

ORDINANCE NO. _____

An Ordinance Amending Local Project Review Procedures to Implement New, Revised, and Repealed Development Regulations for Metro Everett, Core Residential Area and Off-Street Parking, and Concerning Final Plat Signature Authority and Notice for Short Subdivisions, Amending Ordinance No. 2530-01, as amended (EMC Title 15)

WHEREAS, the Planning Commission recommended amending the Zoning Code (Everett Municipal Code (EMC) Title 19) to adopt new development regulations – Chapter 19, Metro Everett Uses and Chapter 20, Metro Everett and Core Residential Area Development Standards, to implement the Metro Everett Plan (Planning Commission Resolution No. 18-05); and

WHEREAS, the Planning Commission recommended amending the Zoning Code to adopt new off-street parking, loading and access regulations (Chapter 34) city-wide and repeal the existing off-street parking regulations (Planning Commission Resolution No. 18-06); and

WHEREAS, the amendments to the Zoning Code include new Use Tables and Development Standards that will require additional amendments to Title 15 Local Project Review Procedures, to implement these new, revised and repealed development regulations; and

WHEREAS, Chapter 58.17.100 RCW authorizes the City Council to delegate, by ordinance, final plat approval to an established planning agency, or to such other administrative personnel in accordance with state law or local charter; and

WHEREAS, the review and approval of preliminary subdivisions or plats in the City of Everett is either an administrative decision (EMC 15.16.080(A)(18)(g)) or a land use hearing examiner decision (EMC 15.16.110(A)(9)(b)); and

WHEREAS, the Planning Commission conducted public briefings on April 17, 2018 and May 15, 2018, to discuss and consider potential amendments to Title 15 of the EMC pertaining consistency with development regulations adopted to implement the Metro Everett Subarea Plan, new off-street parking, loading and access regulations, and new final plat signature authority and notice for short subdivisions; and

WHEREAS, public notice and opportunity to comment on these amendments was provided through electronic and mail notice to interested parties, a legal notice of the Planning Commission’s public hearing was published in the Everett Herald on May 16, 2018, notice to the Washington State Department of Commerce on May 14, 2018, and a public hearing held by the Planning Commission on June 5, 2018 with additional testimony on June 19, 2018; and

WHEREAS, the City Council held public hearings on August 1st, 8th, 15th and 29th, 2018 to consider public input; and

WHEREAS, the proposed amendments to the titles of the EMC are consistent with goals in the Growth Management Act; and

WHEREAS, the proposed amendments are consistent with the requirements set forth in Chapter 58.17 RCW for delegating approval of final plats; and

WHEREAS, the proposed regulations will not create a probable significant adverse environmental impact under the City's SEPA policies, EMC Chapter 20.04; and

WHEREAS, the proposed amendments will ensure Title 15 of the EMC will be consistent with development regulations adopted to implement the Metro Everett Subarea Plan, Chapter 19, Metro Everett Uses and Chapter 20, Metro Everett and Core Residential Area Development Standards; and

WHEREAS, the proposed amendments will ensure Title 15 of the EMC will be consistent with new off-street parking, loading and access regulations (Chapter 34) city-wide; and

WHEREAS, the proposed amendments are consistent with the applicable provisions of the Everett general plan; and

WHEREAS, the proposed amendments bear a substantial relation to public health, safety or welfare; and

WHEREAS, the proposed amendments promote the best long term interests of the Everett community.

NOW, THEREFORE, THE CITY OF EVERETT DOES ORDAIN:

[Proposed changes are shown with a vertical bar in the left hand margin; words struck through are proposed for deletion; words that are underlined are proposed additions.]

Section 1. Subsection 4.A of Chapter 1 of Ordinance 2530-01, (EMC 15.04.040), is amended to read as follows:

15.04.040 Special circumstances.

The City has determined that the following permits present special circumstances that warrant a different review process than that provided in RCW 36.70B.060 et seq:

- ~~A1.~~ Review Process VA. Adoption of a "Planned Development" Overlay Zone or a rezone or other zoning revision that is not of area-wide significance or general applicability, or other quasi-judicial permit decisions, which provide for a public hearing or meeting before the Planning Commission and an open public hearing before the City Council.
- ~~B2.~~ Review Process VB. A decision on proposed demolition of a structure listed in the "Everett Register of Historic Places" or property within an Everett Register historic district only which provides for a public hearing or meeting before the Historic Commission and an open public hearing before the City Council.
- ~~C3.~~ Review Process VI. A decision by City Council to approve ~~a final subdivision, final cluster subdivision, alteration or vacation of a final subdivision, and~~ a final approval of resolution of intent to rezone.

