

CITY OF GRANITE FALLS

ORDINANCE NO.848-2013

AN ORDINANCE OF THE CITY OF GRANITE FALLS, REVISING PORTIONS OF THE MUNICIPAL CODE FOR UPDATING AND CODIFICATION PURPOSES INCLUDE THE FOLLOWING:

AMEND SECTION 1.04.070, REPEAL SECTION 1.08.050, AMEND SECTION 2.06.020, REPEAL CH 2.18, REPEAL CH 2.44, AMEND CH 2.48, AMEND CH 3.04, REPEAL CH 3.16 REPEAL SECTION 3.24.010, REPEAL CH 6.06, REPEAL CH 9.88, REPEAL CH 9.92, REPEAL CH 9.93, AMEND SECTION 9.96.040 , REPEAL SECTION 10.20.040; PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, the present general ordinances of the city of Granite Falls are incomplete and inadequate to meet the immediate needs of the city; and

WHEREAS, the city has contracted with Code Publishing Co. to provide for a recodification and republishing of the Granite Falls Municipal Code; and

WHEREAS, the city has provided for Code Publishing Co. to draft a comprehensive omnibus ordinance to address the incompleteness of the existing ordinances of the city; and

WHEREAS, City staff and City Attorneys have also reviewed Code Publishing's draft ordinance and provided further revision to address the incompleteness of the existing City ordinances and recodification and republishing of the Granite Falls Municipal Code.

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

Section 1. Editorial Revisions in the Code.

(A) Consistent with the classification of a "Code City" under RCW 35A, the term "Town" shall be replaced with the word "City" throughout the entire code in the Codification revision process.

(B) The City of Granite Falls no longer has a Town Marshal – therefore all references to "Town Marshal" or "marshal" shall be replaced with "Chief of Police" throughout the entire code in the Codification revision process.

Section 2. GFMC Section 1.04.070 entitled "Effective date" is amended to read as follows:

1.04.070 Effective date.

~~The provisions of this code shall become effective on the date the ordinance adopting this the various code chapter or section as of the Granite Falls Municipal Code shall become effective and after publication as required by law. [Ord. 305 § 7, 1981.]~~

Section 3. GFMC Section 1.08.050, entitled "Violation – Penalty", is hereby repealed.

~~**1.08.050 Violation – Penalty.**~~

~~Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this chapter shall be guilty of a misdemeanor. It shall be a separate offense for each and every day during any portion of which any violation of any provision of this chapter is permitted, committed or continued by any person. Conviction of a misdemeanor under this chapter shall be punished by a fine of not more than \$500.00, or by imprisonment not to exceed six months, or by both such fine and imprisonment unless a different punishment is provided by ordinance. [Ord. 305 § 13, 1981.]~~

Section 4. GFMC Section 2.06.020 entitled "Appointment" is hereby amended to read as follows:

2.06.020 Appointment.

The mayor, in his/her sole discretion, may appoint an executive administrative assistant to assist the mayor in the performance of his/her duties. The executive administrative assistant shall do all things required of him/her by the mayor to assist the mayor in the administration of city government business, including assisting the Clerk and Treasurer with their duties as directed by the Mayor.

Section 5. GFMC Chapter 2.18 entitled "ASSISTANT CLERK/TREASURER" is hereby repealed.

Chapter 2.18

ASSISTANT CLERK/TREASURER

Sections:

~~2.18.010 Created.~~

~~2.18.020 Work period.~~

~~2.18.030 Duties.~~

2.18.010

Created.

~~There is created and established the office of assistant clerk/treasurer. [Ord. 398 § 1, 1987.]~~

2.18.020

Work period.

~~The work period shall be 100 hours per month, scheduled as follows: The first eight working days of the month, Fridays, and the last two working days of the month. The schedule shall be subject to change at the direction of the town council. [Ord. 398 § 2, 1987.]~~

2.18.030

Duties.

~~The duties of the assistant clerk/treasurer shall be as follows:~~

~~(A) Receive and safely keep and deposit all money which comes into the town and execute receipt for same;~~

- ~~(B) Invest excess or inactive funds in a qualified public depository approved by the Washington Public Deposit Protection Commission;~~
- ~~(C) Pay all warrants in the order of their number and date of issue whenever there are sufficient funds in the treasury applicable to the payment;~~
- ~~(D) Certify to the council a detailed statement showing the receipts and expenditures of the town for the preceding month;~~
- ~~(E) Prepare and balance all utility statements;~~
- ~~(F) Such other duties as the council may deem necessary. [Ord. 398 § 4, 1987.]~~

Section 6. GFMC Chapter 2.44 entitled "COMMUNITY CENTER" is hereby repealed.
Chapter 2.44

COMMUNITY CENTER

Sections:

- 2.44.010 — Rental fees.
- 2.44.020 — Rental agreement.
- 2.44.030 — Community services.

2.44.010

Rental fees.

Community Center rental fees shall be as outlined below:

Large Hall:

Dances/weddings (including kitchen or liquor)	\$175.00
Dances/weddings (no kitchen or liquor)	\$125.00
School dances	\$75.00
Bazaars	\$75.00
Meetings (per hour charge)	\$12.00
Emergency benefits (with prior committee approval)	\$50.00
Damage deposit (refundable)	\$125.00

Old Library Room:

Rental on monthly basis	\$300.00
Rental on hourly basis	\$10.00

Miscellaneous Rentals:

Election services (per election)	\$25.00
AA group meetings (per month)	\$40.00

~~[Ord. 534 § 1, 1995; Ord. 445 § 1, 1990.]~~

2.44.020

Rental agreement.

