



**LYNNWOOD**  
WASHINGTON

**ORDINANCE NO. 3197**

**AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE CITY'S CODE ENFORCEMENT PROCEDURES; AMENDING CHAPTER 1.40 OF THE LYNNWOOD MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

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WHEREAS, the City has authority to adopt procedures for the enforcement of the City's codes and regulations, pursuant to Chapter 35A.11 RCW and its constitutional police powers; and

WHEREAS, the City Council has previously established code enforcement procedures in Chapter 1.40 of the City code; and

WHEREAS, the City staff have determined that certain revisions and amendments to its code enforcement procedures in Chapter 1.40 LMC are necessary and appropriate, as stated in this Ordinance; and

WHEREAS, the City Council discussed the revisions and amendments to the City's code enforcement procedures in Chapter 1.40 LMC at a meeting on May 31st, 2016; and

WHEREAS, the City Council has determined that the provisions of this Ordinance are in the best interests of the public health, safety and general welfare; NOW, THEREFORE

THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

**Section 1. Amendment.** Chapter 1.40 of the Lynnwood Municipal Code is hereby amended as follows:

**Chapter 1.40**  
**CODE ENFORCEMENT**

Sections:

**1.40.010 Definitions.**

**1.40.020 Enforcement.**

- 35 **1.40.030 Enforcement actions.**
- 36 **1.40.040 Civil penalty.**
- 37 **1.40.050 Notice of violation and order of corrective action.**
- 38 **1.40.060 Voluntary correction agreement.**
- 39 **1.40.070 *Repealed***
- 40 **1.40.080 Order assessing civil penalties.**
- 41 **1.40.090 Right of appeal.**
- 42 **1.40.100 Appeal hearing.**
- 43 **1.40.110 Authority and action of hearing examiner.**
- 44 **1.40.120 Distribution and effect of examiner's decision.**
- 45 **1.40.130 Criminal citations.**
- 46 **1.40.135 Abatement.**
- 47 **1.40.137 Recovery of penalties and costs.**
- 48 **1.40.140 Limited commission.**
- 49 **1.40.150 Authority of city attorney.**

50

51 **1.40.010 Definitions.**

52 Words, terms and phrases defined in a title of the Lynnwood Municipal Code shall apply to  
 53 enforcement of that title by the city. In addition, as used in this chapter, unless a different  
 54 meaning is plainly required:

- 55 A. "Abate" means to repair, replace, remove, destroy or otherwise remedy a condition which  
 56 constitutes a violation of the Lynnwood Municipal Code, in such a manner and to such an  
 57 extent as the department director determines is necessary in the interest of the general  
 58 health, safety and welfare of the community.
- 59
- 60 B. "Code enforcement officer" means a non-police city employee commissioned and sworn to  
 61 take enforcement action as provided in this chapter.
- 62

- 63 C. "Department director" means the mayor, the department director or the director's  
64 designee, who is generally responsible for enforcement of the Lynnwood Municipal Code  
65 provision which is the subject of a violation.  
66
- 67 D. "Enforcement action" means the use of administrative and/or judicial process to achieve  
68 compliance with code provisions, including but not limited to nuisance abatement, notice of  
69 violation and corrective order, imposition of penalties, citation for an infraction or citation  
70 for a criminal offense.  
71
- 72 E. "Emergency" means a situation which, in the determination of the department director,  
73 requires immediate action to prevent or eliminate an immediate threat to the health or  
74 safety of persons or property.  
75
- 76 F. "Nuisance" means:  
77 1. A violation of any city development, land use or public health ordinance; or  
78 2. Nuisance as defined in Chapter 10.08 LMC.  
79
- 80 G. "Person" means any individual, firm, association, partnership, corporation, company or any  
81 other entity, public or private.  
82
- 83 H. "Repeat offender" means the responsible party who has previously received a notice of  
84 violation within the last 24 months for a violation of the same or similar code provision.  
85
- 86 I. "Responsible party" means any person who has committed or permitted a violation of this  
87 code or a person who has an interest in or resides on property that is the location of a  
88 violation of this code, whether as owner, lessee, tenant, occupant or otherwise, or who by  
89 act of commission or omission procures, aids or abets a violation of this code.  
90
- 91 J. "Voluntary compliance" means the time allowed for the responsible party to correct  
92 violations before penalties are assessed. The allowed time stated within a Notice of  
93 Violation and Order of Correction is established by the department director.