Section 2. Subsection 1.A of Chapter 4 of Ordinance 2530-01, (EMC 15.16.010) as amended, is amended to read as follows:

Article I. Types of Land Use Permit Applications

15.16.010 Land use permit processes.

For the purpose of project review, all land use permit applications shall be classified as one of the following:

- A. Review Process I ~~or P~~, minor administrative review decisions;
- B. Review Process II ~~or A~~, planning director administrative review decisions;
- C. Review Process IIIA ~~or C~~, hearing examiner decisions;
- D. Review Process IIIB, hearing examiner and city council quasi-judicial decisions;
- E. Review Process IV, (Reserved);
- F. Review Process VA, planning commission and city council land use quasi-judicial decisions;
- G. Review Process VB, historic commission and city council land use quasi-judicial decisions; and
- H. Review Process VI, city council approval of final subdivisions (plats) and final approval of performance agreement rezones.

Section 3. Subsection 2.B of Chapter 4 of Ordinance 2530-01, (EMC 15.16.050) as amended, is amended to read as follows:

Article II. Review Process: Minor Administrative Decision Review

15.16.050 Decisions included.

- A. Review Process I applications include the following minor administrative decisions:
 - 1. Accessory dwelling unit;
 - 2. Alternative methods of architectural modulation in the M-1 zone as provided in Section 19.27.020(A)(2)(e);
 - 3. Authorization to exceed maximum fence height in front yard setback as provided by Section 19.39.070(A)(1);

4. Buffer width reduction for streams (Sections [19.33D.490\(D\)](#) and [19.37.170\(C\)](#)) or wetlands (Sections [19.33D.450\(E\)](#) and [19.37.110\(C\)](#)) or alteration of geologically hazardous areas or standard buffer (Section [19.37.080\(C\)](#)) if proposal is categorically exempt under SEPA;
5. Certification of nonconforming lot, use, building, or parking;
6. Commercial daycare in business zones except in the M-S zone;
7. Design guideline approvals for proposals categorically exempt under SEPA when no modification of development standards proposed;
8. Development of previously altered ESAs when the proposal is categorically exempt under SEPA (Section [19.33D.580](#) or [19.37.250](#));
9. Determination of completeness (for applications);
10. Interpretations by the director of applicable land use requirements and development regulations;
11. Home occupations permits;
12. Land divisions, as follows:
 - a. Binding site plan with previously approved site plan;
 - b. Boundary line adjustments;
 - c. Final binding site plan;
 - d. Final binding site plan with site plan approval;
 - e. Final cluster short subdivision;
 - f. Final residential condominium binding site plan;
 - g. Final short subdivision of nine lots or less;
 - h. Final unit lot subdivision or final unit lot short subdivision;
 - i. Final short subdivision alteration or vacation;
 - j. Final unit lot subdivision alteration or vacation or short subdivision alteration or vacation;
 - k. Final short subdivision with nonconforming structures;
 - l. Final unit lot subdivision with nonconforming structures or final unit lot short subdivision with nonconforming structures;
 - m. Minor amendment to land division;
 - [n. Final plat or subdivision;](#)
 - [o. Alteration or vacation of final subdivisions;](#)
 - [p. Final cluster subdivisions;](#)
13. Land uses in WRM zone which are consistent with adopted management plan and which are categorically exempt under SEPA;
14. Landscaping modification as provided by Section [19.35.070](#);
15. Nonconforming use – continuation, alteration, modification as provided by Section [19.38.030\(A\)](#);
16. Nonconforming structure – alteration or expansion as provided by Section [19.38.040\(A\)](#);
17. Outdoor use, activity, and storage for established use;
18. ~~Parking reduction of up to ten percent in the B-3 zone as provided for by Section [19.34.030\(Reserved\)](#);~~
19. Planning director's promulgation of administrative rules, procedures and interpretation of the zoning code;

