



CITY COUNCIL AGENDA

MAY 23, 2016

7:00 P.M.

1. COMMUNICATIONS

- a. Public Comment: This is the time for anyone wishing to speak before the council to do so.
PLEASE LIMIT YOUR COMMENTS TO 5 MINUTES.

2. CONSENT AGENDA

- a. Council Minutes of May 9, 2016
- b. Claims & Payroll
- c. Notice of Completion for Woodlawn Sewer Crossing – Advanced American construction
- d. Notice of Completion for Woodlawn Sewer Crossing – Quigg Brothers
- e. Notice of Completion for Boat Launch Project – Quigg Brothers

3. COUNCIL ACTION/DISCUSSION

- a. COMMITTEE REPORTS
- b. OFFICER REPORTS
 1. Homeless Encampments
- c. MAYOR REPORTS
- d. COUNCIL REPORTS

4. LEGAL BUSINESS

- a. **ORDINANCES**
 1. Boat Launch and Moorage Fees
- b. **RESOLUTIONS**
 1. Zoning Regulations for Marijuana Retail Stores
- c. **OTHER LEGAL**

5. OLD BUSINESS

6. NEW BUSINESS

7. **Public Comment:** This is the time for anyone wishing to speak before the council to do so. *The duration for public comment may have a time limit so that all interested parties may be heard. The public comment period may also be moved or continued to another portion of the meeting to facilitate city business on the agenda.*

8. **EXECUTIVE SESSION:** To consider the acquisition, sale or lease of real estate, to discuss with the City Attorney matters relating to agency enforcement action, litigation or potential litigation, to receive and evaluate complaints or charges brought against a public officer or employee, and/or any other purpose permitted by RCW 42.30.110 (NOTE: Actual topics to be discussed will be announced at the Council meeting, as well as the estimated time when the session will conclude.) No action will be taken during the Executive Session.

9. ADJOURN

If you require special accommodations during your attendance at the Council meeting please contact us at 360-538-3970 at least 48 hours in advance of the meeting

CITY OF HOQUIAM
Council Meeting Minutes

May 9, 2016

CALL TO ORDER

Mayor Dickhoff called the meeting to order and Councilmember Wilson led the flag salute

ROLL CALL

In attendance at the meeting were Mayor Dickhoff and councilmembers Carlstrom, Forkum, Livingston, Nelson, Pellegrini, Simera, Wilson and Winkelmann. Absent from the meeting were councilmembers Anderson, Grun, Pennant and Swope.

Staff in attendance were Police Chief Jeff Myers, fire Chief Paul Dean, city Attorney Steve Johnson, city administrator Brian Shay, Finance Director Mike Folkers and Council secretary Tracy Wood.

COMMUNICATIONS

Marijuana Retail Store

Ms. Kitty Sayer, Riverside Avenue, stated her opposition to a new retail store that is opening on Riverside. The store will be located within a few feet of her home. The neighborhood was not notified that a Marijuana store was planning on moving onto this property. If stores are not allowed next to schools how can they be allowed next to residences where children are living?

Marijuana Retail Store

Larry Boergher, 1919 Riverside, concerned about the safety of the neighborhood, property values and the safety of the children in the neighborhood. He wanted to speak in opposition to a store moving into a residential neighborhood.

CONSENT AGENDA

Councilmember Pellegrini moved to approve item A on the consent agenda and remove item B as the Regulatory Committee did not meet to sign the report. His motion was seconded and the motion to approve the minutes of April 25, 2016 passed by voice vote.

COMMITTEE REPORTS

Public Utilities Committee

– Moorage And Boat Launch Fees

The Public Utilities Committee made a recommendation that the City set moorage and boat launch fees in accordance with the rates of the Port of Grays Harbor set for the Westport marina. In addition all rules required by the Recreation conservation Office shall be incorporated into the Ordinance. The motion was seconded and passed by voice vote.

Public Utilities Committee

– Restrooms at Bowerman Basin

The Public Utilities Committee made a recommendation that the city pursue public restrooms at Bowerman Basin through potential

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partners including the Port of Grays Harbor, the U.S. Fish and Wildlife and the Audubon society. Councilmember Pellegrini moved to approve the committee report and the motion was seconded and passed by voice vote.

