

ORDINANCE _____

AN ORDINANCE relating to land use and housing; amending Sections 22.206.160, 23.44.014, 23.44.041, 23.84A.006, 23.84A.008, 23.84A.032, 23.90.018 and 23.90.019 of the Seattle Municipal Code to permit detached accessory dwelling units (backyard cottages) in all single-family zones and to make other changes concerning authorization and use of accessory dwelling units.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection C of Section 22.206.160 of the Seattle Municipal Code, which Section was last amended by Ordinance 122728, is amended as follows:

22.206.160 Duties of Owners

* * *

C. Just Cause Eviction

1. Pursuant to provisions of the state Residential Landlord-Tenant Act (RCW 59.18.290), owners may not evict residential tenants without a court order, which can be issued by a court only after the tenant has an opportunity in a show cause hearing to contest the eviction (RCW 59.18.380). In addition, owners of housing units shall not evict or attempt to evict any tenant, or otherwise terminate or attempt to terminate the tenancy of any tenant, unless the owner can prove in court that just cause exists. The reasons for termination of tenancy listed below, and no others, shall constitute just cause under this section:

* * *

o. The owner seeks to discontinue sharing with a tenant the owner's own housing unit, i.e., the unit in which the owner resides, or seeks to terminate the tenancy of a tenant of an accessory dwelling unit authorized pursuant to ((SMC)) Section 23.44.041 that is

1 accessory to the housing unit in which the owner resides (~~(;)~~) or seeks to terminate the tenancy of
2 a tenant in a single-family dwelling unit and the owner resides in an accessory dwelling unit on
3 the same lot. This subsection does not apply if (~~so long as~~) the owner has (~~not~~) received a
4 notice of violation of the development standards of (~~(SMC)~~) Section 23.44.041 (~~(regarding that~~
5 ~~unit)~~). If the owner has received such a notice of violation, subsection C1m of (~~(this section)~~)
6 Section 22.206.160 applies;

7 * * *

8
9 Section 2. Subsection D of Section 23.44.014 of the Seattle Municipal Code, which
10 Section was last amended by Ordinance 123046, is amended as follows:

11 **23.44.014 Yards**

12 * * *

13
14 D. Exceptions from Standard Yard Requirements. No structure shall be placed in a
15 required yard except pursuant to the following:

16 1. Garages. Garages may be located in a required yard subject to the standards of
17 Section 23.44.016.

18 2. Certain Accessory Structures in Side and Rear Yards.

19 a. Except for detached accessory dwelling units, (~~(A)~~)any accessory
20 structure that complies with the requirements of Section 22.44.040 may be constructed in a side
21 yard that abuts the rear or side yard of another lot, or in that portion of the rear yard of a reversed
22 corner lot within (~~(five-)~~)5(~~(+)~~) feet of the key lot and not abutting the front yard of the key lot,
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1 upon recording with the King County Department of Records and Elections an agreement to this
2 effect between the owners of record of the abutting properties.

3 b. Except for detached accessory dwelling units, ((A))any detached
4 accessory structure that complies with the requirements of Section 23.44.040 may be located in a
5 rear yard, provided that on a reversed corner lot, no accessory structure shall be located in that
6 portion of the required rear yard that abuts the required front yard of the adjoining key lot, nor
7 shall the accessory structure be located closer than 5 feet from the key lot's side lot line unless
8 the provisions of subsection 23.44.014.D.2.a or 23.44.016.D.9 apply.

9
10 * * *

11 Section 3. Section 23.44.041 of the Seattle Municipal Code, which Section was last
12 amended by Ordinance 123001, is amended as follows:

13 **23.44.041 Accessory ((d)) Dwelling ((u)) Units((r))**

14
15 A. Accessory dwelling units, general provisions. The Director may authorize an
16 accessory dwelling unit, and that dwelling unit may be used as a residence, only under the
17 following conditions:

18 1. A lot with or proposed for a single-family dwelling may have no more than
19 one ~~((1))~~ accessory dwelling unit.

20
21 2. ~~((One (1) of the dwelling units shall be occupied by one (1) or more owners of~~
22 ~~the property as the owner's(s') permanent and principal residence, and the owner occupant)) The~~
23 owner(s) of the lot shall comply with the owner occupancy requirements of subsection C of
24 Section 23.44.041((, Owner Occupancy)).

