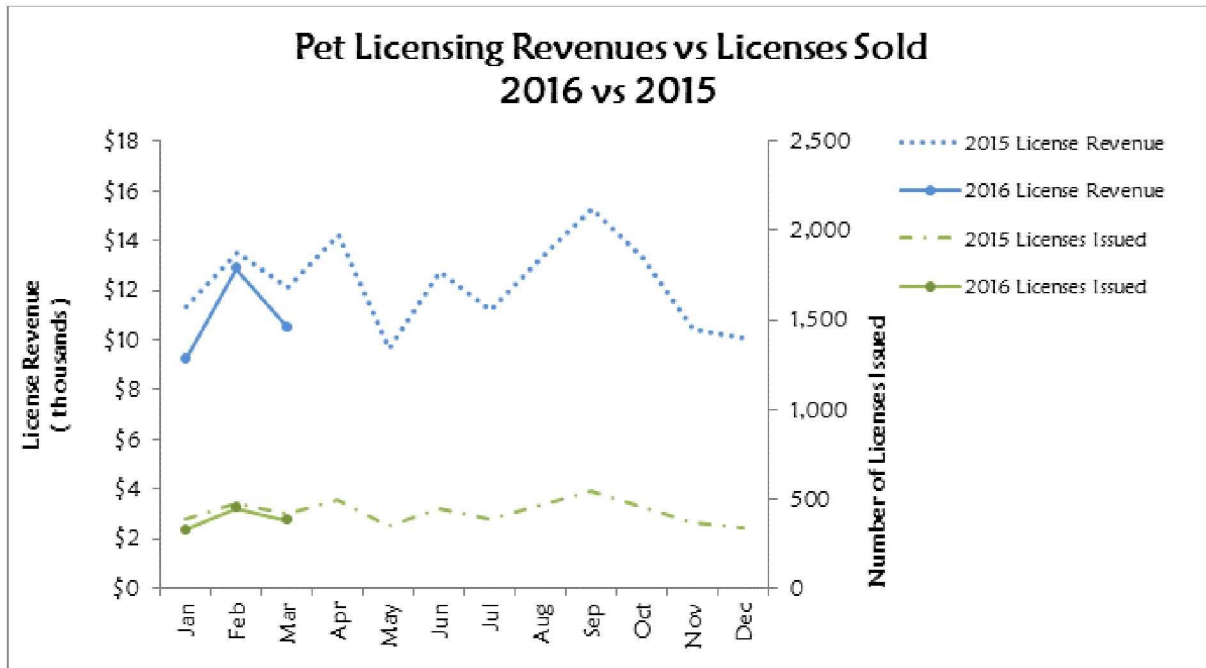
**Real Estate Excise Tax (REET)** revenue is receipted into the Capital Improvement Projects Fund and is used for governmental capital projects. REET revenues collected through Q1-2016 totaled \$920,000 and exceeded budgeted amounts by \$92,000, or 11.1%. Revenues were lower than the same period in 2015, which saw the sale of several large businesses in the City, to include the Outlet Collection – Seattle and the Lakeland Town Center. Real estate sales in the City of Auburn in Q1-2016 included the sale of several commercial and warehouse buildings, several of large plots of land, and various single family residences.

| Real Estate Excise Tax Revenues |              |              |             |               |            |                 |            |
|---------------------------------|--------------|--------------|-------------|---------------|------------|-----------------|------------|
| March 2016                      |              |              |             |               |            |                 |            |
| Month                           | 2015 Actual  | 2016 Budget  | 2016 Actual | 2016 vs. 2015 |            | 2016 vs. Budget |            |
|                                 |              |              |             | Amount        | Percentage | Amount          | Percentage |
| Jan                             | \$ 125,089   | \$ 97,400    | 339,594     | \$ 214,505    | 171.5 %    | \$ 242,194      | 248.7 %    |
| Feb                             | 115,287      | 128,700      | 286,943     | 171,656       | 148.9 %    | 158,243         | 123.0 %    |
| Mar                             | 1,394,226    | 601,900      | 293,361     | (1,100,865)   | (79.0) %   | (308,539)       | (51.3) %   |
| Apr                             | 423,394      | 244,000      |             | (423,394)     | (100.0) %  | (244,000)       | (100.0) %  |
| May                             | 345,489      | 234,300      |             | (345,489)     | (100.0) %  | (234,300)       | (100.0) %  |
| Jun                             | 436,101      | 267,400      |             | (436,101)     | (100.0) %  | (267,400)       | (100.0) %  |
| Jul                             | 348,745      | 260,200      |             | (348,745)     | (100.0) %  | (260,200)       | (100.0) %  |
| Aug                             | 269,454      | 212,100      |             | (269,454)     | (100.0) %  | (212,100)       | (100.0) %  |
| Sep                             | 228,140      | 163,500      |             | (228,140)     | (100.0) %  | (163,500)       | (100.0) %  |
| Oct                             | 296,100      | 183,000      |             | (296,100)     | (100.0) %  | (183,000)       | (100.0) %  |
| Nov                             | 233,389      | 195,900      |             | (233,389)     | (100.0) %  | (195,900)       | (100.0) %  |
| Dec                             | 347,582      | 211,600      |             | (347,582)     | (100.0) %  | (211,600)       | (100.0) %  |
| YTD Total                       | \$ 1,634,602 | \$ 828,000   | \$ 919,898  | \$ (714,704)  | (43.7) %   | \$ 91,898       | 11.1 %     |
| Annual Total                    | \$ 4,562,995 | \$ 2,800,000 |             |               |            |                 |            |



## Pet Licensing

Year-to-date, 1,153 pet licenses were sold, resulting in \$32,560 in revenue. For the same period in 2015, 1,279 licenses were sold, resulting in \$36,980 in revenue.



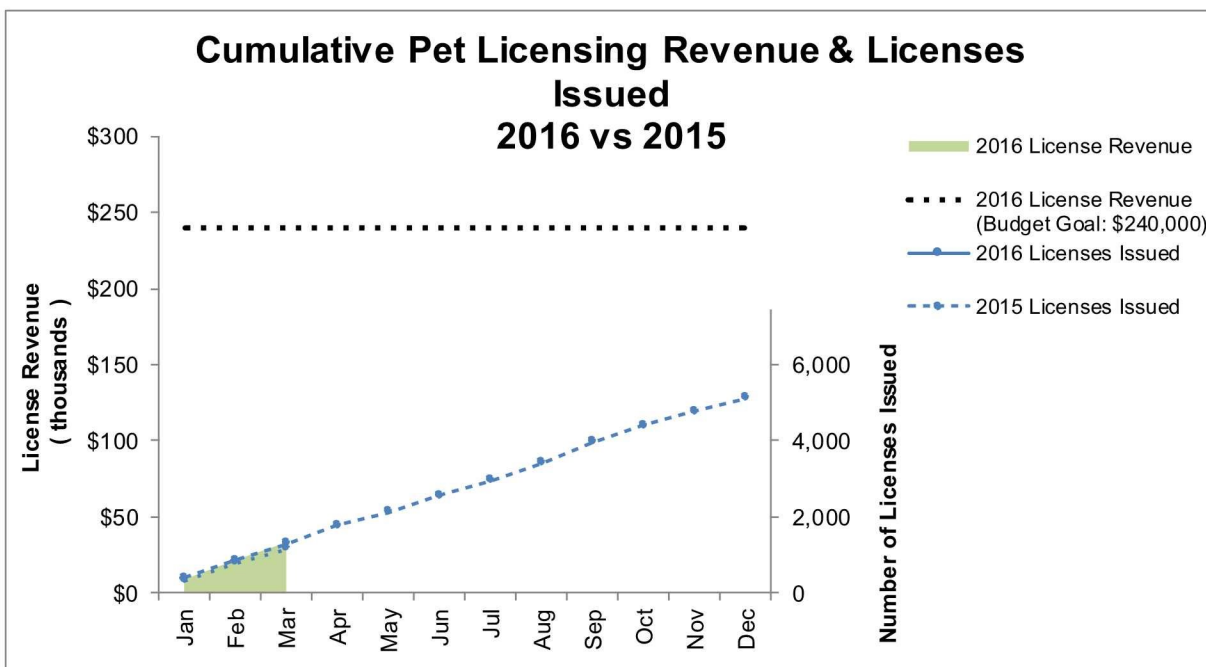
2016 Budget Goal: \$240,000

2016 Revenue = \$32,560

2016 Licenses Sold = 1,153

2015 Revenue = \$36,980

2015 Licenses Sold = 1,279





## Street Funds

This section provides financial overview of the City's three street funds for the fiscal period ending March 31, 2016. This City's three street funds include the following: the Arterial Street Fund (Fund 102), the Local Street Fund (Fund 103), and the Arterial Street Preservation Fund (Fund 105). The capital project expenditures are budgeted primarily based on the collection/disbursement average for the same period of the prior two years.

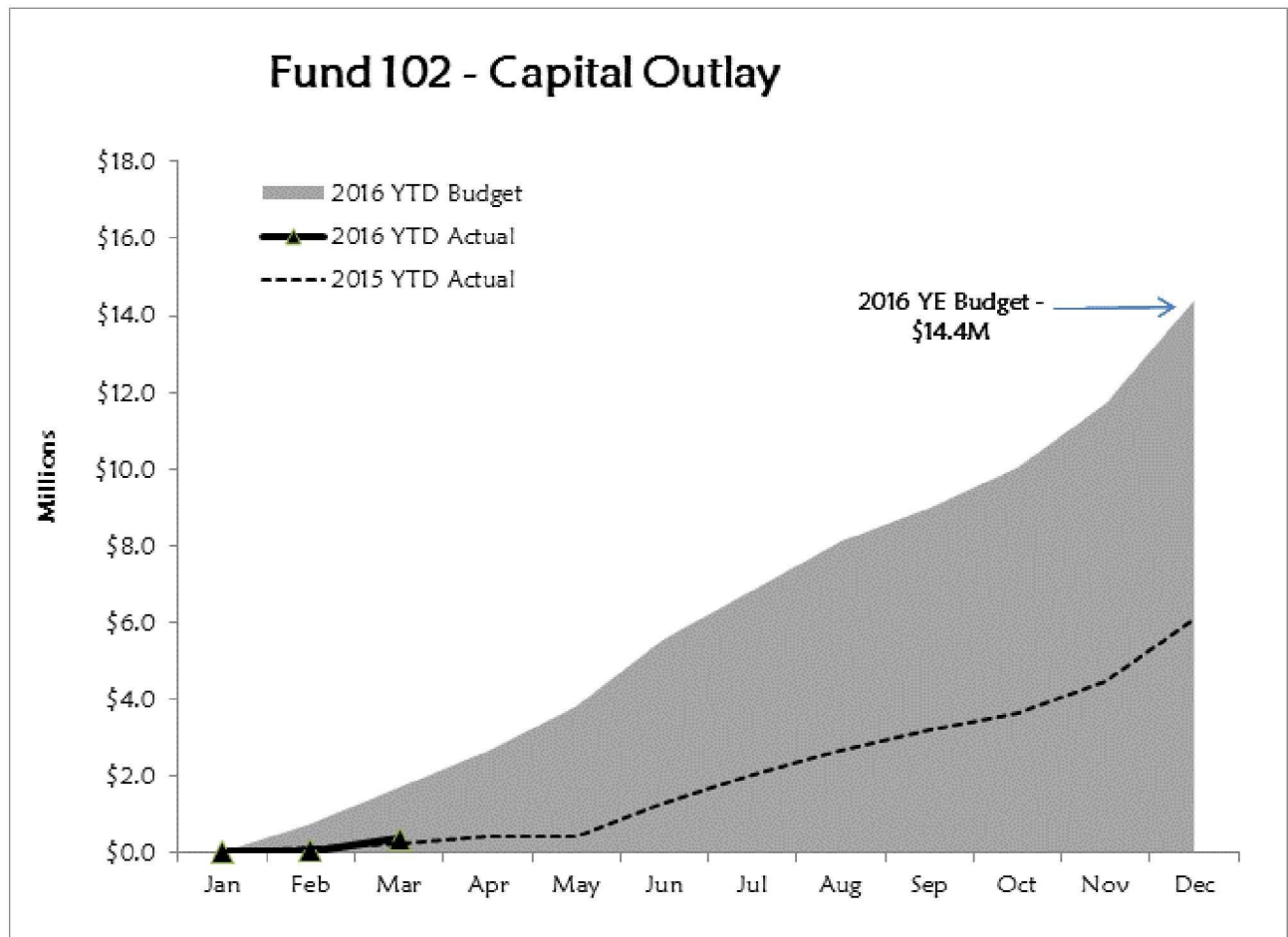
### Fund 102 – Arterial Street Fund

The Arterial Street Fund is a Special Revenue Fund that is funded by transportation grants, traffic impact fees, a portion of the City's gas tax receipts, Public Works Trust Fund loans, developer contributions, and other sources. There are over 30 separate street projects budgeted in this fund in 2016. Some of these projects include the South 272<sup>nd</sup> /South 277<sup>th</sup> Street Corridor Improvement Project, the West Main Street Multimodal Corridor and ITS Improvement Project, and the AWS Corridor Safety Improvement Project (Muckleshoot Plaza to Dogwood).

Through March 2016, revenues collected totaled \$140,000 and compare to collections of \$277,000 the same period in the prior year. Expenditures through March totaled \$516,000 and compares to \$364,000 spent the same period last year.

| Street<br>Uses                      | 2016                 |                       |                     | 2015               | 2016 YTD Budget vs. Actual        |                 |
|-------------------------------------|----------------------|-----------------------|---------------------|--------------------|-----------------------------------|-----------------|
|                                     | Annual<br>Budget     | YTD Budget            | YTD Actual          | YTD Actual         | Favorable (Unfavorable)<br>Amount | Percentage      |
| <b>Report Period: March 2016</b>    |                      |                       |                     |                    |                                   |                 |
| <b>Revenues</b>                     |                      |                       |                     |                    |                                   |                 |
| Federal Grants                      | \$ 6,073,763         | \$ 58,295             | \$ -                | \$ 37,560          | \$ (58,295)                       | (100.0) %       |
| State Grants                        | 4,040,000            | 77,478                | 0                   | 0                  | (77,478)                          | (100.0) %       |
| Motor Vehicle Fuel Tax              | 530,000              | 132,500               | 117,986             | 115,534            | (14,514)                          | (11.0) %        |
| Developer Contributions             | 1,375,000            | 0                     | 0                   | 0                  | 0                                 | N/A %           |
| Miscellaneous Revenue               | 306,674              | 76,669                | 20,700              | 82,953             | (55,969)                          | (73.0) %        |
| Other Governmental Agencies         | 0                    | 0                     | 0                   | 25,370             | 0                                 | N/A %           |
| Operating Transfer In               | 2,542,887            | 0                     | 0                   | 14,285             | 0                                 | N/A %           |
| Investment Income                   | 2,000                | 500                   | 1,321               | 814                | 821                               | 164.3 %         |
| <b>Total Revenues</b>               | <b>\$ 14,870,324</b> | <b>\$ 345,442</b>     | <b>\$ 140,007</b>   | <b>\$ 276,515</b>  | <b>\$ (205,434)</b>               | <b>(59.5) %</b> |
| <b>Expenditures</b>                 |                      |                       |                     |                    |                                   |                 |
| Salary and Benefits                 | \$ 839,323           | \$ 181,473            | \$ 121,994          | \$ 86,675          | \$ 59,479                         | 32.8 %          |
| Services and Charges                | 245,000              | 61,250                | 43                  | 28,301             | 61,207                            | 99.9 %          |
| Capital Outlay                      | 14,394,369           | 1,702,985             | 374,996             | 230,856            | 1,327,990                         | 78.0 %          |
| Interfund Payments for Services     | 74,550               | 18,638                | 18,639              | 17,787             | (2)                               | (0.0) %         |
| Debt Service Principal and Interest | 217,862              | 0                     | 0                   | 0                  | 0                                 | N/A %           |
| <b>Total Expenditures</b>           | <b>\$ 15,771,104</b> | <b>\$ 1,964,345</b>   | <b>\$ 515,671</b>   | <b>\$ 363,619</b>  | <b>\$ 1,448,675</b>               | <b>73.7 %</b>   |
| <b>Net Change in Fund Balance</b>   | <b>\$ (900,780)</b>  | <b>\$ (1,618,904)</b> | <b>\$ (375,663)</b> | <b>\$ (87,104)</b> | <b>\$ 1,243,241</b>               | <b>(76.8) %</b> |

|                                           |              |
|-------------------------------------------|--------------|
| Estimated Beg. Fund Balance, January 2016 | \$ 2,576,529 |
| Net Change in Fund Balance, January 2016  | (375,663)    |
| Ending Fund Balance, March 2016           | \$ 2,200,866 |
| 2016 Budgeted Ending Fund Balance         | \$ 1,675,749 |





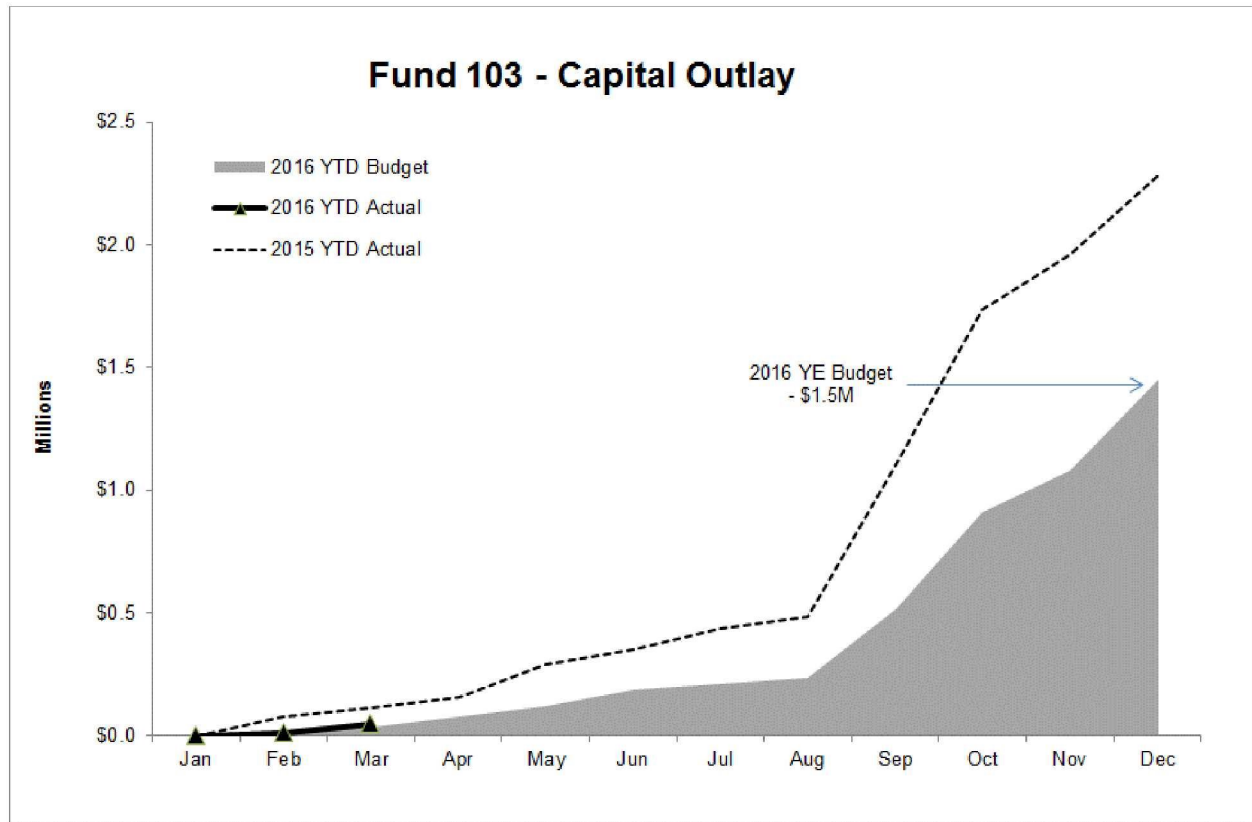
**Fund 103 – Local Street Fund**

The Local Street Fund is a Special Revenue Fund where the revenue from sales taxes on construction are used for local street repairs. Through March 2016 the revenues in this fund exceeded budget expectations by \$135,000, or 25.0%, due to higher than anticipated sales tax revenues from local construction projects. Expenditures through March totaled \$83,000 and compares to year to date budget of \$80,000. Projects within this fund include Pavement Patching and Overlay as well as Local Street Pavement Reconstruction Projects.

| Fund 103 - Local Street Fund<br>Summary of Sources and Uses<br>Report Period: March 2016 | 2016                |                   |                   | 2015              | 2016 YTD Budget vs. Actual |                |
|------------------------------------------------------------------------------------------|---------------------|-------------------|-------------------|-------------------|----------------------------|----------------|
|                                                                                          | Annual Budget       | YTD Budget        | YTD Actual        | YTD Actual        | Favorable (Unfavorable)    |                |
|                                                                                          |                     |                   |                   |                   | Amount                     | Percentage     |
| <b>Revenues</b>                                                                          |                     |                   |                   |                   |                            |                |
| Sales Tax on Construction                                                                | \$ 1,610,000        | \$ 390,500        | \$ 524,200        | \$ 518,935        | \$ 133,700                 | 34.2 %         |
| Operating Transfer In                                                                    | 150,000             | 150,000           | 150,000           | 150,000           | 0                          | 0.0 %          |
| Interest Earnings                                                                        | 2,500               | 625               | 2,377             | 813               | 1,752                      | 280.4 %        |
| <b>Total Revenues</b>                                                                    | <b>\$ 1,762,500</b> | <b>\$ 541,125</b> | <b>\$ 676,577</b> | <b>\$ 669,748</b> | <b>\$ 135,452</b>          | <b>25.0 %</b>  |
| <b>Expenditures</b>                                                                      |                     |                   |                   |                   |                            |                |
| Salary and Benefits                                                                      | \$ 175,090          | \$ 43,772         | \$ 30,654         | \$ 28,356         | \$ 13,119                  | 30.0 %         |
| Services and Charges                                                                     | 300                 | 75                | 167               | 105               | (92)                       | (122.5) %      |
| Capital Outlay                                                                           | 1,452,423           | 33,310            | 49,302            | 112,569           | (15,992)                   | (48.0) %       |
| Interfund Payments for Services                                                          | 12,240              | 3,060             | 3,060             | 3,120             | 0                          | 0.0 %          |
| Operating Transfer Out                                                                   | 0                   | 0                 | 0                 | 0                 | 0                          | N/A %          |
| <b>Total Expenditures</b>                                                                | <b>\$ 1,640,053</b> | <b>\$ 80,217</b>  | <b>\$ 83,183</b>  | <b>\$ 144,149</b> | <b>\$ (2,966)</b>          | <b>(3.7) %</b> |
| <b>Net Change in Fund Balance</b>                                                        | <b>\$ 122,447</b>   | <b>\$ 460,908</b> | <b>\$ 593,394</b> | <b>\$ 525,599</b> | <b>\$ 132,487</b>          | <b>28.7 %</b>  |

|                                           |              |
|-------------------------------------------|--------------|
| Estimated Beg. Fund Balance, January 2016 | \$ 2,080,691 |
| Net Change in Fund Balance, March 2016    | 593,394      |
| Ending Fund Balance, March 2016           | \$ 2,674,085 |

|                                   |              |
|-----------------------------------|--------------|
| 2016 Budgeted Ending Fund Balance | \$ 2,203,138 |
|-----------------------------------|--------------|

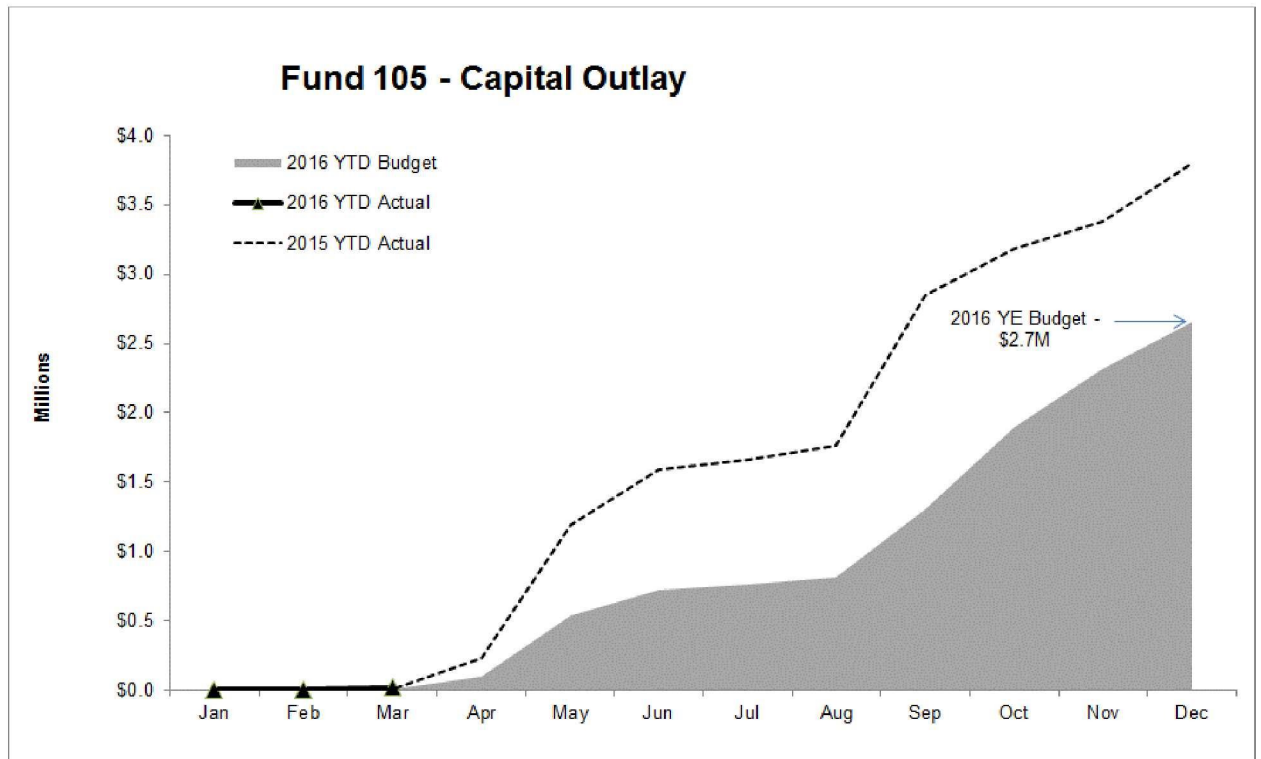


**Fund 105 – Arterial Street Preservation Fund**

The Arterial Street Preservation Fund is a Special Revenue Fund which is primarily funded by a 1.0% utility tax that was adopted by Council in 2008. These utility tax revenues are restricted for arterial street repair and preservation projects. Some projects budgeted within the Arterial Street Preservation Fund in 2016 include Pavement Patching and Overlay, the Annual Arterial and Collector Crack Seal Project, the Auburn Way North Preservation Project and the B Street NW Reconstruction Project. Through March 2016 revenues totaled \$511,000 and compares to budget of \$504,000. Expenditures through March totaled \$95,000.