~~A Community Center rental agreement shall be completed by each party wishing to rent the Community Center prior to said rental. [Ord. 534 § 2, 1995; Ord. 445 § 2, 1990.]~~

2.44.030

Community services.

~~The following community services shall be allowed to use the Community Center at no charge: Lions Club, Camp Fire, Girl Scouts, Blood Bank, Boy Scouts, Well Baby Clinic, Drug Task Force, Granite Falls Little League, Granite Falls Pony League, Granite Falls Junior Athletic Association, or other community service organizations at council discretion. The above groups will be charged a rental fee, as outlined in GFMC 2.44.010, for fund-raising events. [Ord. 534 § 3, 1995; Ord. 445 § 3, 1990.]~~

Section 7. GFMC Chapter 2.48 entitled "CIVIL RIGHTS POLICY" is amended to read as follows:

Chapter 2.48
CIVIL RIGHTS POLICY

Sections:

- 2.48.010 Policy statement.
- 2.48.020 Compliance procedure.
- 2.48.030 Compliance officer.

2.48.010

Policy statement.

It is the policy of the city of Granite Falls that no person ~~will~~ shall, on the grounds of race, color, national origin, age, sex or handicap, be excluded from participation in or be subjected to discrimination in any program or activity funded, in whole or in part, by federal funds or local funds. [Ord. 580 § 1, 1997.]

2.48.020

Compliance procedure.

All contracts funded with federal grant monies ~~will~~ shall contain a clause to prohibit the contractor from discriminating on the grounds of race, color, national origin, age, sex or handicap. [Ord. 580 § 2, 1997.]

2.48.030

Compliance officer.

The city clerk will be the compliance officer. [Ord. 580 § 3, 1997.]

Section 8. GFMC Chapter 3.04 entitled "WARRANTS" is amended to be entitled "~~WARRANTS AND CHECKS~~" and shall read as follows:

Chapter 3.04
WARRANTS AND CHECKS

Sections:

- 3.04.010 ~~Forms.~~ Payment of claims or other obligations of the City
- 3.04.020 Procedures.

3.04.010 ~~Forms.~~ Payment of claims or other obligations of the City.

Pursuant to RCW 35A.04.020, payment of claims or obligations of the City shall be by check. The qualified public depository, whereon such checks are to be drawn, shall be Key Bank located at 117 S. Granite Avenue, Granite Falls, W-A 98252 with City Officers authorized to sign checks being the Mayor, the Mayor Pro Tem, the City Clerk, and the City Treasurer, with two of the previous four signatures required.[Ord.793 § 1, 2010]

~~All warrants of the town shall be drawn only on regularly printed forms therefor, shall be consecutively numbered and shall be signed by the mayor, countersigned by the town clerk and sealed with the town seal. [Ord. 7 § 1, 1904.]~~

3.04.020 Procedures.

~~The city clerk-treasurer is authorized to pay claims or other obligations of the city which are payable out of solvent funds by warrant or check; provided, that no check shall be issued when the applicable fund is not solvent at the time payment is ordered, but a warrant shall be issued therefor. No town city warrant/check shall be drawn against any fund until a written bill for the amount claimed as due from the city has been filed with the city town clerk/treasurer, been presented to the city town council and the bill has been approved by a majority of the finance committee thereof, and thereafter allowed and ordered paid by a vote of the town city council at a regular meeting thereof. The warrants of the town, after they have been presented to the town treasurer for payment and by the treasurer endorsed "not paid for want of funds" and the endorsement signed and dated by the treasurer, shall draw interest at a rate set by ordinance from the date of such endorsement until the town treasurer shall give notice to the holders of the warrants to present them for payment. Whenever the treasurer of the town shall have on hand funds sufficient to pay any or all outstanding warrants, the treasurer shall cause a notice to be published in the official newspaper, or shall post three written notices within the boundaries of the town calling upon the holders of all warrants described in the notices to present them for payment and notifying them that from and after the date of the notice interest on the warrants shall cease. [Ord. 7 §§ 2, 3, 4, 1904.]~~

Section 9. GFMC Chapter 3.16 entitled "IMPROVEMENTS" is hereby repealed in its entirety.

Chapter 3.16

IMPROVEMENTS

Sections:

- ~~3.16.010 — Conformity to state law.~~
- ~~3.16.020 — Assessment — Hearing.~~
- ~~3.16.030 — Assessment — Collection.~~
- ~~3.16.040 — Assessment — Delinquency.~~
- ~~3.16.050 — Assessment — Foreclosure.~~
- ~~3.16.060 — Bonds.~~
- ~~3.16.070 — Bonds — Form.~~
- ~~3.16.080 — Warrants.~~
- ~~3.16.090 — Withholding funds for labor and materials.~~
- ~~3.16.100 — Completion of improvements.~~
- ~~3.16.110 — Contracts.~~

~~3.16.120 — Public notices.~~

3.16.010

Conformity to state law.