20. Public park development approved by park commission consistent with adopted park master plan which is categorically exempt under SEPA as provided for by Section 19.33A.030;
21. Reasonable use determinations, if no modification of zoning standards (under Section 19.33D.400(B) or 19.37.050(B));
22. Relocation of electric facilities, lines, equipment or appurtenances, natural gas, cable communications, pipes, mains, equipment or appurtenances, telephone facilities, lines related to environmentally sensitive areas as provided by Section 19.33D.400(A)(9)(b) and (c) or 19.37.050(A)(8)(b) and (c);
23. Remodels or additions to single-family residences in the historic overlay zone;
24. Repealed;
25. Sign permits;
26. Temporary use permits;
27. Use permits;
28. Zoning code compliance regarding building permits and application of development standards by the director;
29. Zoning determination concerning business license applications;
- ~~30. All other review processes listed in the zoning code as Review Process I.~~
30. Vehicular access location. Any determination by the city engineer/planning director on location and design of vehicular access to private property or public facilities.
31. Modifications of the regulations and requirements of EMC Chapter 13.16 (driveways) and commute trip reduction ordinance;
32. Reduction of up to 25 percent of the required minimum number of off-street parking spaces for non-residential uses with approved transportation demand management plan as set forth in EMC Chapter 19.34;
33. Reduction of up to 25 percent of the required minimum number of off-street parking spaces for non-residential uses with approved parking study as set forth in EMC Chapter 19.34;
34. Reduction of off-street parking for transportation alternatives and mixed-use projects;
35. Reduction of required off-street parking for projects using shared parking as set forth in EMC Chapter 19.34;
36. Accessory dwelling units: waiver of off-street parking as provided in EMC 19.34;
37. Modification of development standards as provided in EMC 19.19.060;
38. Modification of maximum percentage of residential street frontage on TOD streets as provided in EMC 19.19.020;
39. Modification of development standards as provided in EMC 19.20.900, unless otherwise indicated as a review process II;
40. All other review processes listed in the zoning code as Review Process I or P.

Section 4. Subsection 3.B of Chapter 4 of Ordinance 2530-01, (EMC 15.16.080) as amended, is amended to read as follows:

Article III. Review Process II: Planning Director Review
15.16.080 Decisions included.

- A. Review Process II applications include the following administrative decisions:*
1. Alteration of a designated significant feature within an historic overlay zone;
 2. Alteration of category II and III streams as provided by Section 19.33D.500(B)(2);
 3. Atrium appurtenance approval as provided by Section 19.39.040(B)(2);
 4. Buffer width reduction for streams (Sections 19.33D.490(D) and 19.37.170(C)) or wetlands (Sections 19.33D.450(E) and 19.37.110(C)) or alteration of geologically hazardous areas or standard buffer (Section 19.37.080(C)) if proposal is not categorically exempt under SEPA;
 5. Change or expansion of a nonconforming use (up to twenty-five percent) as provided by Sections 19.38.030(C) and (D);
 6. Comprehensive design plan permits as provided by Section 19.36.210;
 7. Design guideline approval, when proposal includes modification of development standards and design guidelines and for projects not categorically exempt under SEPA;
 8. Determination of proportionality for correctional facilities;
 9. Determination of prohibited heavy manufacturing uses with potentially noxious impacts in M-1 and M-M zones as provided by Sections 19.27.020(G)(19) and 19.28.020(D)(18);
 10. Development of nonconforming lots which do not meet minimum lot area or building area requirements as provided by Section 19.38.080(C);
 11. Development of previously altered ESAs when the proposal is not categorically exempt under SEPA as provided by Sections 19.33D.580(B)(1) and 19.37.250(B)(1);
 12. Deviation from historic overlay zone standards and guidelines;
 13. ~~Driveway access from public street for multiple family structures as provided by Section 19.15.080(B)(Reserved);~~
 14. Extension of amateur radio tower or antenna beyond sixty-five feet (Section 19.39.040(A)(3));
 15. Exterior finish for buildings in M-1 zone located within three hundred feet of residentially zoned properties (Section 19.27.020(A));
 16. Final PDO development plan as provided by Section 19.29.110;
 17. Floodplain development permit application when a shoreline permit is not required (Section 19.30.060(B));
 18. Land divisions, as follows:
 - a. Preliminary binding site plan;
 - b. Preliminary binding site plan with site plan approval;
 - c. Preliminary residential condominium binding site plan;
 - d. Preliminary short subdivision alteration or vacation;
 - e. Preliminary short subdivision of nine lots or less;
 - f. Preliminary short subdivision with nonconforming structures;
 - g. Preliminary subdivision of fifty lots or less;**
 - h. Preliminary subdivision alteration or vacation;
 - i. Subdivision or short subdivision variance as provided in Section 18.32.010;
 19. Land uses in WRM zone consistent with adopted management plan when not categorically exempt under SEPA (Section 19.30A.020);
 20. Minor expansion of an existing special property use;
 21. Outdoor use, activity, and storage: modification of standards;