**Public Safety and Law
Committee – Discharge of
Arrows Within City Limits**

The Public Safety and Law Committee made a recommendation that the City Council adopt an Ordinance amending section 5A.35.030 of the Hoquiam Municipal Code concerning the discharge of arrows from bows and cross bows within the City limits. Councilmember Wilson moved to accept the committee report. The motion was seconded and passed by voice vote.

**Public Safety and Law
Committee – Marking of
Police Vehicles**

The Public Safety and Law Committee made a recommendation that the City Council adopt an Ordinance adding a new chapter 1.39 to the Hoquiam Municipal code concerning the marking of police vehicles. Councilmember Wilson moved to adopt the committee report and the motion was seconded. Following a brief discussion, the motion passed by voice vote.

OFFICER REPORTS

**Setting Public Hearing – 6
Yr. TIP**

Staff requested that Council set a Public Hearing for June 13, 2016 at 7:00 p.m. to discuss the Six Year Transportation Improvement Plan (STIP). Councilmember Nelson moved to set the hearing for the requested date and the motion was seconded and passed by voice vote.

**Woodlawn Water and Sewer
Crossing**

The City made a call for bids for the Woodlawn Water and Sewer River crossing. Staff reported that two bids were received as follows: Rognlin's, Inc. for \$539,245.00 and Quigg Bros., Inc. for \$1,009,030 for 700 feet/PVC pipe and \$1,062,251 for 700 feet of HDPE pipe. Staff recommends that the bid be awarded to Rognlin's, Inc. as the apparent low bidder. Councilmember Pellegrini moved to award the bid to Rognlin's, Inc., as the apparent low bidder. The motion was seconded and following a brief discussion regarding the difference in the bids, the motion passed by voice vote.

Ambulance Re-chassis

The city made a call for bids for the re-chassis of an ambulance for the fire Department. Staff reported that two bids were received as follows: Braun Northwest \$93,627.91 and U.S. Fire and Equipment for \$70,676.90. Staff recommends that the bid be awarded to U.S. Fire & Equipment as the apparent low bidder. Councilmember Nelson moved to award the bid to US Fire and

Equipment. The motion was seconded and following a discussion regarding the painting of the box and trade in of the old chassis, the motion passed by voice vote.

MAYORS REPORTS

Shorebird Festival

Mayor Dickhoff reported that the Shorebird Festival was held on this past weekend. They had good attendance and excellent weather.

9th Street Boat Launch and Moorage

At 4:00 today, the City had a ribbon cutting at the 9th Street landing. Mayor Dickhoff thanked all who participated in getting the new launch and moorage accomplished.

PUD Street Light Inventory

Mayor Dickhoff stated that the PUD is conducting a Street Light/Pole Audit and when completed, either the City or residents where the lights are located will be asked to start paying for the lighting or the poles will be removed.

LEGAL BUSINESS

Ordinances

Discharge of Arrows Within City Limits

An Ordinance relating to Criminal Offenses; amending Section 5A.35.030 of the Hoquiam Municipal Code. Mr. Folkers read the ordinance by title. Councilmember Pellegrini moved to approve the Ordinance and the motion was seconded. Mr. Johnson clarified the changes after which Mr. Folkers read the ordinance by title a second time and the motion to approve the Ordinance was passed by a roll call vote of 7 to 1 with Councilmember Winkelman voting no.

Marking of Police Vehicles Surplus Equipment

An Ordinance relating to the Marking of Police Vehicles; adding a new chapter 1.39 to the Hoquiam Municipal code. Mr. Folkers read the Ordinance by title and Councilmember Pellegrini moved for the adoption of the ordinance. The motion was seconded. Mr. Folkers read the ordinance by title a second time after which the motion passed by unanimous roll call vote.

Resolutions

Declaration of Emergency – Repair of Woodlawn Sewer Line

A Resolution declaring an emergency, and waiving the bid requirements of RCW 35.23.352; and ratifying the actions of the City in repairing a break in the sewer line that crosses under the Hoquiam River to service the Woodlawn area. Councilmember Pellegrini moved for the adoption of the resolution and the motion was seconded and passed by voice vote.

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OLD BUSINESS

HBA Public Forum

Councilmember Winkelman stated that the Hoquiam Business Association held a public forum on April 27th and discussed the current Sign Ordinance and changes that the business community would like to see made to the Ordinance. They will provide those to the city for review. HBA also encouraged participation in the Timberworks Project and spoke about new businesses who we hope will be opening soon.