~~Whenever the town council shall order any local improvements to be made at the cost and expense in whole or in part of the property specially benefited thereby, the proceedings for the same shall be had in accordance with the provisions of an act of the Legislature of the state of Washington entitled "An Act Relating to Local Improvements in Cities and Towns and Repealing Certain Acts and Parts of Acts" approved March 7, 1911, and with the provisions of this chapter and acts and ordinances amendatory thereof. [Ord. 66 § 1, 1912.]~~

3.16.020

Assessment — Hearing.

~~Not more than 20 days after any local improvement contract has been awarded or at the first regular meeting of the council after the completion of any local improvement done by the town by day labor, the town attorney shall draw up and file with the town clerk an assessment roll, which roll shall contain a description of each lot, tract or parcel of land or other property to be assessed, together with the report of the cost and expense thereto, and the name of the owner or owners thereof, if known, or in case the ownership shall not be known, the same shall be designated unknown; provided, that in no case shall an error in the name of the owner be fatal when the description of the property is correct.~~

~~Upon filing of said assessment roll, the council, at its first regular meeting thereafter, shall fix a date for a hearing thereon, and shall cause the town clerk to give notice thereof as required by law.~~

~~The town council shall proceed, at the time fixed for such hearing, or at the time to which such hearing may be adjourned, to hear and consider any objection to such roll which may be presented, and to take such action thereon as to them may seem just and equitable; and shall, as soon thereafter as the town clerk shall certify to them a statement of the total charges against the district, adjust the roll in conformity thereto, and shall confirm said roll by ordinance, which ordinance shall levy and assess against each lot, tract or parcel of land or other property appearing upon said roll, the amount charged against the same and shall also create a special fund, to be called "Local Improvement Fund, District No. ____" into which fund shall be placed all sums paid on account of such assessment, together with all interest and penalty thereon, except as hereinbefore provided. [Ord. 66 § 4, 1912.]~~

3.16.030

Assessment — Collection.

~~Whenever an assessment roll shall have been confirmed as hereinbefore provided, the town clerk shall certify the same to the town treasurer for collection in accordance with the ordinance ordering the same and confirming said roll, and the town treasurer shall proceed with the collection of same as follows, to-wit:~~

~~Whenever the cost and expense of such improvement shall be payable by the mode of immediate payment, the town treasurer shall, upon receipt of such roll, publish notice for two consecutive weeks, in the manner hereinafter provided, that the roll is in the treasurer's hands for collection and that any assessments thereon, or any portion of any assessment, may be paid at any time within 30 days from the date of the first publication of said notice, without interest, penalty or costs, and that unless such payment be made within such time, such assessment or the unpaid portion thereof will become delinquent. Upon delinquency a charge of five percent shall attach to and become a part of all such assessments. Delinquent assessments shall draw interest at the rate of eight percent per annum until paid.~~

~~Such delinquent assessments shall be forthwith collected and the lien thereof be enforced in the manner provided herein and by said act of the Legislature.~~

~~Whenever the cost and expense of any such improvement shall be payable by the mode of "payment by bids" the whole or any part of any assessment may be paid without penalty or interest during the first 30 days following the date of the first publication of the notice by the town treasurer that the roll is in said treasurer's hands for collection and the unpaid balance, if any, may be paid in equal installments, the numbers of which shall equal the number of years for which the bonds to pay for the improvement shall run; or the lien of any such assessments may be discharged at any time after the said 30 days by paying the entire unpaid portion thereof with all penalty and costs attaching, together with all interest which will have accrued therein to the date of delinquency of the installment thereof next falling due.~~

~~The first installment shall become due and payable during the 30-day period succeeding a date one year after the date of the first publication of such notice, and annually thereafter each succeeding installment shall become due and payable in like manner.~~

~~If the whole or any portion of any assessment remains unpaid after the first 30-day period herein provided for, interest upon the whole unpaid sum shall be charged at the rate fixed in the ordinance providing for such improvement and each year thereafter one of said installments together with the interest upon the whole unpaid balance shall be collected.~~

~~Any installment not paid prior to the expiration of the 30-day period during which said installment is due and payable shall thereupon become delinquent.~~

~~All delinquent installments shall, until paid, be subject to an additional charge of five percent levied on such installment or installments; provided, that whenever such installments shall become due and payable the town treasurer shall publish a notice thereof for two consecutive weeks prior to the date of the delinquency of such installment, and shall mail a copy of such notice to the owner of the property assessed, when the post office address of such owner shall be known, but failing to mail the same shall not be fatal to such assessment when publication is made. [Ord. 66 § 5, 1912.]~~

3.16.040

Assessment—Delinquency.

~~All assessments delinquent on or becoming delinquent subsequent to June 8, 1911, shall be certified by the town treasurer to the county treasurer of Snohomish County, state of Washington, and by him entered upon the general tax rolls, and collected as other general taxes are collected. [Ord. 66 § 9, 1912.]~~

3.16.050

Assessment—Foreclosure.

~~Whenever the condition of any local improvement district shall be such that the town council shall deem it necessary or expedient to provide for the foreclosure of any or all property appearing therein for unpaid and delinquent assessments and unpaid and delinquent installments thereof, the town council may, by resolution, authorize and direct the town attorney to institute all the proceedings in foreclosure against all the property described in said roll, upon which assessments, or installments thereof, are levied and are delinquent and unpaid. Thereafter all proceedings shall be had and conducted in the manner provided by law. [Ord. 66 § 10, 1912.]~~

3.16.060

Bonds.