| Fund 105 - Arterial St. Presv.<br>Summary of Sources and Uses<br>Report Period: March 2016 | 2016                |                   |                   | 2015              | 2016 YTD Budget vs. Actual |                  |
|--------------------------------------------------------------------------------------------|---------------------|-------------------|-------------------|-------------------|----------------------------|------------------|
|                                                                                            | Annual Budget       | YTD Budget        | YTD Actual        | YTD Actual        | Favorable (Unfavorable)    |                  |
|                                                                                            |                     |                   |                   |                   | Amount                     | Percentage       |
| <b>Revenues</b>                                                                            |                     |                   |                   |                   |                            |                  |
| City Utility Tax                                                                           | \$ 589,000          | \$ 137,300        | \$ 144,172        | \$ 138,476        | \$ 6,872                   | 5.0 %            |
| Electric Utility Tax                                                                       | 660,500             | 163,600           | 177,693           | 155,554           | 14,093                     | 8.6 %            |
| Natural Gas Utility Tax                                                                    | 170,400             | 45,800            | 51,553            | 52,724            | 5,753                      | 12.6 %           |
| Cable TV Tax                                                                               | 181,300             | 44,900            | 49,558            | 45,741            | 4,658                      | 10.4 %           |
| Telephone Utility Tax                                                                      | 364,000             | 107,800           | 81,019            | 95,266            | (26,781)                   | (24.8) %         |
| Garbage Utility Tax (External Haulers)                                                     | 17,700              | 4,425             | 5,090             | 4,518             | 665                        | 15.0 %           |
| Grants                                                                                     | 1,052,900           | 115               | 0                 | 0                 | (115)                      | (100.0) %        |
| Developer Mitigation Fees                                                                  | 0                   | 0                 | 0                 | 0                 | 0                          | N/A              |
| Interest Earnings                                                                          | 1,500               | 375               | 1,772             | 1,063             | 1,397                      | 372.5 %          |
| <b>Total Revenues</b>                                                                      | <b>\$3,037,300</b>  | <b>\$ 504,315</b> | <b>\$ 510,856</b> | <b>\$ 493,343</b> | <b>\$ 6,541</b>            | <b>1.3 %</b>     |
| <b>Expenditures</b>                                                                        |                     |                   |                   |                   |                            |                  |
| Salary and Benefits                                                                        | \$ 124,095          | \$ 31,024         | \$ 75,935         | \$ 19,787         | \$ (44,911)                | (144.8) %        |
| Services and Charges                                                                       | 150,000             | 0                 | 0                 | 0                 | 0                          | N/A              |
| Capital Outlay                                                                             | 2,650,336           | 290               | 18,872            | 641               | (18,582)                   | (6415.1) %       |
| Operating Transfer Out                                                                     | 401,750             | 0                 | 0                 | 0                 | 0                          | N/A              |
| <b>Total Expenditures</b>                                                                  | <b>\$ 3,326,181</b> | <b>\$ 31,314</b>  | <b>\$ 94,807</b>  | <b>\$ 20,428</b>  | <b>\$ (63,493)</b>         | <b>(202.8) %</b> |
| <b>Net Change in Fund Balance</b>                                                          | <b>\$ (288,881)</b> | <b>\$ 473,002</b> | <b>\$ 416,049</b> | <b>\$ 472,916</b> | <b>\$ (56,952)</b>         | <b>(12.0) %</b>  |

|                                           |              |
|-------------------------------------------|--------------|
| Estimated Beg. Fund Balance, January 2016 | \$ 1,943,864 |
| Net Change in Fund Balance, March 2016    | 416,049      |
| Ending Fund Balance, March 2016           | \$ 2,359,914 |
| 2016 Budgeted Ending Fund Balance         | \$ 1,654,983 |



**Fund 124 – Mitigation Fees**

The Mitigation Fees Fund is a Special Revenue Fund funded from revenue from new development, which is assessed at the time applications are received for development activity. These funds are used to mitigate costs associated with City growth. In 2015, the revenues in this fund exceeded budget expectations by \$761,000, or 54.6%, due to higher than expected parks and fire impact fees and parks mitigation fees. Expenditures in 2015 were under budget by \$2.7 million, or 68.4%, due to delays in construction projects.

| <b>Fund 124 - Mitigation Fees<br/>Summary of Sources and Uses</b> | <b>YTD ACTUALS</b> |                     |                                | <b>BUDGET</b>     |                     |                                |
|-------------------------------------------------------------------|--------------------|---------------------|--------------------------------|-------------------|---------------------|--------------------------------|
| <b>Report Period Through:<br/>March 2016</b>                      | <b>Revenues</b>    | <b>Expenditures</b> | <b>Ending<br/>Fund Balance</b> | <b>Revenues</b>   | <b>Expenditures</b> | <b>Ending<br/>Fund Balance</b> |
| Transportation Impact Fees                                        | \$ 110,962         | \$ -                | \$ 3,793,047                   | \$ 800,000        | \$ 1,691,137        | \$ 2,748,528                   |
| Transportation Mitigation Fees                                    | -                  | -                   | 257,710                        | -                 | 50,000              | 207,710                        |
| Fire Impact Fees                                                  | 9,574              | -                   | 323,794                        | 100,000           | 50,000              | 364,220                        |
| Fire Mitigation Fees                                              | -                  | -                   | 82                             | -                 | -                   | 82                             |
| Parks Impact Fees                                                 | 60,598             | -                   | 1,183,811                      | 75,000            | 285,000             | 913,213                        |
| Parks Mitigation Fees                                             | -                  | -                   | 330,319                        | -                 | -                   | 330,319                        |
| School Impact Admin Fees                                          | 1,716              | -                   | 79,831                         | 15,000            | -                   | 93,115                         |
| Wetland Mitigation Fees                                           | -                  | -                   | 68,626                         | -                 | -                   | 68,626                         |
| Investment Income                                                 | 5,742              | -                   | 5,742                          | 4,890             | -                   | 4,890                          |
| <b>Total</b>                                                      | <b>\$ 188,592</b>  | <b>\$ -</b>         | <b>\$ 6,042,962</b>            | <b>\$ 994,890</b> | <b>\$ 2,076,137</b> | <b>\$ 4,730,703</b>            |

|                                         |              |
|-----------------------------------------|--------------|
| Beginning Fund Balance, January 1, 2016 | \$ 5,854,369 |
| Net Change in Fund Balance, March 2016  | 188,592      |
| Ending Fund Balance, March 2016         | \$ 6,042,962 |
| 2016 Budgeted Ending Fund Balance       | \$ 4,730,703 |



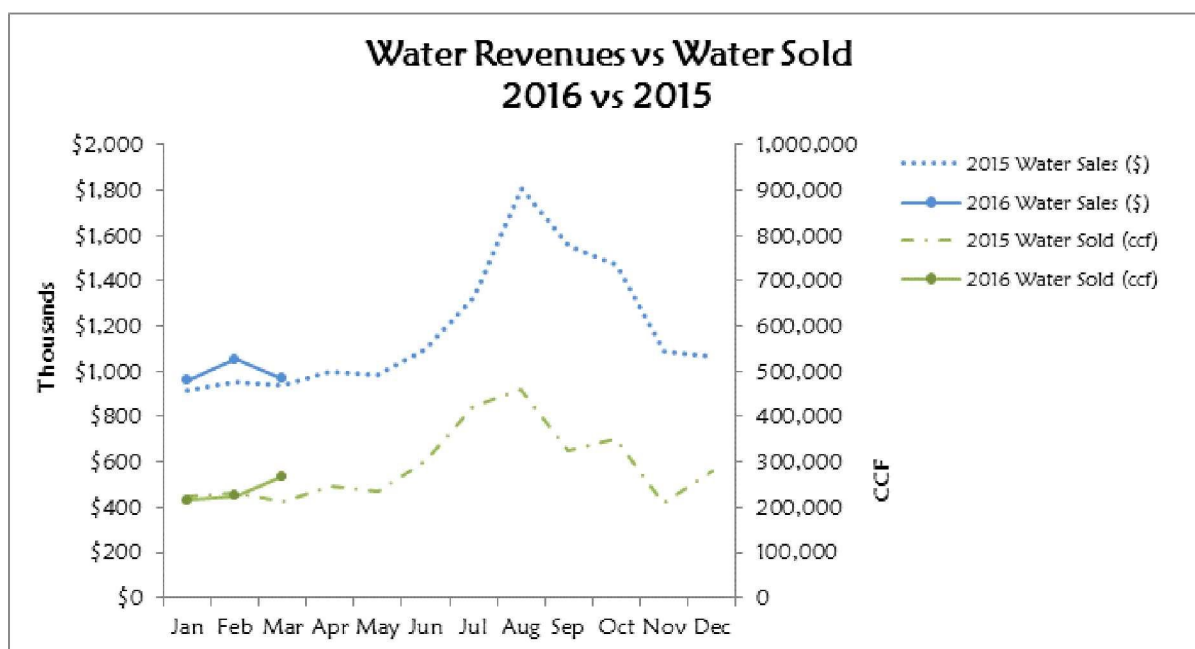
## Proprietary Funds

Detailed income and expense statements for Enterprise and Internal Service funds can be found in the Appendices at the end of this report. The format has changed and in lieu of a working capital statement there are now operating and capital fund reports for most of these funds. The operating fund houses all the operating costs along with debt service and financing obligations. The capital fund shows costs associated with capital acquisition and construction. Both the operating fund and the capital fund have a working capital balance. This method will isolate those funds available for capital and cash flow needs for daily operations. Project managers will know exactly how much working capital is available for current and planned projects.

Additionally, there is a new presentation for each fund showing budget, actual and variance.

The next budget amendment will move the working capital from the operating funds to the capital funds along with all the other beginning fund balance adjustments.

At the end of the first quarter, the **Water Utility** had operating income of \$738,000. Water sales in Q1-2016 totaled 709,000 hundred cubic feet (ccf), compared to 669,000 ccf during the same period in 2015, representing a 6% increase. . This revenue trails YTD because it is skewed due to timing of demand. August through October are the high revenue months.



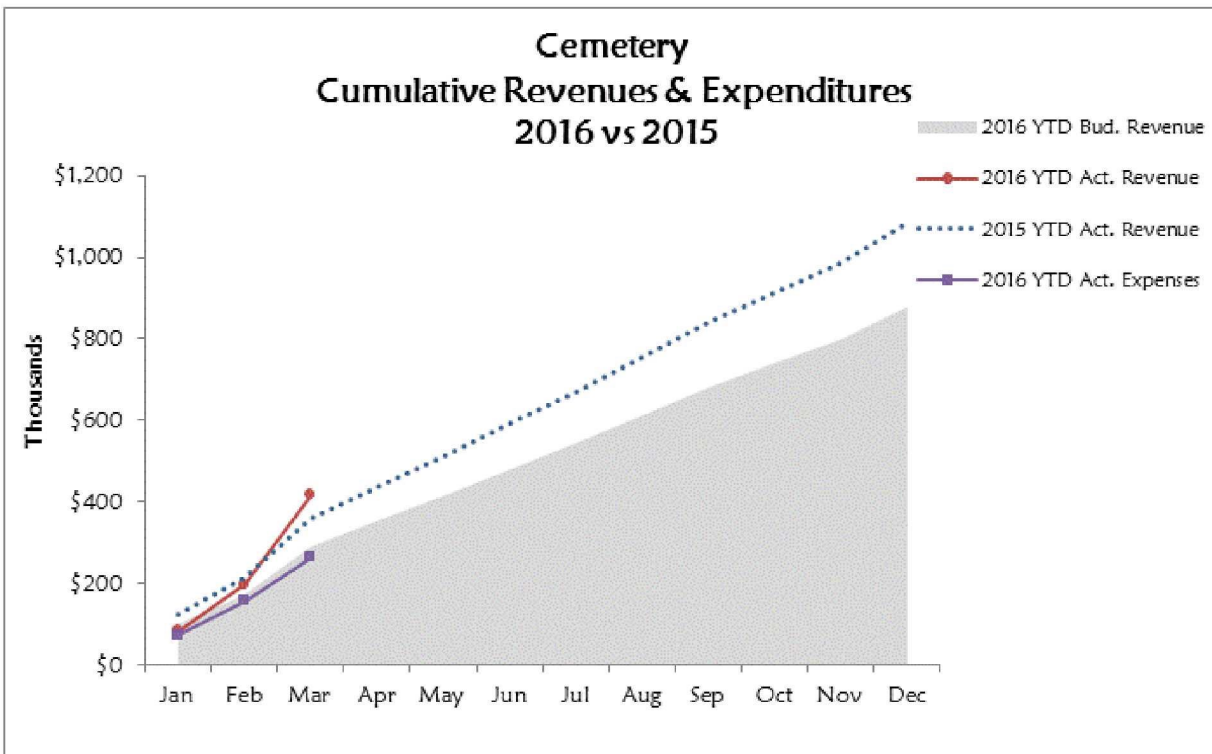
The **Sewer Utility** ended the quarter with operating income of \$638,000 and is at 26.6% of the annual budget. The **Sewer-Metro Utility** ended the quarter with net operating loss of \$40,000. We expect to see a loss in the first quarter. The payment to Metro is based on a rolling 4 quarter average which is comprised of summer use and activity. The revenues in the first quarter of the year are comprised of winter use and activity.

The **Stormwater Utility** ended Q1-2016 with \$713,000 in operating income.



The **Cemetery Fund** ended the first quarter with operating income of \$155,000 as compared with \$123,000 for the same period in 2015. Operating revenues totaled \$418,000, compared to \$358,000 in 2015, representing an increase of 16.8%. Significant revenue increases from 2015 were seen in Openings and Closings (\$10,000, or 18%), Lot Sales (\$11,000, or 6%), and Markers (\$27,000, or 47%).

Operating expenditures totaled 264,000 in Q1-2016, compared to 235,673 in the same period last year. Salary and benefit costs increased by 13.8%, partly due to increased costs associated with healthcare and pension expenses, as well as a new Office Assistant position authorized by Budget Amendment #4.



### Internal Service Funds

Operating expenditures within the **Insurance Fund** represent the premium cost pool that will be allocated monthly to other City funds over the course of 2016. As a result, this balance will gradually diminish each month throughout the year.

No significant variances are reported in the **Worker's Compensation, Facilities, Innovation & Technology, or Equipment Rental Funds**. The apparent operating loss in Innovation & Technology stems in part from an upfront purchase of software upgrades, and from expenditures later recoded to the Innovation & Technology Capital Projects fund. This is anticipated to balance later in the year.

### Contact Information

This report is prepared by the Finance Department. Additional financial information can also be viewed at our website: <http://www.auburnwa.gov/>. For any questions about this report please contact Shelley Coleman at [scoleman@auburnwa.gov](mailto:scoleman@auburnwa.gov).

**City of Auburn  
Investment Portfolio Summary  
March 31, 2016**

| Investment Type          | Purchase Date | Purchase Price        | Maturity Date | Yield to Maturity |
|--------------------------|---------------|-----------------------|---------------|-------------------|
| State Investment Pool    | Various       | \$ 102,270,184        | Various       | 0.45%             |
| KeyBank Money Market     | Various       | 11,155,588            | Various       | 0.00%             |
| US Treasury              | 05/04/1990    | 57,750                | 05/15/2016    | 5.72%             |
| FNMA                     | 3/11/2016     | 998,844               | 2/22/2019     | 1.20%             |
| LAKUTL                   | 9/25/2013     | 235,919               | 11/1/2017     | 1.90%             |
| Total Cash & Investments |               | <b>\$ 114,718,286</b> |               | <b>0.417%</b>     |

| Investment Mix        | % of Total    | Summary                       |       |
|-----------------------|---------------|-------------------------------|-------|
| State Investment Pool | 89.1%         | Current 6-month treasury rate | 0.47% |
| KeyBank Money Market  | 9.7%          | Current State Pool rate       | 0.45% |
| US Treasury           | 0.1%          | KeyBank Money Market          | 0.00% |
| FNMA                  | 0.9%          |                               |       |
| LAKUTL                | 0.2%          |                               |       |
|                       | <b>100.0%</b> |                               |       |



SALES TAX SUMMARY

MARCH 2016 SALES TAX DISTRIBUTIONS (FOR JANUARY 2016 RETAIL ACTIVITY)

| NAICS | CONSTRUCTION                      | 2015 Annual Total<br>(Nov '14-Oct '15) | 2015 YTD<br>(Nov '14-Jan '15) | 2016 YTD<br>(Nov '15-Jan '16) | YTD<br>% Diff |
|-------|-----------------------------------|----------------------------------------|-------------------------------|-------------------------------|---------------|
| 236   | Construction of Buildings         | 1,229,166                              | 315,254                       | 254,528                       | -19.3%        |
| 237   | Heavy and Civil Construction      | 252,280                                | 37,474                        | 64,485                        | 72.1%         |
| 238   | Specialty Trade Contractors       | 815,416                                | 166,208                       | 205,186                       | 23.5%         |
|       | TOTAL CONSTRUCTION                | 2,296,863                              | 518,935                       | 524,200                       | 1.0%          |
|       | Overall Change from Previous Year |                                        |                               | 5,265                         |               |

| NAICS | MANUFACTURING                     | 2015 Annual Total<br>(Nov '14-Oct '15) | 2015 YTD<br>(Nov '14-Jan '15) | 2016 YTD<br>(Nov '15-Jan '16) | YTD<br>% Diff |
|-------|-----------------------------------|----------------------------------------|-------------------------------|-------------------------------|---------------|
| 311   | Food Manufacturing                | 3,973                                  | 744                           | 944                           | 27.0%         |
| 312   | Beverage and Tobacco Products     | 9,323                                  | 2,586                         | 2,590                         | 0.1%          |
| 313   | Textile Mills                     | 372                                    | 57                            | 126                           | 122.7%        |
| 314   | Textile Product Mills             | 3,039                                  | 831                           | 948                           | 14.0%         |
| 315   | Apparel Manufacturing             | 116                                    | 74                            | 132                           | 79.0%         |
| 316   | Leather and Allied Products       | 8                                      | -1                            | 2                             | -314.3%       |
| 321   | Wood Product Manufacturing        | 65,039                                 | 15,004                        | 16,836                        | 12.2%         |
| 322   | Paper Manufacturing               | 7,762                                  | 1,771                         | 2,050                         | 15.8%         |
| 323   | Printing and Related Support      | 59,750                                 | 15,187                        | 11,340                        | -25.3%        |
| 324   | Petroleum and Coal Products       | 5,394                                  | 1,253                         | 1,042                         | -16.9%        |
| 325   | Chemical Manufacturing            | 5,508                                  | 1,423                         | 1,912                         | 34.4%         |
| 326   | Plastics and Rubber Products      | 9,081                                  | 2,636                         | 2,068                         | -21.5%        |
| 327   | Nonmetallic Mineral Products      | 14,514                                 | -45                           | 3,064                         | -6904.9%      |
| 331   | Primary Metal Manufacturing       | 1,692                                  | 1,240                         | 181                           | -85.4%        |
| 332   | Fabricated Metal Product Manuf    | 37,819                                 | 7,369                         | 9,520                         | 29.2%         |
| 333   | Machinery Manufacturing           | 21,693                                 | 7,115                         | 4,480                         | -37.0%        |
| 334   | Computer and Electronic Product   | 8,388                                  | 1,760                         | 2,435                         | 38.3%         |
| 335   | Electric Equipment, Appliances    | 827                                    | 391                           | 177                           | -54.8%        |
| 336   | Transportation Equipment Man      | 536,513                                | 132,009                       | 132,003                       | 0.0%          |
| 337   | Furniture and Related Products    | 20,389                                 | 3,723                         | 3,765                         | 1.1%          |
| 339   | Miscellaneous Manufacturing       | 50,358                                 | 11,195                        | 15,101                        | 34.9%         |
|       | TOTAL MANUFACTURING               | 861,555                                | 206,323                       | 210,717                       | 2.7%          |
|       | Overall Change from Previous Year |                                        |                               | 4,394                         |               |

| NAICS | TRANSPORTATION AND WAREHOUSING    | 2015 Annual Total<br>(Nov '14-Oct '15) | 2015 YTD<br>(Nov '14-Jan '15) | 2016 YTD<br>(Nov '15-Jan '16) | YTD<br>% Diff |
|-------|-----------------------------------|----------------------------------------|-------------------------------|-------------------------------|---------------|
| 481   | Air Transportation                | 0                                      | 0                             | 0                             | N/A           |
| 482   | Rail Transportation               | 10,457                                 | 3,186                         | 2,808                         | -11.9%        |
| 484   | Truck Transportation              | 7,590                                  | 2,375                         | 1,175                         | -50.5%        |
| 485   | Transit and Ground Passengers     | 209                                    | 125                           | 0                             | -100.0%       |
| 488   | Transportation Support            | 36,669                                 | 7,322                         | 15,369                        | 109.9%        |
| 491   | Postal Service                    | 259                                    | 81                            | 78                            | -3.3%         |
| 492   | Couriers and Messengers           | 1                                      | 1                             | 189                           | 15902.5%      |
| 493   | Warehousing and Storage           | 10,487                                 | 3,071                         | 3,638                         | 18.5%         |
|       | TOTAL TRANSPORTATION              | 65,671                                 | 16,160                        | 23,257                        | 43.9%         |
|       | Overall Change from Previous Year |                                        |                               | 7,096                         |               |

| NAICS | WHOLESALE TRADE                   | 2015 Annual Total<br>(Nov '14-Oct '15) | 2015 YTD<br>(Nov '14-Jan '15) | 2016 YTD<br>(Nov '15-Jan '16) | YTD<br>% Diff |
|-------|-----------------------------------|----------------------------------------|-------------------------------|-------------------------------|---------------|
| 423   | Wholesale Trade, Durable Goods    | 1,010,730                              | 240,503                       | 232,215                       | -3.4%         |
| 424   | Wholesale Trade, Nondurable       | 216,303                                | 44,988                        | 62,561                        | 39.1%         |
| 425   | Wholesale Electronic Markets      | 1,885                                  | 488                           | 518                           | 6.2%          |
|       | TOTAL WHOLESALE                   | 1,228,919                              | 285,979                       | 295,294                       | 3.3%          |
|       | Overall Change from Previous Year |                                        |                               | 9,315                         |               |

| NAICS | AUTOMOTIVE                        | 2015 Annual Total<br>(Nov '14-Oct '15) | 2015 YTD<br>(Nov '14-Jan '15) | 2016 YTD<br>(Nov '15-Jan '16) | YTD<br>% Diff |
|-------|-----------------------------------|----------------------------------------|-------------------------------|-------------------------------|---------------|
| 441   | Motor Vehicle and Parts Dealer    | 3,465,199                              | 801,585                       | 800,571                       | -0.1%         |
| 447   | Gasoline Stations                 | 241,336                                | 57,796                        | 61,796                        | 6.9%          |
|       | TOTAL AUTOMOTIVE                  | 3,706,535                              | 859,381                       | 862,367                       | 0.3%          |
|       | Overall Change from Previous Year |                                        |                               | 2,986                         |               |

| NAICS | RETAIL TRADE                      | 2015 Annual Total<br>(Nov '14-Oct '15) | 2015 YTD<br>(Nov '14-Jan '15) | 2016 YTD<br>(Nov '15-Jan '16) | YTD<br>% Diff |
|-------|-----------------------------------|----------------------------------------|-------------------------------|-------------------------------|---------------|
| 442   | Furniture and Home Furnishings    | 253,871                                | 67,674                        | 58,698                        | -13.3%        |
| 443   | Electronics and Appliances        | 295,127                                | 63,945                        | 71,643                        | 12.0%         |
| 444   | Building Material and Garden      | 589,676                                | 119,230                       | 125,630                       | 5.4%          |
| 445   | Food and Beverage Stores          | 368,411                                | 88,168                        | 99,528                        | 12.9%         |
| 446   | Health and Personal Care Store    | 220,603                                | 60,307                        | 64,867                        | 7.6%          |
| 448   | Clothing and Accessories          | 1,079,933                              | 300,270                       | 319,460                       | 6.4%          |
| 451   | Sporting Goods, Hobby, Books      | 220,168                                | 64,815                        | 70,314                        | 8.5%          |
| 452   | General Merchandise Stores        | 988,004                                | 303,638                       | 307,442                       | 1.3%          |
| 453   | Miscellaneous Store Retailers     | 578,836                                | 188,794                       | 128,464                       | -32.0%        |
| 454   | Nonstore Retailers                | 394,268                                | 107,343                       | 87,438                        | -18.5%        |
|       | TOTAL RETAIL TRADE                | 4,988,898                              | 1,364,184                     | 1,333,483                     | -2.3%         |
|       | Overall Change from Previous Year |                                        |                               | -30,707                       |               |

| NAICS | SERVICES                          | 2015 Annual Total<br>(Nov '14-Oct '15) | 2015 YTD<br>(Nov '14-Jan '15) | 2016 YTD<br>(Nov '15-Jan '16) | YTD<br>% Diff |
|-------|-----------------------------------|----------------------------------------|-------------------------------|-------------------------------|---------------|
| 51*   | Information                       | 526,003                                | 132,647                       | 148,482                       | 11.9%         |
| 52*   | Finance and Insurance             | 95,471                                 | 22,742                        | 26,939                        | 18.5%         |
| 53*   | Real Estate, Rental, Leasing      | 334,095                                | 82,847                        | 93,076                        | 12.3%         |
| 541   | Professional, Scientific, Tech    | 195,478                                | 53,353                        | 55,467                        | 4.0%          |
| 551   | Company Management                | 9,230                                  | 9,211                         | 13                            | -99.9%        |
| 56*   | Admin. Supp., Remed Svcs          | 373,781                                | 81,475                        | 91,459                        | 12.3%         |
| 611   | Educational Services              | 60,189                                 | 11,671                        | 11,288                        | -3.3%         |
| 62*   | Health Care Social Assistance     | 81,684                                 | 32,128                        | 26,280                        | -18.2%        |
| 71*   | Arts and Entertainment            | 207,717                                | 64,702                        | 73,901                        | 14.2%         |
| 72*   | Accommodation and Food Svcs       | 1,159,033                              | 270,630                       | 279,056                       | 3.1%          |
| 81*   | Other Services                    | 475,505                                | 114,493                       | 126,680                       | 10.6%         |
| 92*   | Public Administration             | 127,364                                | 29,174                        | 40,548                        | 39.0%         |
|       | TOTAL SERVICES                    | 3,645,551                              | 905,073                       | 973,192                       | 7.5%          |
|       | Overall Change from Previous Year |                                        |                               | 68,119                        |               |

| NAICS   | MISCELLANEOUS                     | 2015 Annual Total<br>(Nov '14-Oct '15) | 2015 YTD<br>(Nov '14-Jan '15) | 2016 YTD<br>(Nov '15-Jan '16) | YTD<br>% Diff |
|---------|-----------------------------------|----------------------------------------|-------------------------------|-------------------------------|---------------|
| 000     | Unknown                           | 0                                      | 0                             | 0                             | N/A           |
| 111-115 | Agriculture, Forestry, Fishing    | 4,510                                  | 1,260                         | 1,552                         | 23.1%         |
| 211-221 | Mining & Utilities                | 27,456                                 | 4,086                         | 6,222                         | 52.3%         |
| 999     | Unclassifiable Establishments     | 39,581                                 | 18,011                        | 17,558                        | -2.5%         |
|         | TOTAL SERVICES                    | 71,548                                 | 23,358                        | 25,331                        | 8.4%          |
|         | Overall Change from Previous Year |                                        |                               | 1,974                         |               |

|                                   |            |           |           |      |
|-----------------------------------|------------|-----------|-----------|------|
| GRAND TOTAL                       | 16,865,540 | 4,179,393 | 4,247,841 |      |
| Overall Change from Previous Year |            |           | 68,448    | 1.6% |

Includes Adjustments in excess of +/- \$10,000.

