

**CITY OF MERCER ISLAND  
ORDINANCE NO. 20C-24**

**AN ORDINANCE OF THE CITY OF MERCER ISLAND AMENDING MICC 19.17.070(A) TO CHANGE THE AMOUNT OF SCHOOL IMPACT FEES COLLECTED BY THE CITY FOR THE MERCER ISLAND SCHOOL DISTRICT NO. 400, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, chapter 82.02 RCW authorizes the City of Mercer Island (City) to collect certain impact fees for public facilities that are addressed by a capital facilities plan element of a comprehensive plan adopted and revised pursuant to and in compliance with RCW 36.70A.070; and

WHEREAS, the City adopted Ordinance No. 15C-15, imposing School Impact Fees to be collected by the City for the Mercer Island School District No. 400 (District) on certain developments; and

WHEREAS, MICC 19.17.050 adopts by reference the capital facilities plan developed by the District, and approved by its board, as part of the capital facilities element of the City's Comprehensive Plan; and

WHEREAS, MICC 19.17.040 and .060 provides that calculation of the school impact fee to be collected by the City for the District shall be based on calculations in the District's Capital Facilities Plan that is submitted to the City; and

WHEREAS, the District has submitted to the City its Capital Facilities Plan for 2020-2026, which establishes a revised fee schedule of \$0.00 per single family residence and \$0.00 per multiple family residence unit;

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

**Section 1.**     **Revised.** MICC 19.17.070(A) shall be revised to read as follows:

**19.17.070 Assessment and collection of impact fees.**

A.     The city shall collect impact fees, based on the city's permit and impact fee schedule, from any applicant seeking a residential building permit from the city. The impact fee section of the city's permit and impact fee schedule shall provide that based on calculations in the District's capital facilities plan, the impact fee shall be \$0.00 per single family residence and \$0.00 per unit for multiple family residences.

**Section 2.**     **Severability.** If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality does not affect the validity of any other section, sentence, clause or phrase of this ordinance.

**Section 3. Effective Date.** This ordinance shall take effect and be in force five (5) days after its passage and publication.

PASSED by the City Council of the City of Mercer Island, Washington at its regular meeting on the 2nd day of November, 2020, and signed in authentication of its passage.

CITY OF MERCER ISLAND

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Benson Wong, Mayor

Approved as to Form:

ATTEST:

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Bio Park, City Attorney

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Deborah A. Estrada, City Clerk

Date of Publication: \_\_\_\_\_