~~At the expiration of 30 days after the date of the first publication of the treasurer's notice as provided herein, the town treasurer shall report to the town clerk the total amount of the~~

~~assessment, the total amount paid to redeem any lots, tracts, parcels of land or other property from the assessment levied thereon, and the total amount unpaid on said assessment; whereupon the mayor and town clerk shall issue the bonds on the local improvement district established by the ordinance providing for which improvement in an amount equal to the amount remaining unpaid on said assessment roll as shown by said report. The bonds herein provided for shall be in such denominations as the council in the ordinance ordering such improvements or in the ordinance confirming the assessment roll, shall provide. Such bonds shall be numbered consecutively from one upwards and each bond and coupon shall be signed by the mayor and attested by the town clerk; provided, however, that said coupons may, instead of being so signed, have printed thereon the facsimile of the signatures of said officers, and each bond shall have impressed thereon the seal of the town of Granite Falls, and shall refer to the improvement to pay for which the same shall be issued and to the ordinance ordering the same.~~

~~Such bonds, by their terms, shall be made payable on or before a date not to exceed 10 years from and after the date of their issue, which date may be fixed by resolution, or by the ordinance ordering said improvement, or by the ordinance confirming the assessment roll, and shall bear interest at the rate provided by the ordinance ordering the improvement, but not exceeding eight percent per annum, such interest to be payable annually, and each bond shall have attached thereto interest coupons for each interest payment. [Ord. 66 § 6, 1912.]~~

3.16.070

Bonds—Form.

~~All bonds issued in pursuance of the provisions of this chapter shall be in substantially the following form:~~

~~Local improvement bond. Local Improvement District No. ____ of the town of Granite Falls, State of Washington.~~

~~No. ____~~

~~N.B. This bond is issued by virtue and under the authority of an act of the legislature of the state of Washington, entitled "An act relating to local improvements in cities and towns and repealing certain acts and parts of acts," approved March 17, 1911.~~

~~Section 52 of which act reads as follows, to-wit:~~

~~"Section 52. Neither the holder nor owner of any bond issued under the authority of this act shall have any claim therefor against the city by which the same is issued, except from the special assessment made for the improvement for which said bond is issued but this remedy, in case of nonpayment, shall be confined to the enforcement of such assessment. A copy of this section shall be plainly written, printed or engraved on each bond so issued."~~

~~The town of Granite Falls, Washington, a municipal corporation, hereby promises to pay to _____ or bearer _____ dollars, lawful money of the United States, with interest thereon at the rate of ____ percent per annum, payable annually, out of the fund established by Ordinance No. ____ of said town, and known as a Local Improvement Fund District No. ____ of said town, both principal and interest payable at the office of the town treasurer of said town.~~

~~A coupon is hereto attached for each installment of interest to accrue hereon and such interest shall be paid only on presentation and surrender of such coupons to the town treasurer, but in case this bond is called for payment before its maturity, each and every~~

~~coupon representing interest not accrued at the time this bond is payable under such call, shall be void. This bond is payable on or before the ____ day of _____, 19__ and is subject to call by the town treasurer of said town, whenever there shall be sufficient money in said Local Improvement Fund to pay the same, and all unpaid bonds of the series of which this bond is one, which are prior to this bond in numerical order, over and above sufficient for the payment of interest on all unpaid bonds of said series. The town council of said town, as agent of said Local Improvement District No. ____ established by Ordinance No. _____, has caused this bond to be issued in the name of said town as the bond of said Local Improvement District, the bond or the proceeds thereof to be applied in part payment of so much of the cost and expense of the improvement of _____ street (or other improvement, as the case may be) under said Ordinance No. ____ as is levied and assessed against the property included within said Local Improvement District and benefited by said improvement, and the said Local Improvement District No. ____ has been established by ordinance for said purpose, and the holder or holders of this bond shall look only to said fund for the payment of either the principal or interest of this bond.~~

~~The call for payment of this bond, or of any bond of the series of which this is one, shall be made by the town treasurer by publishing the same as provided in Section ____ of this ordinance, and when said call is made for the payment of this bond, it will be paid on the day the next interest coupon hereon shall become due after such call, and upon said day interest upon this bond shall cease, and any remaining coupons shall be void.~~

~~This bond is one of a series of ____ bonds, aggregating in all the principal sum of _____ dollars, issued for said Local Improvement District, all of which bonds are subject to the same terms and conditions as are herein expressed.~~

~~In witness whereof the town of Granite Falls, Washington, has caused these presents to be signed by its mayor and attested by its town clerk, and sealed with its corporate seal this ____ day of _____, in the year of our Lord, nineteen hundred and _____,~~

THE TOWN OF GRANITE FALLS

BY _____, Mayor

ATTEST:

Town Clerk

~~There shall be attached to each bond such numbers of coupons, not exceeding ten, as shall be required to represent the interest thereon, payable annually, for the term of said bonds, which coupons shall be substantially the following form:~~

~~The town of Granite Falls Interest Coupon, Number _____, Interest \$ _____.~~

~~On the ____ day of _____, 19__, the town of Granite Falls, Washington, promises to pay to the bearer at the office of the town treasurer _____ dollars, being one year's interest due that day on Bond No. ____ of Local Improvement Fund District No. _____ and not otherwise, provided that this coupon is subject to all the terms and conditions contained in the bond to which it is annexed.~~

THE TOWN OF GRANITE FALLS

BY _____, Mayor

ATTEST:

Town Clerk

~~The town clerk shall keep a record of all such bonds issued and shall enter therein the number of the local improvement district for which the same are issued, the number of the bond, the date of issue, amount, interest, to whom sold and delivered, and when and where payable. [Ord. 66 §§ 7, 8, 1912.]~~

3.16.080

Warrants.