3. Any number of related persons may occupy each unit in a single-family dwelling unit with an accessory dwelling unit; provided that, if unrelated persons occupy either unit, the total number of persons occupying both units may not altogether exceed eight ((8)).

4. All accessory dwelling units ((~~must~~)) are required to meet the development standards in Table A ((the following)), unless modified in subsection B of Section 23.44.041:

<u>Table A for 23.44.041</u> <u>Development Standards for All Accessory Dwelling Units</u>	
a. Maximum Gross Floor Area	<u>Attached accessory dwelling units are limited to ((One thousand-))1,000 sq. ft. ((square feet)), including garage and storage area. ¹ Detached accessory dwelling units are limited to 800 sq. ft., including garage and storage area but excluding areas below grade, measured as set forth in Section 23.86.007.</u>
b. Entrances	Only one ((+)) entrance to the structure may be located on each street-facing facade of the dwelling unit. ²
((c. Parking))	((One (1) off street parking space is required, and may be provided as tandem parking with the parking space provided for the principal dwelling unit. ³ An existing required parking space may not be eliminated to accommodate an accessory dwelling unit, unless it is replaced elsewhere on the lot.))

Footnotes:

¹ The gross floor area of an attached accessory dwelling unit may exceed ((one thousand (1,000) square feet)) sq. ft. only if the portion of the structure in which the accessory dwelling unit is located was in existence as of June 1, 1999, and if the entire accessory dwelling unit is located on one ((+))level.

² More than one entrance may be allowed if: a) two ((2)) entrances on the street-facing facade existed on January 1, 1993; or b) the Director determines that topography, screening or another design solution is effective in de-emphasizing the presence of a second entrance.

~~((³ No off street parking space will be required for an accessory dwelling unit if:~~

~~–a. The topography or location of existing principal or accessory structures makes provision of an off street parking space physically infeasible; or~~

~~–b. The site is located in a restricted parking zone (RPZ) and a current parking study is submitted showing a utilization rate of less than seventy five (75) percent for on street parking within four hundred (400) feet of all property lines of the site.~~

~~–c. The provisions in this footnote 3 providing for exceptions to the parking requirement do~~

~~not apply to sites located in either the University District Parking Overlay Area (Exhibit for Chart A, Section 23.54.015, Map A) or the Alki Area Parking Overlay (Exhibit for Chart A, Section 23.54.015, Map B).))~~

5. Except on lots located within areas that are defined as either an urban center or urban village in the City’s Comprehensive Plan, one off-street parking space is required for the accessory dwelling unit and may be provided as tandem parking with the parking space provided for the principal dwelling unit. An existing required parking space may not be eliminated to accommodate an accessory dwelling unit unless it is replaced elsewhere on the lot. Except for lots located in either the University District Parking Overlay Area (Exhibit for Chart A, Section 23.54.015, Map A) or the Alki Area Parking Overlay (Exhibit for Chart A, Section 23.54.015, Map B), the Director may waive the off-street parking space requirement for an accessory dwelling unit if:

- a. The topography or location of existing principal or accessory structures on the lot makes provision of an off-street parking space physically infeasible; or
- b. The lot is located in a restricted parking zone (RPZ) and a current parking study is submitted showing a utilization rate of less than 75 percent for on-street parking within 400 feet of all property lines of the site.

B. Accessory ((D))dwelling ((U))units, detached, additional provisions. A detached accessory dwelling unit is also known as a backyard cottage. The Director may authorize a detached accessory dwelling unit, and that unit may be used as a residence, only under the conditions set forth in subsection A of Section 23.44.041 and the following additional conditions:

1. ~~((Locations allowed. An accessory dwelling unit may be located in a structure separate from a principal single family dwelling unit in single family zones within the area bounded by I-5 to the west, I-90 to the north, Lake Washington to the east, and the Seattle corporate limits to the south.))~~ Detached accessory dwelling units are not permitted on a lot if any portion of the lot is within the Shoreline District established ~~((by))~~ pursuant to Section 23.60.010.