- a. WA State Dept of Revenue audit adjustment to sales tax returns for period February 2015 (adjustment: \$11,845).  
b. WA State Dept of Revenue audit adjustment to sales tax returns for period March 2015 (adjustment: -\$17,839).  
c. WA State Dept of Revenue audit adjustment to sales tax returns for period April 2015 (adjustment: -\$43,875).  
d. WA State Dept of Revenue audit adjustment to sales tax returns for period November 2015 (adjustment: \$10,572).



| OPERATING & CAPITAL FUNDS<br>through March 2016 | ENTERPRISE FUNDS |               |              |             |               |             |             |               |              |             |               |             |
|-------------------------------------------------|------------------|---------------|--------------|-------------|---------------|-------------|-------------|---------------|--------------|-------------|---------------|-------------|
|                                                 | WATER            |               |              | SEWER       |               |             | SEWER METRO |               |              | STORM       |               |             |
|                                                 | Budget           | YTD<br>Actual | Variance     | Budget      | YTD<br>Actual | Variance    | Budget      | YTD<br>Actual | Variance     | Budget      | YTD<br>Actual | Variance    |
| OPERATING FUND:                                 |                  |               |              |             |               |             |             |               |              |             |               |             |
| OPERATING REVENUES                              |                  |               |              |             |               |             |             |               |              |             |               |             |
| Charges For Service                             | 13,698,782       | 2,981,935     | (10,716,847) | 7,847,883   | 2,020,463     | (5,827,420) | 16,332,687  | 4,038,333     | (12,294,354) | 9,151,487   | 2,361,451     | (6,790,036) |
| Grants                                          | -                | -             | -            | -           | -             | -           | -           | -             | -            | 50,000      | -             | (50,000)    |
| Interest Earnings                               | 7,735            | 10,342        | 2,607        | 10,697      | 12,778        | 2,081       | 700         | 1,583         | 883          | 13,865      | 13,768        | (97)        |
| Operating Transfers                             | -                | -             | -            | -           | -             | -           | -           | -             | -            | -           | -             | -           |
| Rents, Leases, Concessions, & Other             | 206,854          | 34,355        | (172,499)    | 70,128      | 76,554        | 6,426       | -           | -             | -            | 58,674      | 39,034        | (19,640)    |
| TOTAL OPERATING REVENUES                        | 13,913,371       | 3,026,632     | (10,886,739) | 7,928,708   | 2,109,795     | (5,818,913) | 16,333,387  | 4,039,916     | (12,293,471) | 9,274,026   | 2,414,253     | (6,859,773) |
| OPERATING EXPENSES                              |                  |               |              |             |               |             |             |               |              |             |               |             |
| Salaries & Wages                                | 2,587,276        | 633,113       | 1,954,163    | 1,758,478   | 415,494       | 1,342,985   | -           | -             | -            | 2,397,119   | 629,542       | 1,767,577   |
| Benefits                                        | 1,306,045        | 295,233       | 1,010,811    | 912,872     | 194,440       | 718,433     | -           | -             | -            | 1,282,275   | 293,591       | 988,684     |
| Supplies                                        | 321,994          | 55,185        | 266,809      | 130,500     | 13,964        | 116,536     | -           | -             | -            | 94,300      | 23,733        | 70,567      |
| Other Service Charges                           | 5,185,175        | 909,049       | 4,276,126    | 2,723,275   | 557,970       | 2,165,305   | -           | -             | -            | 1,670,215   | 277,418       | 1,392,797   |
| Capital                                         | -                | 26,451        | (26,451)     | -           | (0)           | 0           | -           | -             | -            | -           | 2,771         | (2,771)     |
| Intergovernmental Services                      | 50,000           | 50,000        | -            | 70,000      | 51,285        | 18,715      | -           | -             | -            | 268,500     | 145,909       | 122,591     |
| Waste Management Payments                       | -                | -             | -            | -           | -             | -           | -           | -             | -            | -           | -             | -           |
| Sewer Metro Services                            | -                | -             | -            | -           | -             | -           | 16,317,200  | 4,080,261     | 12,236,939   | -           | -             | -           |
| Debt Service Principal                          | 1,702,563        | -             | 1,702,563    | 541,127     | -             | 541,127     | -           | -             | -            | 413,162     | -             | 413,162     |
| Debt Service Interest                           | 1,006,253        | -             | 1,006,253    | 277,082     | -             | 277,082     | -           | -             | -            | 360,525     | -             | 360,525     |
| Interfund Loan Repayment                        | -                | -             | -            | -           | -             | -           | -           | -             | -            | -           | -             | -           |
| Interfund Operating Rentals & Supplies          | 1,276,967        | 319,242       | 957,725      | 952,338     | 238,291       | 714,047     | -           | -             | -            | 1,312,518   | 328,372       | 984,146     |
| TOTAL OPERATING EXPENSES                        | 13,436,272       | 2,288,273     | 11,147,999   | 7,365,672   | 1,471,443     | 5,894,229   | 16,317,200  | 4,080,261     | 12,236,939   | 7,798,614   | 1,701,336     | 6,097,279   |
| NET INCOME BEFORE DEPRECIATION (*)              | 477,099          | 738,359       | 261,260      | 563,036     | 638,352       | 75,316      | 16,187      | (40,345)      | (56,532)     | 1,475,412   | 712,917       | (762,494)   |
| BEGINNING WORKING CAPITAL - January 1, 2016     | 4,371,774        | 7,496,770     | 3,124,997    | 7,392,467   | 12,416,930    | 5,024,464   | 2,145,237   | 2,358,518     | 213,281      | 7,358,527   | 12,988,915    | 5,630,388   |
| ENDING WORKING CAPITAL - March 31, 2016         | 4,848,873        | 8,235,129     | 3,386,256    | 7,955,502   | 13,055,282    | 5,099,780   | 2,161,424   | 2,318,173     | 156,749      | 8,833,938   | 13,701,832    | 4,867,894   |
| NET CHANGE IN WORKING CAPITAL (see Note)        | 477,099          | 738,359       | 261,260      | 563,036     | 638,352       | 75,316      | 16,187      | (40,345)      | (56,532)     | 1,475,412   | 712,917       | (762,494)   |
| CAPITAL FUND:                                   |                  |               |              |             |               |             |             |               |              |             |               |             |
| CAPITAL REVENUES                                |                  |               |              |             |               |             |             |               |              |             |               |             |
| Interest Revenue                                | 1,265            | -             | (1,265)      | 2,303       | -             | (2,303)     | -           | -             | -            | 2,135       | -             | (2,135)     |
| Contributions                                   | -                | -             | -            | -           | -             | -           | -           | -             | -            | -           | -             | -           |
| Other Non-Operating Revenue                     | -                | -             | -            | -           | -             | -           | -           | -             | -            | -           | -             | -           |
| Gain (Loss) On Sale Of Fixed Assets             | -                | -             | -            | -           | -             | -           | -           | -             | -            | -           | -             | -           |
| Increase In Contributions - System Development  | 350,000          | 12,846        | (337,154)    | 240,000     | 9,472         | (230,528)   | -           | -             | -            | 350,000     | 10,710        | (339,290)   |
| Increase In Contributions - Other               | -                | -             | -            | -           | -             | -           | -           | -             | -            | -           | -             | -           |
| Proceeds of Debt Activity                       | 3,050,000        | -             | (3,050,000)  | -           | -             | -           | -           | -             | -            | -           | -             | -           |
| Operating Transfers In                          | -                | -             | -            | -           | -             | -           | -           | -             | -            | -           | -             | -           |
| Other Sources                                   | -                | -             | -            | -           | -             | -           | -           | -             | -            | -           | -             | -           |
| TOTAL CAPITAL REVENUES                          | 3,401,265        | 12,846        | (3,388,419)  | 242,303     | 9,472         | (232,831)   | -           | -             | -            | 352,135     | 10,710        | (341,425)   |
| CAPITAL EXPENSES                                |                  |               |              |             |               |             |             |               |              |             |               |             |
| Other Non-Operating Expense                     | -                | -             | -            | -           | -             | -           | -           | -             | -            | -           | -             | -           |
| Net Change In Restricted Net Assets             | -                | -             | -            | -           | -             | -           | -           | -             | -            | -           | -             | -           |
| Increase In Fixed Assets - Salaries             | 245,725          | 62,669        | 183,056      | 230,786     | 23,378        | 207,408     | -           | -             | -            | 294,980     | 9,372         | 285,608     |
| Increase In Fixed Assets - Benefits             | 86,004           | 26,415        | 59,588       | 80,775      | 10,424        | 70,352      | -           | -             | -            | 103,243     | 3,658         | 99,585      |
| Increase In Fixed Assets - Site Improvements    | -                | 4,326         | (4,326)      | -           | -             | -           | -           | -             | -            | -           | -             | -           |
| Increase In Fixed Assets - Land                 | -                | -             | -            | -           | -             | -           | -           | -             | -            | -           | -             | -           |
| Increase In Fixed Assets - Equipment            | -                | -             | -            | -           | -             | -           | -           | -             | -            | -           | -             | -           |
| Increase In Fixed Assets - Construction         | 4,582,761        | 1,033,174     | 3,549,587    | 3,240,439   | 204,032       | 3,036,407   | -           | -             | -            | 2,452,395   | 213,146       | 2,239,249   |
| Operating Transfers Out                         | -                | -             | -            | -           | -             | -           | -           | -             | -            | -           | -             | -           |
| TOTAL CAPITAL EXPENSES                          | 4,914,490        | 1,126,584     | 3,787,906    | 3,552,000   | 237,834       | 3,314,166   | -           | -             | -            | 2,850,618   | 226,176       | 2,624,442   |
| BEGINNING WORKING CAPITAL - January 1, 2016     | 1,513,225        | -             | (1,513,225)  | 3,309,697   | -             | (3,309,697) | -           | -             | -            | 2,498,483   | -             | (2,498,483) |
| ENDING WORKING CAPITAL - March 31, 2016         | -                | (1,113,738)   | (1,113,738)  | -           | (228,362)     | (228,362)   | -           | -             | -            | -           | (215,466)     | (215,466)   |
| NET CHANGE IN WORKING CAPITAL (see Note)        | (1,513,225)      | (1,113,738)   | 399,487      | (3,309,697) | (228,362)     | 3,081,335   | -           | -             | -            | (2,498,483) | (215,466)     | 2,283,017   |
| Total Change in Working Capital                 | (1,036,126)      | (375,379)     | 660,746      | (2,746,661) | 409,990       | 3,156,651   | 16,187      | (40,345)      | (56,532)     | (1,023,071) | 497,452       | 1,520,523   |

(\*) Depreciation 2,726,100 760,242 2,104,200 552,740 - - 1,688,400 498,584

Note: Working Capital = Current Assets minus Current Liabilities 

Beginning balances will be posted as part of BA#6.

| OPERATING & CAPITAL FUNDS<br>through March 2016 | ENTERPRISE FUNDS |               |              |           |               |           |           |               |           | INTERNAL SERVICE FUNDS |               |           |
|-------------------------------------------------|------------------|---------------|--------------|-----------|---------------|-----------|-----------|---------------|-----------|------------------------|---------------|-----------|
|                                                 | SOLID WASTE      |               |              | AIRPORT   |               |           | CEMETERY  |               |           | INSURANCE              |               |           |
|                                                 | Budget           | YTD<br>Actual | Variance     | Budget    | YTD<br>Actual | Variance  | Budget    | YTD<br>Actual | Variance  | Budget                 | YTD<br>Actual | Variance  |
| OPERATING FUND:                                 |                  |               |              |           |               |           |           |               |           |                        |               |           |
| OPERATING REVENUES                              |                  |               |              |           |               |           |           |               |           |                        |               |           |
| Charges For Service                             | 13,317,100       | 3,381,450     | (9,935,650)  | 747,400   | 199,742       | (547,658) | 878,000   | 417,876       | (460,124) | -                      | -             | -         |
| Grants                                          | 109,000          | -             | (109,000)    | (199,500) | -             | 199,500   | -         | -             | -         | -                      | -             | -         |
| Interest Earnings                               | 1,300            | 3,145         | 1,845        | 969       | 771           | (198)     | 300       | 463           | 163       | 1,000                  | 638           | (362)     |
| Operating Transfers                             | -                | -             | -            | -         | -             | -         | 300,000   | -             | -         | -                      | -             | -         |
| Rents, Leases, Concessions, & Other             | -                | -             | -            | 500       | 2,826         | 2,326     | -         | 20            | 20        | -                      | -             | -         |
| TOTAL OPERATING REVENUES                        | 13,427,400       | 3,384,595     | (10,042,805) | 549,369   | 203,339       | (346,030) | 1,178,300 | 418,359       | (459,941) | 1,000                  | 638           | (362)     |
| OPERATING EXPENSES                              |                  |               |              |           |               |           |           |               |           |                        |               |           |
| Salaries & Wages                                | 406,645          | 103,631       | 303,014      | 25,723    | 7,349         | 18,373    | 453,837   | 107,496       | 346,341   | -                      | -             | -         |
| Benefits                                        | 206,181          | 46,575        | 159,605      | 10,496    | 2,394         | 8,102     | 258,783   | 60,186        | 198,596   | 215,000                | 41,941        | 173,059   |
| Supplies                                        | 34,200           | 767           | 33,433       | 2,000     | -             | 2,000     | 191,300   | 58,703        | 132,597   | -                      | -             | -         |
| Other Service Charges                           | 1,217,775        | 266,037       | 951,738      | 463,050   | 139,617       | 323,433   | 151,700   | 24,768        | 126,932   | 3,900                  | 751,567       | (747,667) |
| Capital                                         | -                | -             | -            | -         | -             | -         | -         | -             | -         | -                      | -             | -         |
| Intergovernmental Services                      | 420,600          | -             | 420,600      | -         | -             | -         | -         | -             | -         | -                      | -             | -         |
| Waste Management Payments                       | 10,645,300       | 1,716,053     | 8,929,247    | -         | -             | -         | -         | -             | -         | -                      | -             | -         |
| Sewer Metro Services                            | -                | -             | -            | -         | -             | -         | -         | -             | -         | -                      | -             | -         |
| Debt Service Principal                          | -                | -             | -            | 150,000   | -             | 150,000   | -         | -             | -         | -                      | -             | -         |
| Debt Service Interest                           | -                | -             | -            | 35,693    | -             | 35,693    | 0         | -             | 0         | -                      | -             | -         |
| Interfund Loan Repayment                        | -                | -             | -            | 39,947    | -             | 39,947    | -         | -             | -         | -                      | -             | -         |
| Interfund Operating Rentals & Supplies          | 104,209          | 26,049        | 78,160       | -         | -             | -         | 50,740    | 12,684        | 38,056    | -                      | -             | -         |
| TOTAL OPERATING EXPENSES                        | 13,034,910       | 2,159,112     | 10,875,798   | 726,908   | 149,361       | 577,548   | 1,106,360 | 263,837       | 842,523   | 218,900                | 793,508       | (574,608) |
| NET INCOME BEFORE DEPRECIATION (*)              | 392,490          | 1,225,483     | 832,993      | (177,539) | 53,978        | 231,518   | 71,940    | 154,521       | 82,581    | (217,900)              | (792,870)     | (574,970) |
| BEGINNING WORKING CAPITAL - January 1, 2016     | 3,082,277        | 3,477,387     | 395,110      | 273,835   | 404,129       | 130,294   | 340,685   | 375,647       | 34,961    | 1,436,157              | 1,530,588     | 94,432    |
| ENDING WORKING CAPITAL - March 31, 2016         | 3,474,767        | 4,702,870     | 1,228,103    | 96,296    | 458,108       | 361,812   | 412,625   | 530,168       | 117,543   | 1,218,257              | 737,718       | (480,539) |
| NET CHANGE IN WORKING CAPITAL (see Note)        | 392,490          | 1,225,483     | 832,993      | (177,539) | 53,978        | 231,518   | 71,940    | 154,521       | 82,581    | (217,900)              | (792,870)     | (574,970) |
| CAPITAL FUND:                                   |                  |               |              |           |               |           |           |               |           |                        |               |           |
| CAPITAL REVENUES                                |                  |               |              |           |               |           |           |               |           |                        |               |           |
| Interest Revenue                                |                  |               |              | 31        | -             | (31)      | -         | -             | -         |                        |               |           |
| Contributions                                   |                  |               |              | 7,000     | -             | (7,000)   | -         | -             | -         |                        |               |           |
| Other Non-Operating Revenue                     |                  |               |              | -         | -             | -         | -         | -             | -         |                        |               |           |
| Gain (Loss) On Sale Of Fixed Assets             |                  |               |              | -         | -             | -         | -         | -             | -         |                        |               |           |
| Increase In Contributions - System Development  |                  |               |              | -         | -             | -         | -         | -             | -         |                        |               |           |
| Increase In Contributions - Other               |                  |               |              | -         | -             | -         | -         | -             | -         |                        |               |           |
| Proceeds of Debt Activity                       |                  |               |              | -         | -             | -         | -         | -             | -         |                        |               |           |
| Operating Transfers In                          |                  |               |              | -         | -             | -         | 300,000   | -             | (300,000) |                        |               |           |
| Other Sources                                   |                  |               |              | -         | -             | -         | 340,685   | -             | (340,685) |                        |               |           |
| TOTAL CAPITAL REVENUES                          |                  |               |              | 332,531   | -             | (332,531) | 640,685   | -             | (640,685) |                        |               |           |
| CAPITAL EXPENSES                                |                  |               |              |           |               |           |           |               |           |                        |               |           |
| Other Non-Operating Expense                     |                  |               |              | -         | -             | -         | -         | -             | -         |                        |               |           |
| Net Change In Restricted Net Assets             |                  |               |              | -         | -             | -         | -         | -             | -         |                        |               |           |
| Increase In Fixed Assets - Salaries             |                  |               |              | -         | -             | -         | -         | -             | -         |                        |               |           |
| Increase In Fixed Assets - Benefits             |                  |               |              | -         | -             | -         | -         | -             | -         |                        |               |           |
| Increase In Fixed Assets - Site Improvements    |                  |               |              | -         | -             | -         | -         | -             | -         |                        |               |           |
| Increase In Fixed Assets - Land                 |                  |               |              | -         | -             | -         | -         | -             | -         |                        |               |           |
| Increase In Fixed Assets - Equipment            |                  |               |              | -         | -             | -         | -         | -             | -         |                        |               |           |
| Increase In Fixed Assets - Construction         |                  |               |              | 140,000   | 78,482        | 61,518    | 0         | 14,541        | (14,541)  |                        |               |           |
| Operating Transfers Out                         |                  |               |              | -         | -             | -         | -         | -             | -         |                        |               |           |
| TOTAL CAPITAL EXPENSES                          |                  |               |              | 140,000   | 78,482        | 61,518    | 0         | 14,541        | (14,541)  |                        |               |           |
| BEGINNING WORKING CAPITAL - January 1, 2016     |                  |               |              | -         | -             | -         | -         | -             | -         |                        |               |           |
| ENDING WORKING CAPITAL - March 31, 2016         |                  |               |              | 192,531   | (78,482)      | (271,013) | 640,685   | (14,541)      | (655,226) |                        |               |           |
| NET CHANGE IN WORKING CAPITAL (see Note)        |                  |               |              | 192,531   | (78,482)      | (271,013) | 640,685   | (14,541)      | (655,226) |                        |               |           |
| Total Change in Working Capital                 | 392,490          | 1,225,483     |              | 14,992    | (24,504)      | (39,495)  | 712,625   | 139,981       | (572,644) | (217,900)              | (792,870)     | (574,970) |

(\*) Depreciation

20,000

4,705

426,100

114,066

58,300

12,598

-

-

Note: Working Capital = Current Assets  
minus Current Liabilities

Beginning balances will be posted as part of BA#6.



| OPERATING & CAPITAL FUNDS<br>through March 2016 | INTERNAL SERVICE FUNDS |               |           |            |               |             |                         |               |             |                  |               |             |
|-------------------------------------------------|------------------------|---------------|-----------|------------|---------------|-------------|-------------------------|---------------|-------------|------------------|---------------|-------------|
|                                                 | WORKER'S COMPENSATION  |               |           | FACILITIES |               |             | INNOVATION & TECHNOLOGY |               |             | EQUIPMENT RENTAL |               |             |
|                                                 | Budget                 | YTD<br>Actual | Variance  | Budget     | YTD<br>Actual | Variance    | Budget                  | YTD<br>Actual | Variance    | Budget           | YTD<br>Actual | Variance    |
| OPERATING FUND:                                 |                        |               |           |            |               |             |                         |               |             |                  |               |             |
| OPERATING REVENUES                              |                        |               |           |            |               |             |                         |               |             |                  |               |             |
| Charges For Service                             | 743,000                | 197,592       | (545,408) | 3,495,900  | 827,113       | (2,668,787) | 5,531,965               | 1,364,193     | (4,167,772) | 3,371,780        | 824,176       | (2,547,604) |
| Grants                                          | -                      | -             | -         | 100,000    | -             | (100,000)   | -                       | -             | -           | -                | -             | -           |
| Interest Earnings                               | 100                    | 756           | 656       | 2,500      | 2,540         | 40          | 3,088                   | 3,520         | 432         | 4,048            | 5,658         | 1,610       |
| Operating Transfers                             | -                      | -             | -         | -          | -             | -           | 114,000                 | -             | -           | 329,000          | -             | -           |
| Rents, Leases, Concessions, & Other             | 120,000                | 12,610        | (107,390) | -          | -             | -           | -                       | -             | -           | -                | 174           | 174         |
| TOTAL OPERATING REVENUES                        | 863,100                | 210,958       | (652,142) | 3,598,400  | 829,653       | (2,768,748) | 5,649,053               | 1,367,713     | (4,167,340) | 3,704,828        | 830,008       | (2,545,820) |
| OPERATING EXPENSES                              |                        |               |           |            |               |             |                         |               |             |                  |               |             |
| Salaries & Wages                                | 84,590                 | 17,328        | 67,263    | 686,269    | 163,744       | 522,525     | 1,711,060               | 394,852       | 1,316,208   | 593,881          | 141,620       | 452,261     |
| Benefits                                        | 367,005                | 39,033        | 327,973   | 375,421    | 86,587        | 288,834     | 767,546                 | 160,091       | 607,455     | 314,545          | 71,559        | 242,986     |
| Supplies                                        | -                      | -             | -         | 128,200    | 39,166        | 89,034      | 410,650                 | 61,916        | 348,734     | 1,341,600        | 118,682       | 1,222,918   |
| Other Service Charges                           | 402,715                | 99,768        | 302,947   | 1,884,790  | 247,119       | 1,637,671   | 2,091,575               | 873,060       | 1,218,515   | 411,500          | 56,599        | 354,901     |
| Capital                                         | -                      | -             | -         | -          | -             | -           | -                       | 86,517        | (86,517)    | -                | 319,745       | (319,745)   |
| Intergovernmental Services                      | -                      | -             | -         | 658,527    | -             | 658,527     | -                       | -             | -           | -                | -             | -           |
| Waste Management Payments                       | -                      | -             | -         | -          | -             | -           | -                       | -             | -           | -                | -             | -           |
| Sewer Metro Services                            | -                      | -             | -         | -          | -             | -           | -                       | -             | -           | -                | -             | -           |
| Debt Service Principal                          | -                      | -             | -         | -          | -             | -           | -                       | -             | -           | -                | -             | -           |
| Debt Service Interest                           | -                      | -             | -         | -          | -             | -           | -                       | -             | -           | -                | 1,368         | (1,368)     |
| Interfund Loan Repayment                        | -                      | -             | -         | -          | -             | -           | -                       | -             | -           | -                | -             | -           |
| Interfund Operating Rentals & Supplies          | -                      | -             | -         | 110,841    | 27,711        | 83,130      | 160,790                 | 40,197        | 120,593     | 212,390          | 53,114        | 159,276     |
| TOTAL OPERATING EXPENSES                        | 854,310                | 156,129       | 698,182   | 3,844,048  | 564,326       | 3,279,722   | 5,141,622               | 1,616,633     | 3,524,989   | 2,873,916        | 762,688       | 2,111,229   |
| NET INCOME BEFORE DEPRECIATION (*)              | 8,790                  | 54,830        | 46,040    | (245,648)  | 265,326       | 510,974     | 507,431                 | (248,920)     | (756,351)   | 830,912          | 67,320        | (763,592)   |
| BEGINNING WORKING CAPITAL - January 1, 2016     | 483,503                | 778,233       | 294,730   | 1,965,163  | 2,410,454     | 445,291     | 1,743,961               | 3,705,195     | 1,961,234   | 1,995,085        | 6,074,119     | 4,079,034   |
| ENDING WORKING CAPITAL - March 31, 2016         | 492,292                | 833,063       | 340,770   | 1,719,514  | 2,675,780     | 956,265     | 2,251,392               | 3,456,275     | 1,204,883   | 2,825,997        | 6,141,439     | 3,315,443   |
| NET CHANGE IN WORKING CAPITAL (see Note)        | 8,790                  | 54,830        | 46,040    | (245,648)  | 265,326       | 510,974     | 507,431                 | (248,920)     | (756,351)   | 830,912          | 67,320        | (763,592)   |
| CAPITAL FUND:                                   |                        |               |           |            |               |             |                         |               |             |                  |               |             |
| CAPITAL REVENUES                                |                        |               |           |            |               |             |                         |               |             |                  |               |             |
| Interest Revenue                                | -                      | -             | -         | -          | -             | -           | 412                     | -             | (412)       | 1,652            | -             | (1,652)     |
| Contributions                                   | -                      | -             | -         | -          | -             | -           | -                       | -             | -           | -                | -             | -           |
| Other Non-Operating Revenue                     | -                      | -             | -         | -          | -             | -           | -                       | -             | -           | -                | -             | -           |
| Gain (Loss) On Sale Of Fixed Assets             | -                      | -             | -         | -          | -             | -           | -                       | -             | -           | -                | -             | -           |
| Increase In Contributions - System Development  | -                      | -             | -         | -          | -             | -           | -                       | -             | -           | -                | -             | -           |
| Increase In Contributions - Other               | -                      | -             | -         | -          | -             | -           | -                       | -             | -           | -                | -             | -           |
| Proceeds of Debt Activity                       | -                      | -             | -         | -          | -             | -           | -                       | -             | -           | -                | -             | -           |
| Operating Transfers In                          | -                      | -             | -         | -          | -             | -           | -                       | -             | -           | -                | -             | -           |
| Other Sources                                   | -                      | -             | -         | -          | -             | -           | -                       | -             | -           | -                | -             | -           |
| TOTAL CAPITAL REVENUES                          |                        |               |           |            |               |             | 412                     | -             | (412)       | 1,652            | -             | (1,652)     |
| CAPITAL EXPENSES                                |                        |               |           |            |               |             |                         |               |             |                  |               |             |
| Other Non-Operating Expense                     | -                      | -             | -         | -          | -             | -           | -                       | -             | -           | -                | -             | -           |
| Net Change In Restricted Net Assets             | -                      | -             | -         | -          | -             | -           | -                       | -             | -           | -                | -             | -           |
| Increase In Fixed Assets - Salaries             | -                      | -             | -         | -          | -             | -           | -                       | -             | -           | -                | -             | -           |
| Increase In Fixed Assets - Benefits             | -                      | -             | -         | -          | -             | -           | -                       | -             | -           | -                | -             | -           |
| Increase In Fixed Assets - Site Improvements    | -                      | -             | -         | -          | -             | -           | -                       | -             | -           | -                | -             | -           |
| Increase In Fixed Assets - Land                 | -                      | -             | -         | -          | -             | -           | -                       | -             | -           | -                | -             | -           |
| Increase In Fixed Assets - Equipment            | -                      | -             | -         | -          | -             | -           | 480,000                 | 59,590        | 420,410     | 1,163,048        | 27,109        | 1,135,939   |
| Increase In Fixed Assets - Construction         | -                      | -             | -         | -          | -             | -           | -                       | -             | -           | 575,000          | 53,002        | 521,998     |
| Operating Transfers Out                         | -                      | -             | -         | -          | -             | -           | -                       | -             | -           | -                | -             | -           |
| TOTAL CAPITAL EXPENSES                          |                        |               |           |            |               |             | 480,000                 | 59,590        | 420,410     | 1,738,048        | 80,111        | 1,657,937   |
| BEGINNING WORKING CAPITAL - January 1, 2016     |                        |               |           |            |               |             | 479,588                 | -             | (479,588)   | 1,836,396        | -             | (1,836,396) |
| ENDING WORKING CAPITAL - March 31, 2016         |                        |               |           |            |               |             | -                       | (59,590)      | (59,590)    | 100,000          | (80,111)      | (180,111)   |
| NET CHANGE IN WORKING CAPITAL (see Note)        |                        |               |           |            |               |             | (479,588)               | (59,590)      | 419,998     | (1,736,396)      | (80,111)      | 1,656,285   |
| Total Change in Working Capital                 | 8,790                  | 54,830        | 46,040    | (245,648)  | 265,326       | 510,974     | 27,843                  | (308,510)     | (336,353)   | (905,484)        | (12,791)      | 892,693     |

