ORDINANCE NO. 20-0568

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, RELATING TO THE CODE ENFORCEMENT; ADOPTING A NEW CHAPTER 2.33 OF THE EDGEWOOD MUNICIPAL CODE ENTITLED "CODE ENFORCEMENT BOARD," PROVIDING FOR THE CREATION OF THE BOARD; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of Edgewood has adopted and codified Title 2 EMC Administration and Personnel; and

WHEREAS, the City Council desires to add a new Chapter 2.33 to the Edgewood Municipal Code (EMC) creating a Code Enforcement Board for the purpose of hearing cases and appeals, and rendering decisions regarding civil violations of the EMC and other city ordinances; and

WHEREAS, the City Council considered this ordinance during its study session held on January 7, 2020; and

WHEREAS, the City Council adopted this ordinance during its regular City Council meeting of January 14, 2020;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:


Section 2. Severability. If any section, sentence, clause, or phrase of this ordinance or should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication, as provided by law.


Daryl Eidinger, Mayor

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ATTEST/AUTHENTICATED:

Rachel Pitzel, CMC
City Clerk

APPROVED AS TO FORM:

Interim City Attorney, Ann Marie J. Soto

Date of Publication: January 16, 2020
Effective Date: January 21, 2020
Chapter 2.33
CODE ENFORCEMENT BOARD

Sections:

2.33.010 Creation and Purpose.
2.33.020 Membership and Operations.

2.33.010 Creation of Edgewood code enforcement board.
There is hereby created a code enforcement board (CEB) for the City of Edgewood, Pierce County, Washington. The CEB shall hear cases and appeals, and render decisions regarding civil violations of the Edgewood Municipal Code (EMC) or specified city ordinances.
The express mission and purpose of the CEB shall be as follows:

(1) Conduct hearings on civil violations of the EMC or specified Edgewood ordinances;

(2) Determine whether the City has established, by a preponderance of the evidence, that a civil violation of the EMC or specified Edgewood ordinance has occurred;

(3) Assess monetary penalties when appropriate;

(4) Adopt rules of procedure for the conduct of hearings;

(5) Act in an advisory capacity to the city council, mayor, and staff relating to code enforcement and civil violations, when requested.

2.33.020 Membership and Operations.

Membership shall be as follows:

(1) The board shall consist of three (3) voting members (Positions 1, 2, and 3) and two (2) alternates members (Positions 4 and 5), the majority of which shall be residents of Edgewood and, because of the nature of code enforcement, up to two (2) members may be non-residents who work in Edgewood.

   (a) All members shall meet the residency or employment criteria both at the time of their appointment and for the full term of their appointment;

   (b) All members are expected to attend all regularly scheduled meetings of the CEB. In the event of an absence, an alternate member can be a voting member for that meeting. In the event of two (2) absences, both alternate members can be voting members for that meeting. A total of two (2) members are required for a quorum.

(2) The initial members shall be appointed by the mayor and confirmed by the City Council, in accordance with the process set forth in the Council Rules of Procedure. The City Council shall also fill vacancies as stated in the Council Rules of Procedure: the newly appointed board member(s) will serve the remainder of the vacant term(s);

(3) Members shall serve terms as designated in subsection (3)(a) of this section.

   (a) The terms for each position shall run as follows:

       Positions 1, 3, and 5 (Alternate): initial appointment date until December 31, 2022, with a two-year term starting on January 1, 2023 and two-year terms being assigned thereafter;
Positions 2 and 4 (Alternate): initial appointment date until December 31, 2021, with a two-year term starting on January 1, 2022 and two-year terms being assigned thereafter.

(4) Any member may be removed by a majority vote of the City Council. The decision of the city council regarding membership shall be final and there shall be no appeal therefrom.