NEW BUSINESS

Ribbon cutting – 9th Street
Launch

Councilmember Winkelman spoke about the ribbon cutting ceremony. The Grays Harbor Kayak and Canoe Club launched following the ribbon cutting and they approached him to ask if the city would consider installing a kayak launch.

Zoning

Councilmember Wilson made a motion to draft resolution amending the zoning code relating to marijuana retail, processing and production businesses within 1000 feet of residences. Councilmember Pellegrini seconded the motion and a brief discussion followed. The motion for staff to draft a resolution passed by voice vote.

Size of Council

Councilmember Wilson made a motion to appoint an ad hoc committee to consider reducing the size of the council from 12 to 7 and the motion was seconded. Councilmember Wilson stated he believes 7 people can lead just as effectively and efficiently as 12 and he believes there is an issue with attendance. A lengthy discussion followed, after which the motion failed by voice vote.

Active Shooter Drill

Chief Myers stated that the Police Department will be participating in an Active Shooter Drill this Friday from 8:00 a.m. to 4:00 p.m. If anyone is interested in observing the drill please call him before Friday.

COMMUNICATIONS

Council Size

Mr. Dave Forbes, 2216 Aberdeen Avenue, Hoquiam, spoke in support of a 12 person council and hopes the city council will leave it the way it is.

Marijuana Retail Business

Lloyd Culp, 1923 Riverside, spoke in opposition to the new Marijuana Retail business on Riverside.

Code Compliance

The resident from 407 Emerson spoke highly of the job being accomplished by the city code compliance and enforcement.

**CITY OF HOQUIAM
Council Meeting Minutes**

May 9, 2016

Excuse Absent Members

Councilmember Pellegrini moved to excuse the absent members who notified staff. The motion was seconded and passed by voice vote.

ADJOURN

Councilmember Pellegrini moved to adjourn the meeting at 7:45 p.m. The motion was seconded and passed by voice vote.

Ben Winkelman – Mayor Pro-Tem

Tracy Wood – Council Secretary

REPORT OF COMMITTEE

Date: 23-May-16

To the Honorable Mayor and City Council of the City of Hoquiam

We hereby recommend approval of the following:

Claims Check Numbers 845001 through 84537 for \$ \$453,242.53

ACH for \$ \$347,843.78

EFT for \$ \$186,505.66

Direct Pay (26-27) for \$ _____

Payroll Check Numbers 27819 through 27853 for \$ \$ 182,256.52

Payroll and benefits for the month of _____ be approved and issued at the proper time.

Interdepartmental transfers _____ for \$ _____

Finance Director

Regulatory Committee:

_____, Chairperson



Notice of Completion of Public Works Project and Request for Approval of Acceptance and Release of Retainage and Bonds

Date	May 23, 2016
Contractor	Advanced American Construction, Inc
Project Title	Emergency Woodlawn Sewer River Crossing Repairs
Contract Total	\$44,987.20 (emergency declaration so no contract)

The above named contractor has satisfactorily completed the project listed above. It is recommended that this project be accepted as complete and that the Finance Department release any retainage and/or performance/payment bonds after the appropriate releases are received from the Departments of Revenue and Labor & Industries (if such releases are required) and after any contractor/supply liens, if any, are satisfied.

City Administrator



Notice of Completion of Public Works Project and Request for Approval of Acceptance and Release of Retainage and Bonds

Date	May 23, 2016
Contractor	Quigg Bros., Inc
Project Title	Emergency Woodlawn Sewer River Crossing Repairs
Contract Total	\$47,699.16 (emergency declaration so no contract)

The above named contractor has satisfactorily completed the project listed above. It is recommended that this project be accepted as complete and that the Finance Department release any retainage and/or performance/payment bonds after the appropriate releases are received from the Departments of Revenue and Labor & Industries (if such releases are required) and after any contractor/supply liens, if any, are satisfied.

City Administrator



Notice of Completion of Public Works Project and Request for Approval of Acceptance and Release of Retainage and Bonds

Date	May 23, 2016
Contractor	Quigg Bros., Inc
Project Title	Levee Street Boat Launch
Contract Total	\$610,097.61

The above named contractor has satisfactorily completed the project listed above. It is recommended that this project be accepted as complete and that the Finance Department release any retainage and/or performance/payment bonds after the appropriate releases are received from the Departments of Revenue and Labor & Industries (if such releases are required) and after any contractor/supply liens, if any, are satisfied.