~~It shall be the duty of the town treasurer to call and pay in numerical order such outstanding warrants against any particular local improvement fund as may be paid with the money on hand credited to such fund, and wherein there shall be money on hand to the credit of such fund but not sufficient to pay the whole of the next succeeding outstanding warrants, the treasurer may call in and pay such portions thereof as shall exhaust the amount in said fund.~~

~~Whenever the town treasurer shall pay a portion of any warrant as above provided, an endorsement shall be made upon such warrant showing the date and amount of such payment and a receipt from the holder thereof showing the number and description of such warrant and the date and amount so paid, which receipt the said treasurer shall return with a report to the town clerk as a voucher for the money so paid. [Ord. 66 § 11, 1912.]~~

3.16.090

Withholding funds for labor and materials.

~~In letting all contracts for public improvements, the town council shall provide therein that at least 30 percent of the amount due the contractor on estimates shall be retained to secure the payment of laborers who have performed work thereon and materialmen who have furnished materials therefor, and such laborers and materialmen shall, for 30 days after their work has been completed, have a lien upon such 30 percent so reserved for labor done and material furnished, which lien shall be senior to all other liens, whether by judgment, attachment or contract, and which claim of lien shall be made in writing and filed with the town clerk within 30 days after cessation of said work and labor, or the furnishing of such material, and when said claim is so filed the town clerk shall notify the contractor thereof. If the contractor shall dispute said claim of lien and shall desire to litigate the same in any court, and such claim of lien be established, and the town shall be made a party to such action, there shall be taxed up against said contractor a reasonable attorney's fee in addition to the costs allowed by law. [Ord. 66 § 12, 1912.]~~

3.16.100

Completion of improvements.

~~In letting all contracts for public improvements under this chapter, the council shall limit the time within which said work shall be completed, and during the time allowed in said contract for the completion of the work, the council shall cause to be issued, on or about the last day of each month, an estimate of the amount of work done by the contractor during the month; but after the date set in said contract for the completion of the work furnish or cause to issue no estimate other than the final estimate issued after the completion of the work.~~

~~Said final estimate shall include, in addition to a statement of the amount of money due the contractor, a statement of the amount of money expended for engineering subsequent to the date set for the completion of the contract.~~

~~All engineering expense incurred after the time fixed in the contract for its completion shall be borne by the contractor as a penalty for failure to complete the work within the specified time.~~

~~All such estimates shall be filed with the town clerk and reported to the council at the next regular meeting thereof, or at a special meeting thereof called for that purpose, and not more than 70 percent of such estimate shall be allowed, and all warrants ordered in payment thereof shall be drawn only upon the particular local improvement fund under which the work is done, when warrants shall bear interest at the rate of a percent per annum from date to a date 90 days after the time fixed in the contract for the completion of the work, beyond which time said warrants shall not draw interest.~~

~~The 30 percent required to be held in reserve to protect labor and materialmen for a period of 30 days after final completion of the improvement shall, at the expiration of such period, be paid to the contractor, in warrants, so far as the same shall be free from liens, which warrants shall bear interest from the date thereof to a date 90 days after the time fixed in the contract for the completion of the work.~~

~~All warrants issued in payment of estimates as provided in this section shall be redeemed in cash in order of priority so far as payment made into the local improvement district fund will permit.~~

~~If the mode of payment be "payment by bonds," the principal amount of warrants not redeemed in cash shall be redeemed in the order of their priority in local improvement district bonds issued in accordance with the provisions of this chapter and the laws of the state of Washington and the unpaid interest, if any, on such warrants shall be redeemed by the issuance of a non-interest-bearing warrant payable from the first moneys in such fund.~~

~~If the mode of payment be "immediate payment," any warrant not redeemed in cash within 90 days after the completion of the contract shall be redeemed by the issuance of warrants for the principal amount drawn on the local improvement fund bearing interest at the rate of eight percent per annum from date of issuance until redeemed, and the unpaid interest, if any, on such warrants shall be redeemed by the issuance of a non-interest-bearing warrant payable from the first money in such fund. [Ord. 66 § 13, 1912.]~~

3.16.110

Contracts.

