



McCleary City Council Agenda

January 25th- 6:30 PM

Flag Salute

Roll Call: ___ Pos. 1- Orffer, ___ Pos. 2-Richey , ___ Pos. 3- Peterson, ___ Pos. 4- Blankenship, ___ Pos. 5- Ator

Presentation

Renee Jensen- CEO Summit Pacific-Wellness Center

Public Hearing

FEMA Flood Ordinance Update

Mayor Comments

Public Comment

Executive Session

Minutes

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Mayor Council Comments

Public Comments

Executive Session

Adjournment or Recess Meeting

Please turn off Cell Phones- Thank you

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CITY OF MCCLEARY
Regular City Council Meeting
Wednesday, January 11, 2017

ROLL CALL AND FLAG SALUTE	Councilmembers Orffer, Richey, Peterson, Blankenship, and Ator were in attendance.
ABSENT	None.
STAFF PRESENT	Present at the meeting were Todd Baun, Wendy Collins, Chief Blumer, Paul Morrison and Dan Glenn.
PUBLIC HEARING	None.
EXECUTIVE SESSION	At 6:33 p.m. Mayor Schiller called for an executive session to not exceed fifteen minutes to discuss potential litigation per RCW42.30.110-1(i). The executive session ended at 6:48 p.m.
MINUTES APPROVED	It was moved by Councilmember Ator, seconded by Councilmember Blankenship to approve the minutes from the December 14, 2016 meeting. Motion Carried 5-0.
VOUCHERS	Accounts Payable vouchers/checks approved were 42064 - 42137 including EFT's in the amount of \$182,533.58 and 42140 - 42173 in the amount of \$122,442.10. Bank reconciliation for December 2016. It was moved by Councilmember Richey, seconded by Councilmember Orffer to approve the vouchers. Motion Carried 5-0.
MAYOR'S COMMENTS	Mayor Schiller will be asking the Council to appoint a Mayor Pro Tem and Finance Committee during the meeting.
PUBLIC COMMENT	Bob Pringle commented on the property located on 3rd Street that has been an ongoing issue with code violations. He thanked Paul Morrison for what he has done in an effort to get the owner to clean things up. Mr. Pringle also publicly thanked Chief Blumer and retired Chief Crumb for their effort. He is frustrated with how long the process is taking but understands there are legal steps that have to be taken to complete the process. Sue Portschy is concerned about the SR8 lane closure that will happen this spring by the Washington State Department of Transportation. She is worried about the heavy impact in traffic it will create in town and wonders if anyone is doing anything about the safety of the children that will be walking to and from school. She believes there should be flashing lights installed. Mayor Schiller stated that WSDOT performs research on every project and will follow safety laws and regulations for all detour routes. They have traffic engineers that work specifically on safe detour routes around work zones.
CITY ATTORNEY REPORT	Dan Glenn provided a written report for the Council and is available to address any questions.
DIRECTOR OF PUBLIC WORKS REPORT	Todd Baun provided a written report for the Council, which announced two public hearings to take place this month. One will be a zoning amendment and the other is regarding an update to our flood ordinance. They will be held January 24th and 25th, 2017.
MAYOR PRO TEM APPOINTMENT	It was moved by Councilmember Ator, seconded by Councilmember Richey to appoint Councilmember Orffer again as Mayor Pro Tem. Motion Carried 5-0.
FINANCE COMMITTEE APPOINTMENT	It was moved by Councilmember Richey, seconded by Councilmember Peterson to appoint Councilmember's Ator and Orffer again to serve on the Finance Committee. Motion Carried 5-0.

EQUIPMENT TRAILER PURCHASE	Todd Baun reported the public works crew needs an equipment trailer for specifically hauling city equipment. The trailer they currently have is made for hauling material such as pipe, wire, and smaller, easier to handle loads. Using the current trailer for other uses has caused damage and has required repair several times. The trailer was budgeted in 2016 and will be paid for out of the 2016 budget. It as moved by Councilmember Ator, seconded by Councilmember's Richey and Peterson to authorize the equipment trailer purchase for \$8,726, including tax. Motion Carried 5-0.
GUTTER REPAIR BID	Tabled until an estimate for the fire hall extension can be included.
WORK ORDER/ASSET MANAGEMENT SOFTWARE	Todd Baun has been working on finding financing software to help with the maintenance and asset management needs since 2014. The system we previously used is no longer supported and has been discontinued. He has had demonstrations from several companies. Out of all of them, Mobile311 is the preferred software. They submitted a quote and the cost will be taken out of the 2016 budget, which is where it was budgeted. It was moved by Councilmember Ator, seconded by Councilmember Richey to authorize the purchase of the Mobile311 Work Order/Asset Management Software for \$3500 with the City Attorney's consent on the contract. Motion Carried 5-0.
ASTOUND WAVE BROADBAND POLE RENTAL AGREEMENT	It was moved by Councilmember Ator, seconded by Councilmember Blankenship to authorize the Astound Wave Broadband Pole Attachment agreement, and if a change is necessary, it will be handled as an administrative matter as long as the provisions are not changed. Motion Carried 5-0.
FEMA ORDINANCE UPDATE	Introduction.
RESOLUTION GEORGE CRUMB	Tabled.
RESOLUTION 695 LIGHT AND POWER PRIVACY POLICY	In 2015, the Washington Legislature passed two laws regarding consumer privacy and customer data. The two concerns were the potential for selling of customer data and the privacy of customer information. In the bills, consumer owned utility governing boards are required to adopt a Privacy Policy. It was moved by Councilmember Ator, seconded by Councilmember Peterson to adopt Resolution 695, setting forth policies in relation to implementation of a privacy protocol for records of the City's electrical utility, providing for review of complaints and an effective date. Resolution Adopted 5-0.
PUBLIC COMMENT	None.
MEETING ADJOURNED	It was moved by Councilmember Ator, seconded by Councilmember's Richey and Peterson to adjourn the meeting at 7:50 pm. The next meeting will be Wednesday, January 25th, 2017 at 6:30 pm. Motion Carried 5-0.

Approved by Mayor Brent Schiller and Clerk-Treasurer Wendy Collins.

MEMORANDUM

TO: MAYOR AND CITY COUNCIL, City of McCleary
FROM: DANIEL O. GLENN, City Attorney
DATE: January 20, 2017
RE: LEGAL ACTIVITIES as of JANUARY 25, 2017

THIS DOCUMENT is prepared by the City Attorney for utilization by the City of McCleary and its elected officials and is subject to the attorney-client privileges to the extent not inconsistent with laws relating to public disclosure.

As I indicated at the last meeting, I was going to exercise the authority you granted me to visit my spouse and the family feline down in sunny, dry Arizona. (Actually, it has been as rainy and almost as cool as western Washington.) Thus, Ms. English is present tonight as a result of that absence. I should confirm that it is not her fault that this Report is a bit longer than normal.

1. **FLOOD HAZARD ORDINANCE**: AS you are aware from material provided at prior sessions, all of the jurisdictions within the County have been required by federal and state law to undertake an "update" of their code provisions governing the construction in what will be known as flood hazard areas. The mandate is that if a governmental entity has not adopted updated provisions by February 3, any property owner who undertakes new construction in an area considered within particular zones defined upon the new mapping as being within the "Special Flood Hazard Area" a/k/a SFHA either would not be able to obtain flood insurance from the federal agency of, if available, be charged a far higher rate.

Those activities are currently governed within the

City by Chapter 15.12 which was basically adopted in 1982 with some modifications in 2008. What has triggered the requirement is that the federal and state governments have undertaken a reanalysis of what areas within the County are now within flood hazard areas. The basic rationale for the review is what has been considered major changes in the flooding pattern over the last twenty years or so. Attached is a summary published by the agency. It did not convert well but it does define the rationale and shows the difference in rates based upon a variety of factors, one of which will be discussed below.

When in December Todd received an analysis by the governmental agency of the changes which would be required to meet the standards, he forwarded it to me for review. Based upon our joint review, the conclusion was reached that it would be more efficient to basically replace the entire current chapter with a new chapter. That is what the draft on for consideration does. However, I should note that many provisions, while being updated, are fundamentally and operationally the same as the current code. Todd has had the opportunity to review and has also completed the necessary environmental review through the issuance of a declaration of non-significance, which has not be appealed.

Among the likely areas of greatest interest are the following:

A. Lead Official: The building official will be the position responsible for receiving, reviewing and issuing permits rather than, for example, the Director of Public Works. (The existing code assigns the task to the "utility manager", a position which has not be in the City's structure for many yeas.) The rationale for that change was that the nature of the activity is tied to the normal jurisdiction of a building official. It should be noted, however, that for McCleary right now there will be associated cost since the services are provided by a professional services contract.

B. Variance: Under specified conditions, variances may be granted from certain of the requirements. We have provided that requests for variances be considered by the five of you a/k/a the City Council which is the pattern in the current code provisions. As is true with most land use decisions, any

decision you might make will be subject to judicial review. The alternative is to assign that responsibility to the Hearing Examiner, either to do the initial review and make recommendations to the Council, as is done with rezone requests, or have the position make the final decision, as is done with conditional use permit applications.

C. Height of lowest floor: While this may seem to be a mundane matter, for a structure which is constructed in one of the affected zones it can make a major difference in the cost of the federal flood insurance. The differential in rates resulting from the relationship between the flood level and the height of the lowest floor is shown upon that chart. The federal recommendation is that the lowest floor which would be a basement is one is present, be constructed so that "the lowest floor elevated to or above the base flood elevation plus three feet." If that is not done, the owner at the time of the construction and all subsequent owners will be required to pay the higher rate. Todd and I are recommending that you include that element.

This three foot height element is not without cost to the original party paying for the construction. However, it is also less expensive to build without that additional three feet of potential elevation being absorbed in the construction cost. However, a subsequent owner does not receive that construction cost saving, may not be informed of that factor at the time of acquiring the structure but regardless would have to pay the increased insurance cost if they wished to have the covered. Elma opted to require compliance with the three feet element only for structures falling within the definition of a "critical facility" That is defined as a "facility necessary to protect the public health, safety and welfare during a flood. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire and emergency operations installations, water and wastewater treatment plants, electric power stations, and installations which produce, use, or store hazardous materials or hazardous waste (other than consumer products containing hazardous substances intended for household use)."

D. The Flood Insurance Rate Map: It is this map which sets out the extent to which properties are subject to

the provisions of this Chapter. It is my understanding that the DOE has provided the City with a copy of the map. I will be asking Todd to provide each one of you a copy. As you will note, in comparison to the impact upon Aberdeen, Hoquiam, Elma, and Oakville, as examples, our current limits are basically subject to very little regulations.

It is the hope that the draft serves the best interest of the affected individuals, the requirements of the applicable governments, and deals with possible future modifications of the mapping. Given the fact that there is apparently going to be a workshop on possible additional changes in mapping and other matters being held in mid-February, it is possible that we will be back to revisit the document. However, in the interim to the extent that any property owner within the corporate limits would be desirous of obtaining the federal flood insurance, they should be able to do so.

