

CITY OF GRANITE FALLS
Granite Falls, Washington
ORDINANCE 1028-2022

AN ORDINANCE OF THE CITY OF GRANITE FALLS, WASHINGTON, AMENDING PORTIONS OF THE GRANITE FALLS MUNICIPAL CODE (GFMC) BY AMENDING SECTION 5.30.180 "ADMINISTRATIVE APPEAL; AMENDING SECTION 5.32.040 "CHILD MINI-DAY CARE CENTER"; AMENDING SECTION 5.32.050 "CHILD DAY CARE CENTER"; AMENDING SECTION 10.20.020 "DEFINITIONS"; AMENDING SECTION 15.02.120 (F) "INTERNATIONAL FIRE CODE (CHAPTER 51-54); ESTABLISHING SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Granite Falls City Council adopted Ordinance 1020-2022 amending various sections of Title 19 and repealing all of Title 20; and

WHEREAS, several other chapters within the Granite Falls Municipal Code made reference to Title 19 which was amended by Ordinance 1020-2022; and

WHEREAS, the updating of Title 19 caused reference changes which affected at least five separate sections outside of Title 19; and

WHEREAS, no other changes are being proposed then to ensure technical references to Title 19 are up to date in these five separate sections outside of Title 19; and

WHEREAS, the City Council has determined that it is in the best interest of the City to amend these miscellaneous code references;

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

Section 1. GFMC Section 5.30.180 entitled "Administrative appeal" is hereby amended to read as follows (all other section of Chapter 5.30 "Administrative Provisions for Business and Occupational Tax" remain unchanged):

5.30.180 Administrative appeal.

Any person, except one who has failed to comply with GFMC 5.30.080, aggrieved by the amount of the fee or tax determined by the director to be required under the provisions of this chapter may pay the amount due and appeal from such determination by filing a written notice of appeal with the hearing examiner as

provided in **Chapter 19.04A GFMC** within 30 days from the date written notice of such amount was mailed to the taxpayer. A filing fee as established by ordinance or resolution adopted by the city council shall be submitted with the appeal, which filing fee is required to process the appeal. The city shall, as soon as practical, fix a time and place for the hearing of such appeal, and shall cause a notice of the time and place thereof to be delivered or mailed to the parties. The hearing shall be conducted in accord with the provisions of **GFMC ~~19.04.030~~ 19.04A.350**. The decision of the hearing examiner shall indicate the correct amount of the fee or tax owing.

Section 2. GFMC Section 5.32.040 entitled “Child mini-day care center” is hereby amended to read as follows:

5.32.040 Child mini-day care center.

A child mini-day care center not located in the residence of the care provider is allowed in the designated zoning districts as follows:

(A) Zoning Districts (R-7,200, R-9,600, R-2.3). A child mini-day care center not located in the residence of the care provider shall be permitted by administrative review.

(1) Notice. Notice of the proposal shall be given as provided below:

(a) Notices shall be posted on the site and in two other conspicuous locations in the vicinity of the site at least 10 calendar days prior to final action on the application.

(b) The notice shall include a description of the proposal, site location, deadline for submitting written comments, and the address and phone number of the planning commission of the city of Granite Falls.

(2) Administrative Review Requirements. The planning commission shall review applications for a mini-day care center not located in the residence of the care provider in R-7,200, R-9,600, R-2.3 zones and may approve, modify, or deny the application subject to the following requirements:

(a) Meet Washington State child day care licensing requirements;

(b) Comply with all building, fire safety, health code, and business licensing requirements;

(c) Signage, if any, will conform to the requirements of GFMC 19.06.040;

(d) Issuance of business license from the city;

(e) Parking requirements shall conform to GFMC 19.06.050;

(f) The site must be landscaped in a manner compatible with adjacent residences;

(g) No structural or decorative alteration which will alter the residential character of an existing residential structure used for a child mini-day care center is permitted. Any new or remodeled structure must be designed to be compatible with the residential character of the surrounding neighborhood;