94 **1.40.020 Enforcement.**

- 95 A. Whenever the city has cause to believe that a violation of LMC Titles 5, 6, 7, 9, 10, 12, 15,  
96 16, 17, 18, and 21 has been or is being committed, this code shall be enforced, according to  
97 applicable law, by the department director responsible for administering that title, as  
98 provided herein. Unless provided otherwise in this chapter, department directors may act  
99 through code enforcement officers.  
100
- 101 B. Entry. Whenever necessary to make an inspection to enforce or determine compliance with  
102 provisions of LMC Titles 5, 6, 7, 9, 10, 12, 15, 16, 17, 18, and 21, or whenever the city has  
103 cause to believe that a violation of any provision of the above-referenced titles has been or  
104 is being committed, the department director may, if such building, structure, or property is  
105 occupied, present identification credentials, state the reason for the inspection and request

- 106 entry. If consent to enter is not given or the building, structure, or property is unoccupied,  
107 the department director may commence an enforcement action.
- 108 C. Each day, or portion thereof, in which a violation continues constitutes a separate offense  
109 for which separate notices of violation may be issued or other enforcement actions taken,  
110 including criminal citations.  
111
- 112 D. Responsibility for violations of the codes enforced under this chapter is joint and several,  
113 and the city is not prohibited from taking action against a person where other persons may  
114 also be potentially responsible for a violation; nor is the city required to take action against  
115 all persons potentially responsible for a violation.

116 **1.40.030 Enforcement actions.**

- 117 A. Enforcement actions may, but are not required to, be taken according to the following  
118 order of precedence:  
119 1. Voluntary compliance.  
120 2. Notice of violation and order of corrective action according to LMC 1.40.050.  
121 3. Citation for a criminal violation whenever the violator fails to meet the deadline of the  
122 notice of violation, the violator is a repeat offender or the violation poses an immediate  
123 threat to the public health and safety.  
124
- 125 B. In addition to or as an alternative to any of the enforcement actions listed above, civil  
126 penalties may be imposed against a responsible party.  
127
- 128 C. Where a code section designates a violation as a civil infraction, a civil infraction citation  
129 may be issued without regard to the order of precedence in subsection A.  
130
- 131 D. Where a code section designates a violation as a misdemeanor or gross misdemeanor the  
132 city may issue a criminal citation without regard to the order of precedence in subsection A  
133 above.  
134
- 135 E. Where a code section provides for issuance of a stop work order or the right of the city to  
136 stop work or activity, the city may issue such stop work order or stop work or activity  
137 without regard to the order of precedence in subsection A above.  
138
- 139 F. In addition to, or in lieu of, any other enforcement action, any nuisance may be abated as  
140 prescribed in LMC Title 10.  
141
- 142 G. A department director may take any enforcement action without regard to precedence, or  
143 any available legal recourse provided by law, to eliminate or end an emergency.  
144

145 **1.40.040 Civil penalty.**

- 146 A. In addition to any other enforcement action, department directors are authorized to order  
147 assessment of civil penalties under this chapter or under any other provision of the city  
148 code authorizing the assessment of civil penalties.