22. ~~Parking modification of ten percent or less if supported by parking analysis and modification does not involve residential use parking standards as provided by Section 19.34.070(A)(Reserved);~~
23. ~~Parking reduction with transportation management plan (Section 19.34.070(D))(Reserved);~~
24. Phase approval and development approval implementing an institutional overlay zone master plan or approval of minor revisions (cannot change use or character or allow increase in intensity of development) as provided by Section 19.33B.060;
25. Public park development not part of or in conformance with an adopted master plan or which exceeds the city's SEPA thresholds for categorical exemptions as provided by Section 19.33A.030;
26. Conceptual site plan review for projects that do not otherwise require a land use permit and are not categorically exempt under SEPA;
27. Project review for public projects that are not categorically exempt under SEPA;
28. Proposals required to be reviewed by the historic commission in the historic overlay zone per neighborhood conservation guidelines and historic zoning overlay standards (not including those listed under administrative review by staff, which is Review Process I);
29. Reasonable use determinations with modification of zoning standards (under Chapter 19.37);
30. Reestablishment or change in use of nonconforming grocery store as provided by Section 19.38.100(B);
31. Shoreline permits (less than one acre of the project footprint area is within shoreline jurisdiction);
32. Stream and wetland filling, modification, and mitigation as provided for in Chapter 19.37;
33. Transfer of development rights under Section 19.33D.400(D) or 19.37.050(B)(3);
34. Wetland alteration for category I, category II and Silver Lake watershed as provided by Sections 19.33D.460(B)(1), (2), and (5) and 19.37.120(B)(1), (2), and (3);
35. Wetland mitigation banking approval as provided by Sections 19.33D.460(C)(10) and 19.37.120(C)(12);
36. Clinic- and medical-related activities as provided by Section 19.16.040(C);
37. All other review processes listed in the zoning code as Review Process II;
38. All Review Process I and project permit applications that are not categorically exempt under SEPA;
39. Alternative best available science decisions as provided by Section 19.37.050(E);
40. Accessory buildings over two hundred square feet which have metal siding or corrugated roofing as provided by Section 19.07.020(K);
41. Accessory buildings which exceed one thousand square feet in area as provided by Section 19.07.020(M);
42. Accessory buildings which exceed fifteen feet in height as provided by Section 19.07.020(J);
43. Rockeries and retaining walls retaining soil (fill) four feet or greater in height in required building setback areas, as provided by Section 19.39.150(C)(5)(d);
44. Use of basement or other building spaces for uses not specifically listed as permitted use in the ~~B-3UM zone~~ as provided by Section ~~19.22.030~~19.19.025;
45. Buffer management as provided by Section 19.37.060(B)(2);
46. Removal of nonhazardous trees as provided by Section 19.37.060(B)(3)(c);

47. Adaptive reuse of nonresidential buildings in residential zones as provided by Section 19.41.150(E);
48. Supportive housing development as provided in Section 19.39.155;
49. Accessory dwelling units: ~~waiver of off-street parking~~; reduction of rear setback for non-alley lots; increase in allowable lot coverage by building; or modification of design standards as provided in EMC 19.07.~~030~~;
50. Electric fences in commercial or industrial zones;
51. Reduction of greater than 25 percent in the required minimum number of off-street parking spaces with approved parking study as set forth in EMC Chapter 19.34;
52. Modification of parking location standards in EMC Chapter 19.34;
53. All other review processes listed in the zoning code as Review Process II or A.

- * SEPA threshold determinations frequently include mitigation requirements as provided for in the SEPA ordinance (Chapter 20.04). Any SEPA condition based on SEPA substantive authority as provided for in the SEPA ordinance (Chapter 20.04) shall be identified in the land use permit decision, as provided in this integrated local project review process.
- ** An open public hearing may be required under the following circumstances, in which case the application shall be processed under Review Process III: (i) a public hearing is required by Title 18; (ii) any affected person files a written request for a hearing with the planning department within twenty-one days of the notice of application (public comment period); or (iii) either prior to or within the public comment period, the director or the city engineer and/or their designees require an open public hearing.