City Administrator



**Office of the Building and Planning Department
CITY OF HOQUIAM**

609 – 8th Street, Hoquiam, WA 98550
(360) 532-5700 ext. 251– FAX (360) 538-0938
Email: ohowelln@cityofhoquiam.com

Report from Officer

DATE: May 19, 2016
TO: Mayor Dickhoff and City Council
FROM: Lon Howell, Building Official
SUBJECT: Planning Commission Recommendation –Homeless Encampment Ordinance

On March 14, 2016 the Hoquiam City Council requested the Planning Commission conduct a public hearing to take testimony regarding a proposed amendment to the City Code relating to temporary homeless encampments.

A notice of public hearing was published in the Vidette on April 14, 2016 announcing the Hoquiam Planning Commission Public Hearing for April 27, 2016.

On April 27, 2016, the Planning Commission conducted a public hearing and took testimony from members of the public.

On May 18, 2016 the Planning Commission conducted a public meeting, considered previous public comment, reviewed a draft ordinance and made a recommendation.

The Planning Commission recommends adopting the attached modified ordinance regarding temporary homeless encampments.

Action item: Staff recommends that Council set a public hearing for June 13, 2016 at 7:00 p.m. to consider the recommendation of the Planning Commission to adopt the proposed Ordinance related to Homeless Encampments.

ORDINANCE NO. 2016-- _____

AN ORDINANCE relating to land use regulations and development standards, concerning temporary homeless encampments hosted by a religious organization; adding a new Section 10.05.062 to Chapter 10.05 of the Hoquiam Municipal Code.

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

NEW SECTION. SECTION 1. A new Section 10.05.062 is added to Chapter 10.05 of the Hoquiam Municipal Code is amended to read as follows:

10.05.062 Homeless Encampments.

(1) Definitions.

(a) "Host agency" means the religious organization which owns the property that is the subject of an application for a temporary Homeless Encampment Permit for providing basic services and support to temporary emergency homeless encampment residents, such as hot meals and coordination of other needed donations and service.

(b) "Homeless Encampment" means a temporary emergency homeless encampment, hosted by a religious organization which provides temporary housing to homeless persons.

(2) Who May Apply.

(a) Temporary Homeless Encampments shall be permitted only as an accommodation of religious exercise by a Host Agency, as provided by RCW 36.01.290. Each Host Agency shall apply for a permit under this Section and shall certify compliance with all applicable requirements for approval and conditions of this Section and application for a permit.

(3) Applicable Procedures.

(a) A Temporary Encampment Permit is an administrative decision. In addition to the requirements for administrative decisions found elsewhere in the Hoquiam Municipal Code, the following procedures shall apply:

(i) Advance Notice Required. The Host Agency shall notify the City of the proposed homeless encampment a minimum of thirty (30) days in advance of the proposed date of establishment of the homeless encampment. The advance notification shall be in the form of an application for a temporary Homeless Encampment permit and shall contain the following information:

(a) The date the homeless encampment will commence;

(b) The length of the encampment, which shall be no longer than one hundred twenty (120) days;

- (c) The maximum number of residents proposed;
- (d) The host location, which must be owned by the Host Agency;
- (e) The name of the Host Agency; and
- (f) Other information required by the City Building Official and other City Officials.

(ii) Informational Meeting Required: The Host Agency shall conduct at least one (1) informational meeting within, or as close to as possible, the location where the proposed homeless encampment will be located, a minimum of one (1) week prior to the issuance of the temporary Homeless Encampment permit. The time and location of the meeting shall be agreed upon between the City and the Host Agency. All property owners and occupants within three-hundred (300) feet of the location of the proposed homeless encampment shall be notified by mail or personal service ten (10) days in advance of the meeting by the Host Agency. In lieu of service by mail or personal service, an alternative means of notice may be provided that is reasonably calculated to notify the neighboring property owners within three-hundred (300) feet of the proposed homeless encampment.

(iii) Signs Required. The applicant shall also provide notice of the application with the same timeframe identified above by posting two (2) signs on the site or in a location immediately adjacent to the site that provides visibility of the signs to motorists using adjacent streets. The City Administrator or his/her designee shall provide the signage after establishing standards for size, color, layout, design, placement and timing of installation and removal of the signs.

(4) Homeless Encampment – Criteria/Requirements for Approval of Permit.

The City Administrator or his/her designee may issue a temporary revocable Homeless Encampment permit subject to the following criteria and requirements.

