

ORDINANCE NO. 13-751

AN ORDINANCE OF THE CITY OF FEDERAL WAY, WASHINGTON, ESTABLISHING THE TIME OF PAYMENT, INTEREST, AND PENALTIES TO BE IMPOSED ON DELINQUENT ANNUAL SPECIAL ASSESSMENTS FOR LAKE MANAGEMENT DISTRICT NO. 1 FOR STEEL LAKE, AND AMENDING ORDINANCE NO. 13-744 DELETING THE AUTOMATIC INFLATION INCREASE.

WHEREAS, on July 2, 2013, the City Council of the City of Federal Way adopted Ordinance No. 13-744 renewing Steel Lake Management District Number 1 ("District"); and

WHEREAS, on August 6, 2013, the City Council of the City of Federal Way passed Resolution No.13-642 confirming and approving a special assessment roll for the purpose of imposing annual special assessments within Steel Lake Management District Number 1; and

WHEREAS, to provide clarification on the applicability of the automatic inflation increase based upon the Seattle Consumer Price Index; and

WHEREAS, pursuant to RCW 35.21.403 and RCW 36.61.200, the City Council of the City of Federal Way must establish by ordinance interest and penalties to be imposed on delinquent annual assessments;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FEDERAL WAY, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Due Date and Interest Penalties on Delinquent Annual Special Assessments.

Annual special assessment payments are due on the thirty-first (31) day of May of each year. Interest in the amount of one-percent (1%) per month shall be imposed on the balance of delinquent special assessments. Monthly interest shall be charged on the first day of June and each subsequent month.

The penalty for late payment shall be the minimum allowed by RCW 36.61.200.

Section 2. Lien. Pursuant to RCW 35.21.403 and RCW 36.61.230, special assessments, including penalties and interest, imposed within Steel Lake Management District No. 1 shall be liened upon the respective lots, tracts, parcels of land, and other property in the special assessment roll, which lien shall be paramount and superior to any other lien or encumbrance theretofore or thereafter created except a lien for general taxes. The cost associated with filing a lien and any other collection effort will be borne by the property owner. No lien shall extend to public property subjected to special assessments.

Section 3. Ordinance No. 13-744, Section 1. Renewal of District, shall be amended to read as follows: Lake Management District Number 1 for Steel Lake is hereby renewed. The boundaries of Lake Management District Number 1 for Steel Lake are represented in Exhibit A, incorporated by this reference. The duration of the district shall be for ten (10) years, from January 1, 2014 through December 31, 2023. Special assessments totaling \$15,232 will be collected annually to finance the District activities, with the total amount to be collected during the life of the District estimated at being \$152,320, ~~which includes an automatic inflation increase based upon the Seattle Consumer Price Index not to exceed five percent in any given year.~~ The special assessments will be imposed based on equal charges for similar parcels. Single family residential (RS7.2) lakefront developed properties will be charged \$95 per year. Single family residential (RS7.2, RS5.0) lakefront vacant properties will be charged \$33 per year. The multi-residential lakefront property (RM1800) will be charged \$306 per year. The Steel Lake Park parcel will be charged \$2,279 per year. The Department of Fish and Wildlife public boat launch parcel will be charged \$3,895 per year. Unallocated funds

left in the current Steel Lake Management District Number 1 (estimated to be \$15,000 at the end of 2013) will roll over into the renewed Steel Lake Management District Number 1.

Section 4. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this chapter, or its application to any person or situation, be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this chapter or its application to any other person or situation. The City Council of the City of Federal Way hereby declares that it would have adopted this chapter and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

Section 5. Corrections. The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 6. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 7. Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage and publication, as provided by law.

PASSED by the City Council of the City of Federal Way this 5th day of November, 2013.

CITY OF FEDERAL WAY


MAYOR, SKIP PRIEST

ATTEST:


CITY CLERK, CAROL MCNEILLY, CMC

APPROVED AS TO FORM:


CITY ATTORNEY, PATRICIA A. RICHARDSON

FILED WITH THE CITY CLERK:	10/8/2013
PASSED BY THE CITY COUNCIL:	11/5/2013
PUBLISHED:	11/8/2013
EFFECTIVE DATE:	12/9/2013
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