Section 5. Subsection 4.B of Chapter 4 of Ordinance 2530-01, (EMC 15.16.110) as amended, is amended to read as follows:

Article IV. Review Process III: Hearing Examiner Review

15.16.110 Review Process IIIA.

A. Review Process IIIA applies to the following actions for which the examiner issues a final decision on the application after an open public hearing:

1. Appeals of Review Process I and II planning director decisions, including appeals of the application of development standards by the director;
2. Clinic and medical related activities overlay and office overlay as provided by Section ~~19.16.020(B) and~~ 19.16.040(B);
3. Change in manufacturing activities which do not comply with M-1 zone uses and standards as provided by Section 19.27.040(C);
4. Commercial daycare in all residential zones and A-1 and B-1 zones;
5. Conditional use permits;
6. Detached accessory building which exceeds fifteen feet in height or one thousand square feet in area as provided by Sections 19.07.020(J) and (M);
7. Expansion of a nonconforming use (greater than twenty-five percent);
8. Jails and correctional facilities siting in the B-3 and C-1 zones as provided by Section 19.39.105;

9. Land divisions, as follows:
 - a. Preliminary cluster subdivision or cluster short subdivision;
 - b. Preliminary subdivision of more than fifty lots;
 - c. Preliminary subdivision of fifty lots or less if an open public hearing is required (see footnote on Review Process II, Section 15.16.080);
 - d. Subdivision or short subdivision alteration or vacation if an open public hearing is required (see footnote on Review Process II, Section 15.16.080);
10. Land uses in WRM zone consistent with adopted management plan located in areas subject to a city shoreline substantial development permit as provided by Section 19.30A.020;
11. Parking modification requests for Review Process III projects ~~(Section 19.34.070(A)(1))~~ and quantity and location of parking for Review Process III projects as provided by Section 19.34.060(F);
12. Public utility and infrastructure exception under Sections 19.33D.400(E) and 19.37.050(C);
13. Shoreline permits (one acre or more of the project footprint is within shoreline jurisdiction);
14. Shoreline permits requiring a shoreline variance or shoreline conditional use permit;
15. Special property use permits listed as Review Process III in city ordinance;
16. Time extension for nonconforming adult use business as provided by Section 19.39.025(B)(3);
17. Variances in accordance with Section 19.30.080, 19.34.070(A)(2), 19.41.130, or 20.08.150;
18. Adaptive reuse of nonresidential buildings in residential zones as provided by Section 19.41.150(E);
19. ~~Waivers, exceptions, variances, and appeals from the city's street and sidewalk codes and commute trip reduction ordinance(Reserved);~~
20. All other review processes listed in the zoning code as Review Process III;
21. Any other action not explicitly listed herein which the examiner is given jurisdiction over and for which a review process is not identified shall be processed using Review Process III;
22. Supportive housing development as provided in Section 19.39.155-;
23. All other review processes listed in the zoning code as Review Process III or C.

Section 6. Subsection 8.A of Chapter 4 of Ordinance 2530-01, (EMC 15.16.380), is amended to read as follows:

Article VIII. Review Process VI: City Council Review

15.16.380 Review Process VI.

~~RCW 58.17.100 requires that a final subdivision be approved by the local legislative body (city council).~~ Title 18 requires the city council “upon completion of the project in full compliance with the resolution of intent to rezone” to give effect to the rezone by making a change to the zoning boundary and zoning map.

Section 7. Subsection 8.B of Chapter 4 of Ordinance 2530-01, (EMC 15.16.390), is amended to read as follows:

15.16.390 Applicability.

Review Process VI applies only to final city council approval of the following:

- A. ~~Final subdivisions, alteration or vacation of final subdivisions, and final cluster subdivisions; and~~
- B. City council final approval of resolution of intent rezones.