2. **SURPLUS VEHICLE RESOLUTION:** As Chief Blumer reported to you at a prior meeting, they were able to acquire a replacement vehicle for one of the existing units. Todd has indicated that with that acquisition, three vehicles are now surplus to the current and anticipated needs of the City. Thus, he requested that I draft a resolution which when adopted will declare the units surplus and authorize their disposal. In today's world it has been found that one of the better alternatives is that rather than waiting for a County originated auction, either to post them for sale directly or to sell them through the auction enterprise which operates on the east side of Oakville. The decision as to the method to be utilized would be within the discretion of the Mayor.

3. **INTERNATIONAL PROPERTY MAINTENANCE CODE:** Back in February of 2015 when Colin Mercer was the building official, they were facing the challenges of dealing with nuisance properties as well. The problem was not and is not limited to McCleary. At that time I undertook some research and found that many cities had adopted a publication entitled "International Property Maintenance Code." While it is not the magic solution to all of the problems, its provisions provide a broad set of tools.

As a result, I provided draft ordinances to the

cities I represented at the time which to consider adoption the document. As it turned out, Elma, Oakville and Montesano did so. For whatever reason, perhaps because of staff changes interrupting the review, McCleary did not. Recently I have received a request from Todd to provide you an updated ordinance which would adopt the Code. It has been provided for your review. I would note that in early 2016 as part of my usual due diligence I had undertaken an extensive review and updating of Elma's nuisance code provisions. Since it was my view that our Nuisance Code also needed updating, that document was provided for review. That review has now been completed and I have been asked to integrate those changes as part of an update of the nuisance provisions of our Code. That update is going to require time and likely will not be before you until the second meeting in February.

4. **RESOLUTION HONORING GEORGE CRUMB**: Since it was set over at the last meeting I have done a bit of updating on this resolution. The updated draft has been provided. If any of you have any suggested changes, please ship me an email and I will provide a modified draft.

As always, this is not meant to be all inclusive. If you have any questions or comments, please direct them to me.

DG/le

STAFF REPORT

To: Mayor Schiller
From: Todd Baun, Director of Public Works
Date: January 20, 2017
Re: Current Non-Agenda Activity

Public Hearings

The zoning amendment public hearing with our Hearings Examiner was performed on January 24th at 1:30 PM. This is to look at adding Residential Treatment Facilities definition, changing our current Hospital definition, and looking at the non-conforming language of 4 years.

CERB Grant

I have been in contact with Washington State Dept. of Commerce Community Economic Revitalization Board (CERB) about a planning grant to complete a Comprehensive Plan for the City of McCleary. I will be requesting \$50,000 in grant funds, with a 25% (\$12,500) City Match. I have also asked Dan to draft an resolution for support of this application.

STAFF REPORT

To: Mayor Schiller
From: Todd Baun, Director of Public Works
Date: January 20, 2017
Re: Utility Service Improvement Costs

In accordance with Resolution 507, we must revise our annual Utility Service Improvement Costs. The revised schedule is attached.

We have reviewed the unit price items displayed in the schedule and updated costs as appropriate. The next revision is scheduled for 2018.

Action Requested:

Please consider authorizing the attached Utility Service Improvement Costs.

Utility: Water

Labor	Unit	Unit Price
Public Works Crew Foreman	Hour	\$ 39.65
Utility Maintenance 2	Hour	32.99-42.62
Utility Maintenance 1	Hour	\$ 26.67

Equipment	Unit	Unit Price
Backhoe	Hour	\$ 45.00
Dump Truck	Hour	\$ 35.00

Material	Unit	Unit Price
3/4" Poly Pipe Class 200	LF	\$ 0.45
1" Poly Pipe Class 200	LF	\$ 0.70
6" Tapping Saddle w/ SS straps	EA	\$ 74.39
8" Tapping Saddle w/ SS straps	EA	\$ 87.25
3/4" Corporation Stop	EA	\$ 43.37
1" Corporation Stop	EA	\$ 53.55
3/4" Curb Stop	EA	\$ 39.28
1" Curb Stop	EA	\$ 68.55
Meter Setter	EA	\$ 143.72
Plastic Meter Box W/ plastic lid	EA	\$ 50.60
Concrete Meter Box W/ traffic lid	EA	\$ 173.13
Meter	EA	\$ 195.00
Gravel (Top Course)	TN	\$ 10.95
HMA	TN	\$ 165.00
Cold Patch (Winter Only)	TN	\$ 112.00
Compressor Rental	EA	\$ 108.00
Mole	EA	\$ 350.00
Tracer Wire	LF	\$ 0.14
3/4" Male x Poly Fitting	EA	\$ 8.19
1" Male x Poly Fitting	EA	\$ 13.43
3/4" Female x Poly Fitting	EA	\$ 10.55
1" Female x Poly Fitting	EA	\$ 17.81
Concrete Block	EA	\$ 7.00
Brass Reducer Bushing	EA	\$ 8.19

Notes:

1. This Schedule is intended to function as the schedule of record in accordance with Resolution 507 until superceded.
2. A 5% Administrative Fee and a 15% Overhead Fee will be included on all Estimates and Invoices.

Utility: Light and Power

Labor

	Unit	Unit Price
Senior Lineman	Hour	\$ 73.43
Lineman	Hour	\$ 67.51
Line Equipment Operator	Hour	\$ 55.08

Utility: Light and Power

Equipment

	Unit	Unit Price
Backhoe	Hour	\$ 45.00
Dump Truck	Hour	\$ 35.00
F-450 Flatbed	Hour	\$ 18.00
Boom Truck	Hour	\$ 50.00
Manlift	Hour	\$ 50.00

Poles

	Unit	Unit Price
75' CLASS H-1 DF POLE	EA	\$ 1,777.00
55' CLASS 2 POLE	EA	\$ 559.00
50' CLASS 2 POLE	EA	\$ 422.00
45' CLASS 4 POLE	EA	\$ 595.00
40' CLASS 4 POLE	EA	\$ 493.00
35' CLASS 4 POLE	EA	\$ 307.00
30' CLASS 4 POLE	EA	\$ 155.00

Crossarms & Braces

	Unit	Unit Price
8' CROSSARM	EA	\$ 31.45
10' CROSSARM	EA	\$ 45.00
12' CROSSARM	EA	\$ 30.00
APITONG CROSSARM BRACE ALU A6018	EA	\$ 13.89

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Utility: Light and Power

Wire

	Unit	Unit Price
PIRELLI	LF	\$ 1.95
NO 2 15KV-EPR-22M-FCN-50MJ	LF	\$ 2.73
4/0 15KV-EPR-22M-FCN-50MJ	LF	\$ 3.03
4/0 AAAC	LF	\$ 0.54
ACSR 4/0	LF	\$ 0.55
ACSR 2/0	LF	\$ 0.33
ACSR NO 2	LF	\$ 0.15
C.U. STR 2/0 INS THHN	LF	\$ 1.85
C.U. STR NO 2	LF	\$ 0.13
C.U. BARE NO 2	LF	\$ 1.17
C.U. BARE NO 4	LF	\$ 0.61
C.U. BARE NO 6	LF	\$ 0.47
C.U. BARE NO 8	LF	\$ 0.03
C.U. GROUND NO 4 200' SPOOL	LF	\$ 0.94
350-350-4/0 WESLEYAN	LF	\$ 2.80
250-250-3/0 PRATT	LF	\$ 1.34
4/0-4/0-2/0 SWEETBRIAR	LF	\$ 1.53
2/0 QUAD GRULLO	LF	\$ 0.98
1/0-1/0-2 JANTHINA	LF	\$ 0.89
2-2-4 COCKLE	LF	\$ 0.63
6-6-6 VOLUTA	LF	\$ 0.37
6-6 SHEPHARD	LF	\$ 0.21
2-2-2 CONCH	LF	\$ 0.21
#4 C.U. STR THHN	LF	\$ 0.26
#2 C.U. STR THHN	LF	\$ 1.39
#2 C.U. GND	LF	\$ 0.33
#6 C.U. STR THHN	LF	\$ 0.15
4/0 C.U. INS	LF	\$ 1.85
336 MCM AAC	LF	\$ 0.63
R3CA-48 3PH TERM-BRKT UNDG	LF	\$ 97.00
4/0 QYAD	LF	\$ 1.75
1/0 QUAD	LF	\$ 1.45
C.U. GND #2 125' SPOOL	LF	\$ 0.97
2/0 STRD BARE C.U.	LF	\$ 1.85
1/0 - 1/0-2 URD	LF	\$ 1.28
# 4 ACSR Swanate	LF	\$ 0.19

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Utility: Light and Power

Sleeves & Connectors

	Unit	Unit Price
NICOPRESS C.U. SLEEVE NO 2	EA	\$ 2.30
NICOPRESS C.U. SLEEVE NO 4	EA	\$ 0.70
NICOPRESS C.U. SLEEVE NO 6	EA	\$ 0.65
NICOPRESS C.U. SLEEVE NO 2-4	EA	\$ 0.53
NICOPRESS C.U. SLEEVE NO 6-8	EA	\$ 2.10
NICOPRESS C.U. SLEEVE NO 8-8	EA	\$ 1.40
NICOPRESS C.U. SLEEVE NO 4-6	EA	\$ 3.34
AUTO SPOLICE C.U. NO 2	EA	\$ 3.87
AUTO SPLICE C.U. NO 2 GL 114	EA	\$ 5.60
AUTO SPLICE C.U. NO 4 GL 112	EA	\$ 3.85
AUTO SPLICE C.U. NO 6 GL 111	EA	\$ 3.75
AUTO SPLICE ACSR 4/0	EA	\$ 17.69
AUTO SPLICE ACSR 2/0	EA	\$ 10.50
AUTO SPLICE ACSR NO 2	EA	\$ 7.00
SLEEVE RS 2525 250/250	EA	\$ 14.21
SLEEVE IKL 69 4/0-4/0	EA	\$ 1.35
SLEEVE IKL 66 4/0-1/0	EA	\$ 2.22
SLEEVE IKL6 65 4/0-2/0	EA	\$ 2.69
SLEEVE IKL 47 2/0-2/0	EA	\$ 1.35
SLEEVE IKL 46 2/0-1/0	EA	\$ 1.85
SLEEVE IKL 45 2/0-2	EA	\$ 2.75
SLEEVE IKL 55 4/0-2 Compressed	EA	\$ 5.50
SLEEVE IKL 56 4/0-1/0 Compressed	EA	\$ 2.75
SLEEVE IKL 44 2/0-4	EA	\$ 2.69
SLEEVE TRI ACSR NO 2 TR-64	EA	\$ 1.56
SLEEVE TRI ACSR NO 4 TR-63	EA	\$ 4.56
SLEEVE TRI ACSR NO 6 TR-61	EA	\$ 1.41
WEDGE CLAMP 4/0-2/0	EA	\$ 4.28
WEDGE CLAMP 1/0	EA	\$ 2.28
WEDGE CLAMP 2-6	EA	\$ 1.35
FARGO CONN C.U. 4/0	EA	\$ 5.97
FARGO CONN C.U. NO 2	EA	\$ 2.75
FARGO CONN CU NO 4	EA	\$ 1.75
BLACKBURN 40 HPW 4/0 C.U.-AL	EA	\$ 28.73
BLACKBURN 20 HPW 2/0 C.U.-AL	EA	\$ 16.86
BLACKBURN 10 HPW 2/0 C.U.-AL	EA	\$ 5.29
BLACKBURN 1 HPW NO 2 C.U.-AL	EA	\$ 4.54
BLACKBURN 4 HPW NO 6 C.U.-AL	EA	\$ 2.98
ALCOA 3/0 3 BOLT CLAMP	EA	\$ 3.70
PTT 4-350 TRANS CONN	EA	\$ 13.90

