# CITY OF BUCKLEY

## ORDINANCE NO. 08- 19

**AN ORDINANCE OF THE CITY OF BUCKLEY, WASHINGTON, ADDING NEW SECTIONS TO BMC AMENDING BMC 14.04.325 AND BMC 14.10.020 EXEMPTION FROM THE PAYMENT OF GENERAL FACILITY CHARGES FOR THE WATER AND SEWER SYSTEMS.**

**WHEREAS,** the City current assesses general facility charges on new construction for water, sewer and stormwater connections; and

**WHEREAS,** currently the City allows an exemption from the payment of a portion of all of this fee for the value of the construction of off-site, nonfrontage, stormwater facilities; provided, that the facilities are identified in the list of projects used to determine the impact fee; and

**WHEREAS,** with the large amount of construction activity occurring in the City, in some situations, developers construct and make improvements to the water system and sewer system that encompasses all or a portion of projects identified in the capital improvement plan that were used in calculating the fee for that utility; and

**WHEREAS,** in order to provide similar relief for improvements made to the water and sewer system, the City Council desires to adopt the same exemption consideration as is allowed for the stormwater system;

**NOW THEREFORE THE CITY COUNCIL OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON DO ORDAIN AS FOLLOWS:**

**Section 1.** BMC 14.04.325 is hereby added to read as follows:

**14.04.325 General facility charge exemptions.**

The city council may consider awarding a property owner/applicant a partial or full exemption/credit from the water system general facility charge for the value of the construction of

off-site, nonfrontage, water system facilities; provided, that the facilities are identified in the list of projects used to determine the impact fee.

**Section 2.** BMC 14.10.020 is hereby added to read as follows:

**14.10.020 General facility charge exemptions.**

The city council may consider awarding a property owner/applicant a partial or full exemption/credit from the sewer system general facility charge for the value of the construction of off-site, nonfrontage, sewer system facilities; provided, that the facilities are identified in the list of projects used to determine the impact fee.

**Section 3.** Severability. If any section, sentence, clause or phrase of this ordinance 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 4.** Effective Date. This ordinance or a summary thereof consisting of the 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.

APPROVED by the Buckley City Council this 23rd day of April 2019.

Pat Johnson

Pat Johnson, Mayor

**ATTEST:**

Treva Percival

Treva Percival, City Clerk

**APPROVED AS TO FORM:**

Phil Olbrechts

Phil Olbrechts, City Attorney

**Published:** May 1, 2019
**Effective:** May 6, 2019