

CITY OF MILLWOOD

ORDINANCE #547

XXXXXXX, 2025

AN ORDINANCE OF THE CITY OF MILLWOOD, SPOKANE COUNTY, WASHINGTON, AMENDING CHAPTER 12.05.070, PARAGRAPH A. APPLICATION FEE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, the City of Millwood (the "City"), Spokane County, Washington is a non-charter code city, by virtue of the Constitution and the laws of the State of Washington; and

WHEREAS, pursuant to chapter 35A.11 RCW, the City Council (the "Council") may adopt and enforce ordinances of all kinds relating to and regulating its local or municipal affairs and appropriate to the good government of the City; and

WHEREAS, the Council adopted Ordinance #373 in 2009 regarding permit fees and charges; and

WHEREAS, paragraph A, Application fee, of Chapter 12.05.070 specifies a nonrefundable application fee of thirty-five dollars (\$35.00) to be charged for each right-of-way use permit application.

WHEREAS, the thirty-five dollar (\$35.00) fee stated in Chapter 12.05.070 is incorrect and reference instead should be made to the fee schedule adopted by the city council; and

WHEREAS, the fees for each permit are set forth in a fee schedule adopted by the city council, and may be increased or decreased by the city council on recommendation of the director or designee's recommendation.

WHEREAS, the Council finds it is in the best interests of the City to amend and update such regulations;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY MILLWOOD DOES ORDAIN AS FOLLOWS:

Section 1. Amendment to Section 12.05.070 MMC – Permit fees and charges. Section 12.05.070, paragraph A, of MMC is hereby amended as follows (deleted language ~~stricken~~, added language double-underlined):

A. Application fee. A nonrefundable application fee ~~of thirty-five dollars (\$35.00)~~ shall be charged for each right-of-way use permit application that is accepted for processing pursuant to the fee schedule adopted by the city council. This fee covers the costs of initial processing, counter service and record keeping. The application fee shall be the same for all types of right-of-way use permits.

Section 2. Repeal. All ordinances, resolutions, laws, and regulations, or parts thereof in conflict with this ordinance are, to the extent of said conflict, hereby repealed.

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Section 3. Severability: If any section, sentence, clause, or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 4. Effect: This Ordinance shall be in full force and effect from and after its adoption and five (5) days after its publication or a publication of a summary of this Ordinance in the official newspaper of the City.

PASSED BY THE COUNCIL OF THE CITY OF MILLWOOD THIS _____ DAY OF _____ 2025.

CITY OF MILLWOOD,
Spokane County, Washington

Kevin Freeman, Mayor

ATTEST:

City Clerk

STATE OF WASHINGTON)
)ss:
County of Spokane)

_____, being first duly sworn on oath deposes and says:

I am the Clerk of the City of Millwood, Washington, and the foregoing ordinance entitled "AN ORDINANCE OF THE CITY OF MILLWOOD, SPOKANE COUNTY, WASHINGTON, AMENDING CHAPTER 12.05.070, PARAGRAPH A. APPLICATION FEE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO" is the true and correct copy of the City of Millwood's Ordinance numbered #547 and that the same was posted and published according to law.

Lisa Cassels, City Clerk

SUBSCRIBED AND SWORN TO BEFORE ME THIS ____ DAY OF _____, 2025.

Notary Public in and for the State of
Washington
My Commission expires _____