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Utility: Light and Power

Sleeves & Connectors (Continued)

	Unit	Unit Price
PTT 4-250 TRANS CONN	EA	\$ 9.06
ILSCO 2 HOLE LUB AU 350	EA	\$ 9.47
BOLT SET STAINLESS	EA	\$ 1.94
GROUND PLATE	EA	\$ 2.25
GROUND ROD 4/8 X 8	EA	\$ 11.50
202 CC HOT STIRRUP C.U.	EA	\$ 21.70
GROUND ROD COPPER WELD 5/8 X 8	EA	\$ 7.67
BURNDY WCB 18PB 4/0-2/0	EA	\$ 5.75
BURNDY WCB 20PB 4/0-4/0	EA	\$ 5.75
BURNDY WCB 11PB 2/0-2/0	EA	\$ 5.75
BURNDY WCB 10 PB 2-2	EA	\$ 6.50
2/0 GRND LUG X FMR TTC2	EA	\$ 4.10
ALS24 450-500 2 HOLE COMP SEE CONN	EA	\$ 12.50
ALS32 600-636 2 HOLE COMP SEE CONN	EA	\$ 12.50
ALS18 350 3 HOLE COMP SEE CONN	EA	\$ 12.50
9265 AL HOT STIRRUP AL	EA	\$ 14.67
AUTO DE CL ACSR 4/0	EA	\$ 16.87
AUTO DE FLEX ACSR 4/0	EA	\$ 25.38
AUTO DE ACSR 20 CLEVIS UR FLEX	EA	\$ 16.19
AUTO DE FLEX ACSR NO 2	EA	\$ 12.48
AUTO DE CLEVIS ACSR NO 2	EA	\$ 12.91
AUTO DE CL C.U. STR NO 2 GD 515	EA	\$ 5.54
AUTO DE FLEX C.U. NO 2	EA	\$ 7.36
AUTO DE CL NO 2 GD 514	EA	\$ 14.19
AUTO DE CL C.U. NO 4	EA	\$ 4.00
AUTO DE FLEX C.U. NO4	EA	\$ 5.70
AUTO DE FLEX C.U. NO 6 GD 111	EA	\$ 9.00
AUTO DE C.U. NO 6 GD 511 CLEVIS	EA	\$ 9.06
DE SHDE 4/0-336 ACSR	EA	\$ 61.18
DE SHOE #4-4/0 ACSR	EA	\$ 13.95
DE SHOE #4-4/0 BRONZE	EA	\$ 60.00

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Utility: Light and Power

Insulators

	Unit	Unit Price
SECONDARY SPOOL	EA	\$ 1.65
SECONDARY CLEVIS	EA	\$ 6.82
PRI PORC INSULATOR	EA	\$ 5.83
DE INSULATOR 4 IN	EA	\$ 10.20
INSULATOR PIN 5/8 J 207Z	EA	\$ 5.10
INSULATOR PIN 3/4	EA	\$ 1.40
POLE TOP PIN J 744Z	EA	\$ 7.35
SIDE MOUNT PIN	EA	\$ 0.95
MAST INSUALTOR J0588 1 1/4"-3	EA	\$ 3.30
SEC CLEVIS H1300	EA	\$ 4.95

Guying Supplies

	Unit	Unit Price
7' ROD J12255R.3 " W/TRIPEYE	EA	\$ 25.46
TRIPEYE J122585	EA	\$ 6.75
1.5" TRIPLE EYE	EA	\$ 33.70
7' ROD J12254R 3/4"	EA	\$ 20.50
7' ROD 1.5"	EA	\$ 88.69
3 1/2" ROD J12250R	EA	\$ 5.70
COUPLING	EA	\$ 4.40
ROD 3/4 X 8	EA	\$ 10.55
ANCHOR D HELIX 8000 LB	EA	\$ 60.00
1.5 TRIPPLE HELIX ANCHOR	EA	\$ 186.25
STRANDWISE 5102	EA	\$ 15.80
STRANDWISE 5102L	EA	\$ 22.05
STRANDWISE 5200 1/4	EA	\$ 5.22
STRANDWISE 5256 1/4 FLEX	EA	\$ 9.98
STRANDWISE 7/16	EA	\$ 36.44
PRE-FORM DE 3/8 GDE-1107	EA	\$ 2.23
PRE-FORM DE 1/4 GDE-1104	EA	\$ 1.29
PRE-FORM 7/16	EA	\$ 4.66
POLE EYE PLATE	EA	\$ 9.00
GUY HOOK	EA	\$ 2.20
GUY INSULATOR	EA	\$ 4.80
LG. GUY INSULATOR	EA	\$ 6.18
GLASS GUY INS 8' GCC 15-96RR	EA	\$ 22.00
96" 30KLB GLASS GUY INSULATOR	EA	\$ 54.50
7/16 GUY STRAND	LF	\$ 0.54
GUY GUARD 8- PG 5518	EA	\$ 4.08

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Utility: Light and Power

Miscellaneous

	Unit	Unit Price
FUSED CO 200A W/ARC SHIELD	EA	\$ 205.00
FUSED CO 100A W/ARC SHIELD	EA	\$ 101.46
FUSED CO 100A	EA	\$ 69.50
SURGE ARRESTOR 9KV	EA	\$ 41.00
SURGE ARESSTOR 3KV	EA	\$ 31.10
HOT-LINE CLAMP BH8-00	EA	\$ 7.50
HOT-LINE CLAMP AH4-CP	EA	\$ 7.45
2-1/0 LOAD BREAK ELBOW	EA	\$ 29.75
4/0 LOAD BREAK ELBOW 166LRC5270	EA	\$ 26.00
PARKING STAND	EA	\$ 36.25
3 POSITION LOADBREAK JUNCT	EA	\$ 161.25
4 POSITION LOADBREAK JUNCT	EA	\$ 172.00
PROTECTIVE END CAP	EA	\$ 22.95
2-2/0 OUTDOOR TERMINATOR #5641 3M	EA	\$ 41.10
3/0-350 OUTDOOR TREMINATOR #5642	EA	\$ 70.25
750-1500 OUTDOOR TERMINATOR #5644	EA	\$ 57.00
2-1/0 STEM CONNECTOR 3M SC 0001	EA	\$ 3.90
4/0 STEM CONNECTOR SC0040	EA	\$ 18.22
5401 SPLICE KIT (SHORT) 2	EA	\$ 33.95
5411 SPLICE KIT (SHORT) 1/0	EA	\$ 25.95
5412-CI-4/0 SPLICE KIT (SHORT) 4/0	EA	\$ 38.90
SPLICE KIT 3M 5411R CIR 21 (LONG)	EA	\$ 90.29
ROT. F.T. BUSHING ELASTIMOLD 1602-A38	EA	\$ 148.35
SPLICE KIT 3M 5411R CIR 1/0 (LONG)	EA	\$ 64.00
CONDUIT PVC SCH 80 6 IN per ft.	EA	\$ 3.80
CONDUIT PVC SCH 40 2 1/2" per ft.	EA	\$ 1.20
CONDUIT PVC SCH 80 2 1/2" per ft.	EA	\$ 1.71
CONDUIT PVC SCH 40 2" per ft.	EA	\$ 0.70
CONDUIT PVC SCH 80 2" per ft.	EA	\$ 1.06
CONDUIT RIDGID STEEL 2 1/2" X 10'	EA	\$ 585.00
CONDUIT RIDGID STEEL 2" X 10'	EA	\$ 19.00
BEND PVC 90 W/36" SWEEP 2 1/2" W/BELL	EA	\$ 14.25
BEND PVC 90 W/2 1/2" X 24" SWEEP W/BELL	EA	\$ 7.00
BEND PVC 90 2" X 36" SWEEP W/BELL	EA	\$ 10.00
BELL END 6"	EA	\$ 5.00
BELL END 2 1/2"	EA	\$ 1.85
BELL END 2"	EA	\$ 1.62
15" DIAMOND BACK STANDOFF	EA	\$ 10.00
HEAT SHRINK 3M ITCN 1100-12 2-4/0	EA	\$ 8.76
HEAT SHRINK 3M ITCN 1500-12 3/0-400MCM	EA	\$ 4.95

Notes:

1. This Schedule is intended to function as the schedule of record in accordance with Resolution 507 until superseded.
2. A 5% Administrative Fee and a 15% Overhead Fee will be included on all Estimates and Invoices.

HEAT SHRINK 3M HSJ-1	EA	\$ 15.35
COLD SHRINK SEALING KIT 3M #8452	EA	\$ 14.08
VAULT #3642 W/COVER #1228	EA	\$ 474.00
VAULT #3642 VAULT ONLY	EA	\$ 270.00
VAULT #5545 W/COVER #1228 K.O.	EA	\$ 439.00

Utility: Light and Power

Miscellaneous (Continued)

	Unit	Unit Price
STEEL LID	EA	\$ 645.00
TRIPLE TRANS RACK J6865	EA	\$ 115.00
TRIPLE TRANS RACK J6866	EA	\$ 157.00
FUSE BLOCK MOUNTING BRACKET #J24518	EA	\$ 10.75
14" EXTENTION LINK	EA	\$ 9.75
20" EXTENTION LINK	EA	\$ 10.95
ST LT ARM 8' CA 17108	EA	\$ 64.70
3 PHASE EQUIPMENT MOUNT	EA	\$ 165.50
FAULT INDICATOR	EA	\$ 174.20
WEATHERHEAD	EA	\$ 42.93
SEC PED	EA	\$ 82.00
SEC PED CONN WCOVER	EA	\$ 12.90
SEC PED COMPLETE NORDIC PSPF101538MGL6350	EA	\$ 172.96
Elastimold Bracket 1535AFB-1	EA	\$ 19.60

Street Lights

	Unit	Unit Price
LED STREET LIGHT 100 WATT	EA	\$ 289.00
LED STREET LIGHT 200 WATT	EA	\$ 325.00
BULB	EA	\$ 12.00
PHOTO CELL	EA	\$ 5.00
4' ARM	EA	\$ 30.00
8' ARM	EA	\$ 66.60
LED STREET LIGHT 100W COMPLETE W/4' ARM	EA	\$ 319.00
LED STREET LIGHT 100W COMPLETE W/8' ARM	EA	\$ 355.60
LED STREET LIGHT 200W COMPLETE W/4' ARM	EA	\$ 355.00
LED STREET LIGHT 200W COMPLETE W/8' ARM	EA	\$ 391.60
6" X 1000' ELECTRICAL CAUTION TAPE	EA	\$ 19.45
LED Evluma light	EA	\$ 225.00
4/0 PIGTAIL CONN	EA	\$ 7.00

Notes:

1. This Schedule is intended to function as the schedule of record in accordance with Resolution 507 until superseded.
2. A 5% Administrative Fee and a 15% Overhead Fee will be included on all Estimates and Invoices.

