

ORDINANCE NO. 1532

**AN ORDINANCE OF THE CITY OF RUSTON,
WASHINGTON, REGARDING REGULATING
TEMPORARY ENCAMPMENTS, AMENDING SECTIONS
19.01.010 AND 19.01.011 OF THE RUSTON MUNICIPAL
CODE TO ADD TEMPORARY ENCAMPMENT PERMITS
TO THE LIST OF ADMINISTRATIVE PERMITS; AND
ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City Council under Ordinance No. 1529 has adopted regulations regarding temporary encampments in a new Chapter 25.11 RMC; and

WHEREAS, in order to implement new Chapter 25.11 RMC adopted under Ordinance No. 1529, the “temporary encampment permit” needs to be added to the permit processing chapter of the Ruston Municipal Code (Chapter 19.01 RMC); and

WHEREAS, the City’s SEPA Responsible Official issued a Determination of Non-Significance (DNS) on April 24, 2020 with a comment deadline of May 8, 2020; and

WHEREAS, in accordance with RCW 36.70A.106, this amending ordinance has been sent to the State Department of Commerce with a request for expedited review on April 29, 2020; and

WHEREAS, the request for expedited review was granted and the required time has passed to allow adoption by the City Council on the date of adoption; and

WHEREAS, on May 5, 2020, this Ordinance was provided to the City Council and the public as it was printed in the Council’s agenda materials; and

WHEREAS, on May 19, 2020, the Ruston City Council held a duly noticed public hearing on these proposed regulations which would modify the City’s zoning code; and

WHEREAS, the public hearing date was also the date of the City Council’s official first reading of this Ordinance; and

WHEREAS, on June 2, 2020, the City Council held second reading of this Ordinance; and

WHEREAS, after due consideration, the City adopted this Ordinance during its regular meeting at second reading; and

WHEREAS, the City Council has determined that the adoption of this Ordinance is necessary at this time due to the effective date of the new State Legislation; and

WHEREAS, the City Council deems that amending the City's codes is part of the routine work of governing a city; **NOW, THEREFORE**

THE CITY COUNCIL OF THE CITY OF RUSTON HEREBY ORDAINS AS FOLLOWS:

Section 1. Findings. The City Council of the City of Ruston hereby enters the following legislative findings:

- A. The adoption of this Ordinance is deemed necessary at this time due to the effective date of the new State Legislation; and
- B. Amending the City's codes, including updating land use codes, is part of the routine work of governing a city.

Section 2. Section 19.01.010 of the Ruston Municipal Code is hereby amended to read as follows:

19.01.010 - Applicability.

- (a) The following project permits are excluded from the procedures of this title:
 - (1) Building and grading permits when exempt from State Environmental Policy Act (SEPA) review (WAC 197-11-800) or when covered by other environmental review.
 - (2) Legislative actions such as area-wide rezones, zoning text amendments, and comprehensive plan amendments.
 - (3) Street vacations.
 - (4) Street and public areas use permits.
 - (5) Sewer system connection permits.
 - (6) Boundary line adjustments.
 - (7) Landmark designations.

- (8) Adoption of development regulations and amendments thereto.
 - (9) Administrative decisions listed in Section 19.01.011 which are listed as not subject to this Title 19, including sign permits, site plan approval, minor amendments to master development plans, short plats, street excavation permits, right-of-way encroachment permits, temporary encampment permits, and hazards and obstructions.
- (b) This title shall apply to:
- (1) Title 25 (Zoning) as follows:
 - (A) Conditional use permit;
 - (B) Unclassified use permit;
 - (C) Variance permit;
 - (D) Special use permit.
 - (E) Master development plan approvals and major amendments of MDPs.
 - (2) Chapter 15.01 (Shorelines).
 - (3) Title 29 (Subdivisions).
- (c) The Mayor is authorized, with the assistance of the City Clerk, the City's Planning and Community Development Director, and other persons designated by the Mayor, to administer this title and to employ other persons to perform administrative functions related to the designated administrative actions, including the use of a Hearing Examiner.

Section 3. A new line is hereby added to the table under "Administrative Decisions" in Section 19.01.011 of the Ruston Municipal Code to read as follows:

Type of Permit/Approval	Subject to Title 19	Administration	Planning Commission	Hearing Examiner	City Council	RMC
Administrative Decisions Requiring Review for Compliance with Adopted Codes.						
Temporary Encampment Permit	No	Decision	No	Only for Appeal of Permit Revocation	No	Chapter 25.11

Section 4. 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 5. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 6. Effective Date. This Ordinance shall be effective five days after publication as provided by law.

ADOPTED by the City Council of the City of Ruston and attested by the City Clerk in authentication of such passage on this 2nd day of June, 2020.

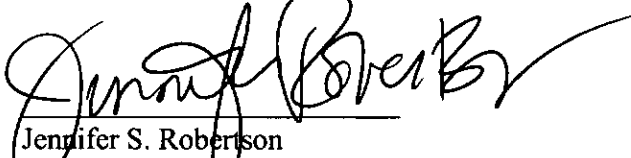
APPROVED by the Mayor this 2nd day of June, 2020.


Bruce Hopkins, Mayor

ATTEST/AUTHENTICATED:


Judy Grams
City Clerk

APPROVED AS TO FORM:


Jennifer S. Robertson
City Attorney's Office

FILED WITH THE CITY CLERK: _____
PASSED BY THE CITY COUNCIL: _____
PUBLISHED: _____
EFFECTIVE DATE: _____
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