(h) The planning commission may attach conditions to the permit in order to reduce conflicts between the child mini-day care center and the

surrounding neighborhood; i.e., noise attenuation, special parking needs, and hours of operation;

(i) The child mini-day care center shall not be located within 300 feet of another child mini-day care center not located in the residence of the care provider or child day care center. Any child day care center which is an accessory use pursuant to GFMC 5.32.050(D) shall be excluded;

(j) If the planning commission finds that there is just cause for a public hearing, final approval shall be determined through the conditional use permit process and shall be subject to the requirements of GFMC 5.23.050 (A)(1) and ~~Chapter 19.05~~ **19.04C GFMC**. The process used to appeal an (administrative review) decision is contained in ~~GFMC 19.04.110~~ **19.04B**

(B) All Other Zoning Districts. A child mini-day care center not located in the residence of the care provider is permitted by right in all other zoning districts provided the conditions set forth in subsections (A)(2)(a) through (h) of this section are met.

Section 3. GFMC Section 5.32.050 entitled “Child day care center” is hereby amended to read as follows (all other section of Chapter 5.32.050 “Child day care center” remain unchanged):

5.32.050 Child day care center.

A child day care center may be allowed in the designated zoning districts as follows:

(A) Zoning Districts R-7,200, R-9,600 and R- 2.3. A child day care center may be allowed in these zoning districts only upon issuance of a conditional use permit pursuant to ~~Chapter 19.05~~ **19.04C GFMC**.

Section 4. GFMC Section 10.20.020 entitled “Definitions” is hereby amended to read as follows:

10.20.020 Definitions.

The following definitions apply in this chapter:

(A) “Aggressively panhandle” means to beg with the intent to intimidate another person into giving money or goods.

(B) “Intimidate” means to intentionally engage in conduct which would make a reasonable person fearful or feel compelled.

(C) “Obstruct pedestrian or vehicular traffic” means to intentionally walk, stand, sit, lie, or place an object in such a manner as to block passage by another person or a vehicle, or to intentionally require another person or a driver of a vehicle to take evasive action to avoid physical contact. Acts authorized as an exercise of one’s constitutional right to picket or to legally protest, and acts authorized by a permit issued pursuant to ~~Chapter 19.04 (special use permit)~~ or 5.36 (special event) GFMC, shall not constitute pedestrian or vehicular interference.

(D) “Public place” means an area generally visible to public view and includes alleys, bridges, buildings, driveways, parking lots, parks, plazas, sidewalks and

streets open to the general public, including those that serve food or drink or provide entertainment, and the doorways and entrances to buildings or dwellings and the grounds enclosing them.

Section 5. GFMC Section 15.02.120 (F) entitled “International Fire Code (Chapter 51-54 WAC)” is hereby amended to read as follows (all other section of Chapter 15.02.120 “International Fire Code (Chapter 51-54 WAC)” remain unchanged):

15.02.120 International Fire Code (Chapter 51-54 WAC).

(F) Enforcement Authority. The fire marshal or fire inspector may issue warning notices, citations, notices of violation as provided by this chapter and as a city designated official under **Chapter 19.04A** GFMC. The fire marshal or fire inspector shall maintain a record of each inspection made, all notices, citations, notices of violation and enforcement actions. The fire marshal shall annually report to the city council concerning the fire inspection system of the city.

Section 6. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be 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 7. Effective Date. This Ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

ADOPTED by the City Council and **APPROVED** by the Mayor this 4th day of May, 2022.

CITY OF GRANITE FALLS



Matthew Hartman, Mayor

ATTEST:



Darla Reese, MMC, City Clerk

APPROVED AS TO FORM:



Thom Graafstra, City Attorney
Emily Guildner, City Attorney

Passed by City Council: May 4, 2022
Date of Publication: May 7, 2022
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