Utility: Light and Power
Transformers

	Unit	Unit Price
15 KVA Padmount Single	EA	\$ 896.00
15 KVA Padmount DX	EA	\$ 967.00
25 KVA Padmount Single	EA	\$ 1,142.00
25 KVA Padmount DX	EA	\$ 2,262.00
50 KVA Padmount Single	EA	\$ 1,048.00
50 KVA Padmount DX	EA	\$ 2,806.00
75 KVA Padmount Single	EA	\$ 1,176.00
75 KVA Padmount DX	EA	\$ 3,278.00
15 KVA Polemount Single	EA	\$ 406.00
15 KVA Polemount DX	EA	\$ 1,016.00
25 KVA Polemount Single	EA	\$ 499.00
25 KVA Polemount DX	EA	\$ 1,172.00
37 KVA Polemount Single	EA	\$ 439.00
37 KVA Polemount DX	EA	\$ 1,454.00
50 KVA Polemount Single	EA	\$ 510.00
50 KVA Polemount DX	EA	\$ 1,916.00
75 KVA Polemount Single	EA	\$ 650.00
75 KVA Polemount DX	EA	\$ 2,704.00
100 KVA Polemount Single	EA	\$ 850.00
100 KVA Polemount DX	EA	\$ 1,270.00
167 KVA Polemount Single	EA	\$ 1,595.00
167 KVA Polemount DX	EA	\$ 1,670.00
75 KVA 277/480 Polemount DX	EA	\$2,100.00

Notes:

1. This Schedule is intended to function as the schedule of record in accordance with Resolution 507 until superceded.
2. A 5% Administrative Fee and a 15% Overhead Fee will be included on all Estimates and Invoices.

STAFF REPORT

To: Mayor Schiller
From: Todd Baun., Director of Public Works
Date: January 20, 2017
Re: Surplus Vehicles and Equipment

The Attached items are vehicles and equipment that we no longer use or are broken and unfeasible to repair. Dan has prepared a resolution to surplus these items. We will auction these items off to the highest bidder.

Action Requested:

Please consider adoption of the resolution presented regarding Surplus Vehicles and Equipment.

Surplus Items

City of McCleary

Surplus Items

Item	ID/Serial Number	Description of overall condition	Number of Items	Department
Chair	93-9500675-01	Fair /Old	1	N/A
Chair	N/A	Fair /Old	1	N/A
Chair	10T-0204102	Fair /Old	1	N/A
Chair	Product # 7111 STHL	Fair /Old	1	N/A
Chair	C120722	Fair /Old	1	N/A
Chair	N/A	Fair /Old	1	N/A
Rear Plastic Seat	N/A	Appears to be in good condition	4	Police
Car Tire	Good Year 272067-GSS-3A	Fair /Old	1	Police
Car Tire	Good Year T306117-GCW-74M9MS	Fair /Old	1	Police
Car Tire	Good Year B301864-GCW-74M9MS	Fair /Old	1	Police
Scooter	Dynacraft Hot Wheels CT-FCB517668	Fair /Old	1	N/A
All Season Burner	985711-0	Fair /Old	1	N/A
Wheel Chair	N/A	N/A	1	N/A
Box of Plastic Parts	N/A	Fair /Old	1 Box	N/A
Plastic Water Container	Bronson USA	Fair /Old	1 Box	N/A
Electronic Ballast	Lumatek LK4120 08-10-047549	Unknown if functional	1	N/A

Surplus Items

City of McCleary

Surplus Items

Large Flower Pots	N/A	N/A	8	N/A
Small Flower Pots	N/A	N/A	68	N/A
Rectangle Flower Pots	N/A	N/A	8	N/A
Florescent Grow Lights	Fixtures With Bulbs	N/A	3	N/A
Standing Cabinet	N/A	N/A	1	N/A
Air Filter	N/A	N/A	1	N/A
Ballast Remote Lighting System	Agro Star AS1000HPS E306539	Unknown if functional	1	N/A
Hydroponic Grow System	N/A	N/A	Box of approximately 10	N/A
Ventalation Ducting	N/A	N/A	1 Box of assorted sizes	N/A
Diaphram Air Pump	General Hydroponics AP- 0025B 50400175	Unknown if functional	1	N/A
Grow Light	N/A	N/A	1	N/A
Enclosed Tin Single Drawer	N/A	N/A	2	N/A
Book Shelf	N/A	N/A	1	N/A
Wrack / Organizer	N/A	N/A	1	N/A
Submersible Pump	Eco Plus Eco 39C 2XF4E224851	Unknown if functional	1	N/A
Air Blower	Dayton 4Y132 70902378	Unknown if functional	1	N/A

Surplus Items

City of McCleary

Surplus Items

Enclosed Light	Easy cool 6 high yield lighting	Unknown if functional	1	N/A
Duct Booster Fan	TJERNLUND EF-8 2100312	Unknown if functional	1	N/A
Stand Up Fan	SMC SD183 74660	Unknown if functional	1	N/A
In Line Duct Fan	Suncourt DB204 20440580228	Unknown if functional	1	N/A
Air Booster	Robin hood RH-8	Unknown if functional	1	N/A
Ceremic Heater	Hom & usion HC-0112	Unknown if functional	1	N/A
In Line Duct Fan	Suncourt DB204 204408010130	Unknown if functional	1	N/A
Fan	Holmes 1 Touch blizzard	Unknown if functional	1	N/A
Fan	Holmes blizzard LR84681	Unknown if functional	1	N/A
Air Clean / Freshener	Holmes HAP726 1706DHP	Unknown if functional	1	N/A
Paper Cutter	Ingento	Fair /Old	1	N/A
Box of Assorted Items	N/A	2 seat belts with attractables, Basketball, Stereo Headphones, 1 Bag of booties	1 Box	N/A
Stereo Headphones	JVC HA-S160-B 4683804557	Unknown if functional	1	N/A
Shower Head	Earth ISO9000	Unknown if functional	1	N/A
Computer Speaker	Dell CN-OD3431-48220- 43J-0600	Unknown if functional	1	N/A
Computer Speakers	Creative I-Trigue 2200 CYMF0065609000759E	Unknown if functional	2	N/A

Surplus Items

City of McCleary

Surplus Items

Computer Speakers	Diamond audio GEM2.0-USB 5376U5470062789	Unknown if functional	2	N/A
Ribbon Cartridges	OKI Pacemark 3410 52105801	Fair /Old	2	N/A
Ribbon Cartridges	Tally 62471	Fair /Old	3	N/A
Box of Miscellaneous Carbon Ribbon	N/A	N/A	1 box	N/A
Motorcycle Helmet	Bell TNT	Fair /Old	1	N/A
Heavy Duty Tacking Gun	TUV GS S50113740	Unknown if functional	1	N/A
Bubble Level	Gen-Tech 46052	Fair /Old	1	N/A
Flashlight (No Battery)	Ridgid R849 G070402041	Unknown if functional	1	N/A
Box of Miscellaneous Items	Shears, Dykes, Duct Tape	Shears, Dykes, Duct tape, Masson Jar	1 Box	N/A
Car	1998 Chevy Lumina 2G1WL52K0W9316521		1	N/A
Car	1998 Ford Crown Victoria 2FAFP71W3WX154560		1	N/A
Microsoft MultiMedia 1.1 wireless keyboard	7.6642E+12	Fair /Old	1	N/A
Microsoft 6000 v 3.0 wireless keyboard	0016200271614	Fair /Old	1	N/A
Logitech cordless desktop keyboard MX3000	644706-0100	Fair /Old	1	N/A
Logitech deluxe 250 keyboard	BT833DF3350	Fair /Old	1	N/A

Surplus Items

City of McCleary

Surplus Items

Microsoft 400 wired keyboard	0066905533056	Fair /Old	1	N/A
Dell RT7D20 keyboard	TH-04N454-37171-26J-M162	Fair /Old	1	N/A
Harmony MultiMedia keyboard	LA05060069	Fair /Old	1	N/A
Gear head 2.4 GHZ wireless keyboard	PP2K7540G	Fair /Old	1	N/A
Microsoft 1000 wireless keyboard	0016321533490	Fair /Old	1	N/A
Logitech cordless keyboard	MCC44706863	Fair /Old	1	N/A
Suntone digital alarm clock radio with cassette player	695735	Unknown if functional	1	N/A
Rosewill RNA 7000w	34998492120700136	Unknown if functional	1	N/A
Linksys wireless N-Home router	CQ611GC37102	Unknown if functional	1	N/A
Paigain HRE 420	T1RHC904MA	Unknown if functional	1	N/A
eSoft instagate EX2	8116312-87be	Unknown if functional	1	N/A
Sony tom-929 tape recorder	N/A	Unknown if functional	1	N/A
Dell E773C computer monitor	CN-0P0151-64180-46A-04MC	Unknown if functional	1	N/A
Dell M782 computer monitor	MY-08G167-47608-1C5-BC0N	Unknown if functional	1	N/A
Sceptre computer monitor	924J22J1CC2197	Unknown if functional	1	N/A
Sceptre computer monitor	924J22J1CC2495	Unknown if functional	1	N/A
Envision computer monitor	96774CA001557	Unknown if functional	1	N/A

Surplus Items

City of McCleary

Surplus Items

LG computer monitor	608MXZJ13573	Unknown if functional	1	N/A
Acer computer monitor	ETL6909067725001D763 12	Unknown if functional	1	N/A
Sceptre computer monitor	435M10945A7212	Unknown if functional	1	N/A
View Sonic computer monitor	Q8Y064300337	Unknown if functional	1	N/A
Athlon AMD 64 computer tower	N/A	Unknown if functional	1	N/A
LG cooler master computer tower	A12025-12CB-3BN-F1	Unknown if functional	1	N/A
Asus cooler master computer tower	CACT05UW0091601402	Unknown if functional	1	N/A
Soprano thermaltake computer tower	10-MC0404AMC040910	Unknown if functional	1	N/A
Antec computer tower	N/A	Unknown if functional	1	N/A
Computer tower	N/A	Unknown if functional	1	N/A
Printing caculator Casio PR-101	N/A	Unknown if functional	1	N/A
Printing caculator Monroe 7i40	N/A	Unknown if functional	1	N/A
Pentium processor gateway 2000 E-3000	0007860587	Unknown if functional	1	N/A
HP Laser Jet printer P2035n	CNB9F36798	Unknown if functional	1	N/A
HP DSC 750 printer, scanner, copier	MY23KD11VN	Unknown if functional	1	N/A
Hewlett packard laser jet 6p printer	USDP006672	Unknown if functional	1	N/A
HP office jet pro 8500A	CN07TAM1PQ	Unknown if functional	1	N/A

STAFF REPORT

To: Mayor Schiller
From: Todd Baun- Director of Public Works
Date: January 19th, 2017
Re: FEMA Flood Ordinance Update

Several months ago, the City was informed that it's current Ordinance 435 needed to be updated. Ordinance 435 is the implementation of the Flood Insurance. We had our current Ordinance reviewed for compliance with the minimum NFIP (National Flood Insurance Program) regulations (44 CFR) as well as the State of Washington Flood Damage Prevention Ordinance Model. There were several areas that our Ordinance did not meet the minimum standard. So, instead of making multiple changes to the Ordinance, Dan and I thought it would be easier to bring our whole code up to current standards. The new ordinance not only update our current ordinance, it includes the recommended changes. If we choose not to make the recommended changes by February, 3, 2017, our community would be suspended from the NFIP.