(\*) Depreciation

-

-

-

-

546,400

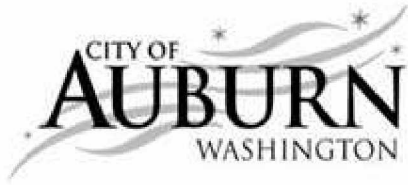
170,989

822,500

246,449

Note: Working Capital = Current Assets  
minus Current Liabilities

Beginning balances will be posted as part of BA#6.



## AGENDA BILL APPROVAL FORM

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**Agenda Subject:**

Council Retreat Goals - Affordable Housing (5 Minute Presentation/10 Minute Q&A)

**Date:**

June 8, 2016

**Department:**

Administration

**Attachments:**

[City Council Retreat Report](#)

**Budget Impact:**

\$0

**Administrative Recommendation:****Background Summary:****Reviewed by Council Committees:****Councilmember:****Staff:**

Hinman

**Meeting Date:** June 13, 2016

**Item Number:** DI.D

# City of Auburn

## Strategic Planning Report

*November 4, 2015*

Prepared by



**MARKETING SOLUTIONS**  
research-based growth strategies

914 164th Street SE, #400 I Mill Creek, WA 98012 P 425.337.1100

[www.mktg-solutions.com](http://www.mktg-solutions.com)

# City of Auburn Retreat Report

October 29-30, 2015

## SWOT Analysis

### **Strengths**

- > Strong financial foundation (29)
- > Geographic location (road and river intersections) (25)
- > Great leadership (Mayor, Council, directors, staff) (21)
- > Outstanding City services (12)
- > Great parks and entertainment (9)
- > Collaborative culture with key stakeholders (4)
- > Pride in our community (1)
- > Defined downtown (0)
- > Great regional relationships (0)
- > Safe community via public safety (0)

### **Weaknesses**

- > Limited revenue options (34)
- > Lack of long-term planning with key stakeholder (14)
- > Citizens low esteem of City (13)
- > Lack of diversity among decision makers (11)
- > Constraints on resources and time (9)
- > Don't promote our story (7)
- > Adverse City culture (5)
- > Under developed of post-secondary education (4)
- > Lack of follow through on property management (3)
- > Public misperception- role of government (2)

### **Opportunities**

- > Emerging industry cluster (20)
- > Ample warehouse/property (underutilized) (19)
- > Emerging infrastructure technology (15)
- > We have a diverse culture (13)
- > Annexation potential (11)

- > Citizens willing to engage (8)
- > Higher education locating here (6)
- > Public culture of giving (5)
- > Globalization (3)
- > Local supply chain (3)

### **Threats**

- > Suburbanization of poverty (34)
- > Legislation and regulation (27)
- > Empty store fronts (11)
- > Transportation limitation (10)
- > Limited developable property (6)
- > Economic downturn (6)
- > LID impact on City
- > Gang violence (4)
- > Natural disasters (2)
- > Potential for litigation (1)

## **Evaluation**

### **Pros**

- > Good start/end time
- > Good structure and flow & dots
- > Working with all the directors (collaboration)
- > Inspiring, love working with the Council
- > Every voice was heard
- > Like the kinetic exercises
- > Directors participated and got to vote

- > Work was posted
- > Good facilitation
- > Parking lot flip chart
- > No weed whacking

### **Cons**

- > Coffee grounds, no coffee
- > Too much content from facilitation
- > Parking at facility
- > Started too early brainstorming



## Parking Lot

- > Police recruiting and process
- > More valid metric/measurement for homelessness
- > Assure performance management process-dashboard reporting

## City of Auburn Strategy Matrix

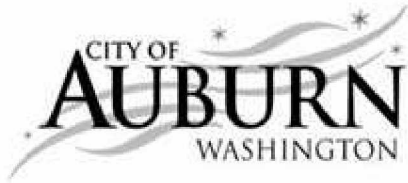
| G1: Increase "Healthy City" Index by % by 2020                                             |                                                                                                  |                                                                                           |                                                                                 |
|--------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
| G1/S1: Promote healthy lifestyle for all ages (25)                                         | G1/S2: Create access to preventative and on-going healthcare (14)                                | G1/S3: Provide full spectrum of mental health and social service resources. (9)           | G1/S4: Increase healthy accessible housing stock (11)                           |
| G1/S1/I1: Obtain buy in from elected Jr. City Council, community groups and businesses (6) | G1/S2/I1 Convene group of leaders to identify appropriate outreach & how to apply (mediums?) (2) | G1/S3/I1: Determine Explore City leadership's overall philosophy on issues (6)            | G1/S4/I1: Engage community and other stakeholders e.g.- Homelessness Task Force |
| G1/S1/I2: Create educational marketing campaign (3)                                        | G1/S2/I2: Establish partnerships with providers (5)                                              | G1/S3/I2: Explore alternate service delivery models (1)                                   | G1/S4/I2: Determine City leadership philosophy and budgeting priorities (4)     |
| G1/S1/I3: Roll out neighborhood programs (0)                                               | G1/S2/I3: Establish healthcare inventory with the city (1)                                       | G1/S3/I3: Review budget priorities to determine need for additional funding & sources (2) | G1/S4/I3: Create housing inventory and program approaches and metrics (2)       |
| G1/S1/I4: Increase opportunities for healthy food choices. Grow local buy local (1)        | G1/S2/I4: Lobby for legislative support reform of public health (2)                              | G1/S3/I4: Develop marketing campaign to remove "stigma" (0)                               |                                                                                 |
|                                                                                            |                                                                                                  | G1/S3/I5: Lobby legislature (county-state-federal) for additional funding and reform (2)  |                                                                                 |

## City of Auburn Strategy Matrix

| G2: Increase Internet Access to Achieve Digital Parity by % by 2020 |                                                                                               |                                                                                 |                                                                                           |                                                                                           |
|---------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|
| G2/S1: Explore the establishment of an internet utility (8)         | G2/S2: Leverage public technology infrastructure to achieve cyber-equity within the city (25) | G2/S3: Build partnerships for revenue streams and infrastructure expansion (26) | G2/S4: Establish minimum acceptable standards, speed, security and liability exposure (2) | G2/S5: Expand services to capture emerging opportunities (11)                             |
| G2/S1/I1: Research and analyze other successful examples (7)        | G2/S2/I1: Inventory available infrastructure (local, universal, etc.) (11)                    | G2/S3/I1: Inventory current partnerships (4)                                    | G2/S4/I1: Perform needs assessment (10)                                                   | G2/S5/I1: Assess emerging technologies (1)                                                |
| G2/S1/I2: Perform cost benefit analysis (3)                         | G2/S2/I2: Assess options and opportunities (0)                                                | G2/S3/I2: Reach out to current and potential partners (2)                       | G2/S4/I2: Define delivery methods (Wi-Fi vs. Wired) (1)                                   | G2/S5/I2: Engage public to identify needs (4)                                             |
| G2/S1/I3: Perform regulatory assessment (1)                         | G2/S2/I3: Perform legal assessment (1)                                                        | G2/S3/I3: Formalize partnerships (lather, rinse , repeat) (3)                   | G2/S4/I3: Perform liability assessment (1)                                                | G2/S5/I3: Perform viability and cost assessment (4)                                       |
| G2/S1/I4: Assess political landscape (1)                            | G2/S2/I4 :Perform gap analysis (0)                                                            |                                                                                 | G2/S4/I4: Access regulatory standards, public acceptance and political reality (0)        | G2/S5/I4: Develop process for integration (maintenance, sustainability, budget, etc.) (2) |
| G2/S1/I5: Prepare campaign (1)                                      |                                                                                               |                                                                                 | G2/S4/I5: Establish operating standards (0)                                               |                                                                                           |

## City of Auburn Strategy Matrix

| G3: Increase Middle Income Jobs by % by 2020                                                                      |                                                                                                             |                                                                                                 |                                                                                                                            |
|-------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|
| G3/S1: Identify existing and potential employers and locations for future business growth (31)                    | G3/S2: Explore existing and potential tools and incentives to increase and retain middle income jobs (19)   | G3/S3: Have transit services and roads to reach employment centers (2)                          | G3/S4: Promote H.E and workforce development for employees living or working in Auburn (20)                                |
| G3/S4/I1: Develop inventory of available properties including for annexation, development and redevelopment (1)   | G3/S3/I1: Identify cash flow needs related to development costs to defray / delay development costs (0)     | G3/S4/I1: Work with regional transits and user groups, i.e. MIT, business, schools, seniors (4) | G3/S5/I1: Work with employers to identify their workforce skills, needs and requirements (11)                              |
| G3/S4/I2: Work with Chamber Economic Development Board and business community to identify potential employers (7) | G3/S3/I2: Identify existing incentive programs under state law (5)                                          | G3/S4/I2: Work with federal, state and county for road improvement projects (6)                 | G3/S5/I2: Work with k-12 and higher education to develop curriculum to match employers skills, needs and requirements (0)  |
| G3/S2/I3: Develop marketing strategy to advertise the City: i.e.-billboards, TV, radio, internet (0)              | G3/S3/I3: Work with federal and state electeds to increase/expand. Create incentive programs - i.e. TIF (7) |                                                                                                 | G3/S5/I3: Promote employees-employer interaction via job fairs, social media, etc. for people living/working in Auburn (1) |
| G3/S2/I4: Benchmark and identify competition (0)                                                                  |                                                                                                             |                                                                                                 |                                                                                                                            |
| G3/S2/I5: Work with counties and citizen group to explore annexations (2)                                         |                                                                                                             |                                                                                                 |                                                                                                                            |



## AGENDA BILL APPROVAL FORM

**Agenda Subject:**

Payback Agreements Overview and Review of the Pending Ordinance No. 6602 Bert Warm Sewer Payback Agreement (10 Minute Presentation/10 Minute Q&A)

**Date:**

May 23, 2016

**Department:**

CD & PW

**Attachments:**

[Draft Ordinance No. 6602 and Draft Payback Agreement 2016-01](#)  
[Vicinity Map](#)

**Budget Impact:**

\$0

**Administrative Recommendation:**

For discussion only.

**Background Summary:**

State law and City code allow a developer to enter into an agreement with the City to seek reimbursement from the other benefited properties when and if those property owners connect to a public facility constructed by the developer. The agreement can apply to public water, sewer, storm, and street improvements. In the City of Auburn, that agreement is called a "Payback Agreement."

The most recent payback agreement approved by the City Council was in October, 2013. Since that time, the state law governing such arrangements, RCW 35.72.020 (streets) and RCW 35.91.020 (utilities), have been revised. In order to comply with those changes and to consolidate street and utility payback requirements into one code section, the City revised its code in 2014 so that the requirements for all paybacks may now be found in Auburn City Code 3.25.

Staff will present an overview of the process by which payback agreements are developed and executed, and present Ordinance 6602 - Bert Warm Sewer Payback Agreement No. 2016-01 for the Councilmembers' review prior to the June 20 City Council meeting, where a public hearing will be held and the City Council will consider the Ordinance for adoption.

**Reviewed by Council Committees:**

**Councilmember:**

**Staff:**

Snyder



**Meeting Date:** June 13, 2016

**Item Number:** DI.E

**ORDINANCE NO. 6602**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A PAYBACK AGREEMENT BETWEEN THE CITY OF AUBURN AND WARM HOMES INC. FOR UTILITY EXTENSIONS

WHEREAS, Chapter 3.25 of the Auburn City Code (ACC) authorizes the City Engineer to develop, implement and administer, and the City Council to approve, extension payback agreements for utility improvements; and

WHEREAS, Warm Homes Inc. has constructed the utility improvements described in the payback agreement that is attached as Exhibit D; and

WHEREAS, Warm Homes Inc. has provided the City with a map and legal descriptions identifying the boundaries of the assessment reimbursement area and each parcel that shall be subject to an assessment for the utility improvements; and

WHEREAS, Warm Homes Inc. has provide the City with the total cost of the improvements and a preliminary reimbursement roll showing the proposed assessment for each parcel of property within the assessment reimbursement area; and

WHEREAS, the City notified each owner of record of a lot, tract, or parcel within the reimbursement assessment area, through publication and certified mail, of a public hearing to consider this ordinance; and

WHEREAS, the City Council held a public hearing and took testimony on the desirability and sufficiency of the assessment reimbursement area, the

**\*\*\*Draft\*\*\***

methods of calculating reimbursement assessments, and the assessment amounts; and

WHEREAS, the City Council finds that entry into the payback agreement is in the best interest of the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN as follows:

Section 1. The assessment reimbursement area that shall be subject to assessment by the City for the cost of the utility system improvement completed by Warm Home Inc. is established as that area described in Exhibit A and shown in Exhibit B, both exhibits herein incorporated herein by this reference.

Section 2. The amount of the reimbursement assessment to be charged to each lot, tract or parcel within the assessment reimbursement area is established as those amounts listed in Exhibit C, which is incorporated herein by this reference.

Section 3. The Mayor of the City of Auburn and the Auburn City Clerk are hereby authorized to execute an Agreement between the City of Auburn and Warm Homes Inc. for the collection of assessments in the amounts and from the owners of the lots, tracts, and parcels established in this ordinance, which agreement shall be in substantial conformity with the agreement attached hereto, marked as Exhibit D and incorporated herein by this reference.

Section 4. Implementation. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 5. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

**\*\*\*Draft\*\*\***

Section 6. Effective date. This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

INTRODUCED: \_\_\_\_\_

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
NANCY BACKUS, MAYOR

ATTEST:

\_\_\_\_\_  
Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Daniel B. Heid, City Attorney

Published: \_\_\_\_\_

**\*\*\*Draft\*\*\***

**Exhibit A**  
**Ordinance 6602**

**Legal Description of Assessment Reimbursement Area**

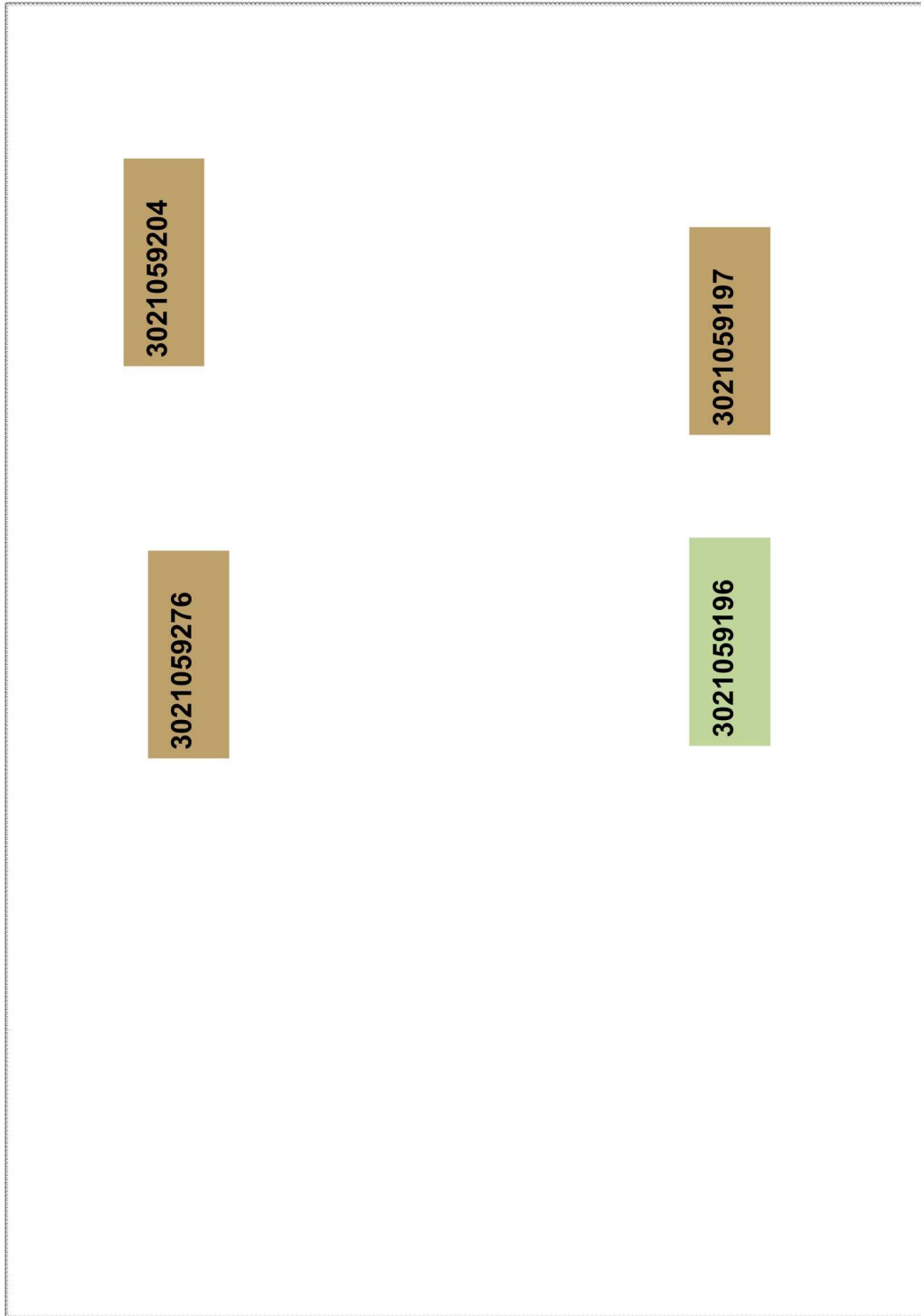
Beginning at a point 140 ft. east and 212 ft. south of the northwest corner of the northeast 1/4 of the southeast 1/4, of Section 30, Township 21 North, Range 5 East, thus east 190 ft., thus south 230 ft., thus west 100 ft., thus north 10 ft., thus west 90 ft., thus northerly 220 ft. to the point of beginning.



**\*\*\*Draft\*\*\***

**Exhibit B**  
**Ordinance 6602**

**Assessment Reimbursement Area**



\*\*\*Draft\*\*\*

**Exhibit C**  
**Ordinance 6602**

**Warm Homes Sanitary Sewer Benefitting Parcels**

Basis of Charges:

Total Project Cost = \$ 32,510.41

Total RCE's of benefitting properties = 4.6 (3 single family residences and one duplex)

Total cost per RCE = \$7,067.48

| <b>Address</b>  | <b>Parcel Number</b> | <b>Current Owner</b>        | <b>Calculated RCE's</b> | <b>Project Costs Apportionment</b> | <b>Reimbursement Amount</b> |
|-----------------|----------------------|-----------------------------|-------------------------|------------------------------------|-----------------------------|
| 3330 M Place SE | 302105-9197          | Richard L Baldwin +Schmaltz | 1 (Single Family Home)  | \$7,067.48                         | \$7,067.48                  |
| 3324 M Place SE | 302105-9204          | Victor A+Renee Tobias       | 1 (Single Family Home)  | \$7,067.48                         | \$7,067.48                  |
| 3312 M Place SE | 302105-9276          | Parker Rental Holdings LLC  | 1.6 (Duplex)            | \$11,307.97                        | \$11,307.97                 |
| 3334 M Place SE | 302105-9196          | Warm Homes, Inc.            | 1 (Single Family Home)  | \$7,067.48                         | 0*                          |
| <b>Total</b>    |                      |                             |                         | <b>\$32,510.41</b>                 | <b>\$25,442.93</b>          |

\*Developer contribution was made at the time of construction.

**\*\*\*Draft\*\*\***

**Exhibit D  
Ordinance 6602**

**Payback Agreement 2016-01  
(16 pages)**

Return Address:  
City of Auburn  
City Clerk  
25 West Main  
Auburn, WA 98001

Above this line reserved for recording information.

**PAYBACK AGREEMENT 2016-01  
DEVELOPER'S EXTENSION**

Reference # (if applicable): N/A

**Grantor :** City of Auburn

**Grantee :** 1) Warm Homes, Inc.

Legal Description / STR: Section 30, Township 21 N, Range 5 E

Assessor's Tax Parcel ID#: 3021059196

This Agreement made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between the **City of Auburn**, a municipal corporation of King County, Washington, hereinafter called the CITY and **Warm Homes Inc**, hereinafter referred to as DEVELOPER.

WHEREAS, pursuant to Chapter 35.91 RCW et seq., the CITY has by Ordinance No. 6602 adopted by the City Council of the CITY on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, approved the execution of this Payback Agreement with the DEVELOPER above and referring to facilities described herein; and

-----  
Payback Agreement 2016-01  
May 23, 2016  
Page 1 of 8

**\*\*\*Draft\*\*\***

WHEREAS, the above-described DEVELOPER has offered and the CITY has agreed to accept the sewer facilities described in Exhibit 1, Bill of Sale, attached hereto, as part of the utility systems of the CITY.

NOW THEREFORE, IN CONSIDERATION OF THE CONDITIONS AND COVENANTS HEREIN, THE PARTIES AGREE AS FOLLOWS:

I. DEVELOPER

At the time of construction, the above-described DEVELOPER was the record OWNER of real property legally described as shown on Exhibit 2 submitted by the DEVELOPER and attached hereto. The real property described is also identified as parcel number 3021059196, City of Auburn, King County, Washington.

II. FACILITIES

The facilities which have been constructed by the DEVELOPER herein are as shown in the attached Exhibit 3, incorporated herein by this reference, and processed as a Developer Public Facility Extension, herein referenced as FAC15-0016, the originals of which are on file at the office of the City Engineer. The facilities have been constructed in accordance with the ordinances and requirements of the CITY governing the construction specifications for facilities of such type, and have been approved by the City Engineer.

III. AREA OF FACILITY SERVICE BENEFIT (ASSESSMENT REIMBURSEMENT AREA)

The properties benefited by the facilities (“benefited properties”) constructed by the DEVELOPER are legally described on Exhibit 4 and depicted on Exhibit 5, attached hereto, which are by this reference incorporated herein as if fully set forth herein. Any owner of real estate legally described within the benefit boundary, also referred to as the “Assessment Reimbursement Area,” as shown on the attached Exhibits 4 and 5, shall pay as a condition for connecting to the facilities, an amount as identified in Section V. All property within the benefit boundary shall be subject to the connection fee as provided in this agreement as a condition of issuance of the connection permit by the CITY.