~~The town council may provide that all the work to be done in any local improvement district shall be let in one contract or at its option may provide that the work in any local improvement district be subdivided and separate and distinct contracts be let for each subdivision thereof; all public improvements to be made by contract shall be let to the lowest bidder therefor; before awarding any such contract the town council shall cause to be published for at least two weeks, as hereinafter provided, a notice inviting sealed bids for said work, the plans and specifications whereof and proposed contract for which must be at the time of publication of such notice on file in the office of the town clerk subject to public inspection.~~

~~Such notice shall state generally the work to be done, and shall call for bids for doing the same to be sealed and filed with the town clerk on or before the day and hour named therein. All bids shall be accompanied by cash or a certified check payable to the order of the town treasurer for a sum not less than five percent of the amount of the bids, except that where the bid is over the sum of \$500.00, said bid shall be accompanied by cash or such certified check for at least \$25.00, and the balance of said five percent may be represented by a bond with good and sufficient securities conditioned for the entering of the bidder into contract for said work as hereinafter set forth. If in~~

~~the judgment of the council the work should be done by the town by day labor, and under the supervision of the council, it is hereby empowered to proceed with said work irrespective of all bids, and in such case all bids shall be rejected.~~

~~At the time and place named, such bids shall be publicly opened and read; no bid shall be rejected for informality but shall be received if it can be understood what is meant thereby. The council shall proceed to determine the lowest bidder and may let such contract to such bidder, but if in its judgment all bids are too high, it may reject all bids and readvertise or may proceed to do the work by day labor under its own supervision and in such cases all checks shall be returned to the bidder by the clerk; but if the contract be let, then all checks shall be returned except the check, cash deposit or bond of the successful bidder, which shall be retained until the contract be entered into for making such improvement between the bidder and the town in accordance with such bid and the duly approved and accepted bond therefor be filed with the town clerk.~~

~~If the said bidder fails to enter into such contract in accordance with the bid and to furnish said bond within 10 days from the date of notification of the successful bid, the town clerk shall mark across the face of the certified check:~~

~~Forfeited to the town of Granite Falls.~~

~~Town Clerk~~

~~and shall deliver the same and any cash deposit to the town treasurer who shall deposit the same and the moneys realized on any such bond to the credit of the local improvement fund, and the council shall readvertise for bids for such work. [Ord. 66 §§ 14, 15, 1912.]~~

3.16.120

Public notices.

~~All notices hereby required to be published shall be published in at least two consecutive issues of a newspaper of general circulation published in said town or in case there be no such newspaper then in a newspaper published in Snohomish County and in general circulation in said town. [Ord. 66 § 16, 1912.]~~

Section 10. GPMC Section 3.24.010 entitled "Claims Fund" is hereby repealed.

3.24.010—Claims fund.

~~(A) There is created and established a special fund, to be known and designated as "claims fund" into which funds shall be transferred from payroll, current expense, sewer, water, library, parks, garbage, street and arterial street funds for payment of the monthly vouchers.~~

~~(B) Funds in the claims fund shall be expended only by warrants drawn against the fund. [Ord. 346 §§ 1, 2, 1983.]~~

Section 11. Chapter 6.06 GPMC, entitled "PRIVATE PROPERTY REGULATORY FAIRNESS" is hereby repealed in its entirety.

Chapter 6.06

PRIVATE PROPERTY REGULATORY FAIRNESS

Sections:

6.06.010 — Nuisance defined for purpose of Private Property Regulatory Fairness Act.

6.06.020 — Applicant to pay costs of environmental review of project.

6.06.030 — State responsibility for compensation.

6.06.040 — Appeals process.

6.06.010

Nuisance defined for purpose of Private Property Regulatory Fairness Act.

For the purposes of the provisions of the Private Property Regulatory Fairness Act, Chapter 98, Laws of 1995, of the state of Washington, a "public nuisance" is one which affects equally the rights of an entire community or a neighborhood, although the extent of the damage may be unequal. Public nuisances shall include, but not be limited to, the following:

(A) Those public nuisances enumerated in Chapter 7.48 RCW.

(B) Violations or noncompliance with:

(1) Zoning regulations;

(2) Building code standards and regulations;

(3) Utility regulations and standards;

(4) Environmental regulations and standards;

(5) Comprehensive plan;

(6) The rules, regulations and city-wide planning goals adopted pursuant to the Growth Management Act.

(C) The establishment of any use of property which by its operation, use or development substantially depreciates the value of other properties in the neighborhood.

(D) Moral nuisance — nuisance as defined in the Granite Falls Municipal Code and Chapter 7.48 RCW.

(E) Drug nuisances, pursuant to Chapter 9.20 GFC and Chapter 7.43 RCW.

(F) Unfit dwellings, buildings, and structures pursuant to the Granite Falls Municipal Code and Chapter 35.80 RCW.

(G) Land use which creates unsanitary conditions or danger from fire or explosion.

(H) Land use which creates a traffic hazard.

(I) Land use which poses a general danger to the public health, safety, welfare, or economic well-being of the neighborhood or the city at large. [Ord. 542 § 2, 1995.]

6.06.020

Applicant to pay costs of environmental review of project.

The applicant of any project which requires the preparation of an environmental review pursuant to the applicable provisions of the Revised Code of Washington or any rules and/or regulations promulgated thereunder shall bear the actual costs, including city staff time and expense, of such review. [Ord. 542 § 3, 1995.]

6.06.030

State responsibility for compensation.