When a community is suspended, not only is it ineligible for the National Flood Insurance Program, but it also may be ineligible for any federal disaster relief funds following a flood-related natural catastrophe.

Other than NFIP, homeowners often don't have an affordable option for protecting their properties against flooding. Specialty private insurers such as Lloyd's of London may insure such homes; however, homeowners may not be able to pay the price. Lloyd's generally has a minimum premium of \$3,500 per year.

Being suspended from the NFIP also can ding home values, and makes it very difficult for people to sell those properties. Potential buyers find out what flood insurance will cost without the NFIP and back away.

Action Requested:

Please discuss and decide if you want to purchase the Mobile311 maintenance and asset software.

ORDINANCE NO. _____

AN ORDINANCE RELATING TO THE GOVERNING OF DEVELOPMENTAL ACTIONS WITHIN THE AREAS DEFINED AS BEING WITHIN THE FLOOD HAZARD ZONES BY APPROPRIATE MAPPING, SETTING FORTH REGULATIONS, IMPOSING PENALTIES FOR VIOLATION THEREOF, REPEALING SECTIONS 15.12.010 THROUGH 15.12.340, PROVIDING FOR CODIFICATION, AN EFFECTIVE DATE, AND SEVERABILITY.

R E C I T A L S:

The City has been informed that due to actions of the federal and state governments, in order to protect the interests and property of certain owners, an update of its existing regulations is required in relation to certain activities within the flood hazard zones, as defined within the following ordinance.

2. Prior to enactment of this ordinance, the Council and Mayor have met with the involved City staff so to better understand the action being taken.

3. By taking this action, the goal is to protect the environmental areas involved, the property of the citizens constructing covered improvements therein, and assuring the

availability of federal flood insurance to the property owners within the area.

4. It is recognized that the applicable maps do not currently reflect the location within the City of all of the zones set forth in this Ordinance. However, it is found appropriate, in recognition of the possibility of modifications resulting from further studies, mapping, definitional changes, or environmental changes, to adopt an ordinance which ~~deals~~ not only with that which is currently present but also may become present in the future.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY:

SECTION I: GENERAL PRINCIPALS:

1.1. Purpose:

The primary purpose and goal of the provisions of this Ordinance is to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by methods and provisions designed for:

A. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or

erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;

B. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;

D. Controlling filling, grading, dredging, and other development which may increase flood damage; and

E. Preventing or regulating the construction of barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

1.2. Applicability:

No development shall be undertaken or placed in the areas regulated by this ordinance without full compliance with the terms of this ordinance and other applicable regulations of the City of McCleary. These areas are the following:

A. Special Flood Hazard Area (SFHA):

This ordinance applies to the Special Flood Hazard Area (SFHA) within the jurisdiction of the City of McCleary. The SFHA is defined as the largest of the following areas:

The Special Flood Hazard Area identified by the Federal Emergency Management Agency in the scientific and engineering report entitled "Flood Insurance Study for Grays Harbor County, Washington, and Incorporated Areas" which becomes effective February 3, 2017, and any revisions thereto, with an accompanying Flood Insurance Rate Map which becomes effective as of the same date, and any revisions thereto subsequent to that date. The Flood Insurance Study and the FIRM are on file at the office of the Building Official.

The Building Official shall have the authority to compare the elevation of a site for which a permit is sought to the base flood elevation and make interpretations where needed, as to the exact location of the boundaries of the SFHA. The applicant may appeal the Building Official's interpretation of the location of the boundary to the City Council.

B. Base Flood Elevation: To the extent that any of the following zones are currently or hereafter designated as being applicable to property within the City, the following provisions shall apply:

1. In "Zone AE" on the Flood Insurance Rate Map, the base flood elevation shall be the "1% Annual Chance Flood" elevation as shown in the Flood Profile for the stream in the Flood Insurance Study.

2. Where a flood rises higher than the base flood elevation as determined above, the base flood elevation shall be the elevation of the highest recorded flood level for that site.

SECTION II: DEFINITIONS:

Unless specifically defined below, words, terms or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application: Provided that, if a word, term, or phrase not defined in this section is defined in another section of Titles 15, 16, 17 or 18 of the Municipal Code, that definition shall be applied to the extent reasonably appropriate.

Base Flood: the flood having a one percent chance of being equaled or exceeded in any given year (also referred to as the "100-year flood"). The area subject to the base flood is the Special Flood Hazard Area designated on Flood Insurance Rate Maps as Zones "A" or "AE."

Base Flood Elevation: the elevation of the base flood in relation to the North American Vertical Datum of 1988.

Basement: any area of the structure having its floor sub-grade (below ground level) on all sides.

Critical Facility: a facility necessary to protect the public health, safety and welfare during a flood. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire and emergency operations installations, water and wastewater treatment plants, electric power stations, and installations which produce, use, or store hazardous materials or hazardous waste (other than consumer products containing hazardous substances intended for household use).

Development: any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Elevated Building: a non-basement building that has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or

columns. A building on a slab on grade foundation is not considered an elevated building.

Elevation Certificate: the official form (FEMA Form 81-31) used to provide elevation information necessary to ensure compliance with provisions of this ordinance and determine the proper flood insurance premium rate.

Flood or Flooding: a general and temporary condition of partial or complete inundation of normally dry land areas from:

The overflow of inland or tidal waters, and/or

The unusual and rapid accumulation of runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM): the official map on which the Federal Emergency Management Agency has delineated both the Special Flood Hazard Areas and the risk premium zones applicable to the community.

Flood Insurance Study: the official report provided by the Federal Emergency Management Agency that includes the Flood Insurance Rate Map, floodway data, and base flood elevations.

Floodway: the channel of a stream or other watercourse and the adjacent land areas that must be reserved

in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot at any point.

Historic Structure: a structure that is listed on the National Register of Historic Places, the Washington Heritage Register, or the Washington Heritage Barn Register, or has been certified to contribute to the historical significance of a registered historic district.

Lowest Floor: the lowest floor of the lowest enclosed area (including basement or crawlspace). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a structure's lowest floor, provided that such enclosure is compliant with Sections 6.2.G and I.

Manufactured Home: a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

NAVD88: the North American Vertical Datum of 1988.

Unless otherwise noted, all elevations referred to in this chapter are in relation to NAVD88.

New Construction: structures and substantial improvements for which the actual start of construction, repair, reconstruction, or other improvement to the structure commences on or after the effective date of this ordinance.

Recreational Vehicle: a vehicle,

- (1) Built on a single chassis; and
- (2) 400 square feet or less when measured at the largest horizontal projection; and
- (3) Designed to be self-propelled or permanently towable by an automobile or light duty truck; and
- (4) Designed primarily for use as temporary living quarters for recreational, camping, travel, or seasonal use, not as a permanent dwelling.

Special Flood Hazard Area (SFHA): the land subject to inundation by the base flood. Special Flood Hazard Areas are designated on the Flood Insurance Rate Map with the letters "A" or "AE" and may include additional floodprone areas designated in this ordinance.

Structure: a walled and roofed building, including a gas or liquid storage tank that is principally above ground.

Substantial Damage: damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the value of the structure before the damage occurred. For purposes of determining this value, in the discretion of the City it shall be the greater of the assessed value or the value provided by a qualified expert.

Substantial damage also means flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25% of the value of the structure, as determined as provided in the prior paragraph, before the damage occurred.

Substantial Improvement: any repair, reconstruction, rehabilitation, addition, replacement, or other improvement of a structure, taking place during a five year period, the cumulative cost of which equals or exceeds 50 percent of the value of the structure before the improvement or repair is started. For purposes of determining this value, in the

discretion of the City it shall be the greater of the assessed value or the value provided by a qualified expert.

This term includes requested improvements to structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not include:

(1) any project for improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been identified by a code enforcement official and which are the minimum necessary to assure safe living conditions; or

(2) any alteration of an historic structure provided that the alteration will not preclude the structure's continued designation as an historic structure.

SECTION III: ADMINISTRATION:

3.1. Authority of the Building Official:

The building official or his or her designee is appointed and authorized to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions.

A. Duties of the Building Official shall include, but not be limited to:

(1) Review all floodplain development permits to determine that the permit requirements of this ordinance have been satisfied.

(2) Review all floodplain development permits to determine that all necessary permits have been obtained from those Federal, State, or local governmental agencies from which prior approval is required.

(3) Review all floodplain development permits to determine if the proposed development is located in the SFHA.

(4) Ensure that all development activities within the SFHA meet the requirements of this ordinance.

(5) Inspect all development projects before, during and after construction to ensure compliance with all provisions of this ordinance, including proper elevation of all structures.

(6) Maintain for public inspection all records pertaining to the provisions of this ordinance.

3.2. Floodplain Development Permit

A. A floodplain development permit shall be obtained before construction or development begins within the SFHA. The permit shall be for all development as that term is defined in Section II.

B. Activities that do not meet the definition of "development" are allowed in the SFHA without the need for a floodplain development permit under this ordinance, provided all other Federal, State, and local requirements are met. The following are examples of activities not considered development or "man-made changes to improved or unimproved real estate."

(1) Routine maintenance of landscaping that does not involve grading, excavation, or filling;

(2) Removal of noxious weeds and hazard trees and replacement of non-native vegetation with native vegetation;

(3) Normal maintenance of structures, such as reroofing and replacing siding, provided such work does not qualify as a substantial improvement;

(4) Normal maintenance of above ground utilities and facilities, such as replacing downed power lines and utility poles;

(5) Normal street and road maintenance, including filling potholes, repaving, and installing signs and traffic signals, but not including expansion of paved areas.

(6) Plowing and other normal farm practices (other than structures or filling) on farms.

B. **Permit Extension:** If construction has not started, a floodplain development permit shall expire 180 days after the date of issuance. Where the applicant documents a need for an extension beyond this period due to conditions beyond the applicant's control, the Building Official may authorize one or more extensions.

