

WP0537C-ORD
11/30/95

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4830

AN ORDINANCE relating to the collection of school impact fees for Issaquah School District No. 414; amending Section 22.18.080 of the Bellevue City Code; authorizing the refund of certain school impact fees; and establishing an effective date.

WHEREAS, the City's action in imposing such fees under Ordinance No. 4767 was challenged by South Bellevue Developers, Inc. before the Central Puget Sound Growth Management Hearings and in Superior Court for King County; and

WHEREAS, in order to address alleged procedural defects concerning the City's imposition of school impact fees pursuant to Ordinance No. 4767, the City Council readopted Ordinance No. 4767 by Ordinance No. 4801 on October 16, 1995; and

WHEREAS, the School District has requested that the City refund all school impact fees imposed prior to November 15, 1995, the effective date of Ordinance No. 4801; and

WHEREAS, the City Council concurs with the School District's request and desires to amend Chapter 22.18 to provide for a refund process consist with such request: now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 22.18.080 of the Bellevue City Code is amended by adding a new subsection J. to read as follows:

22.18.080 The Impact Fee Account, Uses of Impact Fees, and Refunds.

J. Notwithstanding any other provision to the contrary in this code, the City, with the approval of any affected school district, may determine to refund school impact fees in circumstances where a valid issue exists concerning the legality of the imposition and collection of such fees. Refunds shall be made to the current owner of the property upon which the impact fees were imposed.

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Section 2. The City Manager, or his designee, is authorized to refund all school impact fees imposed and collected by the City prior to November 15, 1995, the effective date of Ordinance No. 4801 which readopts Ordinance No 4767 authorizing the imposition of school impact fees.

Section 3. This ordinance shall take effect and be in force thirty days after its passage.

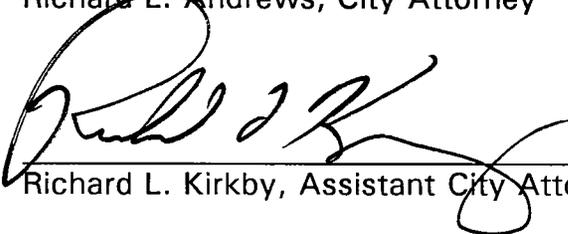
PASSED by the City Council this 4th day of December, 1995, and signed in authentication of its passage this 4th day of December, 1995.

(SEAL)

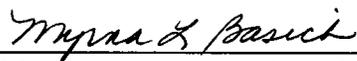

Donald S. Davidson, DDS, Mayor

Approved as to form:

Richard L. Andrews, City Attorney


Richard L. Kirkby, Assistant City Attorney

Attest:


Myrna L. Basich, City Clerk

Published December 8, 1995