(a) Site Criteria

(i) The property must be sufficient in size to accommodate the tents and necessary site facilities, including, but not limited to the following:

- (a) Sanitary portable toilets in the number required to meet capacity guidelines, unless bathrooms are provided by the Host Agency;
- (b) Hand washing stations or hand sanitizer dispensers located by the toilets and by the food areas;
- (c) Refuse receptacles; and
- (d) Community tent.

(ii) The Host Agency shall provide an adequate water source to the homeless encampment, as approved by the City.

(iii) No homeless encampment shall be located with a Critical area as defined under Chapter 11.06 of the Hoquiam Municipal Code.

(iv) No permanent structures will be constructed for the homeless encampment.

(v) No more than forty (40) residents shall be allowed at any one homeless encampment. The City may further limit the number of residents as site conditions dictate.

(vi) Adequate on-site parking shall be provided for the homeless encampment. No off-site parking will be allowed. The number of vehicles used by the homeless encampment residents shall be provided in the permit application. If the homeless encampment is located on a site that has another preexisting use, it shall be shown that the homeless encampment parking will not create a shortage of on-site parking for the other use(s) on the property.

(vii) The homeless encampment shall be adequately buffered and screened from adjacent rights-of-way and residential properties. Screening shall be a minimum of six (6) feet and may include, but is not limited to, fencing, or the placement of the homeless encampment behind buildings. The type of screening shall be approved by the City.

(viii) All sanitary portable toilets shall be screened from adjacent rights-of-way and properties. The type of screening shall be approved by the City, and may include, but is not limited to, a combination of fencing and/or landscaping.

(b) Security.

(i) An operations and security plan for the homeless encampment shall be submitted to the City at the time of application.

(ii) The Host Agency shall provide to all residents of the homeless encampment a written Code of Conduct for living at the homeless encampment. A copy of the Code of Conduct shall be submitted to the City at the time of application and shall be in substantially the following form or address the following issues:

(a) Possession or use of illegal drugs is not permitted.;

(b) No alcohol is permitted;

(c) No weapons are permitted;

(d) All knives with a blade over three and one-half (3 ½) inches must be turned into the Host Agency's on-site Encampment Manager for safekeeping;

(e) No violence is permitted;

(f) No open flames are permitted without pre-approval from the City Administrator or his/her designee;

(g) No trespassing onto private property in the surrounding neighborhood is permitted;

(h) No loitering in the surrounding neighborhood is permitted;

(i) No littering on the temporary encampment site or in the surrounding neighborhood is permitted;

(j) The Host Agency may impose and enforce additional Code of Conduct conditions not otherwise inconsistent with this Section.

(iii) All homeless encampment residents must sign an agreement to abide by the Code of Conduct and failure to do so shall result in the noncompliant resident's immediate expulsion from the property.

(v) The Host Agency shall take all reasonable steps to keep a log of all people who stay overnight in the homeless encampment, including names and birthdates, and dates of stay. Logs shall be retained by the Host Agency for a minimum of thirty (30) days from the date of disbanding of the homeless encampment.

(vi) The Host Agency shall take all reasonable and legal steps to obtain verifiable ID, such as a driver's license, government-issued identification card, military identification, or passport from prospective and existing homeless encampment residents.

(vii) The Host Agency will use identification to obtain sex offender and warrant checks from the Washington State Patrol, the Grays Harbor County Sheriff's Officer, or the Hoquiam Police Department.

(a) If said warrant and sex offender checks reveal either (1) an existing or outstanding warrant from the Hoquiam Municipal Court for the arrest of the individual who is the subject of the check, or (2) the subject of the check is a sex offender, required to register with the County Sheriff of their county of residence pursuant to RCW 9A.44.130, then the Host Agency shall reject the subject of the check for residency to the homeless encampment or eject the subject of the check if that person is already a homeless encampment resident.

(b) The Host Agency shall immediately contact the Police Department if the reason for rejection or ejection of an individual from the homeless encampment is an active Hoquiam Municipal Court warrant. In other cases of rejection or ejection, the designated representative of the Host Agency shall immediately provide the facts leading to such action to the Police Department.

(viii) The Host Agency shall self-manage its residents and prohibit alcohol, illegal drugs, weapons, fighting, and abuse of any kind, littering, or disturbing the neighbors while located on the property of the Host Agency.

(ix) The Host Agency will appoint a designated representative to serve "on-duty" as an Encampment Manager at all times to serve as a point of contact for the Police Department and will orient the Police Department as to how the community tent operates. The name of the on-duty designated representative will be posted daily in the community tent. The City shall provide contact numbers of non-emergency personnel which shall be posted at the community tent.

(c) Duration and Number of Encampments.

(i) The duration of a temporary homeless encampment shall not exceed one hundred twenty (120) days.

(ii) No additional temporary homeless encampments may be allowed on the same parcel of property or location in any twelve-month period beginning on the date the homeless encampment locates on a parcel of property or location.

(iii) No more than one (1) temporary homeless encampment may be located in the City at any time.

(d) Health and Safety.

(i) There shall be no open fires for cooking, other than a propane stove in the community tent, without pre-approval by the Hoquiam Fire Department and no open fires for heating or other purposes.

(ii) No heating appliances within the individual tents are allowed without pre-approval by the Hoquiam Fire Department.

(iii) No cooking appliances other than microwave appliances are allowed in individual tents.

(iv) An adequate number, with appropriate rating, of fire extinguishers shall be provided as approved by the Hoquiam Fire Department.

(v) Adequate access for fire and emergency medical apparatus shall be provided. This shall be determined by the Hoquiam Fire Department.

(vi) Adequate separation between tents and other structures of at least twelve (12) inches shall be maintained as determined by the Hoquiam Fire Department.

(vii) Electrical service shall be in accordance with recognized and accepted practice. Electrical cords are not to be strung together and any cords used must be approved for exterior use.

(5) Administrative Decision.

(a) Purpose. The City Administrator or his/her designee shall review the application for a temporary Homeless Encampment permit to ensure compliance with the provisions of this Section and all other applicable law, to ensure that the health, safety and welfare of the residents of the City including residents of the camp is preserved, and to provide an expedient and reasonable land use review process for decisions under and interpretations of this Section.

(b) City Administrator's Authority. The City Administrator or his/her designee has authority to modify the requirements of the application as deemed appropriate.

(c) Notice of Decision. The City Administrator or his/her designee shall notify the Host Agency of his/her decision to approve, modify, or deny the application for a temporary Homeless Encampment permit in a timely manner, not to exceed fourteen (14) days after the application is received by the City. This decision is a final decision of the City. Appeals of decisions to approve or deny a temporary Homeless Encampment permit shall be to the Grays Harbor County Superior Court.

(6) Termination or Revocation of Temporary Homeless Encampment Permit.

(a) If the Host Agency fails to take action against a resident who violates the terms and conditions of a temporary Homeless Encampment permit, it may result in the immediate termination of the permit. If the City learns of uncontrolled violence or acts of violence by residents of the encampment and the Host Agency has not addressed the situation, in the opinion of the City Administrator or his/her designee, the temporary Homeless Encampment permit may be immediately terminated.

(b) Upon determination that there has been a violation of any approval criteria or requirement of application for a temporary Homeless Encampment permit, the City Administrator or his/her designee may give written notice to the Host Agency describing the alleged violation(s). Within fourteen (14) days of the mailing of the notice of violation, the City Administrator or his/her designee shall sustain or revoke the permit. When a temporary Homeless Encampment permit is revoked, the City Administrator or his/her designee shall notify the permit holder by certified mail of the revocation and the findings upon which the revocation is based. Appeals of decisions to revoke a temporary Homeless Encampment permit shall be to the Grays Harbor County Superior Court.

(7) Permit Fee.

(a) There shall be no application fee for a Homeless Encampment permit.

ADOPTED by the Mayor and City Council on _____, 2016.

JASMINE DICKHOFF – MAYOR

ATTEST:

MIKE FOLKERS – FINANCE DIRECTOR

PUBLISHED:

ORDINANCE NO. 2016 – _____

AN ORDINANCE relating to Restricted Mooring Areas; Repealing 5A.60.010 of the Hoquiam Municipal Code; and adopting a new Section 5A.60.020 to the Hoquiam Municipal Code..

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

SECTION 1. Section 5A.60.010 of the Hoquiam Municipal Code is hereby repealed.

NEW SECTION. **SECTION 2.** A new Section 5A.60.020 is added to the Hoquiam Municipal Code, to read as follows:

5A.60.020 Levee Street boat launch and moorage facility – User fees – Restrictions and conditions – Penalties.

(1) The Levee Street boat launch and moorage facility, located at the conjunction of Levee Street and 9th Street, is available for the use of the public for a fee, for purposes of launching into and removal from the Hoquiam River of recreational watercraft and for short-term overnight moorage of recreational watercraft.

