



WHEREAS, because I-933's definition of "damaging the use or value" of private property includes no minimum threshold for the reduction of use or value, virtually any limitation on the use of private property creates a cause for a compensation claim for "damages" within the meaning of I-933, regardless of the importance of the public protection achieved by such limitation, and

WHEREAS, by its terms, the provisions of I-933 are to be "liberally construed" (Section 6) and its exceptions "shall be construed narrowly" (Section (2)(c), and

WHEREAS, the exceptions listed in Section (2)(c) do not list nuisance uses that typically would be precluded from residential neighborhoods, and thus I-933 would authorize claims for payment or waiver for city regulations that prohibit a wide variety of obnoxious land uses and activities that would seriously degrade property values of such residential neighborhoods, and

WHEREAS, I-933 would deprive local jurisdictions, including the City of Edmonds, of the ability to adopt and enforce reasonable land use development standards to mitigate traffic impacts, assure appropriate building height and lot coverage maxima, provide for the preservation of open spaces and protection of environmentally sensitive areas; and other general development regulations necessary to promote the public health, safety, and welfare, and

WHEREAS, I-933 erroneously assumes that local jurisdictions have authority to "decide" not to enforce or apply their duly adopted ordinances, regulations and rules, without granting express authority to pay compensation or waive the enforcement or application thereof, and

WHEREAS, the Association of Washington Cities has estimated that the state-wide annual administrative costs alone would be between [\$60] million and [\$76] million, while the state-wide annual cost to cities for paying off claims is estimated to be between [\$3.5] billion and [\$4.5] billion, and

WHEREAS, the impact of I-933 on city taxpayers in Washington is estimated at between [\$2,410] and [\$3,078] per household every year, and

WHEREAS, the cost of processing and paying compensation for the enforcement of reasonable development regulations under I-933 would far exceed the requirements of both the federal and state constitutions and cripple the fiscal ability of the City to provide needed public safety, infrastructure and other public services, and

WHEREAS, prior to adoption of this resolution, the City of Edmonds has given notice of the meeting at which it was considered containing the official Ballot Title of Initiative 933 and has afforded equal opportunity at the meeting for any person to express an opposing view, now, therefore,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON,  
HEREBY RESOLVES AS FOLLOWS:

Section 1. The City of Edmonds opposes adoption of Initiative 933, and urges its rejection by the voters.

RESOLVED this 3rd day of October, 2006.

APPROVED:

---

MAYOR, GARY HAAKENSON

ATTEST/AUTHENTICATED:

---

CITY CLERK, SANDRA S. CHASE

FILED WITH THE CITY CLERK: 09/29/06  
PASSED BY THE CITY COUNCIL: 10/03/06  
RESOLUTION NO. 1131