Pursuant to the provisions of the Private Property Regulatory Fairness Act, Chapter 98, Laws of 1995, the state of Washington shall be responsible for the compensation liability of the city for any action which restricts the use of property when such action is mandated by the Revised Code of Washington, by the Washington Administrative Code, by any rule or regulation of the state, or by any state agency or official. Such regulation includes, but is not limited to, any rule, regulation, opinion, interpretation, direction, restriction, requirement, or enforcement related to the following:

(A) Creation or enforcement of the comprehensive plan, as now enacted or hereafter amended;

(B) Growth Management Act, Chapter 36.70A RCW;

(C) State Subdivision Act, Chapter 58.17 RCW;

(D) Shoreline Management Act, Chapter 90.58 RCW;

- (E) State Environmental Protection Act, Chapter 43.21C RCW, and the Washington Administrative Code sections promulgated thereunder;
- (F) State Construction Codes, including but not limited to the State Building Code;
- (G) State criminal provisions which affect land use;
- (H) State nuisance provisions which affect land use;
- (I) Statutes related to surface water or ground water, including, but not limited to, Chapter 90.03 RCW;
- (J) State Hydraulic Code, Chapter 75.20 RCW;
- (K) Model Toxics Control Act, Chapter 70.105D RCW;
- (L) Any decision of any state created and/or state-operated board, including any environmental, appellate or regulatory board;
- (M) Any federal mandate administered by the state or a state agency and/or any attendant statute, rule, or regulation arising therefrom;
- (N) Any requirement held by any court with jurisdiction to be a requirement of any state statute, administrative code, rule or regulation, federal mandate administered by the state, any interstate compact or other enactment of the state. [Ord. 542 § 4, 1995.]

6.06.040

Appeals process.

Appeals of decisions under the Private Property Regulatory Fairness Act, Chapter 98, Laws of 1995, shall be as follows:

(A) The decision of the responsible city official shall be final and conclusive unless within 10 business days from the date of mailing, as shown by the post mark, of the decision to the applicant, the applicant or any individual with a vested real property interest in the property which is the subject of the decision shall file a written appeal of such decision with the city clerk on the appropriate form which shall be readily available from the city, together with the appropriate filing fee, which shall be established by the city council in the fee setting resolution. Pending addition of said fee to the fee resolution, the fee shall be \$250.00. On adoption of the same or any other fee in the fee resolution, the amount set forth herein shall be considered superseded. Said appeal shall be heard by the hearing examiner or in his absence such other persons as appointed by the mayor in accordance with the provisions of the City of Granite Falls Municipal Code.

(B) The action of the city council on all matters related in whole or in part to land use actions governed by the Private Property Regulatory Fairness Act, Chapter 98, Laws of 1995, shall be final and conclusive unless, within 10 working days from the date of the council's action or decision, an applicant or aggrieved party makes an application to the superior court of Snohomish County for a writ of certiorari, a writ of prohibition, a writ of mandamus or a land use complaint. Compliance with this section is a prerequisite to making a claim for equitable relief under the Private Property Regulatory Fairness Act, Chapter 98, Laws of 1995. [Ord. 542 § 5, 1995.]

Section 12. GFMC Chapter 9.88, entitled "BIRD SANCTUARY" is hereby repealed in its entirety.

Chapter 9.88

BIRD SANCTUARY

Sections:

- 9.88.010 — Area designated.
- 9.88.020 — Molesting birds.
- 9.88.030 — Penalty.

9.88.010

Area designated.

~~The entire area embraced in town parks, as now or hereafter constituted, and the entire area of town-owned property surrounding and including the Granite Falls sewer lagoon, as now or hereafter constituted, is hereby designated as a bird sanctuary. [Ord. 279 § 22.01, 1980.]~~

9.88.020

Molesting birds.

~~It is unlawful to trap, hunt, shoot or attempt to shoot or molest in any manner any bird or wild fowl, or to rob bird nests or wild fowl nests within the designated bird sanctuary of the town of Granite Falls; provided, however, if starlings or similar birds are found to be congregating in such numbers in a particular locality that they constitute a nuisance or menace to health or property in the opinion of the chief of police, then the foregoing prohibition may be temporarily stayed, and the chief may designate the manner, time and place for bird control measures to be taken. [Ord. 279 § 22.02, 1980.]~~

9.88.030

Penalty.

~~Any person violating provisions of this chapter shall be punished, upon conviction, by a fine of not more than \$500.00. [Ord. 279 § 22.03, 1980.]~~

Section 13. GFMC Chapter 9.92 entitled "LIQUOR" is hereby repealed in its entirety.

Chapter 9.92

LIQUOR

Sections:

- ~~9.92.010 — Liquor — Hours of sale.~~
- ~~9.92.020 — Licensed premises — Disturbances.~~
- ~~9.92.030 — Unlawful sales.~~
- ~~9.92.040 — Inspection — Licensed premises.~~
- ~~9.92.050 — Open packages — Public places.~~
- ~~9.92.060 — Definition.~~

9.92.010

Liquor — Hours of sale.

~~No intoxicating liquor shall be sold or in any manner disposed of in the town of Granite Falls on the hours of any day during which the sale of intoxicating liquor is prohibited by the laws of the state of Washington; and it shall be unlawful for any licensed liquor dealer during said hours to keep open or unlocked any door or doors or passageway to any saloon, barroom, or liquor store, or to be or permit any said place where intoxicating liquors are sold or disposed of; provided, that this section shall not apply to licensed druggists engaged in the retail drug trade. [Ord. 78 § 7, 1914.]~~

9.92.020

Licensed premises — Disturbances.