- 149 B. Civil penalties shall be cumulative and assessed as follows:  
150 1. First day of each violation: \$100.00 per violation;  
151 2. Second day of each violation: \$200.00 per violation;  
152 3. Third day of each violation: \$300.00 per violation;  
153 4. Fourth day of each violation: \$400.00 per violation;  
154 5. Each additional day: \$500.00 per violation.  
155
- 156 C. Civil penalties shall accrue daily until the required corrective action is completed and  
157 verified by the city after a request for inspection has been made. Civil penalties shall  
158 constitute a personal obligation of the property owner where the violation exists and any  
159 other responsible party. An assessed civil penalty must be paid to the office of the finance  
160 director, city of Lynnwood within thirty (30) calendar days of the date of issuance of the  
161 order assessing the civil penalty or by such other date stated in the order. If an assessed civil  
162 penalty is not paid in full by the due date, the city shall have the right to file a lien against  
163 the real property on which the violation occurred or is occurring, in the amount of the  
164 assessed and unpaid civil penalty, in accordance with LMC 1.40.137.

165 **1.40.050 Notice of violation and order of corrective action.**

- 166 A. Whenever a code violation has occurred or is occurring, a department director may, but is  
167 not required to, attempt to achieve voluntary correction of that violation by sending to the  
168 responsible party a written notice of violation and order of corrective action; provided, that  
169 an attempt to achieve voluntary correction shall not be required whenever:  
170 1. The violation creates conditions that cannot be corrected;  
171 2. The responsible party is a repeat violator for the same and/or similar issue(s); or  
172 3. The responsible party cannot be contacted or refuses to communicate or cooperate  
173 with the city.  
174
- 175 B. The notice of violation and order of corrective action shall contain:  
176 1. The name and address of the responsible party;  
177 2. The street address or other description sufficient to identify the premises or property  
178 where the violation has occurred or is occurring;  
179 3. A description of the violation and citation to the applicable code provision(s);  
180 4. The necessary corrective action to be taken, and the date by which the corrective action  
181 must be completed;  
182 5. A copy of any voluntary correction agreement proposed by the city in accordance with  
183 this chapter;  
184 6. Notice that if voluntary correction is not achieved within the deadline, the city may  
185 impose civil penalties, issue a civil infraction, issue a criminal citation, or commence  
186 abatement proceedings.  
187 7. A statement indicating that the city may seek to recover from the person to whom the  
188 notice of violation is issued the costs to the City of any abatement action taken.  
189 8. The signature of the code enforcement officer issuing the notice of violation and order  
190 of corrective action and contact information for that officer.  
191

- 192 C. The notice of violation and order of corrective action shall be served upon the responsible  
193 party either by personal service or by mailing a copy of the notice and order by regular U.S.  
194 first class mail to the person's last known address. If the responsible party cannot be  
195 personally served within Snohomish County and if the address of the responsible party  
196 cannot be reasonably ascertained, notice shall be served by posting a copy of the notice of  
197 violation and order of corrective order conspicuously on the subject property or a structure  
198 located thereon, or in the right of way on which the property abuts. Service shall be  
199 deemed effective upon personal service, or three business days following placement of the  
200 notice and order in the U.S. mail, postage prepaid, or upon posting of the notice upon the  
201 property. Proof of service shall be made by a written statement under penalty of perjury  
202 executed by the person making the service, declaring the time and date of service, the  
203 manner by which the service was made, and, if by posting, the facts showing the attempts  
204 to serve the responsible party personally and/or by mail.  
205
- 206 D. The department director may grant an extension of the deadline for the required corrective  
207 action if the department director determines that (1) the responsible party has  
208 demonstrated due diligence or made substantial progress in correcting the violations, or (2)  
209 unforeseen circumstances, approved by the department director, render correction  
210 unattainable within the deadline stated in the Order of Corrective Action.  
211
- 212 E. The original deadline for corrective action or other compliance may be revoked or  
213 amended, or immediate corrective action required, where in the opinion of the department  
214 director immediate corrective action is necessary to avoid an imminent risk of injury to  
215 person or property.

