

ORDINANCE NO. 3977

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING CHAPTERS 4.20 AND 4.26 OF THE EDMONDS CITY CODE RELATED TO THE PROCESSING OF NOTICES OF PENDING STATE ISSUED LIQUOR AND MARIJUANA LICENSES.

WHEREAS, the city has an adopted process for investigating state-issued liquor and marijuana licenses in chapters 4.20 and 4.26 ECC; and

WHEREAS, in order to efficiently comply with State review timeframes and deadlines, the city council desires that the mayor direct the administrative review process for liquor and marijuana license applications without the involvement of the legislative body;

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

Section 1. Section 4.20.010 of the Edmonds City Code, entitled “Processing of notices of pending liquor licenses,” is hereby amended to read as follows (new text is shown in underline; deleted text is shown in ~~strike-through~~):

4.20.010 Processing of notices of pending liquor licenses.

A. Upon receipt by the mayor of a notice of a pending application before the Liquor Control Board of a liquor license within the city of Edmonds, the mayor shall make such investigations as he deems appropriate, including but not limited to directing an investigation by city employees such as the police department, and at the first available council meeting state his recommendations as to objection or lack of objection against the applicant or the premises for which the license is asked. The city council, sitting in public meeting, shall thereupon vote upon the recommendation of the mayor and instruct the mayor to approve affirmatively or by acquiescence the recommendation of the city council to the Liquor Control Board. fire department, and development services department. Based upon the outcome of the investigation, the mayor shall transmit his approval or disapproval regarding both the applicant and the proposed location per applicable Liquor Control Board standards.

~~B. In the alternative, and in the event the council finds the application objectionable, it shall instruct the mayor to transmit to the Liquor Control Board the objections had by the council against the applicant or against the premises for which the license is asked, and shall include in such instructions the facts upon which such objections are based. In the~~

~~event the council has found objection to the application it shall appoint one of its members so finding to make the oral argument in support of such objections in the event the Liquor Control Board fixes a time for oral argument.~~

~~C. In the event the city council may not have a public hearing scheduled within the 10-day period following the transmittal of the notice from the Liquor Control Board, upon receipt of the notice from the Liquor Control Board the mayor shall immediately request an extension of the 10-day period from the Liquor Control Board to provide time for the council to register its approval or objections.~~

Section 2. Section 4.26.010 of the Edmonds City Code, entitled “Processing of notices of pending marijuana licenses,” is hereby amended to read as follows (new text is shown in underline; deleted text is shown in ~~strike-through~~):

4.26.010 Processing of notices of pending marijuana licenses.

A. Investigation by Mayor. Upon receipt by the city of a notice of a marijuana license application from the Washington State Liquor Control Board to produce, process, or sell marijuana within the city of Edmonds, the mayor shall make such investigation of the applicant and location as he deems appropriate, including but not limited to directing an investigation by city employees such as the police department, fire department, and/or development services department. Based upon the outcome of the investigation, the mayor shall transmit his approval or disapproval regarding both the applicant and the proposed location per applicable Liquor Control Board standards.

~~**B. Notification and Recommendation to City Council.** The mayor shall transmit to the city council a recommendation of approval or objection regarding both the applicant and the proposed location. The recommendation shall be considered at the first available city council meeting following conclusion of the mayor’s investigation, but in no event shall it be considered by the city council later than 19 days after the date of the notice from the Liquor Control Board. The city council, sitting in public meeting, shall thereupon consider and vote upon the recommendation of the mayor.~~

~~**C. Approval/Acquiescence.** In the event the city council finds the application acceptable, it shall instruct the mayor to transmit the city council’s approval to the Liquor Control Board.~~

~~**D. Objection.** In the event the city council finds the application objectionable, it shall instruct the mayor to transmit to the Liquor Control Board the objections had by the council against the applicant or against the premises for which the license is asked, and shall include in such instructions the facts upon which such objections are based.~~

~~**E. Request for Hearing.** In the event the council has found objection to the application it shall also determine whether it would like to request an adjudicative hearing before final action is taken on the license by the Liquor Control Board. If the city council would like a hearing, it shall direct the city attorney to make the oral argument in support of such objections in the event the Liquor Control Board fixes a time for oral argument.~~

~~**F. Request for Extension of Time to Consider Application.** In the event the city council may not have a public hearing scheduled within the 19-day period following the transmittal of the notice from the Liquor Control Board, upon receipt of the notice from the Liquor Control Board the mayor shall immediately request an extension of the 20-day period from the Liquor Control Board to provide time for the council to register its approval or objections.~~

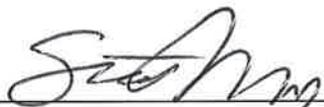
Section 3. Severability. If any section, subsection, clause, sentence, or phrase of this ordinance should be held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 4. Effective Date. This ordinance is subject to referendum and shall take effect thirty (30) days after final passage of this ordinance.

APPROVED:


MAYOR DAVE EARLING

ATTEST/AUTHENTICATED:


CITY CLERK, SCOTT PASSEY

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 
JEFF TARADAY

FILED WITH THE CITY CLERK:	October 3, 2014
PASSED BY THE CITY COUNCIL:	October 7, 2014
PUBLISHED:	October 12, 2014
EFFECTIVE DATE:	November 6, 2014
ORDINANCE NO.	3977

SUMMARY OF ORDINANCE NO. 3977

of the City of Edmonds, Washington

On the 7th day of October, 2014, the City Council of the City of Edmonds, passed Ordinance No. 3977. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS,
WASHINGTON, AMENDING CHAPTERS 4.20 AND
4.26 OF THE EDMONDS CITY CODE RELATED TO
THE PROCESSING OF NOTICES OF PENDING STATE
ISSUED LIQUOR AND MARIJUANA LICENSES.

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

DATED this 8th day of October, 2014.


CITY CLERK, SCOTT PASSEY

RECEIVED

OCT 16 2014

Affidavit of Publication

EDMONDS CITY CLERK

State of Washington }
County of Snohomish } ss

Michael Gates being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of EDH593507 ORDINANCE SUMMARIES as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 10/12/2014 and ending on 10/12/2014 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$61.92.

[Handwritten signature]

Subscribed and sworn before me on this 14 day of October, 2014.

[Handwritten signature: Debra Ann Grigg]

DEBRA ANN GRIGG
Notary Public
State of Washington
My Commission Expires
October 31, 2017

Notary Public in and for the State of Washington.

SUMMARY OF ORDINANCES

of the City of Edmonds, Washington

On the 7th day of October, 2014, the City Council of the City of Edmonds, passed the following Ordinances. A summary of the content of said ordinances, consisting of titles, are provided as follows:

ORDINANCE NO. 3976

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING CHAPTER 4.72 OF THE EDMONDS CITY CODE RELATED TO BUSINESS LICENSE FEES AND PENALTIES

ORDINANCE NO. 3977

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING CHAPTERS 4.20 AND 4.26 OF THE EDMONDS CITY CODE RELATED TO THE PROCESSING OF NOTICES OF PENDING STATE ISSUED LIQUOR AND MARIJUANA LICENSES.

ORDINANCE NO. 3978

AN ORDINANCE REMOVING THE RESIDENCE AT 533 3rd AVENUE SOUTH, EDMONDS, WASHINGTON FROM THE EDMONDS REGISTER OF HISTORIC PLACES, AND DIRECTING THE DEVELOPMENT SERVICES DIRECTOR OR HIS DESIGNEE TO REMOVE THE "HR" DESIGNATION FOR SITE FROM THE OFFICIAL ZONING MAP WITH, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

ORDINANCE NO. 3979

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING ORDINANCE NO. 3973 AS A RESULT OF UNANTICIPATED TRANSFERS AND EXPENDITURES OF VARIOUS FUNDS, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE

The full text of this Ordinance will be mailed upon request.
DATED this 7th day of October, 2014.

CITY CLERK, SCOTT PASSEY

Published: October 12, 2014.

EDH593507

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