

**TOWN OF RUSTON
ORDINANCE NO. 1305**

AN ORDINANCE OF THE TOWN OF RUSTON, WASHINGTON, AMENDING CHAPTER 1.14 RMC BY ADDING A NEW SECTION, RMC 1.14.070, TO PROVIDE A MEANS FOR RECOVERY OF UNPAID FEES DUE TO THE TOWN PURSUANT TO RMC 1.14.050.

WHEREAS, RCW 82.02.020 and RMC 1.14.050 allow the Town to collect from development permit applicants the actual and reasonable costs of development permit processing, plan review, and SEPA review; and

WHEREAS, the Town Council of the Town of Ruston finds that it is vital to the Town's financial survival and the timely delivery of planning and inspection services that such developer permit processing and plan review fees be collected in full from developers and permit applicants in a timely manner; and

WHEREAS, the Council finds that the Ruston Municipal Code currently provides no means of collecting said development review fees should the permit applicant fail or refuse to pay them when due;

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF RUSTON, WASHINGTON, DOES ORDAIN AS FOLLOWS:

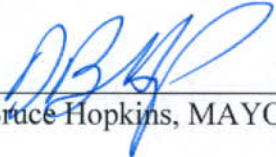
Section 1. Chapter 1.14 RMC is hereby amended to add a new Section 1.14.070, which shall read in its entirety as follows:

1.14.070 Enforcement of Fee Provisions.

- a. In the event any applicant for a Town of Ruston building, development, or other permit contemplated by this Chapter fails or refuses to pay the permit application fee provided by this Chapter, the Town shall have a civil cause of action in the Ruston Municipal Court for recovery of the unpaid application fee or any portion thereof. No court costs, late charges, interest, or other penalty shall be added to the amount recovered. The Town Attorney shall prosecute claims for unpaid fees under this Section.
- b. In the event any applicant for a Town of Ruston building, development, or other permit contemplated by this Chapter fails or refuses to pay the permit application fee provided by this Chapter, the Town Planner, Building Inspector and other Town staff involved in the permit review process shall, when so instructed by the Mayor, immediately cease work on the processing of any and all of that applicant's permit applications then pending with the Town of Ruston, unless and until such outstanding fees are paid in full.

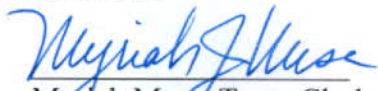
Section 2. Effective Date. This Ordinance shall take effect upon publication as provided by law.

ENACTED by the Town Council of the Town of Ruston in open public meeting,
SIGNED by the Mayor and attested by the Town Clerk in authentication of such passage
this ____ day of _____, 2010.



Bruce Hopkins, MAYOR

ATTEST:



Myriah Mesa, Town Clerk

Date of Publication: _____, 2010
Effective Date: _____, 2010