216 **1.40.060 Voluntary correction agreement.**

- 217 A. When the department director deems it appropriate, the notice of violation and corrective  
218 order may include a proposed voluntary correction agreement and the date by which the  
219 agreement must be signed.  
220
- 221 B. The voluntary correction agreement shall be a contract between the city and the  
222 responsible party under which such person agrees to correct and abate the violation within  
223 a specified time, according to specified conditions. The voluntary correction agreement may  
224 provide for:
- 225 1. Correction and abatement of the violation by a date certain;
  - 226 2. Accrual of the applicable civil penalties from the date of the agreement and  
227 continuation of penalties until the violation is corrected and abated, if the responsible  
228 party breaches the agreement;
  - 229 3. A safe harbor provision if the violation cannot be corrected and abated because of  
230 unforeseen circumstances not within the control of the responsible party;
  - 231 4. City abatement of the violation and recovery of its costs and expenses (including  
232 attorney fees, expert witness fees and court costs) if the agreement is breached;
  - 233 5. Other terms deemed appropriate by the department director; and

- 234 6. A waiver of the right to appeal the department director's determination of violation  
235 and/or the required corrective action.  
236
- 237 C. Upon execution of a voluntary correction agreement by the responsible party and the  
238 department director, the city's enforcement action relating to the violation shall be tolled  
239 for the term of the agreement. If the responsible party fully satisfies the terms of the  
240 voluntary correction agreement and corrects and abates the violation as required by the  
241 agreement, no civil penalties shall accrue to the responsible party, and no further  
242 enforcement proceedings on the subject violation shall be pursued by the city against the  
243 responsible party.  
244
- 245 D. Upon execution of a voluntary correction agreement, the responsible party shall be deemed  
246 to have waived the right to appeal the determination of violation and/or order of corrective  
247 action.  
248
- 249 E. If the responsible party breaches the voluntary correction agreement and/or fails to fully  
250 satisfy its terms by the deadlines set forth in the agreement, the civil penalties set forth in  
251 the agreement shall begin to accrue as of the date of execution of the agreement, and shall  
252 continue to accrue until such violation is fully corrected and abated.

253 **1.40.080 Order assessing civil penalties.**

- 254 A. The department director may issue an order assessing civil penalties against a responsible  
255 party in accordance with LMC 1.40.040, either as part of a Notice of Violation and Order of  
256 Corrective Action, or as a separate enforcement action.  
257
- 258 B. The order assessing civil penalties shall contain:
- 259 1. The name and address of the responsible party;
  - 260 2. The street address or other description sufficient to identify the premises or property  
261 where the violation has occurred or is occurring;
  - 262 3. A description of the violation and citation to the applicable code provision(s);
  - 263 4. Notice of the civil penalty assessed for such violation and that each day the violation  
264 continues or is permitted to continue shall result in the assessment of daily civil  
265 penalties.
  - 266 5. Notice of the right to appeal the department director's determination.
  - 267 6. A statement that payment of a monetary penalty does not relieve the person named in  
268 the notice and order of the duty to abate a violation, and that failure to abate may  
269 result in the issuance of additional notices of violation and/or criminal citations, with  
270 additional civil and/or criminal penalties.
  - 271 7. The date and the signature of the department director.
- 272
- 273 C. The order assessing civil penalties shall be served as provided in LMC 1.40.050(C).

274

275

276 **1.40.090 Right of appeal.**

- 277 A. A notice of violation and order of corrective action or an order assessing civil penalties may  
278 be appealed in writing to the city's hearing examiner within 14 calendar days of the  
279 issuance of notice of violation and order of corrective action or the order assessing civil  
280 penalties; otherwise, the decision is the final decision of the city and the hearing examiner  
281 shall be without jurisdiction to hear an appeal. The appeal shall identify the appellant,  
282 provide appellant's address and telephone number, and state the grounds of appeal. The  
283 notice of appeal shall be accompanied by the fee for filing an appeal established in Chapter  
284 3.104 LMC.  
285
- 286 B. Civil penalties shall continue to accrue during the pendency of an appeal, unless the  
287 appellant posts with the city a supersedeas bond in an amount set by the hearing examiner  
288 sufficient to protect the interests of the city.  
289
- 290 C. Upon timely appeal and after consultation with the hearing examiner, the department  
291 director shall prepare a written notice setting the date, time and location of the hearing.  
292
- 293 D. The department director shall prepare the record of appeal as provided in the rules of the  
294 city's hearing examiner.  
295
- 296 E. The notice of hearing shall be sent to the appellant, at the address given in the appellant's  
297 notice of appeal, by certified mail, return receipt requested, and by first class U.S. mail,  
298 postage pre-paid.  
299

300 **1.40.100 Appeal hearing.**

- 301 A. The appellant, city staff, any witnesses called by the appellant or city staff, and any other  
302 person, as deemed appropriate by the hearing examiner, may participate in an appeal  
303 hearing.  
304
- 305 B. The appellant must prove by a preponderance of the evidence that the department  
306 director's decision is erroneous.  
307
- 308 C. An electronic sound recording of each hearing shall be made.  
309

310 **1.40.110 Authority and action of hearing examiner.**

- 311 A. The hearing examiner shall conduct a hearing according to the rules of procedure adopted  
312 for administrative appeals. Within 14 calendar days following the conclusion of all  
313 testimony and hearings, the hearing examiner shall issue a written decision affirming or  
314 overruling the department director, with supporting findings of fact and conclusions of law,  
315 and notice of the right to appeal.  
316
- 317 B. Whenever the hearing examiner affirms the decision of the department director, the city  
318 attorney shall file any necessary legal proceedings to enforce the notice of violation and



319 corrective action and to collect assessed civil penalties. If legal action to enforce the order is  
320 required, the city shall be entitled to recover all expenses incurred by the city in such  
321 enforcement action, including but not limited to the city's attorney fees, court filing fees  
322 and related court costs, and costs of abatement.

323 **1.40.120 Distribution and effect of examiner's decision.**

324 A. The hearing examiner's decision shall be distributed by the department director to the  
325 appellant and any other interested party who appeared at the hearing within three city  
326 working days of its issue.

327 B. A hearing examiner's decision on the appeal is the final decision of the city. The appellant or  
328 the department director may submit a request for reconsideration of such decision in  
329 accordance with LMC 1.35.255 or appeal such decision to the superior court in accordance  
330 with LMC 1.35.260.  
331

332 **1.40.130 Criminal citations.**

333 A. A limited commission city code enforcement officer may issue a citation for criminal  
334 violation, and cause the citation to be filed and prosecuted in the Lynnwood Municipal  
335 Court.

336 B. Violations of the following provisions of the Lynnwood Municipal Code shall be  
337 misdemeanors, unless another city code provision designates the violation as a different  
338 offense: LMC Titles 5, 6, 7, 9, 10, 12, 15, 16, 17, 18, and 21.

339 C. Each violation shall be punishable by imprisonment in the county jail for a maximum term  
340 fixed by the court of not more than ninety days, or by a fine in an amount fixed by the court  
341 of not more than one thousand dollars, or both such imprisonment and fine.  
342  
343

344 **1.40.135 Abatement.**

345 A. Abatement by City. The city may perform the abatement required upon noncompliance  
346 with the terms of an un-appealed notice of violation, a voluntary correction agreement, a  
347 final order of the hearing examiner, or a final order of a court requiring corrective action  
348 and authorizing the city to abate the same; provided, that nothing in this chapter shall  
349 prohibit the city from pursuing abatement of a violation pursuant to any other laws of the  
350 State of Washington or the city. The city may utilize city employees or a private contractor  
351 under city direction to accomplish the abatement. The city, its employees and agents using  
352 lawful means are expressly authorized to enter upon the property of the violator for such  
353 purposes.  
354

355 B. Summary Abatement. Whenever any violation causes a condition the continued existence  
356 of which constitutes an immediate threat to the public health, safety or welfare or to the  
357 environment, the city may summarily and without prior notice abate the condition. Notice  
358 of such abatement, including the reason for it, shall be given to the person responsible for  
359 the violation as soon as reasonably possible after the abatement. No right of action shall lie

360 against the city or its agents, officers, or employees for actions reasonably taken to prevent  
361 or cure any such immediate threats, but neither shall the city be entitled to recover any  
362 costs incurred for summary abatement, before the time that notice thereof is served on the  
363 responsible party as stated in LMC 1.40.050.  
364

365 C. Obstruction of Work Prohibited. No person shall obstruct, impede or interfere with the city,  
366 its employees or agents, or any responsible party, in the performance of any necessary act  
367 preliminary or incidental to carrying out the requirements of a notice of violation, voluntary  
368 correction agreement, or order of the hearing examiner issued pursuant to this chapter.  
369

370 **1.40.137 Recovery of penalties and costs.**

371 A. Payment of Monetary Penalties and Costs. Any monetary penalties or costs assessed  
372 pursuant to this chapter constitute a personal obligation of the responsible party. In  
373 addition, the monetary penalties or costs assessed pursuant to this chapter may be  
374 assessed against the property that is the subject of the enforcement action. The city  
375 attorney is authorized to collect the monetary penalty or costs by use of appropriate legal  
376 remedies, the seeking or granting of which shall neither stay nor terminate the accrual of  
377 additional per diem monetary penalties so long as the violation continues. The city may  
378 incorporate any outstanding penalty or cost into an assessment lien, if the city incurs costs  
379 of abating the violation.  
380

381 B. Recovery of Costs. The city shall bill its costs, including incidental expenses, of pursuing code  
382 compliance and/or of abating a violation to the responsible party and/or against the subject  
383 property. Such costs shall become due and payable 30 calendar days after the date of the  
384 bill. The term "incidental expenses" shall include, but not be limited to, personnel costs,  
385 both direct and indirect, including attorneys' fees incurred by the city; costs incurred in  
386 documenting the violation; the actual expenses and costs to the city in the preparation of  
387 notices, specifications and contracts, and in inspecting the work; hauling, storage and  
388 disposal expenses; the cost of any required printing and mailing; and interest. The  
389 department director, or the hearing examiner, may in his or her discretion waive in whole  
390 or part the assessment of any costs upon a showing that abatement has occurred or is no  
391 longer necessary.  
392

393 C. Lien. If penalties or costs assessed against a property are not paid within 30 calendar days,  
394 the city shall have the right to file a lien against the real property on which the violation  
395 occurred or is occurring, in the amount of the assessed and unpaid civil penalties and costs.

396 **1.40.140 Limited commission.**

397 A. The chief of police is authorized, upon prior approval of the mayor, to commission non-  
398 police city employees as code enforcement officers for purposes of performing  
399 enforcement duties under this chapter.  
400

401 B. Before commencing any duties, the prospective code enforcement officer shall take an oath  
402 of office before the judge of the municipal court or other person authorized by law to  
403 administer oaths, in substantially the following form:  
404

405 I, \_\_\_\_\_, do solemnly swear (or affirm) that I will support the Constitution  
406 of the United States of America, and the Constitution and laws of the State of  
407 Washington, the ordinances of the City of Lynnwood and all other local laws, that I will  
408 abide by the Lynnwood Police Department code of ethics, and that I will faithfully,  
409 honestly and impartially perform the duties of a Code Enforcement Officer for the City  
410 of Lynnwood, according to the best of my ability.

411  
412 C. The chief of police shall issue to all code enforcement officers a numbered limited  
413 commission card, specifying the enforcement and citation authority of the code  
414 enforcement officer.  
415

416 D. A limited commission may be revoked at any time by the chief of police and shall  
417 automatically and permanently terminate upon termination of employment as city of  
418 Lynnwood code enforcement officer for any reason.

419 **1.40.150 Authority of city attorney.**

420 At the direction of the mayor, the city attorney shall represent the city in all administrative  
421 code enforcement proceedings, and shall take appropriate legal actions to collect fines imposed  
422 under this chapter or to abate nuisances.  
423

424 **Section 2. Severability.** If any section, subsection, sentence, clause, phrase, or word of this  
425 Ordinance should be held to be invalid or unconstitutional or inapplicable by a court of  
426 competent jurisdiction, such invalidity or unconstitutionality or inapplicability thereof shall not  
427 affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase,  
428 or word of this Ordinance.  
429

430 **Section 3. Effective Date.** This Ordinance shall be in full force and effective five (5) days after  
431 passage and publication as provided by law. Publication shall be by summary publication of the  
432 Ordinance Title.  
433

434 PASSED this 13<sup>th</sup> day of June, 2016, and signed in authentication of its passage this 15<sup>th</sup> day of  
435 June, 2016.  
436

437  
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APPROVED:

  
\_\_\_\_\_  
Nicola Smith, Mayor

445 ATTEST/AUTHENTICATED:

APPROVED AS TO FORM:

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Sonja Springer, Finance Director

  
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Rosemary Larson, City Attorney

FILED WITH ADMINISTRATION SERVICES: 06/13/2016  
PASSED BY THE CITY COUNCIL: 06/13/2016  
PUBLISHED: 06/17/2016  
EFFECTIVE DATE: 06/22/2016  
ORDINANCE NUMBER: 3197



On the, 13th day of June, 2016 the City Council of the City of Lynnwood, Washington, passed ordinance 3197. A summary of the content of this ordinance, consisting of the title, provides as follows:

**ORDINANCE NO. 3197**

**AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE CITY'S CODE ENFORCEMENT PROCEDURES; AMENDING CHAPTER 1.40 OF THE LYNNWOOD MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; AN EFFECTIVE DATE AND SUMMARY PUBLICATION.**

The full text of this ordinance will be mailed upon request.

A handwritten signature in blue ink that reads 'D. Karber'.

---

Debbie Karber, Deputy City Clerk

DATED this 17<sup>th</sup> day of June, 2016.

# Everett Daily Herald

## Affidavit of Publication

State of Washington }  
County of Snohomish } ss

Dicy Sheppard being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of EDH705969 ORDS 3195-3199 as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 06/17/2016 and ending on 06/17/2016 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$78.76.

Dicy Sheppard

Subscribed and sworn before me on this 17 day of June, 2016.

Aubrey Knapp

Notary Public in and for the State of Washington.

City of Lynnwood - LEGAL ADS | 14127890  
DEBBIE KARBBER

**LYNNWOOD WASHINGTON**  
CITY OF LYNNWOOD

On the, 13th day of June, 2016 the City Council of the City of Lynnwood, Washington, passed ordinances 3195 through 3199. A summary of the content of these ordinances, consisting of the title, provides as follows:

ORDINANCE NO. 3195  
AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO CLASSIFICATION FOR CITY EMPLOYEES; AMENDING SECTION 2.48.185 OF THE LYNNWOOD MUNICIPAL CODE; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

ORDINANCE NO. 3196  
AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE INTERNATIONAL BUILDING AND FIRE CODES AS ADOPTED BY THE CITY; AMENDING TITLE 9, TITLE 15, CHAPTER 16.04, CHAPTER 16.05, CHAPTER 16.09, CHAPTER 16.24 AND CHAPTER 16.44 OF THE LYNNWOOD MUNICIPAL CODE; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

ORDINANCE 3197  
AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE CITY'S CODE ENFORCEMENT PROCEDURES; AMENDING CHAPTER 1.40 OF THE LYNNWOOD MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

ORDINANCE 3198  
AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, SUPERSEDING ORDINANCE 3123, ESTABLISHING FUNDING FOR THE BIKE2HEALTH IMPROVEMENT PROJECT; AND AUTHORIZING EXPENDITURES IN PROJECT FUND 128; AND CONSISTENT WITH THE PROJECT FINANCIAL PLAN; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

ORDINANCE 3199  
AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, ESTABLISHING PROJECT FUNDING FOR DESIGN AND CONSTRUCTION FOR INTERURBAN TRAIL IMPROVEMENT PROJECT - PHASE 1: 44TH AVE TRAIL HEAD. THIS ORDINANCE AUTHORIZES PROJECT EXPENDITURES IN FUND 322; AND FUNDING ALLOCATIONS/ TRANSFERS FROM FUND 330 TO FUND 322; AND CONSISTENT WITH THE PROJECT FINANCIAL PLAN; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

The full text of these ordinances will be mailed upon request.  
DATED this 17th day of June, 2016. Debbie Karber, Deputy City Clerk EDH705969  
Published: June 17, 2016.

**AUBREY KNAPP**  
Notary Public  
State of Washington  
My Commission Expires  
July 30, 2018

3195



**LYNNWOOD**  
WASHINGTON

## **CERTIFICATE**

I, the undersigned, Debra Karber, the duly appointed Deputy City Clerk of the City of Lynnwood, Washington, hereby certify that the Ordinance hereto attached is a full, true and correct copy of Ordinance No. 3197 of the City of Lynnwood, Washington, entitled as follows:

### **ORDINANCE NO. 3197**

**AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE CITY'S CODE ENFORCEMENT PROCEDURES; AMENDING CHAPTER 1.40 OF THE LYNNWOOD MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; AN EFFECTIVE DATE AND SUMMARY PUBLICATION.**

That said ordinance was passed by the Council on June 13, 2016 of said City and was published and posted according to law; that said ordinance was duly published in the official newspaper of said City on June 17, 2016.

\_\_\_\_\_  
Debra Karber, Deputy City Clerk



On the, 13th day of June, 2016 the City Council of the City of Lynnwood, Washington, passed ordinances 3195 through 3199. A summary of the content of these ordinances, consisting of the title, provides as follows:

**ORDINANCE NO. 3195**

**AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO CLASSIFICATION FOR CITY EMPLOYEES; AMENDING SECTION 2.48.185 OF THE LYNNWOOD MUNICIPAL CODE; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.**

**ORDINANCE NO. 3196**

**AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE INTERNATIONAL BUILDING AND FIRE CODES AS ADOPTED BY THE CITY; AMENDING TITLE 9, TITLE 15, CHAPTER 16.04, CHAPTER 16.05, CHAPTER 16.09, CHAPTER 16.24 AND CHAPTER 16.44 OF THE LYNNWOOD MUNICIPAL CODE; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.**

**ORDINANCE 3197**

**AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE CITY'S CODE ENFORCEMENT PROCEDURES; AMENDING CHAPTER 1.40 OF THE LYNNWOOD MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; AN EFFECTIVE DATE AND SUMMARY PUBLICATION.**

**ORDINANCE 3198**

**AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, SUPERSEDING ORDINANCE 3123, ESTABLISHING FUNDING FOR THE BIKE2HEALTH IMPROVEMENT PROJECT; AND AUTHORIZING EXPENDITURES IN PROJECT FUND 128; AND CONSISTENT WITH THE PROJECT FINANCIAL PLAN; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.**

**ORDINANCE 3199**

**AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, ESTABLISHING PROJECT FUNDING FOR DESIGN AND CONSTRUCTION FOR INTERURBAN TRAIL IMPROVEMENT PROJECT – PHASE 1: 44<sup>TH</sup> AVE TRAIL HEAD. THIS ORDINANCE AUTHORIZES PROJECT EXPENDITURES IN FUND 322; AND FUNDING ALLOCATIONS/ TRANSFERS FROM FUND 330 TO FUND 322; AND CONSISTENT WITH THE PROJECT FINANCIAL PLAN; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.**

The full text of these ordinances will be mailed upon request.

DATED this 17<sup>th</sup> day of June, 2016.

  
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Debbie Karber, Deputy City Clerk