C. **Certificate of Occupancy:**

A certification of use for the property or a certificate of occupancy for a new or substantially improved structure or an addition shall not be issued until:

1. The permit applicant provides a properly completed, signed and sealed Elevation and/or Floodproofing Certificate showing finished construction data.
2. The permit applicant provides copies of all required Federal, State, and local permits noted in the permit application.
3. All other provisions of this ordinance have been met.

The Building Official may accept a performance bond or other security that will ensure that unfinished portions of the project will be completed after the certification of use or certificate of occupancy has been issued.

D. **Variance Criteria:**

Upon written application of the applicant, the City Council shall have the discretionary authority to grant a variance in relation to the applicability of certain provisions of this ordinance.

(1) In reviewing applications for a variance, the City Council shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and the following in relation to granting of the variance:

a. The danger to life and property due to flooding or erosion damage;

b. The danger that materials may be swept onto other lands to the injury of others;

c. The safety of access to the property in times of flood for ordinary and emergency vehicles;

d. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;

e. The susceptibility of the proposed facility and its contents to flood or erosion damage and the effect of such damage on the individual owner;

f. The availability of alternative locations for the proposed use which are not subject to flooding;

g. The relationship of the proposed use to the comprehensive plan, growth management regulations, critical area regulations, the shoreline management program, and floodplain management program for that area;

h. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges;

i. The potential of the proposed development project to adversely affect federal, state or locally protected species or habitat; and

j. the minimum necessary to grant relief.

E. No variance shall be granted to the requirements of this ordinance unless the applicant demonstrates that:

(1) The development project cannot be located outside the SFHA;

(2) An exceptional hardship would result if the variance were not granted;

(3) The relief requested is the minimum necessary;

(4) The applicant's circumstances are unique and do not represent a problem faced by other area properties;

(5) If the project is within a designated floodway, no increase in flood levels during the base flood discharge would result;

(6) The project will not adversely affect features or quality of habitat supporting local, state or federally protected fish or wildlife;

(7) There will be no additional threat to public health, safety, beneficial stream or water uses and functions, or creation of a nuisance;

(8) There will be no additional public expense for flood protection, lost environmental functions, rescue or relief operations, policing, or repairs to streambeds, shorelines, banks, roads, utilities, or other public facilities; and

(9) All requirements of other permitting agencies will still be met.

F. Variances requested in connection with restoration of an historic site, building, or structure may be granted using criteria more permissive than the above requirements, provided:

(1) The repair or rehabilitation is the minimum necessary to preserve the historic character and design of the site, building, or structure; and

(2) The repair or rehabilitation will not result in the site, building, or structure losing its historic designation.

(a) Variances to the provisions of Section 6 of this ordinance may be issued for a structure on a small or irregularly shaped lot contiguous to and surrounded by lots with existing structures constructed below the base flood elevation, providing the other variance criteria are met. The applicant for such a variance shall be notified, in writing, that the structure (i) will be subject to increased premium rates for flood insurance and (ii) such construction increases risks to life and property. Such notification shall be maintained with a record of all variance actions.

(b) Variances pertain to a physical piece of property. They are not personal in nature and are not based on the inhabitants or their health, economic, or financial circumstances.

G. **Floodplain Development Permit Application**

Application for a floodplain development permit shall be made on forms furnished by the Building Official and shall include, but are not limited to,

(1) One or more site plans, drawn to scale,

showing:

a. The nature, location, dimensions, and elevations of the property in question;

b. Names and location of all lakes, water bodies, waterways and drainage facilities within 300 feet of the site;

c. The elevations of the 10-, 50-, 100-, and 500-year floods, where such data are available;

d. The boundaries of the SFHA, floodway, wetlands, shoreline buffer, critical areas, and fish and wildlife habitat conservation areas, as defined in this and other ordinances of the City;

e. The proposed drainage system including, but not limited to storm sewers, overland flow paths, detention facilities and roads; and

f. Existing and proposed structures, fill, pavement and other impervious surfaces, and sites for storage of materials.

(2) If the proposed project involves grading, excavation, or filling, the site plan shall include proposed post-development terrain at one foot contour intervals.

(3) If the proposed project includes a new structure, substantial improvement, or repairs to a substantially damaged structure, the application shall include the base flood elevation for the building site and the proposed elevations of the following, in relation to NAVD:

- a. The top of bottom floor (including basement, crawlspace, or enclosure floor);
- b. The top of the next higher floor;
- c. The top of the slab of an attached garage;
- d. The lowest elevation of machinery or equipment servicing the structure;
- e. The lowest adjacent (finished) grade next to structure;
- f. The highest adjacent (finished) grade next to structure; and
- g. The lowest adjacent grade at the lowest elevation of a deck or stairs, including structural support.

(4) If the proposed project includes a new structure, substantial improvement, or repairs to a

substantially damaged nonresidential structure that will be dry floodproofed, the application shall include the base flood elevation for the building site, the elevation to which the structure will be dry floodproofed, and a certification by a registered professional engineer or licensed architect that the dry floodproofing methods meet the floodproofing criteria in Section 6.3.B.

(5) The application shall include a description of the extent to which a stream, lake, or other water body, including its shoreline, will be altered or relocated as a result of the proposed development.

(6) The application shall include documentation that the applicant will apply for all necessary permits required by Federal, State, or local law. The application shall include written acknowledgment that the applicant understands that the final certification of use or certificate of occupancy will be issued only if the applicant provides copies of the required Federal, State, and local permits or letters stating that a permit is not required. A floodplain development permit is not valid if those other permits and approvals are not obtained prior to any ground disturbing work or structural improvements.

(7) The application shall include acknowledgment by the applicant that representatives of any Federal, State or local unit of government with regulatory authority over the project are authorized to enter upon the property to inspect the development.

SECTION IV: RECORDS:

4.1. The Building Official shall maintain copies of all development permit applications, variances, permits, inspection records, and correspondence with applicants for a floodplain development permit. All records shall be made available for public inspection.

4.2. The Building Official shall obtain, record, and maintain the certification referenced in Section 3.2.G(4).

4.3. The Building Official shall obtain, record, and maintain the actual "finished construction" elevations for all new construction and substantial improvements in the SFHA. This information shall be recorded on a current FEMA Elevation Certificate (FEMA Form 81-31), signed and sealed by a professional land surveyor, currently licensed in the State of Washington.

4.4. For all new or substantially improved dry floodproofed nonresidential structures, the Building Official

shall obtain, record and maintain the elevation to which the structure was floodproofed. This information shall be recorded on a current FEMA Floodproofing Certificate (FEMA Form 81-65) by a professional engineer currently licensed in the State of Washington.

SECTION V: GENERAL DEVELOPMENT STANDARDS:

5.1. Floodplain Obstructions

A. Within the floodway designated on the Flood Insurance Rate Map:

(1) Encroachments, including fill, new construction, substantial improvements, and other development, are prohibited unless certification by a registered professional engineer is provided that the proposed development and all other past or future similar developments would not cumulatively result in any increase of flood levels during the occurrence of the base flood discharge. The certification must be based on hydrologic and hydraulic analyses performed in accordance with standard engineering practice that incorporate the equal degree of encroachment approach that accounts for similar development that could be anticipated in the future.

(2) Construction, reconstruction, and improvements of residential structures are prohibited, except for:

(a) Repairs, reconstruction, or improvements to a structure which do not increase the ground floor area; and

(b) Repairs, reconstruction or improvements to a structure, the cost of which does not exceed fifty percent of the market value of the structure either

(I) Before the repair, reconstruction, or improvement is started; or

(ii) if the structure has been damaged, and is being restored, before the damage occurred. Any project for improvement of a structure to correct existing violations of a state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or to structures identified as historic places shall not be included in the fifty percent.

B. Within the Zone A, where no floodway has been designated, the permit applicant shall provide:

(1) A certification by a registered professional engineer that the proposed development and all other past or future similar developments would not cumulatively result in

an increase of flood levels during the occurrence of the base flood discharge by more than one foot. The certification must be based on hydrologic and hydraulic analyses performed in accordance with standard engineering practice that incorporate the equal degree of encroachment approach that accounts for similar development that could be anticipated in the future.

(2) A map that shows the area impacted by any increase in the level of the base flood caused by the development.

(3) Notarized statements from the owners of the impacted properties (other than the permit applicant) that they have no objections to the increase in flood heights on their properties.

C. The provisions of Sections A and B do not apply to the following:

(1) Development projects in the designated flood fringe along Harris Creek;

(2) Projects that do not require a development permit as listed in Section 3.2.B; or

(3) Improvements or repairs to an existing structure that do not change the structure's external dimensions.

D. No filling or grading shall reduce the effective flood storage volume of the SFHA. A development proposal shall provide compensatory storage if filling or grading eliminates any effective flood storage volume. Compensatory storage shall:

(1) Provide equivalent volume at equivalent elevations to that being displaced. For this purpose, "equivalent elevation" means having similar relationship to ordinary high water and to the best available 10-year, 50-year and 100-year water surface profiles;

(2) Be hydraulically connected to the source of flooding; and

(3) Provide compensatory storage in the same construction season as when the displacement of flood storage volume occurs and before the flood season begins.

E. All newly created compensatory storage areas shall be graded and vegetated to allow fish access during flood events without creating fish stranding sites.

5.2. Alteration of Watercourses

A. In addition to the other requirements in this Section 5.2, an applicant for a project that will alter or relocate a watercourse shall also submit a request for a

Conditional Letter of Map Revision (CLOMR). The project will not be approved unless FEMA issues the CLOMR and the provisions of the letter are made part of the permit requirements.

B. The Building Official shall notify adjacent communities and the Washington Department of Ecology prior to any alteration or relocation of a watercourse, and submit evidence of such notification to FEMA.

C. Maintenance shall be provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished. If the maintenance program does not call for cutting of vegetation, the system shall be oversized at the time of construction to compensate for said vegetation growth or any other natural factor that may need future maintenance.

5.3. Site Design

A. If a lot has a buildable site out of the SFHA, all new structures shall be located in that area, when possible.

B. If a lot does not have a buildable site out of the SFHA, all new structures, pavement, and other development must be sited as far from the water body as possible or on the highest land on the lot.

C. All new development shall be designed and located to minimize the impact on flood flows, flood storage, water quality, and habitat.

D. The site plan required in Section 3.2.G(1) shall account for surface drainage to ensure that existing and new buildings on the site will be protected from stormwater runoff and the project will not divert or increase surface water runoff onto neighboring properties.

5.4. Critical Facilities

A. Construction of new critical facilities shall be, to the extent possible, located outside the limits of the SFHA.

B. Construction of new critical facilities in the SFHA shall be permissible if no feasible alternative site is available, provided:

(1) Critical facilities shall have the lowest floor elevated to or above the base flood elevation plus three feet or to the height of the 500-year flood, whichever is higher.