(2) The fee to use the Levee Street boat launch for trailered watercraft is five (5) dollars per daily use. The fee shall be paid in advance of using the boat launch.

(3) The fee for moorage of watercraft is fifteen (15) dollars per day. The fee shall be paid in advance of mooring a watercraft.

(4) The following restrictions and conditions apply to the moorage of watercraft at the Levee Street boat launch and moorage facility:

(a) Moorage of watercraft greater than twenty-four (24) feet in length is prohibited;

(b) No watercraft may be moored for longer than fourteen (14) consecutive days during the peak season, which is defined as April 15 through October 30. During other times no watercraft may be moored for longer than thirty (30) consecutive days except by special permit issued by the City Administrator;

(c) Moorage of commercial watercraft, including commercial fishing boats, is prohibited;

(d) The City of Hoquiam is not responsible for damage to or theft of watercraft, equipment or other personal property while moored at the facility;

(d) The parking of motor vehicles and/or watercraft trailers on the grounds of the facility is prohibited;

(5) Any person, firm, company or corporation who violates any provision of this Section, including

the failure to pay a fee when due. shall be subject to a fine of two hundred fifty dollars. plus statutory assessments.

ADOPTED by the Mayor and City Council on _____, 2016.

JASMINE DICKHOFF – MAYOR

ATTEST:

MIKE FOLKERS – FINANCE DIRECTOR

RESOLUTION NO. 2016 – _____

A RESOLUTION of the City Council of the City of Hoquiam, Washington, relating to an amendment of Title 10, pursuant to Section 10.07.140 of the Hoquiam Municipal Code, concerning land use regulations and development standards for marijuana businesses.

WHEREAS, Section 10.05.077 of the Hoquiam Municipal Code provides general development standards for marijuana businesses in the City of Hoquiam; and

WHEREAS, the City Council of the City of Hoquiam perceives that the general development standards for marijuana businesses should be amended to provide a greater separation between residences and marijuana businesses than currently exists in the Hoquiam zoning code; and

WHEREAS, Section 10.07.140 provides that an amendment to the Zoning Code – Title 10 of the Hoquiam Municipal Code – may be initiated by resolution of the City Council requesting the land use hearing examiner to set the matter for hearing, **NOW THEREFORE**,

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HOQUIAM, WASHINGTON, IN REGULAR MEETING DULY ASSEMBLED, AS FOLLOWS:

SECTION 1. The City Council of the City of Hoquiam requests the planning commission to hold an open public hearing, pursuant to Section 10.07.140(3), to consider the amendment of Section 10.05.077 of the Hoquiam Municipal Code, as follows:

10.05.077 Marijuana businesses.

Marijuana processing businesses, marijuana producing businesses and marijuana retailing businesses shall comply with the following provisions:

- (1) All marijuana businesses shall be state-licensed and comply with all of the standards and requirements for state-licensed marijuana businesses and facilities.
- (2) No marijuana business shall be allowed as a home occupation.
- (3) No more than one marijuana business shall be located on a single parcel.
- (4) Marijuana production, processing and retail businesses and facilities shall be located fully within a permanent structure designed to comply with the city building code and constructed under a building permit from the city regardless of the size or configuration of the structure.
- (5) No state-licensed marijuana retail business shall be located within one thousand feet, measured as the shortest straight line distance, from property line to property line, of the perimeter of a parcel which has on it a state-licensed marijuana production or processing business, nor shall a state-licensed marijuana

production or processing business be located within one thousand feet of the perimeter of a parcel which has on it a state-licensed marijuana retail business.

(6) No production, processing or distribution or delivery of marijuana may be visible from the outside of the structure through windows or otherwise.

(7) All fertilizers, chemicals, gases and hazardous materials shall be handled in compliance with all applicable local, state and federal regulations. No fertilizers, chemicals, gases or hazardous materials shall be allowed to enter a sanitary sewer or stormwater sewer system nor be released into the atmosphere outside of the structure where the business is located.

(8) No marijuana business of any kind shall be located within one thousand feet, measured by the shortest straight distance, from property line to property line, of the perimeter of a parcel which has on it a single-family residence.

ADOPTED by the Mayor and City Council on May 23, 2016.

JASMINE DICKHOFF – Mayor

ATTEST:

MIKE FOLKERS – Finance Director