Section 8. Section 8.C of Chapter 4 of Ordinance 2530-01, (EMC 15.16.400), is amended to read as follows:

15.16.400 Action taken.

- A. ~~City Council Approval of Final Subdivision or Final Subdivision Alteration or Vacation, or Final Cluster Subdivision.~~
 - 1. ~~At a public city council meeting, the city council shall determine whether the subdivision, subdivision alteration or vacation, or cluster subdivision proposed for final subdivision approval conforms to all terms of preliminary approval, and whether the subdivision meets the requirements of this title, the city's land division ordinance, applicable state laws, and all other city ordinances that were in effect at the time of preliminary approval.~~
 - 2. ~~If the conditions have been met, the city council shall inscribe and execute its written approval on the face of the plat map. If the city council disapproves the plat, it will be returned to the applicant with reasons for denial and conditions for compliance.~~
 - 3. ~~Final land divisions shall be approved, disapproved, or returned to the applicant not later than thirty days after the determination of completeness.~~
- B. City Council Decision on Performance Agreement Rezones—Resolutions of Intent. As provided for in Section 19.41.160(D), the city shall give effect to a site specific rezone by the adoption of an ordinance or resolution, or by adoption of an ordinance or resolution in conjunction with a development agreement between the city and the applicant as provided in RCW 36.70B.170, to implement the rezone and make the change to the zone boundary or zone classification on the zoning map that was approved in the resolution of intent to rezone. The ordinance or resolution shall contain the legal description of the property being rezoned.
- C. ~~Notice of Decision and Appeal. Notice of decision of city council approval of final subdivisions under this section shall be provided to the applicant and to any person who has made a written request to the office of the council to be notified. Any appeal shall be to superior court in accordance with the appeal section of this title (see Chapter 15.24, Article IV).~~

Section 9. Section 2.C of Chapter 6 of Ordinance 2530-01, (EMC 15.24.090), is amended to read as follows:

Article II. Public Notice and Public Comment Periods

15.24.090 Additional notice and comment requirements for Review Process II land divisions.

- A. For preliminary subdivisions, ~~preliminary short subdivisions~~, and preliminary alterations or vacations of subdivisions or short subdivisions, the following notice is required:
1. Two Signs on Frontage. The property shall be posted with two signs no less than twenty-four inches by thirty-six inches in size on the property's frontage. The notice shall meet the notice of application requirements and shall include a statement that any affected person may request an open public hearing. The applicant shall be responsible for posting the site in compliance with these requirements. These signs are not intended to be in addition to the two signs required under Section 15.24.190.
 2. ~~Mail a~~ Notice to ~~Adjacent~~ Property Owners. The mailed notice (see Section 15.24.050) shall include a statement that any affected person may request an open public hearing.
 3. Alteration or Vacation Notice for Original Land Division. Additionally, for subdivision or short subdivision alteration or vacation applications, notice shall be mailed to all other property owners of portions affected that are within the original approved subdivision or short subdivision.
 4. Three Additional Signs on Frontage or in Neighborhood. Post three additional signs as approved by the city on the property frontage or within the geographic neighborhood as defined by the director. All signs must be posted so they can be clearly viewed from public streets. The content of the signs shall meet the posting requirements in Section 15.24.190 and shall include a statement that any affected person may request an open public hearing. Any additional signs required by Section 15.24.190 as a result of the length of street or alley frontage may be counted in the additional sign requirement of this paragraph.
- ~~5B~~. Additional Short Subdivision Notice Next to State Highway Right-of-Way. For preliminary short subdivision applications, whenever the city receives an application for a short subdivision which is located adjacent to state highway right-of-way, the city shall give written notice of the application, consistent with this title to the Washington State Department of Transportation (WSDOT). WSDOT is required to comment within fourteen days after receiving the notice under RCW 58.17.155

Section 10. Severability.

Should any section, paragraph, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulations, this shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 11. Conflict.

In the event there is a conflict between the provisions of this Ordinance and any other City ordinance, the provisions of this Ordinance shall control.

Section 12. 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's/clerical errors, references, ordinance numbering, section/subsection number and any references thereto.

Section 13. General Duty.

It is expressly the purpose of this Ordinance to provide for and promote the health, safety and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this Ordinance. It is the specific intent of this Ordinance that no provision or any term used in this Ordinance is intended to impose any duty whatsoever upon the City or any of its officers or employees. Nothing contained in this Ordinance is intended nor shall be construed to create or form the basis of any liability on the part of the City, or its officers, employees or agents, for any injury or damage resulting from any action or inaction on the part of the City related in any manner to the enforcement of this Ordinance by its officers, employees or agents.

Cassie Franklin, Mayor

ATTEST:

CITY CLERK

Passed: _____

Valid: _____

Published: _____

Effective Date: _____