~~No licensed liquor dealer or person or persons having the management or control of a saloon, barroom, or liquor store, either as proprietor or employee thereof, shall in such saloon, barroom or liquor store, or in a room or place connected therewith by any door or other opening, or used in~~

~~connection therewith, permit any breach of peace, or disturbance of public decorum, or any riotous, noisy or disorderly conduct; or sell or give or permit to be sold or given any intoxicating liquor to any person already intoxicated, or to any person under the age of legal majority, or permit or allow any minor to be or remain in or about such barroom, saloon or liquor store. No person under the age of legal majority shall go into any barroom, saloon, or liquor store. [Ord. 78 § 8, 1914.]~~

9.92.030

Unlawful sales.

It shall be unlawful for any person to sell or give any intoxicating liquor to any of the following persons:

- ~~(A) All habitual drunkards who have been so adjudged by the order of any court of competent jurisdiction;~~
- ~~(B) Persons under the age of 21 years or persons of unsound mind.~~
- ~~(C) Persons to whom it is unlawful to sell liquor under the laws of the state of Washington.~~
- ~~(D) Persons to whom liquor dealers are forbidden to sell or give intoxicating liquors as provided in GFMC 9.94.020. [Ord. 78 § 13, 1914.]~~

9.92.040

Inspection—Licensed premises.

~~All licensed premises used in the sale of liquor within the town of Granite Falls, Washington, shall at all times be open to inspection by the mayor or any police officer of the town of Granite Falls, in order to ascertain whether any infraction of the provisions of this code or of the regulations of the Washington State Liquor Board has taken place or is taking place therein. [Ord. 136 § 3, 1936.]~~

9.92.050

Open packages—Public places.

~~Except as permitted by the Washington State Liquor Act, no person shall open the package containing liquor or consume liquor in a public place. [Ord. 136 § 4, 1936.]~~

9.92.060

Definition.

~~The words "intoxicating liquor" whenever used in this code shall be held and construed to include whiskey, brandy, gin, rum, ale, beer, wine, and any spiritous, vinous, fermented or malt liquor, and every other liquor or liquid containing intoxicating properties, which is capable of being used as a beverage, whether medicated or not, and all liquids whether proprietary, patented or not, which contain any alcohol, and which are capable of being used as a beverage. [Ord. 84 § 1, 1916.]~~

Section 14. GFMC Chapter 9.93, entitled "PROHIBITING THE POSSESSION AND SALE OF DRUG PARAPHERNALIA" is hereby repealed in its entirety.

Chapter 9.93

PROHIBITING THE POSSESSION AND SALE OF DRUG PARAPHERNALIA

Sections:

9.93.010 — ~~RCW 69.50.102 incorporated by reference.~~

9.93.020 — ~~RCW 69.50.412 incorporated by reference.~~

9.93.060 — ~~Civil forfeiture.~~

9.93.010

~~RCW 69.50.102 incorporated by reference.~~

~~RCW 69.50.102 is hereby incorporated by reference. [Ord. 538, 1995; Ord. 380 § 1, 1986.]~~

9.93.020

~~RCW 69.50.412 incorporated by reference.~~

~~RCW 69.50.412 is hereby incorporated by reference. [Ord. 538, 1995; Ord. 380 § 1, 1986.]~~

9.93.060

~~Civil forfeiture.~~

~~(A) The following are subject to seizure and forfeiture:~~

~~(1) All drug paraphernalia.~~

~~(B) Upon showing of probable cause that any property is subject to seizure or forfeiture, any court of competent jurisdiction may issue a warrant for the seizure thereof. Any peace officer having probable cause to believe that property is subject to seizure and forfeiture may seize the same, provided proceedings for forfeiture shall be commenced within a reasonable time and in no case more than five days after the initial seizure.~~

~~(C) Property seized in accord with this section or subject to forfeiture shall be forfeited by civil proceedings commenced in the same manner as other civil actions of a like nature. Property abandoned or lost or for whom the owner cannot be determined shall be disposed of as is other lost property.~~

~~(D) The property forfeited shall be the sole property of the town. [Ord. 380 § 1, 1986.]~~

Section 15. GFMC Section 10.20.040 entitled "Animals" is hereby repealed.

10.20.040

Animals.

~~No person shall ride or drive any horse or horses, mule or mules, or any beast or beasts of burden over or upon any of the public highways within the corporate limits of the town of Granite Falls at any inordinate rate of speed, or at any rate of speed greater than six miles per hour; no person shall ride, drive or lead any horse, mule, ox or beast of burden upon any sidewalk or sidewalk strip, whether a sidewalk be constructed thereon or not, within the corporate limits of the town of Granite Falls. [Ord. 316 § 1, 1980.]~~

Section 16. **Severability.** If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 17. Effective Date. This ordinance shall take effect five days after the date of its publication by summary.

ADOPTED by the City Council and APPROVED by the Mayor this 4th day of Dec., 2013.


Mayor Sheikh Haroon Saleem

ATTEST/AUTHENTICATED:


Darla Reese, City Clerk

APPROVED AS TO FORM:


Thom H. Graafstra/ Cheryl L. Beyer, City Attorney

Date of First Reading: 10/16/13
Date of Second and Final Reading: 12/4/13
Date of Publication: 12/7/13
Effective Date: 12/12/13