IV. TERMS

For a period of **20 years** from the date that the City formally accepts the developer’s utility extension, any owner (latecomer) of real estate legally

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Payback Agreement 2016-01  
May 23, 2016  
Page 2 of 8



**\*\*\*Draft\*\*\***

described in Section III, and which owner has not fully contributed their pro rata share to the original cost of the above-described facility, shall pay to the CITY the amounts identified in Section V. The charge herein represents the fair pro rata share of the cost of construction of said facilities payable by the owners of the benefited properties.

Payment of the latecomers pro rata share will be required by the City at the time a side sewer permit, as described in Auburn City Code (ACC) 13.20.190 and 13.20.200, is issued by the CITY to connect to and use the system. Facility extension agreements are not considered connection permits and no payback payments will be required as a condition of the construction associated with such agreements.

The CITY shall reimburse the DEVELOPER within sixty (60) days of the date the City receives payment from a person requesting connection to the facilities. After the expiration of the 20-year term, any moneys collected by the CITY for connection of the benefited properties to the facilities will not be reimbursed to the DEVELOPER.

The CITY's obligation to reimburse the DEVELOPER under this section shall not apply to any real property purchased from DEVELOPER after construction of the facilities.

V. AMOUNT OF REIMBURSEMENT

The DEVELOPER, his successors, heirs and assigns, agrees and warrants that the amounts which the DEVELOPER is reimbursed from the property owners as specified in Section III of this Agreement, represents a fair pro rata share reimbursement for the DEVELOPER'S construction of the sanitary sewer collection facilities described in Section II of this Agreement. The amount per Residential Customer Equivalent (RCE), as defined in ACC 13.20.010, connected to the system is \$7,067.48. The reimbursement amount for each Benefited Property is shown in Exhibit 6, attached hereto.

The total amount of reimbursement to the DEVELOPER for sanitary sewer facilities from all applicable charges shall not exceed \$25,442.93.

VI. NOTICE AND REVIEW

Prior to authorizing this agreement, the CITY, shall have mailed to the property owners of the Benefited Properties notification of the allocation of costs to be levied against the properties which are payable at the time of connection to the systems. The property owners shall have the right to review the costs with the City Engineer if a written request is received by the Engineer within 21 days from the date of said notice for the purpose of requesting an adjustment in the allocation of the charge to the property.

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Payback Agreement 2016-01  
May 23, 2016  
Page 3 of 8

**\*\*\*Draft\*\*\***

If the City Engineer, upon requested review by a notified property owner(s), does find cause for adjustment in the allocation of the charge to the benefited property(s), such adjustment will be made and the DEVELOPER will be notified of the adjusted amount(s) prior to acceptance of this Agreement by the City. The resulting adjusted Exhibit 6 shall govern reimbursement amounts to be received by the DEVELOPER. If the adjustment results in an increase to the charge for other parcels, the notification process in this agreement shall be repeated.

**VII. EFFECT OF AGREEMENT**

The provisions of this Agreement shall not be effective as to any owner of real estate not a party hereto unless this Agreement has been recorded in the office of the County Auditor of the County in which the real estate is located prior to the time such owner receives a permit to tap into or connect to said facilities.

If for any reason, the CITY fails to secure a latecomer payment for Owner's fair pro rata share of the cost of the facilities, before connection to the extension, the CITY is not liable for payment to the DEVELOPER.

The entire responsibility for recordation and completion of this Agreement is upon the DEVELOPER, who agrees to do all and to hold the CITY harmless.

This agreement is subject to the provisions of Auburn City Code ("ACC") Chapter 3.25 and shall be void if the DEVELOPER is in violation of any term or condition of that Chapter as it exists on the date of execution of this agreement.

**VIII. OWNERSHIP OF FACILITY**

The DEVELOPER warrants that it has constructed the facilities described in Section II of this Agreement to the CITY's specifications and in conformance with the CITY's development regulations and comprehensive plan, and that the facilities are fit for use as part of the City's sanitary sewer system.

Once the CITY has accepted the facilities, they shall become a part of the municipal system of the CITY. The DEVELOPER warrants that the facilities are free and clear of all encumbrances and there are no persons or entities that have a right to a lien against the facilities. Except for work covered under any warrantee described in the FAC agreement, all maintenance and operation costs of said facility shall be borne by the CITY. In consideration of the benefits derived from CITY utility service, DEVELOPER agrees to execute and deliver to the CITY such documents as may be necessary to transfer ownership of the facilities to the CITY upon acceptance.

Nothing contained herein shall be construed to affect or impair the right of the CITY to regulate the use of the facilities once accepted.

IX. UNAUTHORIZED CONNECTION

Whenever any connection is made into the facilities described in Exhibit 1 under this Agreement which is not authorized by the CITY, the CITY shall have the absolute authority to remove or cause to be removed such unauthorized connections and all connecting lines or pipes located in the facility's right-of-way. The CITY shall incur no liability for any damage to any person or property resulting from removal of the unauthorized connection.

X. CURRENT ADDRESS & TELEPHONE NUMBER

The DEVELOPER shall keep a current record of its address and telephone number on file with the City Engineer, and shall within 30 days of any change of said address and/or telephone number, notify the City Engineer in writing. If the DEVELOPER fails to do so, the parties agree that the CITY may authorize connections resulting therefrom and not incur any liability for the non-collection and/or non-reimbursement of charges to the DEVELOPER under this Agreement. Every two years from the effective date of this agreement, shown on page one, the DEVELOPER shall notify the City Engineer of its current name, address, and telephone number. If the DEVELOPER fails to provide such information within sixty (60) days of each anniversary, the CITY may collect and retain any connection charges owed to the DEVELOPER under this contract.

The initial Contact Information and Address for Receipt of Reimbursement Funds is as follows:

\_\_\_\_\_  
(Printed Name of Developer's Representative)

\_\_\_\_\_  
(Company Name)

\_\_\_\_\_  
(Mailing Address)

\_\_\_\_\_  
(City, State, Zip code)

\_\_\_\_\_  
(Telephone/FAX)

XI. ADMINISTRATION

Any inquiries regarding the administration of this agreement shall be directed to the City Engineer.

XII. COVENANT RUNNING WITH THE LAND

This Agreement shall be binding on the DEVELOPER, its successors, heirs and assigns and shall so be binding on the legal owners, their successors, heirs and assigns of all properties described within the benefit boundary of the area as described and depicted on the attached Exhibits 4 and 5. The DEVELOPER agrees to pay all fees for recording this Agreement with the County Recorder's Office. The DEVELOPER shall make the actual recording and provide the CITY with confirmation thereof.

XIII HOLD HARMLESS

- A. General Indemnification. The DEVELOPER will indemnify, defend, and hold the CITY and the CITY'S officials and agents harmless from all claims and costs of defense arising out of this agreement as a result of DEVELOPER actions, omissions, misconduct, or breach of contract, including but not limited to attorney's fees, expert witness fees, and the cost of the services of engineering and other personnel who's time is reasonably devoted to the preparation and attendance of depositions, hearings, arbitration proceedings, settlement conferences and trials growing out of the demands and/or actions of property owners incurred in the performance or completion of this Agreement. The DEVELOPER specifically holds the CITY and its officials and agents harmless and waives all claims related to the CITY's establishment and enforcement of the terms and conditions of this agreement, including the failure to locate a beneficiary, assigns, successor, trustee, or survivor of DEVELOPER.
- B. Indemnification Against Liens. The DEVELOPER further agrees to indemnify and defend the CITY from any loss on account of any lien against the facilities that arose on or prior to the date of CITY acceptance of the facilities. If the CITY incurs any expense in defense against any such lien or claim, or in taking any other action that is required of DEVELOPER under this Agreement, the CITY shall have a lien in the full amount thereof against any funds then or thereafter collected by the CITY pursuant to this Agreement.

XIV. CONSTITUTIONALITY OR INVALIDITY

If any section, subsection, clause or phrase of this Agreement is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Agreement, as it being hereby expressly declared that this Agreement and each section, subsection, sentence, clause and phrase hereof would have been prepared, proposed, adopted and approved and ratified irrespective of the fact that any one

**\*\*\*Draft\*\*\***

or more section, subsection, sentence, clause or phrase be declared invalid or unconstitutional.

**XV. NO WAIVER OF ENFORCEMENT**

The failure of the CITY to take action to enforce any term or condition of this Agreement in any particular instance shall not be deemed or construed to be a waiver of the right of the CITY to take such action in the future.

**CITY OF AUBURN**

\_\_\_\_\_  
Nancy Backus, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Danielle Daskam, City Clerk

\_\_\_\_\_  
Daniel B. Heid, City Attorney

**DEVELOPER:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

TITLE: \_\_\_\_\_

TITLE: \_\_\_\_\_

\*\*\*Draft\*\*\*

STATE OF WASHINGTON )  
 ) ss.  
County of King )

I certify that I know or have satisfactory evidence that Nancy Backus and Danielle E. Daskam were the persons who appeared before me, and said persons acknowledged that they signed this instrument, on oath stated that they were authorized to execute the instrument and acknowledged it as the **MAYOR** and **CITY CLERK** of the CITY OF AUBURN to be the free and voluntary act of such parties for the uses and purposes mentioned in this instrument.

Dated \_\_\_\_\_

\_\_\_\_\_  
Notary Public in and for the State of Washington  
My appointment expires \_\_\_\_\_

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF KING )

I certify that I know or have satisfactory evidence that \_\_\_\_\_  
\_\_\_\_\_ and \_\_\_\_\_  
are the persons who appeared before me, and said persons acknowledged that they signed this instrument, on oath stated that they were authorized to execute the instrument and acknowledged it as the \_\_\_\_\_  
and \_\_\_\_\_ of \_\_\_\_\_  
a **corporation**, to be the free and voluntary act of such parties for the uses and purposes mentioned in this instrument.

Dated \_\_\_\_\_

\_\_\_\_\_  
Notary Public in and for the State of Washington  
My appointment expires \_\_\_\_\_



\*\*\*Draft\*\*\*

**Exhibit 1**  
**Payback Agreement 2016-01**

Return Address:  
City of Auburn  
City Clerk  
25 West Main  
Auburn, WA 98001

---

Above this line reserved for recording information.

---

**BILL OF SALE**  
**FAC15-0016**

|                               |                                                                                                                                                                                                                                               |
|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Reference # (if applicable):  | N/A (unless previous recording #)                                                                                                                                                                                                             |
| Grantor/Borrower:             | Warm Homes, Inc.                                                                                                                                                                                                                              |
| Grantee/Assignee/Beneficiary: | City of Auburn                                                                                                                                                                                                                                |
| Legal Description/STR:        | The south 85 feet of the north 432 feet of the west half of the west half of the northeast quarter of the southeast quarter of Section 30, Township 21 N, Range 5 E, W.M.<br>Less the east 100 feet thereof<br>Less the west 110 feet thereof |
| Assessor's Tax Parcel ID #:   | 302105-9196                                                                                                                                                                                                                                   |

KNOW ALL MEN BY THESE PRESENTS that for and in consideration of the sum of TEN DOLLARS (\$10.00), and for the consideration of incorporating the Extension into the City system, and other good and sufficient consideration, receipt whereof is hereby acknowledged, the undersigned Grantor **Warm Homes, Inc.** does by these presents hereby convey, setover, assign, transfer and warrant to the City of Auburn, a Municipal Corporation of the State of Washington, **93 LF of sanitary sewer** and all appurtenances or any other associated public facility as shown on the public facility extension plans referred to as FAC15-0016, Sanitary Sewer Extension – 'M Pl SE' development. Situated within the following described real property, located in King County:

See EXHIBIT 'A' ATTACHED HERETO AND BY THIS REFERENCE MADE  
A PART HEREOF.

and the said Grantor hereby warrants that it is the sole owner of all the property above conveyed; that he has full power to convey the same and that he will defend the title of the said Grantee against any and all persons lawfully making claim thereto, and indemnify the City of Auburn for any costs, including Attorney fees in defending title.

---

Bill of Sale  
Page 1 of 3

\*\*\*Draft\*\*\*

**Exhibit 1**  
**Payback Agreement 2016-01**

IN WITNESS WHEREOF the Grantor has executed these presents this

13 day of Jan, 2016.

Bert Warm  
Authorized Signer

STATE OF WASHINGTON )  
COUNTY OF KING ) ss

I certify that I know or have satisfactory evidence that **BERT WARM** is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the President of **WARM HOMES INC.**, a corporation, to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated 1/13/16



TERRI L. BADGLEY  
Notary Public in and for the State of Washington  
Residing at Pierce County  
My appointment expires 11/19/19

SAS/tlb

File: # 1431

REF. H:\Development\Projects\Sanitary Sewer Extension - 'M' PL SE\Legal Docs\2016

Bill of Sale

Page 2 of 3

**\*\*\*Draft\*\*\***

**Exhibit 1**  
**Payback Agreement 2016-01**

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

The south 85 feet of the north 432 feet of the west half of the west half of the northeast quarter of the southeast quarter of Section 30, Township 21 N, Range 5 E, W.M.

Less the east 100 feet thereof

Less the west 110 feet thereof



**\*\*\*Draft\*\*\***

**Exhibit 2**  
**Payback Agreement 2016-01**

**Legal Description of Developer's Property**

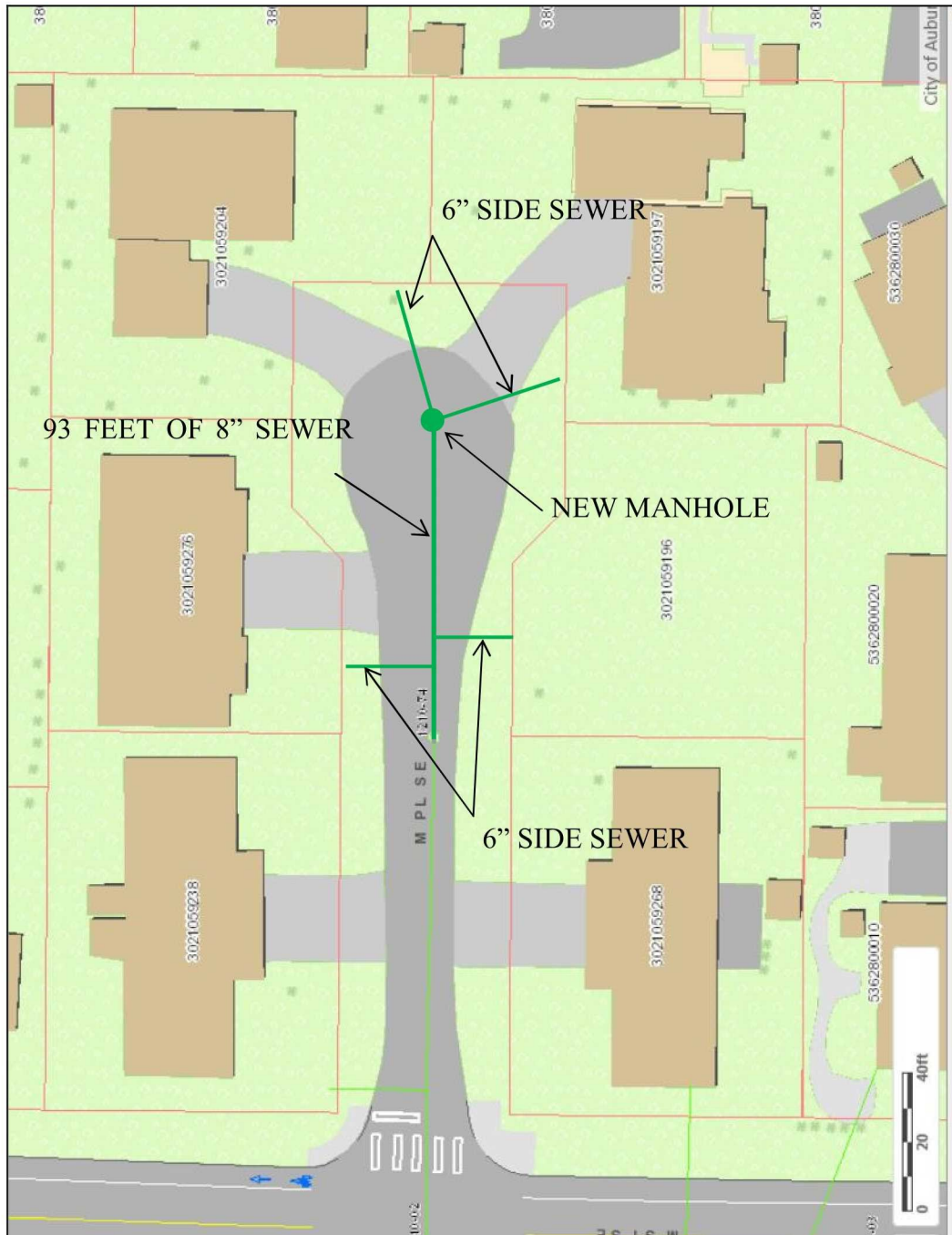
The south 85 feet of the north 432 feet of the west half of the west half of the northeast quarter of the southeast quarter of Section 30, Township 21 N, Range 5 E, W.M.

Less the east 100 feet thereof

Less the west 110 feet thereof

\*\*\*Draft\*\*\*

**Exhibit 3 - Facilities Constructed  
Payback Agreement 2016-01**



**\*\*\*Draft\*\*\***

**Exhibit 4  
Payback Agreement 2016-01**

**Legal Description of Assessment Reimbursement Area and Benefitting Properties**

Assessment Reimbursement Area

Beginning at a point 140 ft. east and 212 ft. south of the northwest corner of the northeast 1/4 of the southeast 1/4, of Section 30, Township 21 North, Range 5 East, thus east 190 ft., thus south 230 ft., thus west 100 ft., thus north 10 ft., thus west 90 ft., thus northerly 220 ft. to the point of beginning.

Benefitting Properties

Address: 3334 M PL SE

Tax Parcel # 302105-9196

Legal Description (per King County Department of Assessments):

South 85 ft. of the north 432 ft. of the west half of the west half of the northeast 1/4 of the southeast 1/4 of Section 30, Township 21 North, Range 5 East, less the east 100 ft. thereof, less the west 110 ft. thereof.

Address: 3330 M PL SE

Tax Parcel # 302105-9197

Legal Description (per King County Department of Assessments):

South 120 ft. of the east 100 ft. of north 442 ft. of west 1/2 of the west 1/2 of the northeast 1/4 of the southeast 1/4 of Section 30, Township 21 North, Range 5 East, less the north 40 ft. of west 40 ft.

Address: 3324 M PL SE

Tax Parcel # 302105-9204

Legal Description (per King County Department of Assessments):

North 110 ft. of east 100 ft. of south 220 ft. of the north 432 ft. of the west 1/2 of W 1/2 of the northeast 1/4 of the southeast 1/4 of Section 30, Township 21 North, Range 5 East, less the south 40 ft. of the west 40 ft.

Address: 3312 M PL SE

Tax Parcel # 302105-9276

Legal Description (per King County Department of Assessments):

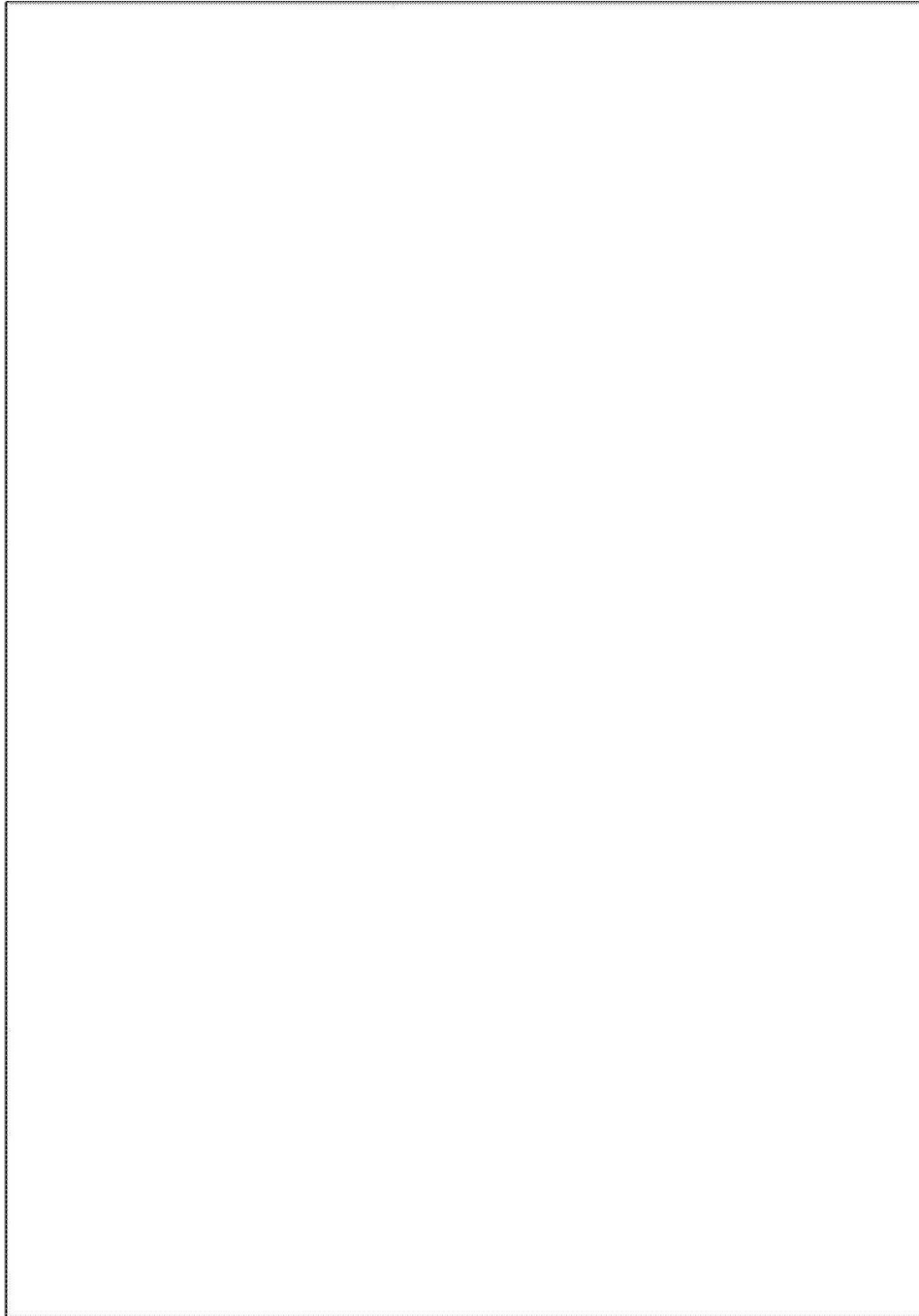
Beginning at a point 230 ft. east and 212 ft. south of the northwest corner of the northeast 1/4 of the southeast 1/4, of Section 30, Township 21 North, Range 5 East, thus 70 ft., thus west 25 ft., thus southwesterly to a point 297 ft. south and 190 feet east of northwest corner of the northeast 1/4 of the southeast 1/4, thus west 50 ft., thus north 85 ft. thus easterly to the point of beginning.



**\*\*\*Draft\*\*\***

**Exhibit 5**  
**Payback Agreement 2016-01**

Assessment Reimbursement Area



**Exhibit 6**  
**Payback Agreement 2016-01**

**Warm Homes Sanitary Sewer Benefitting Parcels**

Basis of Charges:

Total Project Cost = \$ 32,510.41

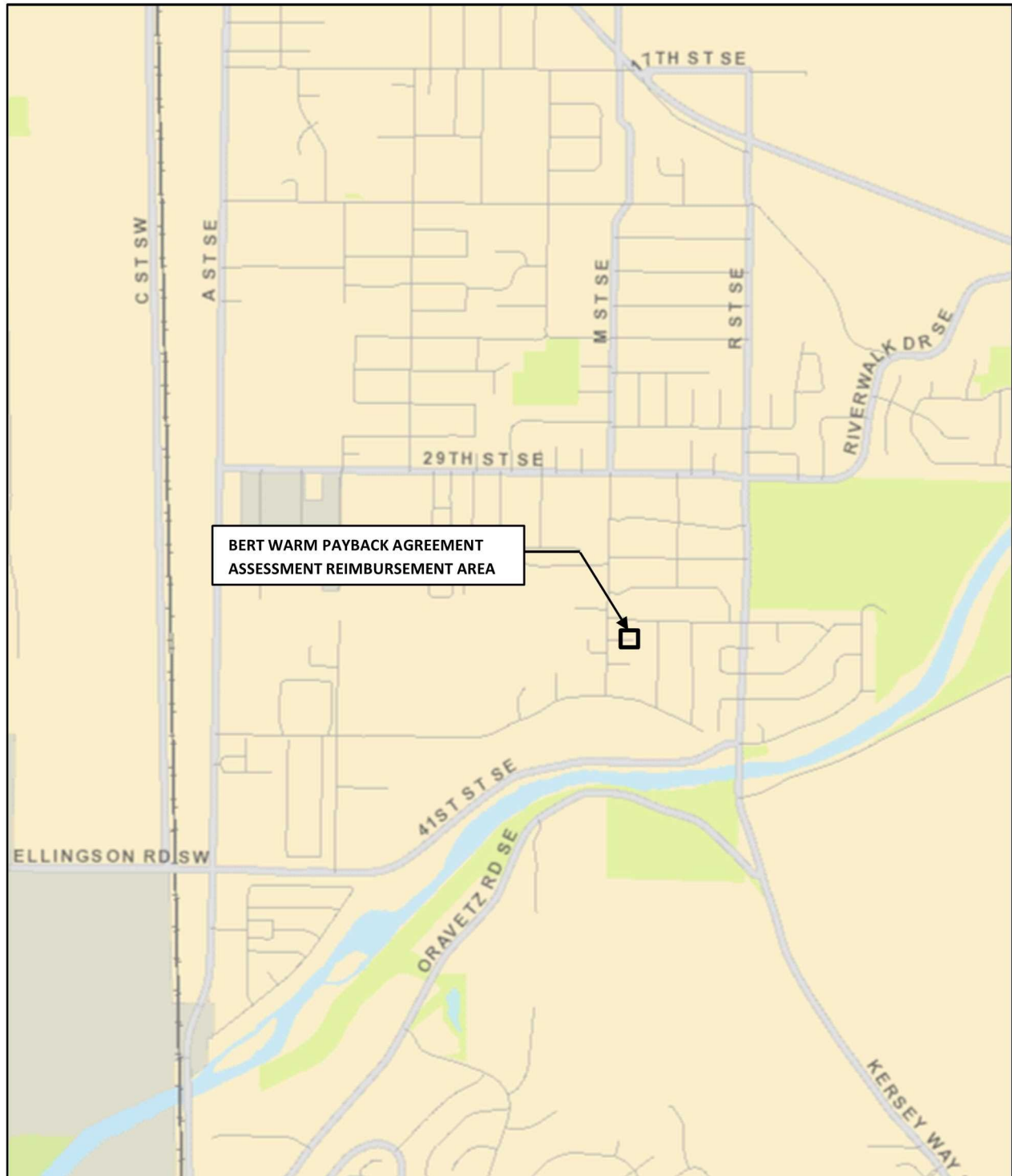
Total RCE's of benefitting properties = 4.6 (3 single family residences and one duplex)

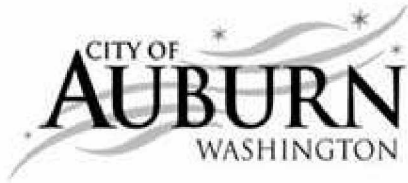
Total cost per RCE = \$7,067.48

| <b>Address</b>  | <b>Parcel Number</b> | <b>Current Owner</b>        | <b>Calculated RCE's</b> | <b>Project Costs Apportionment</b> | <b>Reimbursement Amount</b> |
|-----------------|----------------------|-----------------------------|-------------------------|------------------------------------|-----------------------------|
| 3330 M Place SE | 302105-9197          | Richard L Baldwin +Schmaltz | 1 (Single Family Home)  | \$7,067.48                         | \$7,067.48                  |
| 3324 M Place SE | 302105-9204          | Victor A+Renee Tobias       | 1 (Single Family Home)  | \$7,067.48                         | \$7,067.48                  |
| 3312 M Place SE | 302105-9276          | Parker Rental Holdings LLC  | 1.6 (Duplex)            | \$11,307.97                        | \$11,307.97                 |
| 3334 M Place SE | 302105-9196          | Warm Homes, Inc.            | 1 (Single Family Home)  | \$7,067.48                         | 0*                          |
| <b>Total</b>    |                      |                             |                         | <b>\$32,510.41</b>                 | <b>\$25,442.93</b>          |

\*Developer contribution was made at the time of construction.

