

ORDINANCE 1563

CITY OF LACEY

AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, RELATED TO ANNEXATION REQUIREMENTS, AMENDING SECTION 3.135 OF THE CITY'S DEVELOPMENT GUIDELINES AND PUBLIC WORKS STANDARDS, AND APPROVING A SUMMARY FOR PUBLICATION.

WHEREAS, proposed changes to the City of Lacey's Development Guidelines and Public Works Standards were reviewed by City staff and the City of Lacey Planning Commission, and

WHEREAS, on December 17th, 2019 the Planning Commission conducted a public hearing regarding the proposed changes; and

WHEREAS, the Planning Commission unanimously approved a motion to forward recommend changes to the City Council; and

WHEREAS, the City Council finds the proposed changes to be in the public interest.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

Section 1. Section 3.135 of the City of Lacey Development Guidelines and Public Works Standards is hereby amended as follows:

3.135 Annexation Requirement

~~Owners of properties lying outside of, but contiguous to City boundaries shall be annexed prior to being served by a City owned utility. Owners of properties lying outside of but not contiguous to the City must legally commit their property to eventual annexation prior to being served by the City's utility system. If an existing residence or business experience a septic or water failure, connection to city utilities would not require annexation proceedings if a power of attorney agreement were executed legally committing their property to eventual annexation.~~

Annexation shall be required as a condition of the City's provision of utilities to properties within the Urban Growth Area. Exceptions to this shall be allowed under the following, provided that a power of attorney agreement has been executed that legally commits the property to eventual annexation:

- Connections that address a documented imminent health or safety consideration including a septic system or water system failure;
- Connections through a City-initiated capital project;

- Connections to those properties that are not contiguous to City boundaries; or
- Connections to existing residential uses, provided any redevelopment or new development shall require annexation.

These annexation requirements will be applied to all extensions of the City's utility to areas outside the City limits. Anyone who desires to extend the City's utility system should contact the Department of Public Works for specific annexation requirements.

Section 2. This Ordinance shall take effect five (5) days after its passage and publication as provided by law.

Section 3. SEVERABILITY. If any section, sentence, clause or phrase of this ordinance should be held to be invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. CORRECTIONS. The City Clerk and the codifiers of this ordinance are authorized to make corrections to this ordinance including, but not limited to, the corrections of scrivener's/clerical errors, references, ordinance numbering, section/subsection number and any references thereto.

Section 5. The Summary Attached is hereby approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, this
January 16, 2020.

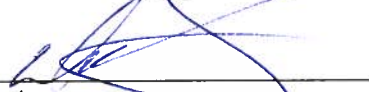
CITY COUNCIL

BY: 
Mayor

Attest:


City Clerk

Approved as to form:


City Attorney

Published: January 20, 2020

SUMMARY FOR PUBLIC ATION
ORDINANCE NO 1563
CITY OF LACEY

The City Council of Lacey, Washington passed on January 16, 2020, Ordinance No. 1563, entitled “AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, RELATED TO ANNEXATION REQUIREMENTS, AMENDING SECTION 3.135 OF THE CITY’S DEVELOPMENT GUIDELINES AND PUBLIC WORKS STANDARDS, AND APPROVING A SUMMARY FOR PUBLICATION.”

The main points of the Ordinance are described as follows:

1. The Ordinance amends Section 3.135 of the Lacey Development Guidelines and Public Works Standards relating to annexation requirements.
2. The Ordinance approves this summary for Publication.

A copy of the full text of this Ordinance will be mailed without charge to any person requesting the same from the City of Lacey.

Published: January 20, 2020

