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**ORDINANCE NO. 3414**

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, ELECTING TO BE PREEMPTED IN ACCORDANCE WITH THE PROVISIONS OF ESSB 6594, ESTABLISHING ADDITIONAL STANDARDS FOR THE SITING OF SECURED COMMUNITY TRANSITION FACILITIES, PROVIDING FOR A PROCESS TO COMMENT TO THE STATE AND TO OPPOSE SITING OF ANY FACILITY WHICH DOES NOT COMPORT WITH THE REQUIREMENTS HEREIN ADOPTED, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

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WHEREAS, ESSB 6594 provides that a county or city which does not adopt development regulations providing for the siting of secured community transition facilities (SCTF's) by September, 2002 shall be preempted from regulating the siting; and

WHEREAS, such legislation provides for a comment and mediation process whereby counties and cities which have been preempted from action may mediate their concerns before a mediator with law enforcement expertise appointed by the Governor; and

WHEREAS, the Edmonds City Council finds that adopting development regulations would provide the City with little or no meaningful regulatory authority and inhibit the City Council and Mayor's appropriate role as an advocate for the interests and safety of City residents; and

WHEREAS, the Edmonds City Council deems it to be in the public interest to provide for general safety precautions and measures which it deems to be necessary and appropriate in addition to specific measures which may be appropriate for a particular site or location, NOW, THEREFORE,

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

Section 1. In accordance with the provisions of ESSB 6594, the Edmonds City Council hereby states its intention and election to be preempted in accordance with the provisions of Section 9 of that Act to be codified in Chapter 71.09 RCW. The City Council finds that the constraints imposed on the City Council when acting as a quasi-judicial hearing body inappropriately limits its role. The City Council therefore elects to become an advocate for the safety and welfare of its citizens, thereby enabling it to utilize the mediation procedures established by ESSB 6594, Section 9.

Section 2. The Mayor, through the Police Chief, is requested to investigate and develop additional safety and development standards for SCTF's, in consultation with area law enforcement professionals such as the Snohomish County Sheriff. Such standards shall be recommended for any site within the City which is selected by the State for development as a SCTF.

Section 3. The Edmonds City Council respectfully requests and directs the Mayor and his staff to monitor any notice of siting of a secure community transition facility within the City. In the event of such notification, the Mayor and staff are respectfully requested to comment on such application, urging the incorporation of the safety standards which will be developed as well as any other safety measures which the specific site and its operating standards shall call for. In the course of comment, the Mayor and staff are requested to consult with the citizens groups and which may represent the affected location including any neighborhood outside of the City but within the City's Urban Growth Area where the SCTF is proposed to be sited, as well as to consult with the Snohomish County Sheriff and other appropriate law

enforcement agencies. If the proposed conditions are not incorporated, the Mayor is authorized and urged to challenge the conditions of siting and to request that the Governor appoint a mediator in accordance with the provisions of ESSB 6594 and Chapter 71.09 RCW.

Section 4. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:

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MAYOR GARY HAAKENSEN

ATTEST/AUTHENTICATED:

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CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY \_\_\_\_\_

FILED WITH THE CITY CLERK: 08/02/2002  
PASSED BY THE CITY COUNCIL: 08/06/2002  
PUBLISHED: 08/11/2002  
EFFECTIVE DATE: 08/16/2002  
ORDINANCE NO. 3414

**SUMMARY OF ORDINANCE NO. 3414**

of the City of Edmonds, Washington

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On the 6<sup>th</sup> day of August, 2002, the City Council of the City of Edmonds, passed Ordinance No. 3414. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, ELECTING TO BE PREEMPTED IN ACCORDANCE WITH THE PROVISIONS OF ESSB 6594, ESTABLISHING ADDITIONAL STANDARDS FOR THE SITING OF SECURED COMMUNITY TRANSITION FACILITIES, PROVIDING FOR A PROCESS TO COMMENT TO THE STATE AND TO OPPOSE SITING OF ANY FACILITY WHICH DOES NOT COMPORT WITH THE REQUIREMENTS HEREIN ADOPTED, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.

DATED this 7<sup>th</sup> day of August, 2002.

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CITY CLERK, SANDRA S. CHASE