## WARM PAYBACK AGREEMENT – VICINITY MAP





## AGENDA BILL APPROVAL FORM

**Agenda Subject:**

Ordinance No. 6601 (10 Minute Presentation/10 Minute Q&A)

**Date:**

June 7, 2016

**Department:**

Community Development & Public Works

**Attachments:**

[Ordinance No. 6601](#)

**Budget Impact:**

\$0

**Administrative Recommendation:**

For discussion only.

**Background Summary:**

The Washington State Building Code Council will be adopting updated building code and related standards as well as updating associated amendments, effective July 1, 2016. This is a regular update that occurs every three (3) years in response to code updates published by the International Code Council.

Various divisions of the Community Development and Public Works Department as well as outside agencies (Valley Regional Fire Authority) have been consulted for review and recommendation of the proposed changes. The number of changes proposed are significant, however the vast majority are minor and/or housekeeping items. The proposed revisions to Title 15 of the Auburn City Code are reflected in Ordinance No. 6601 attached, the proposed changes are in strikeout(removals) -underline(additions) format.

**Reviewed by Council Committees:**

Other: Fire, Building, Legal, Public Works

**Councilmember:****Staff:**

Snyder

**Meeting Date:** June 13, 2016

**Item Number:** DI.F

## **ORDINANCE NO. 6 6 0 1**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, CREATING NEW SECTIONS 15.36A.025, AND 15.36A.063, OF THE CITY CODE, AMENDING SECTIONS 15.04.080, 15.06.010, 15.06.020, 15.07.010, 15.07.030, 15.07.050, 15.07.060, 15.07.080, 15.07.090, 15.07.100, 15.08A.011, 15.08A.021, 15.08A.031, 15.32.010, 15.32.040, 15.36A.011, 15.36A.031, 15.36A.041, 15.36A.045, 15.36A.081, 15.36A.091, 15.38A.021, 15.38A.041, 15.48.010, 15.48.040, 15.48.090, 15.48.120, 15.48.130, 15.48.140, 15.52.030, 15.52.055, 15.52.060, 15.56.020, 15.74.030, AND 15.74.050 OF THE CITY CODE, AMENDING THE CHAPTER TITLE OF CHAPTER 15.56 (SECURITY ALARM SYSTEMS) AND REPEALING SECTIONS 15.08A.071 (BUILDING CODE), AND 15.38A.031 (FIRE PROTECTION REQUIREMENTS) AND CHAPTERS 15.16 (DANGEROUS BUILDINGS CODE), 15.40 (SMOKE DETECTORS), AND 15.64 (SWIMMING POOLS) OF THE AUBURN CITY CODE, RELATING TO BUILDING CODES

WHEREAS, the current language of the Auburn City Code includes a variety of chapters and sections dealing with various aspects of building codes; and

WHEREAS, the building codes applicable within the state of Washington are promulgated by agencies responsible for such codes and are required to be implemented or amended by local jurisdictions; and

WHEREAS, consistent with the periodic review of these building codes, it is appropriate for the city of Auburn to update and amend its building code provisions; and

WHEREAS, because of coverage in other areas, some of the codes that had previously been adopted into the City of Auburn building codes are no longer needed and can be repealed.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN,  
WASHINGTON, DO ORDAIN as follows:

**Section 1. New Section to City Code.** That a new Section 15.36A.025 of the Auburn City Code be, and the same hereby is created to read as follows:

15.36A.025 Section 105.6 Operational Permits

Section 105.6 of the International Fire Code, entitled “Required operational permits,” is adopted with the following addition:

All commercial kitchens with a type I or type II hood require an operational permit.

**Section 2. New Section to City Code.** That a new Section 15.36A.063 of the Auburn City Code be, and the same hereby is created to read as follows:

15.36A.063 Appendix D amended – Fire Apparatus Access Roads

Appendix D of the International Fire Code, entitled “Fire Apparatus Access Roads,” is adopted with the following amendments:

In case of conflict between the requirements contained in Appendix D of the 2015 International Fire Code, and the City of Auburn Design Standards, the requirements of the City of Auburn Design Standards shall govern.

**Section 3. Amendment to City Code.** That Section 15.04.080 of the Auburn City Code be and the same hereby is amended to read as follows:

15.04.080 Violation – Penalty.

Unless another ~~penally~~penalty is expressly provided by law, any violation of this chapter shall be enforced pursuant to the provisions of Chapter 1.25 ACC. (Ord. 4502 § 14, 1991; Ord. 3609 § 4, 1981.)

**Section 4. Amendment to City Code.** That Section 15.06.010 of the Auburn City Code be and the same hereby is amended to read as follows:

15.06.010 International codes adopted.

There is adopted by reference, upon the effective date of the ordinance codified in this chapter and upon filing with the city clerk one copy thereof, the following described chapters of the Washington Administrative Code, International Codes and standards, and Uniform Plumbing Code and standards together with appendix chapters, amendments, deletions and additions as set forth in this section or in the appropriate chapters in this code.



A. International Building Code adopted. The ~~2012~~2015- ~~E~~dition of the International Building Code, as published by the International Code Council, as adopted and hereafter amended by the State Building Code Council in Chapter 51-50 WAC, ~~as published by the International Code Council,~~ is adopted by reference with amendments, deletions and additions thereto as provided in Chapter 15.08A ACC, Building Code.

B. International Residential Code Adoptedadopted. The ~~2012~~2015 ~~e~~Edition of the International Residential Code, as published by the International Code Council, as adopted and hereafter amended by the State Building Code Council in Chapter 51-51 WAC, ~~as published by the International Code Council,~~ is adopted by reference, including Chapter 11, "Energy Efficiency," ~~and Chapters 25 through 42~~33, "Plumbing," and Chapters 34 through 43, "Electrical," ~~is adopted with the following amendments:~~

~~1. Appendix Chapter G, "Swimming Pools, Spas and Hot Tubs," is hereby adopted.~~

~~2. [Reserved.]~~

C. International Mechanical Code Adoptedadopted. The ~~2012~~2015 ~~E~~dition ~~edition~~ of the International Mechanical Code, as published by the International Code Council, as adopted and hereafter amended by the State Building Code Council in Chapter 51-52 WAC, ~~as published by the International Code Council,~~ is adopted by reference.

D. International Fire Code Adoptedadopted. The ~~2012~~2015- ~~E~~dition of the International Fire Code, as published by the International Code Council, as adopted and hereafter amended by the State Building Code Council in Chapter 51-54A WAC, ~~as published by the International Code Council~~is adopted by reference with amendments, deletions and additions thereto as provided in ACC Chapter 15.36A-~~ACC~~, Fire Code.

E. National Fuel Gas Code (NFPA 54) Adoptedadopted. The ~~2012~~2015- ~~E~~dition of ANSI Z223.1/ NFPA 54 National Fuel Gas Code, as published by NFPA, as adopted and hereafter amended by the State Building Code Council in Chapter 51-52 WAC, ~~as published by NFPA,~~ is adopted by reference.

F. Liquefied Petroleum Gas Code (NFPA 58) Adoptedadopted. The ~~2012~~2015 ~~E~~dition of the Liquefied Petroleum Gas Code, as published by NFPA, as adopted and hereafter amended by the State Building Code Council in Chapter 51-52 WAC, ~~as published by NFPA,~~ is adopted by reference.

G. International Fuel Gas Code Adoptedadopted. The ~~2012~~2015 ~~E~~dition of the International Fuel Gas Code, as published by the International Code Council, as adopted and hereafter amended by the State Building Code Council in Chapter 51-52 WAC, ~~as published by the International Code Council,~~ is adopted by reference.

H. Uniform Plumbing Code Adoptedadopted. The ~~2012~~2015 ~~e~~Edition of the Uniform Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials, as adopted and hereafter amended by the

State Building Code Council in Chapter 51-56 WAC, ~~as published by the International Code Council,~~ is adopted by reference, including Chapter 12, "Fuel Piping," Chapter 15, "Firestop Protection," Appendix A, "Recommended Rules for Sizing the Water Supply System," Appendix B, "Explanatory Notes on Combination Waste and Vent Systems," Appendix C, "Alternate Plumbing Systems," Appendix I, "Installation Standards," and those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel-fired appliances as found in Chapter 5 and those portions of the code addressing building sewers, ~~is adopted with the following amendments:~~

- ~~1. Appendix Chapter A, "Recommended Rules for Sizing the Water Supply System"; and~~
- ~~2. Appendix Chapter B, "Explanatory Notes on Combination Waste and Vent Systems"; and~~
- ~~3. Appendix Chapter I, "Installation Standards"; and~~
- ~~4. Appendix Chapter H, "Grease Interceptors"; and~~
- ~~5. Appendix Chapter L, "Alternate Plumbing Systems," excluding Sections L5 through L7 and "Lawn Sprinkler Head" from Table 6-4 of Appendix L, are hereby adopted.~~

I. International Energy Conservation Code adopted. The 2015 edition of the International Energy Conservation Code, as published by the International Code Council, as amended by the State Building Code Council in Chapters 51-11C and 51-11R. The most current Washington State Energy Code as established under Chapter 19.27A RCW (most recently amended in 2012). The Washington State Energy Code, as adopted and hereafter amended by the State Building Code Council in Chapters 51-11C and 51-11R WAC, is adopted.

J. International Property ~~Management~~—Maintenance Code Adopted adopted. The ~~2015~~2012—Edition of the International Property ~~Management~~—Maintenance Code, as published by the International Code Council, excluding Chapter 1, Section 111, "Means of Appeal," is ~~hereby~~ adopted by reference.

K. International Swimming Pool and Spa Code adopted. The 2015 edition of the International Property Management Code, as published by the International Code Council, excluding Chapter 4, "Public Swimming Pools," Chapter 5, "Public Spas and Public Exercise Spas," and Chapter 6, "Aquatic Recreation Facilities," is adopted by reference.

L. International Existing Building Code adopted. The 2015 edition of the International Existing Building Code, as published by the International Code Council, and hereafter amended by the State Building Code Council in Chapter 51-50-480101, is adopted.

M. International Green Construction Code adopted. The 2015 edition of the International Green Construction Code, as published by the International Code Council is adopted by reference, as an optional reference for developers who choose to utilize elements of the code for guidance. (Ord. 6469 § 1, 2013;



Ord. 6310 § 1, 2010; Ord. 6104 § 1, 2007; Ord. 5874 § 3, 2004; Ord. 5184 § 2, 1998; Ord. 4754 § 2, 1995; Ord. 4566 § 5 (Exh. A), 1992.)

15.06.020 Conflicts between codes.

In case of conflict between codes enumerated in ACC 15.06.010(A) through (JM), the first named code shall govern over those following; except where, in any specific case, different sections of these codes specify different materials, methods of construction or other requirements, the most restrictive shall govern; and where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. In the case of a conflict between the International Green Construction Code and the City of Auburn Design Standards, Surface Water Management Manual, or Construction Standards, the City of Auburn Standards shall govern. (Ord. 6469 § 1, 2013; Ord. 5874 § 3, 2004; Ord. 5184 § 2, 1998; Ord. 4754 § 2, 1995; Ord. 4566 § 5 (Exh. A), 1992.)

**Section 5. Amendment to City Code.** That Section 15.07.010 of the Auburn City Code be and the same hereby is amended to read as follows:

15.07.010 General.

A. Title. These regulations shall be known as the Construction Administrative Code of the city of Auburn.

B. Scope. The provisions of this code shall apply to the administration of the technical codes as adopted by the state of Washington and as listed:

- 1.a. ~~2012~~ 2015 International Building Code – Chapter 51-50 WAC;
- b. ~~2012~~ 2015 International Residential Code – Chapter 51-51 WAC;
- c. ~~2012~~ 2015 International Mechanical Code – Chapter 51-52 WAC;
- d. 2015 International Fire Code – Chapter 51-54A WAC;
- ~~e.~~ ~~2012~~ 2015 National Fuel Gas Code (NFPA 54) – Chapter 51-52 WAC;
- ~~ef.~~ ~~2012~~ 2015 Liquefied Petroleum Gas Code (NFPA 58) – Chapter 51-52 WAC;
- ~~fg.~~ ~~2012~~ 2015 International Fuel Gas Code – Chapter 51-52 WAC;
- ~~gh.~~ ~~2012~~ 2015 International Fire Code – Chapter 51-54A WAC; 2015 Uniform Plumbing Code – Chapter 51-56 WAC;
- ~~hi.~~ ~~2012~~ 2015 Uniform Plumbing Code – Chapter 51-56 WAC; 2015 International Energy Conservation Code – Chapters 51-11C and 51-11R WAC;
- ~~ij.~~ ~~2015~~ 2015 International Property Maintenance Code; ~~2012~~ 2015 National Electrical Code (NEC) – Chapters 19.28 RCW and 296-46B WAC;
- ~~k.~~ ~~2015~~ 2015 International Swimming Pool and Spa Code;
- ~~jl.~~ ~~The most current Washington State Energy Code as established under Chapter 19.27A RCW (most recently amended in 2012). The Washington State Energy Code, as adopted and hereafter amended by the State Building Code Council in Chapters 51-11C and 51-11R WAC, is adopted.~~ 2015 International Existing Building Code;

-----  
Ordinance No. 6601

May 12, 2016

Page 5 of 36

~~km. 2012 International Green Construction Code. The mandatory measures of this code will be used if the applicant opts to use green construction technology.~~ 2015 International Green Construction Code:

2. Exceptions. The provisions of this code shall not apply to work located primarily in a public way, public utility towers and poles and hydraulic flood control structures.

3. Definitions. For the purpose of this chapter, certain terms, phrases, words and their derivatives shall have the meanings set forth in this subsection. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. Webster's Third International Dictionary of the English Language, Unabridged latest edition, shall be considered as providing ordinary accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine; provided, that any reference to "fire department" in this title or the codes adopted hereunder shall be understood to include the Valley Regional Fire Authority. (Ord. 6469 § 2, 2013; Ord. 6310 § 2, 2010; Ord. 6104 § 2, 2007; Ord. 5874 § 4(101), 2004.)

**Section 6. Amendment to City Code.** That Section 15.07.030 of the Auburn City Code be and the same hereby is amended to read as follows:

15.07.030 Enforcement agency.

The community development and public works~~planning and development~~ department, ~~building division~~ is hereby designated as the agency responsible for enforcement of building codes, and the official in charge thereof shall be known as the building official, and Section 103 of Chapter 1 of the 2012 International Building Code is hereby amended consistent therewith. (Ord. 6469 § 2, 2013; Ord. 5874 § 4(103), 2004.)

**Section 7. Amendment to City Code.** That Section 15.07.050 of the Auburn City Code be and the same hereby is amended to read as follows:

15.07.050 Permits.

A. Application for Permit. Applicants shall file an application in writing on a form furnished by the building department for that purpose. Applications determined by the building official to be in compliance with this section shall be deemed as complete. Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.

2. Describe the land on which the proposed work is to be done ~~by with~~ the tax parcel number assigned pursuant to RCW 84.40.160, and the street address, when available.~~legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.~~



3. Indicate the use, ~~and~~ occupancy, and construction type for which the proposed work is intended.

4. Be accompanied by construction documents and other information as required in this code.

5. State the valuation of the proposed work.

6. Be signed by the applicant, or the applicant's authorized agent.

7. Give such other data and information as required by the building official.

~~8. In addition to information in subsections (A)(1) through (7) of this section, applications for permits governing construction projects costing \$5,000 or more shall also contain the following information:~~

~~a. The legal description, or the tax parcel number assigned pursuant to RCW 84.40.160, and the street address if available, and may include any other identification of the construction site by the prime contractor;~~

~~b. Include the property owner's name, address, and phone number;~~

~~c. Include~~

~~d. the prime contractor's business name, address, phone number, current state contractor registration number and city business license; and~~

~~e. Either:~~

~~i. The name, address, and phone number of the office of the lender administering the interim construction financing, if any; or~~

~~ii. The name and address of the firm that has issued a payment bond, if any, on behalf of the prime contractor for the protection of the owner, if the bond is for an amount not less than 50 percent of the total amount of the construction project;~~

~~B.e. The information required on the building permit application by subsection (A)(8)(a) through (d) of this section shall be set forth on the building permit document which is issued to the owner, and on the inspection record card which shall be posted at the construction site;~~

~~f.1. The information required by subsection (A)(8) through (10) of this section and information supplied by the applicant after the permit is issued, under subsection (A)(8)(g) of this section shall be kept on record in the office where building permits are issued and made available to any person on request. If a copy is requested, a reasonable charge may be made; in a manner consistent with public disclosure requirements of the State.~~

~~g.2. If any of the information required by subsection (A)(8) through (10) of this section is not available at the time the application is submitted, the applicant shall note what information is not available. The unavailability of that information shall not cause the application to be deemed incomplete for the purposes of vesting under this section. However, the applicant shall provide the remaining information as soon as the applicant can reasonably obtain such information. (Ord. 6469 § 2, 2013; Ord. 6310 § 4, 2010; Ord. 6266 § 1, 2009; Ord. 6104 § 4, 2007; Ord. 5874 § 4(105), 2004.)~~

**Section 8. Amendment to City Code.** That Section 15.07.060 of the Auburn City Code be and the same hereby is amended to read as follows:

15.07.060 Use of consultants.

Whenever review of a building permit application requires retention ~~by this jurisdiction~~ for professional consulting services, the applicant shall reimburse this jurisdiction the cost of such professional consulting services. This fee shall be in addition to the normal plan review and building permit fees. ~~This jurisdiction~~ The city may require the applicant to deposit an amount with this jurisdiction estimated in the discretion of the building official to be sufficient to cover anticipated costs to retaining professional consultant services and to ensure reimbursement for such costs. (Ord. 6469 § 2, 2013; Ord. 6310 § 5, 2010; Ord. 5874 § 4(106), 2004.)

**Section 9. Amendment to City Code.** That Section 15.07.080 of the Auburn City Code be and the same hereby is amended to read as follows:

15.07.080 Fees.

A. Work Performed Without a Permit. An investigation fee, in addition to the permit fee, may be collected. The investigation fee shall be equal to either the amount of the permit fee required by this code or the cost of the labor to perform the investigation. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

B. Plan Review Fees.

1. When submittal documents are required by ACC 15.07.050, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. The building official and/or the fire code official may have the option to charge a deposit in lieu of the full plan review fee, if the full amount is not known at the time. Any plan review deposit shall be applied toward the total plan review fee owed. The actual permit fees and related plan review fee shall be determined upon completion of the plan review and the balance owing shall be paid at the time of permit issuance. The plan review fee shall be a separate fee from the permit fees specified in this section and are in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in IBC Section 107.3.4.2, an additional plan review fee shall be charged at the rate shown in the fee code established by the jurisdiction.

2. ~~Registered Plan Program~~ Stock Plan Program. When plans are submitted under the ~~jurisdiction's "registered plan program"~~ stock plan program, a plan review fee shall be paid at the time of application for ~~a each registered stock~~ plan. The building official may have the option to charge a partial deposit, in lieu of the full plan review fee. All portions of fees paid as a deposit amount shall be applied to the total plan review fees owed. The applicant shall be required to pay



the balance of amount owed for the plan review. Valuations used to compute the permit fees shall include all options submitted with a registered plan. When a registered plan consists of a number of plan options that can produce any number of similar but different buildings, the building official may charge plan review fees based on each different building configuration. Plan review fees shall be paid for at the time of application for a building permit. ~~The building official may have the option to charge a partial deposit, in lieu of the full plan review fee. All portions of fees paid as a deposit amount shall be applied to the total plan review fees owed. The applicant shall be required to pay the balance of the amount owed for the plan review.~~ The plan review fees specified in this subsection are separate fees from the permit fees specified in the fee code, and are in addition to the permit fees.

~~B. Performance Bonds. Prior to the issuance of a demolition permit, the applicant or agent shall post a cash bond with the building department in the amount of \$300.00, which sum shall be refundable upon inspection and final approval. However, if a permanent bond is on file with the finance director, the applicant or agent shall post a cash bond in the amount of \$200.00.~~

C. Refunds.

1. Before Permit Issuance. The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of application.

2. After Permit Issuance. The building official may authorize refunding of any fee paid hereunder, which was erroneously paid or collected. When no work has been done under a permit issued in accordance with this code, the building official may authorize refunding of not more than 80 percent of the permit fee paid the full amount of the permit fee paid, less the current rate of the Additional Re-submittal Fee adopted by the City of Auburn Fee Schedule; when no work has been done under a permit issued in accordance with this code except that no refunds will be processed for permits 360 days from date of expiration where no work has been done. (Ord. 6469 § 2, 2013; Ord. 6310 § 6, 2010; Ord. 6104 § 5, 2007; Ord. 5874 § (108), 2004.)

**Section 10. Amendment to City Code.** That Section 15.07.090 of the Auburn City Code be and the same hereby is amended to read as follows:

15.07.090 Inspections.

The city will conduct inspections as prescribed in the latest adopted copy of the International Building Code with the exceptions as noted below:

A. IMC/UPC/GAS/NEC Rough-In Inspection. Rough-in mechanical, gas piping, plumbing and electrical shall be inspected when the rough-in work is

complete and under test. No connections to primary utilities shall be made until the rough-in work is inspected and approved.

~~B. Flashing and Exterior Weather Barrier Inspection. Flashing and exterior weather barrier inspections shall be made after all materials have been installed, but prior to any of the work being covered.~~

CB. Energy Efficiency Inspection – Envelope.

1. Wall Insulation Inspection. To be made after all wall insulation and air vapor retarder sheet or film materials are in place, but before any wall covering is placed.

2. Glazing Inspection. To be made after glazing materials are installed in the building.

3. Exterior Roofing Insulation. To be made after the installation of the roof insulation, but before concealment.

4. Slab/Floor Insulation. To be made after the installation of the slab/floor insulation, but before concealment.

DC. Special Inspections. In addition to the inspections specified above, the building official is authorized to make or require special inspections above the requirements as stated in Chapter 17 of the 2015 International Building Code for any type of work related to the technical codes by an approved agency at no cost to the jurisdiction. (Ord. 6469 § 2, 2013; Ord. 6310 § 7, 2010; Ord. 6104 § 6, 2007; Ord. 5874 § 4(109), 2004.)

**Section 11. Amendment to City Code.** That Section 15.07.100 of the Auburn City Code be and the same hereby is amended to read as follows:

15.07.100 Certificate of occupancy.

A. Use and Occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion of the building or structure shall be made until the building official has issued a certificate of occupancy as provided for in this section. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of this jurisdiction.

B. ~~Exception.~~ Certificates of occupancy are not required for work exempt from permits under Section 105.2 of the 2015 International Building Code and 2015 International Residential Code or for R-3 and U occupancies.

C. The building official is authorized under ACC 12.66.080 to evaluate the condition of public improvements that service and/or are adjacent to the lot upon which the building has been constructed. If the building activity has damaged adjacent public sidewalks, landscaping, streets or utilities the building official is authorized to withhold final inspection approval until the facilities are corrected. The building official with the city engineer approval may accept a guarantee of repair under special circumstances as determined by the city.



D. Section 111 of Chapter 1 of the ~~2012~~ 2015 International Building Code and International Residential Code is hereby amended consistent therewith. (Ord. 6469 § 2, 2013; Ord. 6310 § 8, 2010; Ord. 5874 § 4(110), 2004.)

**Section 12. Amendment to City Code.** That Section 15.08A.011 of the Auburn City Code be and the same hereby is amended to read as follows:

15.08A.011 Adoption of International Building Code.

The ~~2012~~ 2015 International Building Code, as adopted and hereafter amended by the State Building Code Council, and included in Chapter 51-50 WAC, is adopted as the building code of the city; provided, that the amendments, deletions and additions thereto as provided in this chapter shall govern over the published provisions of the International Building Code. (Ord. 6469 § 3, 2013; Ord. 6310 § 10, 2010; Ord. 6104 § 9, 2007; Ord. 5874 § 6, 2004.)

**Section 13. Amendment to City Code.** That Section 15.08A.021 of the Auburn City Code be and the same hereby is amended to read as follows:

15.08A.021 Appendices adopted.

