

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5406

AN ORDINANCE authorizing the Hearing Examiner to conduct hearings and make recommendations to the City Council under RCW Chapter 35.72, Contracts for Street Projects (Assessment Reimbursement Contracts).

WHEREAS, RCW Chapter 35.72 authorizes the City Council to contract with the owners of real estate for the construction or improvement of street projects which the owners elect to install as a result of ordinances that require the projects as a prerequisite to further property development;

WHEREAS, such contracts may provide for the partial reimbursement to the owner or the owner's assigns for a period not to exceed fifteen years of a portion of the costs of the project by property owners who are determined to be within the assessment reimbursement area, are determined to have a reimbursement share based upon a benefit to the property owner, did not contribute to the original cost of the street project, subsequently develop their property within the fifteen year period and are not required to install similar street projects because they were already provided for by the contract; and

WHEREAS, RCW Chapter 35.72 provides for notice to such property owners within the proposed assessment area of the formation thereof, and that such owners may request a hearing before the legislative body; and

WHEREAS, the City Council desires to provide that a fact-finding hearing be held by the Hearing Examiner, who will then make a recommendation to the City Council for its consideration and a final determination; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES
ORDAIN AS FOLLOWS:

Section 1. A new section 3.68.255 is hereby added to the Bellevue City Code, to read as follows:

3.68.255 Hearings Under RCW Chapter 35.72, Contracts for Street Projects.

The examiner shall have the authority to and shall conduct public hearings and prepare a record thereof, and enter written findings and conclusions, and make a recommendation to the City Council whenever a property owner requests a hearing under RCW 35.72.040 regarding assessment reimbursement contracts.

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Section 2. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

Passed by the City Council this 5th day of August, 2002, and signed in authentication of its passage this 5th day of August, 2002.

(SEAL)

Connie B. Marshall, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Richard Gidley, Deputy City Attorney

Attest:

Myrna L. Basich, City Clerk

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