(2) Access to and from the critical facility shall be protected to the base flood elevation plus three feet or to the height of the 500-year flood.

5.5. Hazardous Materials

No new development shall create a threat to public health, public safety, or water quality. Chemicals, explosives, gasoline, propane, buoyant materials, animal wastes, fertilizers, flammable liquids, pollutants, or other materials that are hazardous, toxic, or a threat to water quality are prohibited from the SFHA. This prohibition does not apply to small quantities of these materials kept for normal household use. This prohibition does not apply to the continued operations of existing facilities and structures or reuse of existing facilities and structures.

5.6. Utilities

A. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems;

B. Water wells shall be located outside the floodway and shall be protected to the base flood elevation plus three feet;

C. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;

D. Onsite waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

5.7. Subdivisions

A. This Section 5.7 applies to all subdivision proposals, short subdivisions, short plats, planned developments, and new and expansions to manufactured housing parks that are wholly or in part located in the SFHA.

B. All proposals shall be consistent with the need to minimize flood damage.

C. All new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, shall include within such proposals base flood elevation data.

D. All subdivisions of land that is both in and outside the SFHA shall have all parcels platted with buildable sites on higher ground outside the SFHA. This provision does not apply to lots set aside from development and preserved as open space.

E. All proposals shall have utilities and facilities, such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage.

F. All proposals shall ensure that all subdivisions have at least one access road connected to land outside the SFHA with the surface of the road at or above the base flood elevation wherever possible.

G. All proposals shall have adequate drainage provided to avoid exposure to water damage.

H. The final recorded subdivision plat shall include a notice that part of the property is in the SFHA.

SECTION VI: STANDARDS FOR PROTECTION OF STRUCTURES:

6.1. Applicability

A. The protection requirements of this Section 6 apply to all new structures and substantial improvements in the SFHA, which include:

(1) Construction or placement of a new structure;

(2) Reconstruction, rehabilitation, or other improvement that will result in a substantially improved building;

(3) Repairs to an existing building that has been substantially damaged;

(4) Placing a manufactured home on a site.

B. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

C. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

6.2. Residential Structures

A. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated above the base flood elevation plus three feet.

B. The structure shall be aligned parallel with the direction of flood flows where practicable.

C. The structure shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

D. All materials below the base flood elevation plus three feet shall be resistant to flood damage and firmly anchored to prevent flotation.

E. Materials harmful to aquatic wildlife, such as creosote, are prohibited below the base flood elevation plus three feet.

F. Electrical, heating, ventilation, duct work, plumbing, and air conditioning equipment and other service facilities shall be elevated above the base flood elevation plus three feet. Water, sewage, electrical, and other utility lines below the base flood elevation plus three feet shall be constructed so as to prevent water from entering or accumulating within them during conditions of flooding.

G. Fully enclosed areas below the lowest floor that are subject to flooding shall be used only for parking, storage, or building access and shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.

Designs for meeting this requirement shall either be certified by a registered professional engineer or licensed architect and/or meet or exceed the following minimum criteria:

(1) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

(2) The bottom of all openings shall be no higher than one foot above grade.

(3) Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(4) The interior grade of a crawlspace below the base flood elevation must not be more than two feet below the lowest adjacent exterior grade.

(5) The height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall must not exceed four feet at any point.

(6) There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event. The type of drainage system will vary

because of the site gradient and other drainage characteristics, such as soil types. Possible options include natural drainage through porous, well-drained soils and drainage systems such as perforated pipes, drainage tiles, or gravel or crushed stone drainage by gravity or mechanical means.

(7) The velocity of floodwaters at the site should not exceed five feet per second for any crawlspace. For velocities in excess of five feet per second, other foundation types should be used.

H. Upon completion of the construction and before issuance of the certificate of occupancy, the permit applicant shall provide a current "finished construction" FEMA Elevation Certificate (FEMA Form 81-31), signed and sealed by a professional land surveyor, currently licensed in the State of Washington.

I. Upon completion of the construction of an elevated building and before issuance of the certificate of occupancy, the applicant shall provide a signed agreement that acknowledges that the conversion of the area below the lowest floor to a use or dimension contrary to the building's originally approved design is prohibited.

(1) The nonconversion agreement shall authorize the Building Official to conduct inspections of the enclosed area of the building upon reasonable notice.

(2) The applicant shall provide a copy that documents the nonconversion agreement has been recorded in the appropriate County office in such a manner that it appears in the chain of title of the affected property.

(3) A copy of the recorded nonconversion agreement shall be presented as a condition of issuance of the final certificate of occupancy.

(4) The Building Official may waive this requirement where the enclosed area is less than four feet in height, measured from the floor of the enclosure to the underside of the floor system above.

6.3. Nonresidential Construction

A. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall be elevated in accordance with Section 6.2 and meet all the other requirements in Section 6.2.

B. As an alternative to elevation, a new or substantial improvement to a nonresidential structure and its attendant utility and sanitary facilities, may be dry

floodproofed to the base flood elevation plus three feet. A dry floodproofed building must meet the following:

(1) Below the base flood elevation plus three feet, the structure is watertight with walls substantially impermeable to the passage of water.

(2) The structural components are capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

(3) The plans are certified by a registered professional engineer or licensed architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this Section 6.3.B based on their development and/or review of the structural design, specifications and plans.

(4) Upon completion of the construction and before issuance of the certificate of occupancy, the permit applicant shall provide an "as-built" FEMA Floodproofing Certificate (FEMA Form 81-65) signed by a professional engineer currently licensed in the State of Washington.

6.4. Manufactured Homes

All manufactured homes to be placed or substantially improved on any site in the SFHA shall be:

A. Elevated on a permanent foundation in accordance with Section 6.2.

B. Securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to other applicable anchoring requirements for resisting wind forces.

C. No manufactured home shall be located in the floodway designated on the Flood Insurance Rate Map.

6.5. Appurtenant Structures

A. This Section 6.6 applies to accessory structures of 500 square feet or less that are used only for parking or storage in relation to the principle structure on the property.

B. An appurtenant structure may be exempt from the elevation requirement of Section 6.2.A, provided:

(1) It meets the requirements of Sections 6.2.B, C, D, and E;

(2) The walls of the structure meet the requirements of Section 6.2.F; and

(3) The project meets all the other requirements of this ordinance.

SECTION VII: PENALTY FOR VIOLATION BY NON-

COMPLIANCE:

Violations of any provision of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with the provisions), shall constitute a misdemeanor. Upon conviction for a violation of a provision of this ordinance, the person or entity may be fined not more than \$1,000 for each violation, be subject to a jail sentence of up to 90 days, shall pay all costs and expenses involved in the case, and be subject to such other sanction, including correction of the violation, as may be allowed by law and ordered by the Court.

Nothing herein contained shall prevent the City of McCleary from taking such other lawful action as is necessary to prevent or remedy any violation. Each violation or each day of continued unlawful activity shall constitute a separate violation.

SECTION VIII: GENERAL PROVISIONS:

8.1. Interpretation

In the interpretation and application of this ordinance, all provisions shall be:

- A. Considered as minimum requirements.
- B. Liberally construed in favor of the City of McCleary.
- C. Deemed neither to limit nor repeal any other powers granted under State statutes.

8.2. Abrogation and Greater Restrictions

Where this ordinance and another code, ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

8.3 Warning and Disclaimer of Liability

The degree of property protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on occasion. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the regulated areas, or development permitted within such areas, will be free from flood damage. This ordinance shall not create liability on the part of the City of McCleary or any officer or employee

thereof for any damage to property or habitat that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

SECTION IX: If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases had been declared invalid or unconstitutional.

SECTION X: This Ordinance shall take effect upon the fifth day following date of publication.

SECTION XI: CODIFICATION AND REPEAL:

11.1 Codification: Sections I through VIII inclusive shall constitute new sections in Chapter 15.12 MMC.

11.2 Repeal: Sections 15.12.010 through 15.12.340 of the Municipal Code shall be repealed as of the effective date of this ordinance: PROVIDED THAT, such repeal shall not effect the completion of the processing of any complete permit application submitted prior to that date or any project for

which a permit had been issued or is issued upon the completion of a permit vested under this section.

SECTION XII: CORRECTIONS BY THE CLERK-TREASURER OR

CODE REVISER: Upon approval of the Mayor and City Attorney, the Clerk-treasurer and the Code Reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors, references to other local, state, or federal laws, codes, rules, or regulations, or ordinance number and section/subsection numbering.

PASSED THIS _____ DAY OF _____, 2017, by the City Council of the City of McCleary and signed in approval therewith this _____ day of _____, 2017.

CITY OF McCLEARY:

BRENT SCHILLER, Mayor

ATTEST:

WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

STATE OF WASHINGTON)
 : ss.
GRAYS HARBOR COUNTY)

I, Wendy Collins, being the duly appointed Clerk-Treasurer of the City of McCleary, do certify that I caused to have published in a newspaper of general circulation in the City of McCleary a true and correct summary of Ordinance Number _____ and that said publication was done in the manner required by law. I further certify that a true and correct copy of the summary of Ordinance Number _____, as it was published, is on file in the appropriate records of the City of McCleary.

SIGNED AND SWORN to before me this _____ day of _____, 2017, by Wendy Collins.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, Residing at:
My appointment expires:

ORDINANCE NO. _____

AN ORDINANCE RELATING TO GOVERNMENTAL OPERATION, ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE BY REFERENCE, AMENDING CERTAIN SECTIONS THEREOF, ADDING NEW SECTIONS TO CHAPTER 15.04 OF THE MUNICIPAL CODE; PROVIDING FOR AN EFFECTIVE DATE AND SEVERABILITY.

R E C I T A L S:

1. The City has previously adopted various uniform codes and ordinances relating to the construction and maintenance of structures within the City.

2. The Council and Mayor have been made aware that a number of structures within the City have been allowed to deteriorate to such a degree as to require repeated actions by the Code Enforcement Officer and the Police Department. Some of these properties are apparently subject to the pendency of forfeiture proceedings by the lenders having the secured interest while the owners or occupants of others have simply not maintained them.

3. It has been brought to the attention of the Council and Mayor that, while the City has not previously

adopted the International Property Maintenance Code, provisions of that Code would be beneficial in dealing with issues of maintenance of structures within the City in a more effective manner than the current provisions of the City's Code.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY:

SECTION I: The International Property Maintenance Code (the IPMC), as published by the International Code Council, as now existing within its 2012 edition or hereafter amended or succeeded, is adopted with the exceptions set forth in Section II.

SECTION II: In the implementation and administration of the IPMC, the following provisions shall apply:

A. References to the Board of Appeals in Section 111 shall be deemed to refer to the Hearing Examiner system of Chapter 2.30 MMC.

B. Subsection 301.3, Vacant buildings and land, is repealed in its entirety and replaced by the following:

301.3 Vacant Buildings. All vacant buildings and premises thereof must comply with this Code. Vacant buildings shall be maintained in a clean, safe, secure, and sanitary

condition as provided herein so as not to cause a blighting problem or otherwise adversely affect the public health, safety, or quality of life.