~~International Building Code Appendix Chapter A, Employee qualifications, Chapter Appendix E, "Supplementary Accessibility Requirements," Appendix G, "Flood-resistant Construction," Appendix Chapter H, "Signs," Appendix Chapter J, "Grading," and Appendix Chapter IM, "2012 International Existing Building Code Patio Covers,"~~ are hereby adopted. (Ord. 6469 § 4, 2013; Ord. 6310 § 11, 2010; Ord. 6104 § 10, 2007; Ord. 5874 § 6, 2004.)

**Section 14. Amendment to City Code.** That Section 15.08A.031 of the Auburn City Code be and the same hereby is amended to read as follows:

15.08A.031 Section 501.2 amended – ~~Premises~~ Address identification.

International Building Code Section 501.2 is amended to read as follows:

Premises identification. Approved numbers or addresses shall be provided as required by ACC Chapter 15.52. (Ord. 5874 § 6, 2004.)

**Section 15. Amendment to City Code.** That Section 15.32.010 of the Auburn City Code be and the same hereby is amended to read as follows:

15.32.010 Additional provisions adopted.

In addition to the provisions of the ~~Uniform Sign Code, 1997~~ 2015 International Building Code, Appendix H, "Signs," there is adopted by reference and incorporated in this chapter by this reference Chapter 18.56 ACC entitled Signs. (Ord. 6310 § 12, 2010; Ord. 4777 § 2, 1995; Ord. 4569 § 2 (Exh. A), 1992; Ord. 4368 § 2, 1990; Ord. 4189 § 10, 1986.)

**Section 16. Amendment to City Code.** That Section 15.32.040 of the Auburn City Code be and the same hereby is amended to read as follows:

15.32.040 Sign permit – Revocation.

The building ~~inspector~~ official is authorized and empowered to revoke any permit issued by him upon failure of the holder to comply with any provision of this chapter. (Ord. 4777 § 2, 1995; Ord. 2856 § 2, 1974; 1957 code § 2.06.040.)

**Section 17. Amendment to City Code.** That Section 15.36A.011 of the Auburn City Code be and the same hereby is amended to read as follows:

15.36A.011 Adoption.

The 2015 edition of the International Fire Code, 2012 Edition, as published by the International Code Council, as adopted and hereafter amended in by the State Building Code Council in Chapter 51-54A WAC, ~~effective July 1, 2010, together with amendments, additions, and deletions adopted in this chapter,~~ including ~~Appendix B, “Fire Flow Requirements for Buildings,” Appendix C, “Fire Hydrant Locations and Distribution,”~~ Appendix D, “Fire Apparatus Access Roads,” ~~and~~ Appendix E, “Hazard Categories,” and Appendix H, “Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) Instructions,” is adopted by reference with amendments, additions, and deletions thereto as provided in this chapter. Chapter 15.38A ACC and this chapter shall be controlling within the jurisdiction of the city. The manufacture, storage, handling, sale, and use of fireworks shall be governed by Chapter 70.77 RCW and by Chapter 212-17 WAC and Chapter 8.24 ACC, Fireworks, consistent with Chapter 212-17 WAC. (Ord. 6469 § 5, 2013; Ord. 6310 § 13, 2010; Ord. 6104 § 11, 2007; Ord. 5874 § 10, 2004.)

**Section 18. Amendment to City Code.** That Section 15.36A.031 of the Auburn City Code be and the same hereby is amended to read as follows:

15.36A.031 Fire service features.

Chapter 5 of the International Fire Code, entitled “Fire Service Features,” is adopted with the following amendments:

A. Fire Apparatus Access Roads – Marking. Section 503 of the International Fire Code, entitled “Fire Apparatus Access Roads,” is amended by adding the following subsection:

Sec. 503.3 Marking. Fire apparatus access roads shall be marked whenever necessary to maintain the unobstructed minimum required width of roadways. Subject to the fire code official’s prior written approval, marked fire apparatus access roads, or “fire lanes” as defined in section ~~502.1~~202 of the code, may be established or relocated at the time of plan review, pre-construction site inspection, and/or post construction site inspection as well as any time during the life of the occupancy. Only those fire apparatus access roads



established by the fire code official can utilize yellow marking paint and the term “fire lane.” Fire lanes shall be marked as directed by the fire code official in accordance with ACC 10.36.175.

B. Fire Apparatus Access Roads – Marking. Section 503 of the International Fire Code, entitled “Fire Apparatus Access Roads,” is amended by adding the following subsection:

Sec. 503.3.1 Alternate materials and methods. The fire code official may modify, on a case-by-case basis, any of the marking provisions in this subsection 503.3 where practical difficulties exist. Modification requests shall be submitted in writing to the fire code official setting forth a suggested alternative.

C. Fire Protection Water Supplies – Where Required. Section 507 of the International Fire Code, entitled “Fire Protection Water Supplies,” is amended by substituting subsection 507.5.1 with the following:

Sec. 507.5.1 Where required. Where a portion of the ~~All~~ buildings or structures hereafter constructed or moved into the city is ~~shall be located so that there is at least 1 hydrant within~~ more than 150 feet, and no portion of the building or structure is more than 300 feet in vehicular travel from a hydrant, as measured by an approved route, on-site fire hydrants and mains shall be provided where required by the fire code official.:-

D. Clear Space Around Hydrants. Section 507 of the International Fire Code, entitled “Clear Space Around Hydrants,” is amended by substituting subsection 507.5.5 with the following:

Sec. 507.5.5 Clear space around hydrants. A 5-foot clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved. (Ord. 6310 § 14, 2010; Ord. 5874 § 10, 2004.)

**Section 18. Amendment to City Code.** That Section 15.36A.041 of the Auburn City Code be and the same hereby is amended to read as follows:

15.36A.041 Sections ~~903 and 2305~~ amended – ~~Housekeeping and maintenance~~ Automatic Sprinkler Systems.

A. Automatic Sprinkler Systems – Speculative Use Warehouses. Section 903 of the International Fire Code, entitled “Automatic Sprinkler Systems,” is amended by adding the following new subsections 903.2.9.3 and 903.7:

Sec. 903.2.~~9.3~~11.1.4. Speculative use warehouses. Where the occupant, tenant, or use of the building or storage commodity has not been determined or it is otherwise a speculative use warehouse or building, the automatic sprinkler system shall be designed and installed in accordance with the following:

1. The design area shall be not less than 2,000 square feet.
2. The density shall be not less than that for class IV non-encapsulated commodities on wood pallets, with no solid, slatted, or wire mesh shelving, and with aisles that are 8 feet or more in width and up to 20 feet in height.



3. Sprinkler piping that is 4 inches and larger in width shall be used and the structural engineer of record shall provide written verification approving of the point and dead loads.

Sec. 903.7. Automatic sprinkler riser rooms. All automatic sprinkler system risers shall be located in a dedicated room with an exterior door, lighting and heat. This requirement shall include any NFPA 13, 13R and 13D systems which serve more than one (1) dwelling unit or unit of occupancies.

EXCEPTION: 13D single family dwellings or Townhomes defined within the IRC.

**Section 19. Amendment to City Code.** That Section 15.36A.045 of the Auburn City Code be and the same hereby is amended to read as follows:

15.36A.045 Section 3205 amended – Housekeeping and maintenance.

A. Automatic Sprinkler Systems – Speculative Use Warehouses. Section 903 of the International Fire Code, entitled “Automatic Sprinkler Systems,” is amended by adding the following new subsections 903.2.9.3 and 903.7:

Sec. 903.2.9.3. Speculative use warehouses. Where the occupant, tenant, or use of the building or storage commodity has not been determined or it is otherwise a speculative use warehouse or building, the automatic sprinkler system shall be designed and installed in accordance with the following:

1. The design area shall be not less than 2,000 square feet.

2. The density shall be not less than that for class IV non-encapsulated commodities on wood pallets, with no solid, slatted, or wire mesh shelving, and with aisles that are 8 feet or more in width and up to 20 feet in height.

3. Sprinkler piping that is 4 inches and larger in width shall be used and the structural engineer of record shall provide written verification approving of the point and dead loads.

Sec. 903.7. Automatic sprinkler riser rooms. All automatic sprinkler system risers shall be located in a dedicated room with an exterior door, lighting and heat. This requirement shall include any NFPA 13, 13R and 13D systems which serve more than one (1) dwelling unit or unit of occupancies.

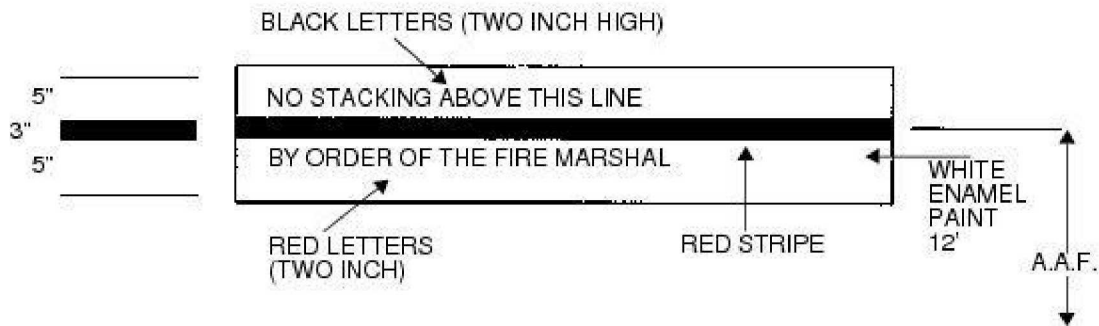
EXCEPTION: 13D single family dwellings or Townhomes defined within the IRC.

B. International Fire Code Section ~~2305~~3205 is amended to read as follows:

~~2305.6.1~~3205.6.1 – Signage.

Facilities designed in accordance with this section shall include the appropriate signage (as shown below) and shall be properly posted.

Example of approved signage required for use of Section ~~2305.6.1~~3205.6.1, as amended:



1. This sign must be posted prior to building being ~~fixtured~~stocked and/or occupied.
2. Mount signs at 50'0" O.C. on all walls starting 25'0" from any exterior corner; also on two sides of each column.
3. Signage required on end of racks, if installed.
4. In accordance with the International Fire Code as amended. (Ord. 6310 § 15, 2010; Ord. 6104 § 12, 2007; Ord. 5874 § 10, 2004.)

**Section 20. Amendment to City Code.** That Section 15.36A.081 of the Auburn City Code be and the same hereby is amended to read as follows:

15.36A.081 Definitions.

"Addressable" means the capability of a fire alarm system and associated devices that have discrete identification so that system devices can have their status individually identified within the fire alarm system. ~~"Common use" means interior or exterior circulation paths, rooms, spaces or elements that are not available for public use and are made available for the shared use or two or more people.~~

~~"Employee work area" means all or any portion of a space used only by employees and only for work purposes. Corridors, toilet rooms, kitchenettes, conference rooms and break rooms are not employee work areas.~~

~~"Public use areas" means interior or exterior rooms or spaces that are made available to the general public.~~ (Ord. 6104 § 13, 2007.)

**Section 21. Amendment to City Code.** That Section 15.36A.091 of the Auburn City Code be and the same hereby is amended to read as follows:

15.36A.091 Fire alarm and detection systems.

A. International Fire Code Chapter 9 is amended to read as follows:

907.1.3 Equipment. Equipment systems and their components shall be listed and approved for the purposes for which they were installed. All new systems shall be addressable. Each device shall have its own address and annunciate individual device addresses at a UL Central Station.



907.1.4 Approved Fire Alarm and Detection Systems. In addition to any requirement of 907.2 or 907.3, all occupancies exceeding 5,000 square feet gross floor area shall be required to provide an approved automatic fire detection and alarm system. Fire walls ~~as defined in 15.38A.011(A)~~ shall not be considered to separate a building to enable deletion of the required fire detection system.

**EXCEPTIONS:**

1. Group "U" Occupancies.
2. Occupancies protected throughout by an approved monitored automatic sprinkler system may delete heat and smoke detectors from the system.

3. One and Two Family residences.

~~907.6.2.3 Visible Alarms. Visible alarm notification shall be provided in accordance with Sections 907.6.2.3.1 through 907.6.2.3.4.~~

**EXCEPTIONS:**

1. ~~Visible alarm notification shall not be required in non-public accessible storage areas in S1 and S2 occupancies or other approved areas.~~

~~907.6.2.3.1 Public and Common Areas. Visible and audible alarm notification appliances shall be provided in public and common areas as defined in Section 15.36A.081.~~

~~907.6.2.3.2~~ 907.5.2.3.1 Employee Work Areas. Visible and audible alarm notification appliances shall be provided in employee work areas as defined in ACC Section 15.36A.081.

B. For purposes of this chapter, a "fire wall," "fire barrier," or "horizontal assembly" shall not be considered to separate a building so as to avoid the required automatic fire alarm and detection system. A building shall have a minimum distance of five feet from any point of the building to any point of another building and from the property line in order to be considered a separate building. (Ord. 6310 § 16, 2010; Ord. 6104 § 14, 2007.)

**Section 22. Amendment to City Code.** That Section 15.38A.021 of the Auburn City Code be and the same hereby is amended to read as follows:

15.38A.021 General.

A. Automatic fire extinguishing systems shall be installed in accordance with this chapter or as approved by both the building official and fire code official.

~~B. Fire hose threads used in connection with automatic fire extinguishing systems shall be national standard hose threads or as approved by the fire code official.~~

CB. The location of fire department hose connections shall be located within 50 feet of and no closer than five feet of an approved water supply and the connection shall be located on the same side of the fire access roadway as the approved water supply and must be approved by the fire code official.

~~D~~C. Buildings used for high piled combustible storage shall comply with the fire protection requirements of the fire code and Chapter 15.36A ACC.

~~E~~D. For additional provisions on special hazards see the fire code and building code for requirements. (Ord. 6310 § 17, 2010; Ord. 5874 § 12, 2004.)

#### 15.38A.041 Application.

An automatic fire extinguishing system shall be installed and maintained in an operable condition as specified in this chapter in the following locations:

A. All new buildings that do not have adequate fire flow or do not have adequate emergency fire vehicle access as required in the fire code and as determined by the fire code official.

B. All new buildings except those classed as Group R, Division 3 and Group U, when:

1. The building has more than 10,000 square feet of floor area, or is higher than 30 feet, or requires more than 2,500 gallons per minute of fire flow, ~~in accordance with International Fire Code Appendix B.~~

C. All new buildings that contain more than 8,000 square feet of Group A occupancies and in:

~~1. All A-2 assembly rooms used primarily for entertaining occupants who are consuming alcoholic or nonalcoholic beverages or dining in unseparated areas where the total floor area is more than 5,000 square feet. For uses to be considered separated, the separation shall not be less than a one-hour occupancy separation as defined in the building code.~~

~~2. All enclosed usable space below or over a stairway in Group A, Divisions 1 through 2, 3, 4 and 5 occupancies.~~

~~3. All amusement buildings except those that are both less than 1,000 square feet of floor area and have an exit travel distance from any point that is less than 50 feet.~~

~~4. Areas under roof and gridiron, in the tie and fly galleries, and in all places behind the proscenium wall of stages; over and within the permanent platforms that are more than 500 square feet in area; and in dressing rooms, workshops and storerooms accessory to such stages or platforms, with the exceptions noted below.~~

~~Exceptions:~~

~~a. Sprinklers are not required for stages 1,000 square feet (92.9 m<sup>2</sup>) or less in area and 50 feet (15,240 mm) or less in height where curtains, scenery or other combustible hangings are not retractable vertically. Combustible hangings shall be limited to a single main curtain, borders, legs and a single backdrop.~~

~~b. Under stage areas less than four feet (1,219 mm) in clear height used exclusively for chair or table storage and lined on the inside with five-eighths-inch (16 mm) Type X gypsum wallboard or an approved equal.~~

D. Additions, Alterations and Repairs. For the purpose of this chapter, any alteration or repair which changes the character of the occupancy or use,



and which increases the fire or life safety or structural hazards, shall comply with the requirements of this chapter and:

1. Any additions that increase the floor area of a building shall require that the entire building comply with this chapter; and

2. These determinations shall be made by the building official and the fire code official.

E. For purposes of this chapter, a “fire wall,” “fire barrier,” or “horizontal assembly” shall ~~not only~~ be considered to separate a building so as to avoid the required automatic fire extinguishing system upon approval of the building official and/or the fire code official. ~~A building shall have a minimum distance of five feet from any point of the building to any point of another building and from the property line in order to be considered a separate building.~~

F. Plans. In addition to the requirements in the building and fire codes, all plans for automatic fire extinguishing systems, including sprinkler system underground piping, shall bear the stamp and signature of a Washington State professional engineer who is registered as qualified in fire protection engineering, or registered as a certified sprinkler contractor through the Washington State Fire Marshal’s Office, or as approved by the fire code official.

F. When the fire code official determines that fire flows required by the City of Auburn Design Standards cannot be achieved, or determines additional fire flows are required by referencing Appendix B of the 2015 International Fire Code, additional fire suppression or other safety measures may be required.

G. Conflict. In case of conflict between the requirements contained in Chapter 15.08A ACC and this chapter, the requirements of this chapter shall govern and prevail. (Ord. 6310 § 18, 2010; Ord. 5874 § 12, 2004.)

**Section 23. Amendment to City Code.** That Section 15.48.010 of the Auburn City Code be and the same hereby is amended to read as follows:

15.48.010 Definitions.

For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meaning given in this section.

A. “Building” is that which is built or constructed, an edifice or structure of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. For the purpose of this section, manufactured or mobile homes are not considered “buildings” with regards to the applicability of Chapter 15.48 ACC.

B. “Building inspector” is the building official, or his designated deputy. (Ord. 4189 § 13, 1986.)

**Section 24. Amendment to City Code.** That Section 15.48.040 of the Auburn City Code be and the same hereby is amended to read as follows:



15.48.040 Permit – Application – Form.

The application shall be made in writing, upon forms provided by the planning and development department, and shall be filed with the ~~planning and community development and public works~~ department. (Ord. 6310 § 22, 2010; Ord. 2856 § 2, 1974; 1957 code § 2.14.030(A).)

**Section 25. Amendment to City Code.** That Section 15.48.090 of the Auburn City Code be and the same hereby is amended to read as follows:

15.48.090 Permit – Application – Performance bond or deposit accompanying.

The applicant shall also file a performance bond or certified check in 100 percent the amount of the estimated cost of such removal or moving, alteration, repair, change, addition or rebuilding, as ~~estimated~~ reviewed and accepted by the building ~~inspector~~ official; and such performance bond shall be conditioned upon the owner, resident or other individual securing such permit faithfully bringing the building or structure so moved and/or altered up to all standards as required by the building code and ordinances of the city, and shall further be conditioned upon the owner-applicant completing such work and complying with the building code and ordinances of the city within six months from the date such permit is granted. (Ord. 3288 § 18, 1978.)

**Section 26. Amendment to City Code.** That Section 15.48.120 of the Auburn City Code be and the same hereby is amended to read as follows:

15.48.120 Permit – Fees, deposits and insurance filed with city clerk.

A. Deposits. The ~~planning and community development and public works~~ department shall deposit all fees and deposits and all insurance policies with the city ~~clerk~~ finance department.

B. Return upon Nonissuance. In the event that the planning and development department is unable to issue a permit, the department shall return to the applicant all insurance policies submitted. Permit fees filed with the application shall not be returned. (Ord. 6310 § 25, 2010; Ord. 2856 § 2, 1974; 1957 code § 2.14.040(C).)

**Section 27. Amendment to City Code.** That Section 15.48.130 of the Auburn City Code be and the same hereby is amended to read as follows:

15.48.130 Designations of streets.

The ~~community development and public works~~ ~~planning and development~~ department shall ~~procure from the public works department~~ determine a list of designated streets over which the building may be moved. The ~~community development and public works~~ ~~planning and development~~ department shall have the list approved by the chief of police and shall reproduce the list upon the permit in writing. In making their determinations, the ~~community development and~~

public works ~~public works~~ department and the chief of police shall act to assure maximum safety to persons and property in the city and to minimize congestion and traffic hazards on public streets. (Ord. 6310 § 26, 2010; Ord. 2856 § 2, 1974; 1957 code § 2.14.040(D).)

**Section 28. Amendment to City Code.** That Section 15.48.140 of the Auburn City Code be and the same hereby is amended to read as follows:

15.48.140 Permittee's duties.

Every permittee under this chapter shall:

A. Move a building only over streets designated for such use in the written permit;

B. Notify the community development and public works ~~planning and development~~ department in writing of a desired change in moving date and hours as proposed in the application;

C. Notify the community development and public works ~~planning and development~~ department in writing of any and all damage done to property belonging to the city within 24 hours after the damage or injury has occurred;

D. Cause red lights to be displayed during the nighttime on every side of the building, while standing on a street, in such a manner as to warn the public of the obstruction, and shall at all times erect and maintain barricades across the streets in such manner as to protect the public from damage or injury by reason of the removal of the building;

E. Comply with the building code, the fire ~~zone~~code, the zoning ordinance and all other applicable ordinances and laws upon relocating the building in the city;

F. Pay the expense of a traffic officer if ordered by the community development and public works ~~planning and development~~ department to accompany the movement of the building to protect the public from injury;

G. Remove all rubbish and materials and fill all excavations to existing grade at the original building site so that the premises are left in a safe and sanitary condition;

H. See that the sewer line is plugged with a concrete stopper and the water shut off. Permittee shall notify the gas and electric service companies to remove their services. (Ord. 6310 § 27, 2010; Ord. 2856 § 2, 1974; 1957 code § 2.14.050.)

**Section 29. Amendment to City Code.** That Section 15.52.030 of the Auburn City Code be and the same hereby is amended to read as follows:

15.52.030 Requirements generally.

A. The owner, agent, occupant, lessee or tenant of any building or portion thereof situated within the city limits shall maintain a building number thereon as provided in this chapter.



B. Each figure of the building number shall be a minimum of four inches in height on single-family residential occupancies. Individual suite numbers on commercial occupancies and individual multifamily unit numbers shall be a minimum of two inches in height. Numbers shall be of a color that will contrast with the structure's background color and shall be either illuminated during periods of darkness, or be reflective, so the address numbers are easily seen at night.

C. The building(s) shall have the building address numerals located on the upper 25 percent of the building face fronting the public street or right-of-way. This requirement may be reduced in the downtown area where buildings are located closer to the public way or right-of-way. Numeral size shall be as follows:

| Setback from Public Way or Right-of-Way Centerline    | Less than 75 Feet from Public Way or Right-of-Way Centerline | Greater than 75 Feet from Public Way or Right-of-Way Centerline |
|-------------------------------------------------------|--------------------------------------------------------------|-----------------------------------------------------------------|
| Multifamily                                           | 12" High                                                     | 18" High                                                        |
| Small Commercial                                      | 12" High                                                     | 18" High                                                        |
| Large Commercial (>20,000-SF or over 30-ft in height) | 18" High                                                     | 24" High                                                        |
| Monument Sign                                         | 8" High                                                      | N/A                                                             |

D. It shall be the duty of the building official to assign the correct building number to all structures within the city at the time of issuance of building permits, or upon the request of any owner, occupant or lessee. The building official shall also assign site addresses to all lots created or modified through a subdivision process as contained within ACC Title 17. The building official is authorized to develop standards and procedures for the assignment of building numbers in a logical and consistent manner throughout the city. The building official shall consult with other affected city departments and responsible authorities in the development and application of such standards. (Ord. 6038 § 2, 2006; Ord. 5998 § 2, 2006; Ord. 5874 § 14, 2004; Ord. 2856 § 2, 1974; 1957 code § 2.15.030.)

**Section 30. Amendment to City Code.** That Section 15.52.055 of the Auburn City Code be and the same hereby is amended to read as follows:

15.52.055 Changing a building number – Procedures.

A. An assigned building number may be changed ~~by action of the city council~~ upon petition for such change by the building owner, by petition by an outside service agency such as the U.S. Postal Service, or by petition of any city department.

B. An assigned building number may be changed by action of the city council upon petition for such change by an outside agency such as the U.S. Postal Service or by petition of any city department.

~~B~~C. Prior to acting on any proposal to change a building number, the city council shall conduct at least one public hearing; provided, that if the building owner is the petitioner, ~~a public hearing shall not be required~~ city council action is not necessary.

~~C~~D. Notice shall be provided to all potentially affected building owners, utility providers, the U.S. Postal Service, fire authority, and any other appropriate outside service agencies as determined by the building official, at least 10 calendar days prior to the public hearing. Legal notice shall also be advertised in a newspaper of general circulation at least 10 calendar days prior to the public hearing.

~~D~~E. The building official is authorized to develop procedures for the filing and processing of such petitions. (Ord. 6038 § 2, 2006; Ord. 5998 § 2, 2006.)

**Section 31. Amendment to City Code.** That Section 15.52.060 of the Auburn City Code be and the same hereby is amended to read as follows:

15.52.060 Unnumbered or illegibly numbered buildings.

In cases where a building requiring a building number to be affixed thereon pursuant to this chapter remains unnumbered, or where the building number thereon has become lost, destroyed or defaced so as to become illegible, the owner, agent, occupant, tenant or lessee shall cause the building to be numbered in a manner consistent with this chapter within ~~30~~14 days after notification therefor by the building official. (Ord. 6038 § 2, 2006; Ord. 5998 § 2, 2006; Ord. 2856 § 2, 1974; 1957 code § 2.15.060.)

**Section 32. Amendment to City Code.** That Section 15.56.020 of the Auburn City Code be and the same hereby is amended to read as follows:

15.56.020 Alarm users registration required.

A. Beginning January 1, 2000, no person shall operate or use ~~a~~ security alarm system on any premises within the city of Auburn, under that person's control, without first having obtained from the police department a separate registration for each premises protected by an alarm system.

B. The police department may not respond to any alarm system for which a registration has not first been obtained.

C. For the purposes of this section, a person shall be deemed to be an operator or user of an alarm system if:

1. The person controls both the alarm system and the premises upon which it is installed; or

2. The person controls the premises and is the subscriber, client or tenant of the system subscriber; or

3. The person is the system subscriber or alarm user.

D. All persons required to obtain a registration must complete a registration application form that is provided by the police department. Information required to be provided on the registration application form includes, but is not limited to:

1. Subscriber's and/or alarm user's name, address and telephone number(s);

2. Names and telephone numbers of three additional persons who will respond in the event of alarm activation in the absence of the alarm user and said persons will provide access to premises and be able to deactivate alarm, or said persons will provide information on who to contact for access;

3. The name(s) of the alarm installation business and alarm monitoring business responsible for regular maintenance and monitoring;

4. The information required in subsection (D)(3) of this section shall not apply to alarms which are installed by the homeowner/tenant;

5. The information required in subsection (D)(3) of this section shall not apply to: (a) existing alarms; or (b) alarms which are installed in multiple-tenant buildings.

E. Failure to complete the required information will result in automatic denial of the registration.

F. Each registration shall be given a number which shall not be transferable.

G. Completed applications for an alarm user's registration and a fee as set forth in the city of Auburn fee schedule shall be filed with the police department, except that no fee shall be charged for alarms installed prior to enactment of this chapter if a registration application for such existing alarm system is filed prior to January, 2000.

H. A penalty fee as set forth in the fee resolution will be charged, in addition to the fee provided in subsection G of this section, to a user who fails to obtain a registration within 30 days after the system becomes operative, or to a current user who fails to obtain a registration.

I. Registration fees shall be payable to the city of Auburn and deposited into the city's general fund.

J. Any person who owns, operates, or possesses any alarm system within the city of Auburn, which does not conform to the requirements of this chapter, shall disconnect that alarm and render it inoperable or alter it in accordance with this chapter no later than 60 days after enactment of this chapter.

K. The following shall be required to obtain a registration under this article, but shall not be required to pay any fee:



1. Businesses which are nonprofit organizations, including but not limited to religious, civic, charitable, benevolent, nonprofit, cultural, governmental or youth organizations.

L. Alarm user shall notify police department, within 10 days, of any change of information from that contained on the registration application. (Ord. 5819 § 8, 2004; Ord. 5224 § 1, 1999.)

**Section 33. Amendment to City Code.** That Section 15.74.030 of the Auburn City Code be and the same hereby is amended to read as follows:

15.74.030 Definitions.

For the purpose of this chapter, the following words shall have the following meanings:

A. "Accelerated erosion" Erosion much more rapid than normal or geologic erosion, primarily as a result of the influence of the activities of man or, in some cases, of the animals or natural catastrophes that expose bare surfaces (e.g., fires). ~~means any increase over the rate of natural erosion as a result of a land-disturbing activity.~~

B. "Clearing" means the destruction and removal of vegetation by manual, mechanical, or chemical methods ~~any activity which removes or seriously damages ground cover, shrubs, and/or trees including but not limited to root mat removal and/or topsoil removal by mechanical and/or chemical means and which exposes the earth's surface.~~

C. "Filling" means the act of transporting or placing (by any manner or mechanism) fill material from, to, or on any soil surface, natural vegetative covering of soil surface, or fill material (including temporary stockpiling of fill material).

D. "Grading" means any excavating, filling, clearing, or re-contouring of the ground surface or combination thereof.

E. "Ground cover" means small plants such as salal, ferns, mosses, grasses or other types of vegetation which normally cover the ground, including trees less than six inches in diameter measured at 24 inches above ground level, which renders the surface of the soil stable against accelerated erosion.

F. "Impervious surface" means a hard surface area that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A hard surface area which causes water to run off in greater quantities or at an increased rate of flow from the flow under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots, storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled macadam or other surfaces which similarly impede the natural infiltration of storm water. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces for the purpose of determining whether the thresholds for application of minimum requirements are exceeded. Open, uncovered

retention/detention facilities shall be considered impervious surfaces for purposes of runoff modeling.

G. "Land disturbing activity" means any activity that results in movement of earth, or a change in the existing soil cover (both vegetative and non-vegetative) and/or the existing soil topography. Land disturbing activities include, but are not limited to, clearing, grading, filling, and excavation. Compaction that is associated with stabilization of structures and road construction shall also be considered land disturbing activity. Vegetation maintenance practices are not considered land disturbing activity.

H. "Permanent structure" means any buildings which are immovable including homes, garages, barns, storage buildings, or a driveway not wider than 20 feet which is the exclusive route of ingress and egress to an immovable garage or carport.

I. "Pre-loading" means the placement of material with the intent to surcharge and compress subsurface soils for a limited amount of time.

J. "Sedimentation" means the process by which solid particulate matter is transported by water off the site of the land disturbing activity and settles onto land or the bed of a creek, stream, river, wetland, pond, lake, or other water body.

K. "Stockpiling" means the placement of material with the intent to remove at a later time.

L. "Tree" means any self-supporting perennial woody plant characterized by natural growth of one main stem or trunk with a definite crown, and maturing at a height of at least six feet above the ground.

M. "Shrubs" means any living terrestrial plant or vegetation other than a tree or ground cover on land.

N. "Significant tree" means a healthy evergreen tree, six inches or more in diameter measured four feet above grade, or a healthy deciduous tree four inches or more in diameter measured four feet above grade.

O. "Underdeveloped property" means any parcel which under the city's zoning code may be further subdivided to allow further development, or is not already developed to the fullest zoning potential.

P. "Undeveloped property" means any parcel which has not been altered from its natural state by grading or filling or by construction of private structures or public infrastructure that allows further development. (Ord. 6283 § 13, 2009; Ord. 6146 § 1, 2007; Ord. 4861 § 1, 1996; Ord. 4266 § 1, 1988.)

#### 15.74.050 Exemptions.

- A. The following are exempt from the requirements of this chapter:
- A1. Removal of dead or diseased trees, shrubs, or ground cover.
  - B2. Clearing and grading associated with continuous agricultural uses, excluding timber cutting not otherwise exempted.
  - C3. Clearing and grading not to exceed 6,999 square feet of area within individual lots, for the purpose of the construction of a single-family home or



duplex, provided a building permit has been issued by the city prior to commencing the clearing and grading activities and construction of the structure starts within 90 days of commencing clearing and grading activities.

~~D~~4. The removal of up to six trees per lot within any 12-month period, or for lots greater than one acre, up to six trees per acre within any 12-month period, with fractional acres of one-half acre or more considered to be a whole acre.

~~E~~5. Clearing and grading for the construction and maintenance of public facilities as approved by the city engineer to include water, sanitary sewer, streets, highways, storm drainage and related facilities.

~~F~~6. Removal of trees, shrubs, and ground cover in emergency situations involving immediate danger to life or property.

~~G~~7. Routine landscape maintenance and minor repair.

~~H~~8. Removal of trees and vegetation consistent with an approved surface mining permit.

~~I~~9. Removal of a tree from property zoned residential that endangers a permanent structure by being closer to the structure than the distance from the base of the tree to its top, regardless of whether the tree is located on the same property as the structure.

~~J~~10. Upon approval of the city engineer or his/her designee, clearing and grading not to exceed 500 cubic yards consisting of excavations of less than five feet in vertical depth and/or fills less than eight inches of vertical depth. ~~on any portion of a site and involving the deposit or displacement of not more than a total of 500 cubic yards of material during any 24-month period.~~

~~K~~11. Upon approval of the city engineer or his/her designee, the temporary stockpiling of less than 500 cubic yards, combined, of topsoils, crushed rock, sawdust, mulch, bark, chips, or similar materials on a lot, tract, or parcel of land for a period not to exceed 12 months; provided, that the stockpile has adequate coverage to prevent erosion.

~~L. Upon approval of the city engineer or his/her designee, the broadcasting of less than 500 cubic yards of topsoil, peat, sawdust, mulch, bark, chips, or solid nutrients used for landscaping or soil conditioning on a lot, tract or parcel of land during any 24-month period, provided the finished depth does not increase the grade from the existing grade by more than eight inches.~~

~~M~~12. Upon approval of the city engineer or his/her designee, the temporary stockpiling of organic or inorganic materials used in an approved construction project, provided the use, location, duration, and extent of the stockpile was disclosed through the environmental or development review process. In no case shall a temporary stockpile remain beyond a 24-month period.

~~N~~13. The creation of impervious surfaces which have a surface area less than 2,000 square feet.

~~O~~14. Emergency temporary sandbagging, diking, ditching, filling or similar work during or after periods of extreme weather conditions when done to

protect life or property, provided such measures do not adversely impact adjacent properties or public facilities.

B. An exemption from clearing, filling, and grading permit requirements does not exempt a property owner from the policies, criteria, and standards contained in this chapter or other applicable local, state, or federal regulations or permit requirements.

C. The property owner is responsible to ensure that clearing of any trees that are within striking distance of a structure or have the potential to cause damage to others is performed by a licensed and bonded contractor. (Ord. 6283 § 14, 2009; Ord. 6146 § 1, 2007; Ord. 4861 § 1, 1996; Ord. 4266 § 1, 1988.)

**Section 34. Amendment to City Code.** That the title to Chapter 15.56 of the Auburn City Code be and the same hereby is amended to read as follows:

Chapter 15.56  
SECURITY ALARM SYSTEMS

Sections:

- 15.56.010 Repealed.
- 15.56.020 Alarm users registration required.
- 15.56.030 Fees.
- 15.56.040 Additional duties of alarm user.
- 15.56.050 Alarm business duties.
- 15.56.060 Non-permitted system and uses.
- 15.56.070 Special registrations.
- 15.56.080 Administrative hearing.
- 15.56.090 Violations – Penalties.

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**Section 35. Repeal of Section in City Code.** That Section 15.08A.071 (Building Code) of the Auburn City Code be and the same hereby is repealed.

**Section 36. Repeal of Section in City Code.** That Section 15.38A.031 (Fire Protection Requirements) of the Auburn City Code be and the same hereby is repealed.

**Section 37. Repeal of Chapter in City Code.** That Chapter 15.16 (Dangerous Buildings Code) of the Auburn City Code be and the same hereby is repealed.

**Section 38. Repeal of Chapter in City Code.** That Chapter 15.40 (Smoke Detectors) of the Auburn City Code be and the same hereby is repealed.

**Section 39. Repeal of Chapter in City Code.** That Chapter 15.64 (Swimming Pools) of the Auburn City Code be and the same hereby is repealed.

**Section 40. Implementation.** The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

**Section 41. Severability.** The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

**Section 42. Effective date.** This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

INTRODUCED: \_\_\_\_\_

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

**CITY OF AUBURN**

\_\_\_\_\_  
NANCY BACKUS, MAYOR



ATTEST:

\_\_\_\_\_  
Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Daniel B. Heid, City Attorney

Published: \_\_\_\_\_

TEXT OF CODE PROVISIONS BEING REPEALED/DELETED

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(Building Code Chapter)

15.08A.071 Section 3408.1 amended – Conformance.

International Building Code Section 3408.1 is amended to read as follows:

Section 3408.1 Conformance. Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code, the International Residential Code (WAC 51-51), the International Mechanical Code (WAC 51-52), the International Fire Code (WAC 51-54), the Uniform Plumbing Code and Standards (WAC 51-56 and 51-57), the Washington State Energy Code (WAC 51-11) and the Washington State Ventilation and Indoor Air Quality Code (WAC 51-13) for new buildings or structures.

Exception: Group R-3 buildings or structures are not required to comply if:

1. The original occupancy classification is not changed, and
2. The original building is not substantially remodeled or rehabilitated.

For the purposes of this section a building shall be considered substantially remodeled when the costs of remodeling exceed 60 percent of the value of the building exclusive of the costs relating to preparation, construction, demolition or renovation of foundations.

Structures moved into or within the jurisdiction shall comply with the provisions of this code for new structures. Prior to issuance of a permit to move a structure into the jurisdiction, the applicant shall provide a performance bond to the City Treasurer for an amount to be determined by the City Council. Structures moved into the jurisdiction shall be completed within 90 days. (Ord. 5874 § 6, 2004.)

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(Fire Protection Requirements Chapter)

15.38A.031 Standards.

Automatic fire extinguishing systems shall comply with the building and fire code standards. (Ord. 5874 § 12, 2004.)

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Chapter 15.16

DANGEROUS BUILDINGS CODE<sup>1</sup>

Sections:

- |           |                                                           |
|-----------|-----------------------------------------------------------|
| 15.16.010 | Section 401(c) amended – Service of notices and orders.   |
| 15.16.020 | Section 801(b) amended – Costs.                           |
| 15.16.030 | Section 802 – Repair and demolition fund deleted.         |
| 15.16.040 | Section 902 amended – Report transmitted to council – Set |

for hearing.

15.16.050 Section 905(c) amended – Personal obligation or special assessment.

15.16.060 Section 908(b) amended – Lien of assessment.

15.16.070 Section 909 amended – Report to assessor and county treasurer – Addition of assessment to tax roll.

15.16.080 Section 910 amended – Filing of report with county auditor.

15.16.090 Section 912 amended – Recovered moneys.

15.16.010 Section 401(c) amended – Service of notices and orders.

Chapter 4, Section 401(c) of the Uniform Code for the Abatement of Dangerous Buildings is amended and shall read as follows:

c. Service of Notice and Order. The notice and order, and any amended or supplemental notice and order, shall be served upon the record owner, and posted on the property; and one copy thereof shall be served on each of the following if known to the Building Official or disclosed from official public records; the holder of any mortgage or deed of trust or other lien or encumbrance of record; the owner or holder of any lease of record; and the holder of any other estate or legal interest of record in or to the building or the land on which it is located.

If the whereabouts of such persons is unknown and the same cannot be ascertained by the Building Official in the exercise of reasonable diligence and the Building Official shall make an affidavit to that effect, then the serving of such compliant or order upon such person may be made by publishing the same each week,

for two consecutive weeks, in the official newspaper of the city of Auburn.

The failure of the Building Official to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly served or relieve any such person from any duty or obligation imposed on him by the provisions of this Section. (Ord. 4378 § 2, 1990.)

15.16.020 Section 801(b) amended – Costs.

Section 801(b) of the Uniform Code for the Abatement of Dangerous Buildings shall be amended to read as follows:

(b) Costs. The cost of such work shall be paid from such account as deemed appropriate by the Finance Director. (Ord. 4378 § 2, 1990.)

15.16.030 Section 802 – Repair and demolition fund deleted.

Section 802 of the Uniform Code for the Abatement of Dangerous Buildings is deleted. (Ord. 4378 § 2, 1990.)

15.16.040 Section 902 amended – Report transmitted to council – Set for hearing.

Section 902 of the Uniform Code for the Abatement of Dangerous

Buildings shall be amended to read as follows:

Sec. 902. Upon receipt of said report, the clerk of this jurisdiction shall present it to the legislative body of this jurisdiction for consideration. The legislative body of this jurisdiction shall fix a time, date and place for hearing said report and any protests or objections thereto. The clerk of this jurisdiction shall cause notice of said hearing to be posted upon the property involved, published once in a newspaper of general circulation in this jurisdiction, and served by certified mail, postage prepaid, addressed to the owner of the property as his name and address appear on the last equalized assessment roll of the county if such so appear, or as known to the clerk and to persons entitled to notice pursuant to Subsection (c) of Section 401. Such notice shall be given at least 10 days prior to the date set for hearing and shall specify the day, hour and place when the legislative body will hear and pass upon the director's report, together with any objections or protests which may be filed as hereinafter provided by any person interested in or affected by the proposed charge. (Ord. 4378 § 2, 1990.)

15.16.050 Section 905(c) amended – Personal obligation or special assessment.

Section 905, subsection (c) of the Uniform Code for the Abatement of Dangerous Buildings is hereby amended as follows:

(c) Special Assessment and Lien. If the legislative body of this jurisdiction orders that the charge shall be assessed against the property it shall confirm the assessment, cause the same to be recorded on the assessment roll, and thereafter said assessment shall constitute a special assessment against and a lien upon the property which shall be of equal rank with state, county and municipal taxes. (Ord. 4378 § 2, 1990.)

15.16.060 Section 908(b) amended – Lien of assessment.

Section 908, subsection (b) of the Uniform Code for the Abatement of Dangerous Buildings is amended to read as follows:

(b) Interest. All such assessments remaining unpaid after 30 days from the date of recording on the assessment roll shall become delinquent and shall bear interest at the rate of twelve percent per annum plus penalties from and after said date as provided for in RCW 84.56.020, as now or hereafter amended for delinquent taxes. (Ord. 4378 § 2, 1990.)

15.16.070 Section 909 amended – Report to assessor and county treasurer – Addition of assessment to tax roll.

Section 909 of the Uniform Code for the Abatement of Dangerous Buildings is hereby amended as follows:

Sec. 909. After confirmation of the report, certified copies of the assessment and lien shall be given to the assessor and the county treasurer for this jurisdiction, who shall enter the amount of the assessment upon the tax rolls against the property for the current year and the same shall become a part of the

general taxes for that year to be collected at the same time and with interest at such rates and in such manner as provided for in RCW 34.56.020, as now or hereafter amended, for delinquent taxes, and when collected to be deposited to the credit of the general fund of the municipality. (Ord. 4378 § 2, 1990.)

15.16.080 Section 910 amended – Filing of report with county auditor.

Section 910 of the Uniform Code for the Abatement of Dangerous Buildings is hereby amended as follows:

Sec. 910. If the county assessor and the county treasurer assess property and collect taxes for this jurisdiction, a certified copy of the assessment shall be filed with the county auditor. The descriptions of the parcels reported shall be those used for the same parcels on the county assessor's map books for the current year. (Ord. 4378 § 2, 1990.)

15.16.090 Section 912 amended – Recovered moneys.

Section 912 of the Uniform Code for the Abatement of Dangerous Buildings is hereby amended as follows:

Sec. 912. All money recovered by payment of the charge of assessment or from the sale of the property at foreclosure sale shall be paid to the Finance Director, who shall credit the same to the appropriate account. (Ord. 4378 § 2, 1990.)

<sup>1</sup> Prior legislation: 1957 code §§ 2.05.010 – 2.05.040; Ords. 2856, 4189.

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## Chapter 15.40 SMOKE DETECTORS

### Sections:

- 15.40.010 Application and scope.
- 15.40.020 Definitions.
- 15.40.030 Conformance with nationally accepted standards.
- 15.40.040 Primary power supply.
- 15.40.050 Repealed.
- 15.40.060 Repealed.
- 15.40.070 Installation.
- 15.40.080 Maintenance.
- 15.40.090 Violation – Penalty.

15.40.010 Application and scope.



All Group R Occupancies sold, leased, let or rented in the city of Auburn shall have installed therein smoke detectors pursuant the provisions of this chapter. (Ord. 4270 § 1, 1988.)

15.40.020 Definitions.

For the purpose of this chapter, the words set out in this section shall have the following meanings:

A. "Combination photoelectric/ionization detector" means a smoke detection device containing both an ionization and a photoelectric element.

B. Factory Built Housing. For the purpose of these rules, "factory built housing" is considered as any structure designed primarily for human occupancy other than a mobile home, the structure of any room of which is either entirely or substantially prefabricated or assembled at a place other than a building site, and which is subject to regulation by the Washington Department of Labor and Industries pursuant to RCW 43.22.450 through 43.22.490.

C. Group R Occupancies. "Group R occupancies" shall have the following meanings:

1. Group R, Division 1 of the International Building Code, guest rooms and dwelling units, i.e., hotels, motels, apartments and condominiums;

2. Group R, Division 3 of the International Building Code, dwelling units, i.e., duplexes, single-family dwellings and lodging houses;

3. Mobile home dwelling units.

D. "Ionization detector" means a smoke detector device which activates in response to invisible particles created by combustion. Sensitive to open flame fire.

E. Mobile Home. For the purpose of these rules, a "mobile home" is considered as a factory-assembled structure or structures assembled with the necessary service connections and made so as to be readily movable as a unit or units on its (their) own running gear and designed to be used as a dwelling unit without a permanent foundation, and which is subject to regulation by the Washington Department of Labor and Industries pursuant to RCW 43.22.340 through 43.22.434.

F. "Smoke detection device" means a self-contained alarm for detecting visible or invisible particles of combustion, which consists of an assembly of electrical components including a smoke chamber, alarm sounding appliance, and provision for connection to a power supply source, either by splice leads or a cord and plug arrangement or containing integral batteries. A supplemental heat detector may be included as part of the appliance. Terminals may be included for connection to a remote, audible signaling appliance or accessory. An integral transmitter may also be included to energize a remote audible signaling appliance. The smoke detection device may be of the photoelectric and/or ionization type. (Ord. 6310 § 20, 2010; Ord. 4270 § 2, 1988.)

15.40.030 Conformance with nationally accepted standards.

All smoke detection devices shall be designed and manufactured in conformance with the requirements of Underwriters Laboratories, Inc. Standard UL 217 and shall be approved or listed for the purposes for which they are intended. (Ord. 6310 § 21, 2010; Ord. 4270 § 3, 1988.)

15.40.040 Primary power supply.

A. The primary power supply of a smoke detection device shall be a commercial light and power source normally available in the dwelling unit. Connection to a commercial power and light source shall be in the form of permanent wiring to terminals or leads in a separate wiring compartment having provisions for the connection of a conduit, metal clad or nonmetallic sheathed cable, by means of a power supply cord and attachment-plug cap, or by means of a separate power supply.

B. Wiring shall be permanent and without a disconnecting switch other than those required for over current protection.

C. Exception. Smoke detectors may be battery operated when installed in existing buildings built prior to January 1, 1981, or in buildings without commercial power, or in buildings which undergo alterations, repairs or additions regulated by subsection D of this section.

D. When the valuation of an addition or repair to a Group R Occupancy exceeds \$1,000, or when one or more sleeping rooms are added or created in existing Group R Occupancies, the entire building shall be provided with smoke detectors located as required for new Group R Occupancies. (Ord. 4270 § 4, 1988.)

15.40.050 Number of smoke detector devices required.

Repealed by Ord. 6310. (Ord. 4270 § 5, 1988.)

15.40.060 Location of detection devices.

Repealed by Ord. 6310. (Ord. 4270 § 6, 1988.)

15.40.070 Installation.

A. It is the responsibility of the builder or manufacturer of each new building, mobile home or factory built housing to install smoke detection devices within each dwelling unit.

B. It is the responsibility of the owner of each existing building, mobile home or factory built housing to install smoke detection devices within each dwelling unit occupied by persons other than the owner.

C. It is the responsibility of the owner of each new or existing building, mobile home or factory built housing, containing dwelling units occupied by persons other than the owner, to inspect and test all smoke detection devices at the time of vacancy and make the necessary repairs or replacements to insure that the smoke detection devices are operational prior to reoccupancy, and to

instruct the occupants of the purpose, operation and maintenance of the smoke detection device(s). (Ord. 4270 § 7, 1988.)

15.40.080 Maintenance.

It is the responsibility of the occupant of all new or existing dwelling units, owned by other than the occupant, to maintain and test all smoke detection devices installed within the dwelling unit by the owner. Actual costs of maintenance, repair or replacement of smoke detection devices shall be as agreed beforehand by the occupant and owner. However, failure of the owner to abide by the terms of any such agreement does not relieve the occupant of the responsibility to maintain the smoke detection devices in a fully operational condition at all times. Failure to do so can subject the occupant to the penalty provisions stated in ACC 15.40.090. (Ord. 4270 § 8, 1988.)

15.40.090 Violation – Penalty.

A violation of any of the provisions of this chapter shall be a civil infraction, punishable in accordance with ACC 1.25.050. (Ord. 5683 § 37, 2002; Ord. 4270 § 9, 1988.)

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## Chapter 15.64 SWIMMING POOLS

Sections:

15.64.010 Fence requirements.

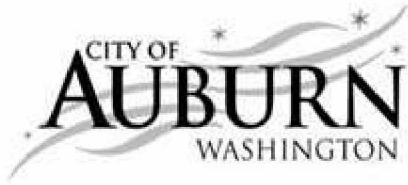
15.64.020 Gate and door requirements.

15.64.010 Fence requirements.

From and after the effective date of the ordinance codified in this chapter, every permanent private outdoor swimming pool shall be surrounded by a fence or wall not less than 60 inches in height, which shall be constructed as not to have openings, holes or gaps larger than four inches in any dimension except for doors or gates. All fences erected shall conform to the fence regulations as set forth in Chapter 18.31 ACC. (Ord. 3421 § 1, 1979.)

15.64.020 Gate and door requirements.

All gates or door openings through the fences required in ACC 15.64.010 shall be equipped with a self-closing and self-latching device located upon the inside of the gate or door of sufficient height so that small children cannot reach the latch. All gates and doors shall be kept securely closed at all times when not in use. (Ord. 3421 § 2, 1979.)



## AGENDA BILL APPROVAL FORM

**Agenda Subject:**

Capital Project Status Report and Feature Capital Project  
(20 Minute Presentation/10 Minute Q&A)

**Date:**

June 6, 2016

**Department:**

CD & PW

**Attachments:**

No Attachments Available

**Budget Impact:**

\$0

**Administrative Recommendation:**

For discussion only.

**Background Summary:**

The purpose of this discussion is to inform the Council and Public of the overall status of the City's Capital Project program managed by the Community Development & Public Works (CDPW) Department and to present this quarter's feature capital project: Auburn Way South Corridor Safety Improvements (Muckleshoot Plaza to Dogwood St SE).

The Capital Projects Group of CDPW is currently managing 43 active projects with a total cost of \$82 million. Of these projects, 28 are in the design phase and 15 are under construction. Within the next 3 months, 11 projects are expected to be advertised for bids and the construction of 9 projects are anticipated to be completed. The total value of projects completed by years is as follows:

2012 = \$23.7 million

2013 = \$29.9 million

2014 = \$29.6 million

2015 = \$35 million

2016 = \$38 million (anticipated)

The feature capital project for the second quarter of 2016 is the Auburn Way South Corridor Safety Improvements (Muckleshoot Plaza to Dogwood Street SE). This project will be featured in the Summer edition of the Auburn Magazine and on the City's capital project website.

The purpose of this project is to improve vehicle and pedestrian safety and ease congestion along this section of Auburn Way South. To accomplish this, Auburn Way

South will be widened to accommodate raised landscaped medians, a second eastbound left turn into the Muckleshoot Casino's main entrance at Riverwalk Drive, bus pull-out areas, 10 foot wide sidewalks, improved pedestrian and street lighting (particularly at the Dogwood intersection), and upgrades to the existing traffic signals. Access management strategies will be implemented which include consolidating, eliminating, and/or restricting direction of travel in and out of non-signalized driveways, constructing raised medians, c-curbing, and providing u-turns at the Dogwood and MIT Plaza signals.

This project also includes improvements to the existing storm drainage system to accommodate the wider roadway, replacing an aging water main that is beyond its useful life, and incorporating streetscape techniques to improve the aesthetics of the corridor which include planting the raised medians and installing street trees.

The project team will provide a general project overview and update, including status of environmental permitting, right-of-way acquisition, and schedule.

**Reviewed by Council Committees:**

**Councilmember:**

**Staff:**

Sweeting

**Meeting Date:** June 13, 2016

**Item Number:** DI.G