

CHAPTER 5.09

LOCAL IMPROVEMENT DISTRICTS

SECTION:

5.09.010: RCW Sections Adopted by Reference

5.09.020: Duties of Various City Officials

5.09.030: Petitions - Notice of Presentment

5.09.040: Warrants - Rate of Interest

5.09.045: Delinquent Installments - Penalties

5.09.050: Foreclosure of Delinquent Assessments

5.09.060: Sidewalks - Notice of Resolution

5.09.010: RCW Sections Adopted by Reference: RCW 35.43, 35.44, 35.48, 35.49, 35.50, 35.53, 35.54, 35.55 and 35.56 as now and as hereafter amended, are hereby adopted by reference. (Ord. 2251 Sec. 2 (part), 1979)

5.09.020: Duties of Various City Officials: Unless otherwise ordered by the City Manager, the following City officials shall perform the duties indicated with respect to the creation, administration and financing of all local improvement districts of the City:

(1) City Clerk. The City Clerk shall be responsible for receiving all petitions for the creation of local improvement districts, giving all required public notices and placing all matters upon the agenda for council consideration.

(2) City Engineer. The City Engineer shall prepare all assessment rolls and preliminary assessment rolls, shall determine the sufficiency of all petitions for the creation of a local improvement district, and shall be in charge of the physical construction of the public works authorized under this chapter.

(3) Treasurer. The Treasurer shall perform all the duties required of the "treasurer" in RCW 35.43 - 35.56, inclusive, and negotiate, obtain, and administer all short-term financing and otherwise administer all the financing provisions of local improvement districts, including but not limited to the maintenance and administration of assessment rolls, the Guarantee Fund, bonds and warrants, and property acquired by foreclosure, and the Treasurer shall superintend foreclosure of all delinquent assessments.

(4) City Manager. The City Manager shall have overall responsibility for local improvements by the City, and in all cases not specifically covered by law, ordinance or resolution, shall determine the proper means of administering such local improvements. (Ord. 3533 Sec. 1 (part), 1994; Ord. 2771 Sec. 1, 1983; Ord. 2270 Sec. 1, 1979; Ord. 2251 Sec. 2 (part) 1979)

5.09.030: Petitions - Notice of Presentment: Whenever a petition for the creation of a local improvement district is filed with the City Clerk, the City Engineer shall, with due diligence, proceed to determine the sufficiency thereof and prepare the preliminary assessment rolls for submission to the City Council, but when the City Engineer determines that the petition is not sufficient, he shall return the same to the petitioners. When he finds that the petition is sufficient and has completed the preparation of the preliminary assessment rolls, he shall forward the same to the City Clerk who shall place it upon the agenda for creation of a local improvement district and give notice thereof in the same manner as required for the local

improvement district initiated by resolution. The notice shall apprise all persons interested that they may appear and express their views concerning creation of the district. (Ord. 2251 Sec. 2 (part), 1979)

5.09.040: Warrants - Rate of Interest: Warrants drawn upon any Local Improvement District Fund and all other short-term financing of local improvement districts shall bear interest at a rate not to exceed twelve percent per year unless otherwise specifically authorized by ordinance. (Ord. 2771 Sec. 2, 1983; Ord. 2251 Sec. 2 (part), 1979)

5.09.045: Delinquent Installments - Penalties: Whenever any annual or other installment upon any local improvement assessment shall become delinquent, each of such delinquent installments remaining unpaid at the date of delinquency, shall have added thereto a penalty equal to the rate of interest provided by ordinance for the bonds or warrants plus five percent, and shall draw interest at the same rate as is provided by ordinance for the bonds or warrants issued in payment or part payment of such local improvement. (Ord. 2748 Sec. 1, 1983)

5.09.050: Foreclosure of Delinquent Assessments: When any local improvement district assessment is payable in installments, upon failure to pay any installment due, the entire assessment shall become immediately due and payable, and the collection thereof shall be enforced by foreclosure. The payment of all delinquent installments, together with interest, penalty and costs, at any time before the entry of judgment in foreclosure shall extend the time of payment of the remainder of the assessments as if there had been no delinquency or foreclosure. (Ord. 2251 Sec. 2 (part), 1979)

5.09.060: Sidewalks - Notice of Resolution: Prior to the passage of any resolution providing for the construction, reconstruction or repair of any sidewalk or related public work as provided in RCW 35.68, 35.69, or 35.70, City Clerk shall give notice of the proposed resolution to abutting property owners by mailing a copy of the same to them within a reasonable time prior to the hearing on the proposed resolution. (Ord. 2482 Sec. 1, 1980)