301.3.1 Appearance. All vacant buildings must appear to be occupied, or appear able to be occupied with little or no repairs.

301.3.2 Security. All vacant buildings must be secured against outside entry at all times. Security shall be by the normal building amenities such as windows and doors having adequate strength to resist intrusion. All doors and windows must remain locked. There shall be at least one operable door into every building and into each housing unit. Exterior walls and roofs must remain intact without holes.

301.3.2.1 Architectural (Cosmetic) Structural Panels. Architectural structural panels may be used to secure windows, doors, and other openings provided they are cut to fit the opening and match the characteristics of the building. Architectural panels may be of exterior grade finished plywood or Medium Density Overlaid plywood (MDO) that is painted to match the building exterior or covered with a reflective material such as plexi-glass: PROVIDED THAT, untreated plywood

or similar structural panels may be used to secure windows, doors, and other openings for a maximum period of 30 days within any 90 day period.

301.3.2.2 Security Fences. Temporary construction fencing shall not be used as a method to secure a building from entry: PROVIDED THAT, such fencing may be used for a maximum period of 30 days within any 90 day period.

301.3.3 Weather Protection. The exterior roofing and siding shall be maintained as required in Section 304.

301.3.4 Fire Safety.

301.3.4.1 Fire Protection System. All fire suppression and alarm systems shall be maintained in a working condition and inspected as required by the Fire Department.

301.3.4.2 Flammable Liquids. No vacant building or premises or portion thereof shall be used for the storage of flammable liquids or other materials that constitute a safety or fire hazard.

301.3.4.3 Combustible Materials. All debris, combustible materials, litter, and garbage shall be removed from vacant buildings, their accessory buildings, and adjoining

yard areas. The building and premises shall be maintained free from such items.

301.3.4.4 Fire Inspections. Periodic fire safety inspections may be required at intervals set forth by the Building Official or his designee.

301.3.5 Plumbing Fixtures. Plumbing fixtures connected to an approved water system, an approved sewage system, or an approved natural gas utility system shall be installed in accordance with applicable codes and be maintained in sound condition and good repair or removed and the service terminated in the manner prescribed by applicable codes.

301.3.5.1 Freeze Protection. The building's water systems shall be protected from freezing.

301.3.6 Electrical. Electrical service lines, wiring, outlets, or fixtures not installed or maintained in accordance with applicable codes shall be repaired, removed, or the electrical services terminated to the building in accordance with applicable codes.

301.3.7 Heating. Heating facilities or heating equipment in vacant buildings shall be removed, rendered inoperable, or maintained in accordance with applicable codes.

301.3.8 Interior Floors. If a hole in a floor presents a hazard, the hole shall be covered and secured with three-quarter (3/4) inch plywood, or a material of equivalent strength, cut to overlap the hole on all sides by at least six (6) inches.

301.3.9 Termination of Utilities. The code official may, by written notice to the owner and to the appropriate water or electricity utility, request that water or electricity service to a vacant building be terminated or disconnected.

301.3.9.1 Restoration of Service. If water or electricity service has been terminated or disconnected pursuant to Section 313.9, no one except the utility may take any action to restore the service, including an owner or other private party requesting restoration of service, until written notification is given by the code official that service may be restored.

301.3.10 Notice to Person Responsible. Whenever the code official has reason to believe a building is vacant, the code official may inspect the building and premises. If the code official determines a vacant building violates any provision of this section, the code official shall notify in

writing, the owner of the building, or real property upon which the building is located, or other person responsible, of the violations and required corrections and shall be given a time frame to comply. The notice either may be personally served upon the responsible individual or mailed by USPS, postage prepaid, by both 1st class mail and certified mail, return receipt requested. If personally served, the date of service shall be the first day upon which the period allowed for any corrective action or appeal shall commence. If mailed, those periods shall commence upon the third business day after the notices being deposited with the USPS.

301.3.10.1 Alternate Requirements. The requirements and time frames of this section may be modified under an approved Plan of Action. Within 15 days of notification that a building or real property upon which the building is located is in violation of this Section, an owner may submit a written Plan of Action for the code official to review and approve if found acceptable. A Plan of Action may allow:

- 1) Extended use of non-architectural panels
- 2) Extended use of temporary security fencing

3) Extended time before the demolition of a building is required

4) For substandard conditions to exist for a specific period of time, provided the building is secured in an approved manner. When considering a Plan of Action, the building official shall take into consideration the magnitude of the violation and the impact to the neighborhood.

301.3.11 Enforcement. To the extent that enforcement procedures are not provided by other provisions of this ordinance, violations of this section shall be enforced according to the provisions and procedures of Section 17.40.080 of the McCleary Municipal Code, as now existing or hereafter amended or succeeded, and be subject to the monetary penalties contained therein, as well as the actions set forth in the following subsections.

301.3.11.1 Abatement. A building or structure accessory thereto that remains vacant and open to entry after the required compliance date is found and declared to be a public nuisance. The code official is hereby authorized to summarily abate the violation by closing the building to

unauthorized entry. The costs of abatement shall be collected from the owner in the manner provided by law.

301.3.11.2 Unsafe Buildings and Equipment. Any vacant building or equipment therein, declared unsafe is subject to the provisions of Section 108 and the demolition provisions of Section 110.

SECTION III: Interpretation: To the extent that the provisions of the International Building Maintenance Code, as adopted by Sections I and II of this Ordinance, conflict with any provision of the Municipal Code, including but not limited to the provisions of Chapters 8.16 & 17.40 of the Municipal Code and the statutes incorporated by references in Section 9.90.900 of the Municipal Code, the provisions of the International Property Maintenance Code shall control.

SECTION IV: Sections I, II, & III of this Ordinance shall constitute new sections in Chapter 15.04 of the Municipal Code.

SECTION V: If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not

affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases had been declared invalid or unconstitutional, and if for any reason this Ordinance should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

SECTION VI: This Ordinance shall take effect upon the fifth day following date of publication.

SECTION VII: Corrections by the Clerk-treasurer or Code Reviser. Upon approval of the Mayor and City Attorney, the Clerk-treasurer and the Code Reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors, references to other local, state, or federal laws, codes, rules, or regulations, or ordinance number and section/subsection numbering.

PASSED THIS _____ DAY OF _____, 2017, by the City Council of the City

of McCleary, and signed in approval therewith this _____ day
of _____, 2017.

McCLEARY:

CITY OF

SCHILLER, Mayor

BRENT

ATTEST:

WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

STATE OF WASHINGTON)

: ss.

GRAYS HARBOR COUNTY)

I, WENDY COLLINS, being the duly appointed Clerk-Treasurer of the City of McCleary, do certify that I caused to have published in a newspaper of general circulation in the City of McCleary a true and correct summary of Ordinance Number _____ and that said publication was done in the manner required by law. I further certify that a true and correct copy of the summary of Ordinance Number _____, as it was published, is on file in the appropriate records of the City of McCleary.

COLLINS

WENDY

SIGNED AND SWORN to before me this _____
day of _____, 2017, by WENDY COLLINS.

PUBLIC IN AND FOR THE STATE OF
Residing at:
appointment expires:

NOTARY
WASHINGTON,
My

RESOLUTION NO. _____

**A RESOLUTION RECOGNIZING THE SERVICE OF
GEORGE CRUMB TO THE CITY AND ITS CITIZENS**

R E C I T A L S:

1. As of December 31, 2016, George Crumb entered into retirement from service in law enforcement.

2. Law enforcement was a second career providing service to the Public in light of the years he spent in the United States Armed Forces.

3. In 1994, George began service in the City's Police Department as an officer under the leadership of Chief Ersel May. When Chief May retired in 1996, George assumed the leadership role of the Department as acting chief and then as Police Chief.

4. From 1998 until 2004, George served the City of Oakville and its citizens until he reassumed the position of Chief of the McCleary Police Department on May 24, 2004. He has managed the Department for over twelve-years, through a variety of challenges. The level of service he and his fellow officers performed was recognized in 2005, by then serving Mayor Wallace

Bentley, through the issuance of a Special Letter of Commendation for the role George and his officers carried out in capturing individuals who had robbed what was then, the Simpson Credit Union, and recovering the funds taken.

5. In the eleven-years following that event, he has continued to provide that same high level of service and commitment to doing what he believed would best serve the City. He has shown civility to all, even those with whom are challenging, and demonstrated a desire to work through challenging staffing situations due to economic challenges the City has faced, and a willingness to respond to the call for service, regardless of the time of day or night.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY, THE MAYOR SIGNING IN AUTHENTICATION THEREOF:

SECTION I: Upon behalf of the Citizens of the City of McCleary, the Council and Mayor wish to thank George Crumb for everything that he has done for all who live or work in McCleary during the sixteen-years he has spent in service with the City's Police Department. They wish him an enjoyable and long retirement during which he may carry out his hunting activities, enjoy time with his four children and his grandchildren, which

are likely to increase in number and, when he desires, utilize his private shooting range for practice.

SECTION II: The Council and Mayor hereby designate the 25th day of January, 2017, officially as George Crumb Day in the City. May all who see him express their appreciation for his service and dedication to the City of McCleary.

PASSED THIS 25th DAY OF January, 2017, by the City Council of the City of McCleary, and signed in authentication thereof this 25th day of January, 2017.

CITY OF McCLEARY:

BRENT SCHILLER, Mayor

ATTEST:

WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

RESOLUTION NO. _____

**A RESOLUTION DECLARING CERTAIN
PROPERTY ITEMS OF THE CITY TO BE SURPLUS
AND PROVIDING FOR THE DISPOSITION THEREOF.**

R E C I T A L S:

1. Certain vehicle have been reported to the McCleary City Council by the Chief of Police and Director of Public Works as being surplus to the present and anticipated future needs of the City. The identification information is as set forth upon Exhibit #1, attached hereto and incorporated by this reference. It is also possible that the Exhibit may include upon it one or more items of personal property.

2. The information provided includes that a replacement vehicle has been obtained by the Police Department and that the benefit of any repairs or maintenance to the subject vehicles would not, in the long term, be cost effective for the City.

3. It is the desire and the intent of the Council to declare these vehicles as well as any pesonal property

placed upon the list surplus and to provide for the disposition thereof as recommended by Staff.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY, THE MAYOR SIGNING IN AUTHENTICATION THEREOF:

SECTION I: Those items described upon Exhibit #1 are hereby declared surplus to the present and future needs of the City.

SECTION II: The items so declared surplus shall be disposed of through utilization of the policies set out in the applicable resolution.

SECTION III: Prior to the transfer of any vehicle, all equipment related specifically to its use by the City and which may be useful in the future shall be removed from the vehicle and retained by the City.

PASSED THIS ____DAY OF JANUARY, 2017, by the City Council of the City of McCleary, and signed in authentication thereof this _____ day of _____, 2017.

CITY OF McCLEARY:

BRENT SCHILLER, Mayor

ATTEST:

WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney