AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, ADOPTING BY REFERENCE TITLE 9, SURFACE WATER MANAGEMENT, OF THE KING COUNTY CODE AS AN INTERIM REGULATION OF THE CITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of Sammamish will incorporate on August 31, 1999; and

WHEREAS, the City desires to have enforceable surface water management regulations in effect on the date of incorporation; and

WHEREAS, pursuant to the comprehensive planning process, the City will evaluate and review these surface water management regulations and make changes thereto, as necessary; and

WHEREAS, this Ordinance is necessary for the preservation of the peace, health, and welfare of the citizens of Sammamish;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Authority to Adopt Interim Surface Water Management Code. Pursuant to RCW 35.21.180, 35A.11.020, and 35A.21.160, the City adopts by reference Title 9, Surface Water Management, of the King County Code, attached hereto as Exhibit “A” and by this reference fully incorporated herein, as presently constituted or hereinafter amended, as the Interim Surface Water Management Code. A copy of King County Code Title 9 has been filed with the City Clerk and identified with Clerk’s Receiving No. N/A.

Section 2. Adoption of Administrative Rules. There are further hereby adopted by reference any and all implementing administrative rules and enforcement remedies now in effect regarding King County Code Title 9, Surface Water Management, that have been adopted either pursuant to King County Code Chapter 2.98, Rules of County Agencies, King County Code Title 23, Enforcement, or elsewhere in the King County Code except that, unless the context requires otherwise, any reference to the "County" or to "King County" shall refer to the City of Sammamish and any reference to County staff shall refer to the City Manager or designee.

Section 3. Adoption of Certain Other Laws. To the extent that any provision of the King County Code, or any other law, rule, or regulation, referenced in the attached Surface Water Management Code, is necessary or convenient to establish the validity, enforceability or interpretation of the attached Surface Water Management Code, then such provision of the King County Code, or other law, rule or regulation, is hereby adopted by reference.
Section 4. Reference to Hearing Bodies. To the extent that the attached Surface Water Management Code refers to planning commissions, board of appeals, hearing examiner, or any other similar body, the City Council may serve in all such roles, but retains the right to establish any one or more of such bodies, at any time and without regard to whether any quasi-judicial or other matter is then pending.

Section 5. Severability. Should any section, paragraph, sentence, 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 preempted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 6. Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall take effect and be in full force on August 31, 1999.


CITY OF SAMMAMISH

Mayor Phil Dyer

ATTEST/AUTHENTICATED:

Ruth Muller, Interim City Clerk

Approved as to form:

Bruce L. Disend, City Attorney

Filed with the City Clerk: July 8, 1999
Passed by the City Council: July 28, 1999
Ordinance No. 099-17
Date of Publication: August 4, 1999