2. ~~((Development standards.))~~ Detached accessory dwelling units ~~((shall))~~ are required to meet the additional development standards set forth in Table B for Section 23.44.041 ~~((following standards and the standards of subsection A, except as modified in this subsection))~~:

<u>Table B for 23.44.041</u> Development Standards for Detached Accessory Dwelling Units ¹	
a. Minimum Lot Size	4,000 ((square feet)) sq. ft.
b. Minimum Lot Width	25 feet
c. Minimum Lot Depth	70 feet ²
d. Maximum Lot Coverage	The provisions of Section 23.44.010 apply.
e. Maximum Rear Yard Coverage	((The provisions of Section 23.44.014D.6.b apply.)) <u>A detached accessory dwelling unit, together with any other accessory structures and other portions of the principal structure, is limited to a maximum combined coverage of 40% of the rear yard.</u>
f. Maximum Gross Floor Area	((20% of the lot size, or)) <u>Eight hundred ((800 square feet, whichever is less,)) sq. ft. including garage ((or)) and storage area but excluding areas below grade, measured as set forth in Section 23.86.007.((³))</u>
g. Front Yard	A detached accessory dwelling unit may not be located within the front yard required by ((S)) subsection 23.44.014.A.
h. Minimum Side Yard	The provisions of ((S)) subsection 23.44.014.C

Table B for 23.44.041
 Development Standards for Detached Accessory Dwelling Units¹

	apply.				
i. Minimum Rear Yard	A detached accessory dwelling unit may be located within a required rear yard (when) if it is not within 5 feet of <u>any</u> (the rear) lot line, unless the (rear) lot line is adjacent to an alley, in which case a detached accessory dwelling unit may be located at <u>that</u> (the rear) lot line. ^{3,4(-5)}				
j. Location of Entry	Entrances to detached accessory dwelling units may not be located on facades facing the nearest side lot line or the rear lot line unless the nearest side lot line or rear lot line abuts an alley or other public right-of-way.				
k. Maximum Height Limits ⁽⁶⁾⁵	<u>The roof peak of the detached accessory dwelling unit may not extend more than 15 feet above the roof peak of the principal dwelling unit and must comply with the height limits set forth in the table below.</u> (Lot Width (feet))				
	<u>Lot Width (feet)</u>				
	Less than 30	<u>30(-) or greater up to 35</u>	<u>36(-) or greater up to 40</u>	41 or greater up to 50	<u>50 or greater</u> ⁶
(1) Maximum Structure Height (feet)	12	14	15	16	<u>16</u>
(2) Maximum Structure Height with Pitched Roof (feet)	15	21	22	22(3)	<u>23</u>
(3) Maximum Structure Height with Shed or Butterfly Roof (feet); see Exhibit A for 23.44.041(B).	15	18	19	20	<u>20</u>
<u>l. Minimum Separation from Principal Structure</u>	<u>5 feet</u>				

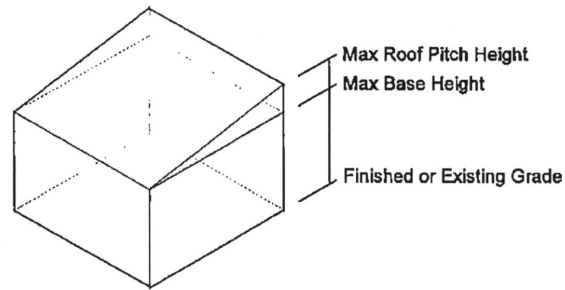
Table B for 23.44.041
Development Standards for Detached Accessory Dwelling Units¹

Footnotes:

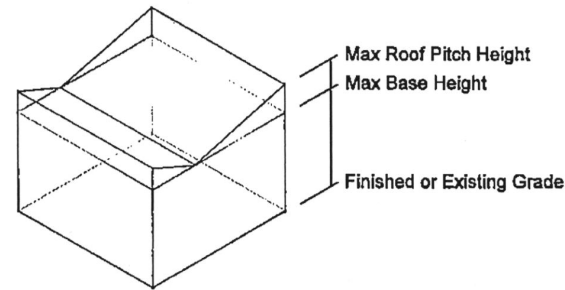
1. ~~((Exceptions to the standards contained in subsections a through j are permitted))~~ The Director may allow an exception to standards a-f, h, i and j pursuant to Section 23.44.041.B.3 ((2)), ((when converting)) for converting existing ((nonconforming)) accessory structures.
2. For lots that do not meet the lot depth requirement, but have a greater width than depth and an area greater than ~~((five thousand (5,000 (square feet))~~ sq. ft., a detached accessory dwelling unit is permitted, provided the detached accessory dwelling unit is not located in a required yard.
3. ~~((Areas below grade are exempt from the calculation of gross floor area.~~
- 4.)~~((When))~~ If the ((rear))lot line is adjacent to an alley and a detached accessory dwelling unit includes a garage with a vehicle entrance that faces the alley, the garage portion of the structure may not be located within ((twelve (12 ((9))) feet of the centerline of the alley.
- 4~~((5.))~~ On a reversed corner lot, no detached accessory dwelling unit shall be located in that portion of the required rear yard that abuts the required front yard of the adjoining key lot.
- 5~~((6.))~~ Features such as chimneys, antennas, and flagpoles may extend up to ((four (4 ((3))) feet above the maximum allowed height. The additional height for sloped lots permitted by Section 23.44.012.B does not apply.
6. Detached accessory dwelling units may also be built to the maximum height limits listed in this column if both of the following conditions are met: a) the detached accessory dwelling unit is located on a lot with a rear lot line that is adjacent to an alley; and b) the width of the lot is 40 feet or greater.

1 Exhibit A for 23.44.041 ((B)): Explanation of Terms for Shed and Butterfly Roofs for
2 Detached Accessory Dwelling Units.

3 Shed Roof Example



9 Butterfly Roof Example



15 3. Conversion of accessory structures. An existing accessory structure that is not
16 located in a required front yard may be converted into a detached accessory dwelling unit if ((:
17 a.)) the ((accessory)) structure complies with the minimum standards set
18 forth in Sections 22.206.010 through 22.206.140 of the Housing and Building Maintenance Code
19 and with the Seattle Residential Code, if work requiring a permit thereunder is performed on the
20 structure or has previously been performed without a permit ((, SMC chapter 22.206; and)). The
21 Director may allow an exception to one or more of the
22 ((b. nonconformity with the)) development standards for accessory
23 dwelling units contained in ((S))subsections 23.((9))44.041.A.4 and standards a-f, h, i and j listed

1 in Table B for 23.044.041, ~~(B.1)2~~, is not increased; and) provided the conversion does not
2 increase the structure's nonconformity with the standard and

3 ~~((e))~~ the applicant can demonstrate that the accessory structure was
4 constructed prior to June 1, 1999, as an accessory structure.

5 C. Owner ~~((Θ))~~ occupancy.

6 1. Requirement. An owner with at least a 50 percent interest in ~~((ϕ))~~ the property
7 must occupy either the principal dwelling unit or the accessory dwelling unit for ~~((more than))~~
8 six ~~((6))~~ or more months of each calendar year as the owner's permanent residence. The
9 Director may waive this requirement for up to three years if a letter is submitted that provides
10 evidence to the Director showing good cause why the requirement for owner occupancy should
11 be waived. Good cause may include job dislocation, sabbatical leave, education, or illness.

12 2. Violation. If an owner is unable or unwilling to fulfill the ~~((there is a violation~~
13 ~~of the))~~ requirements of subsection 23.44.041.C.1, the owner shall remove those features of the
14 accessory dwelling unit that make it a dwelling unit. Failure to do so will constitute a violation
15 of this Title and the owner will

16 ~~((a. Re-occupy the structure; or~~
17
18 ~~b. Remove the accessory dwelling unit; or~~
19
20 ~~e. Submit evidence to the Director showing good cause why the~~
21 ~~requirement for owner occupancy should be waived. Good cause may include job dislocation,~~
22 ~~sabbatical leave, education, or illness. Upon such showing the Director may waive the~~
23 ~~requirement for up to three (3) years; and~~
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1 ~~d. B)~~ be subject to ((the)) penalties ((provided in)) pursuant to Sections
2 23.90.018, 23.90.019 and 23.90.020.

3 3. ~~((Deed Restriction))~~. Covenant recording. Prior to issuance of a permit
4 establishing an accessory dwelling unit, the owner(s) shall sign under oath((;)) and ((the
5 Department of Planning and Development shall)) record in the King County Office of Records
6 and Elections((;)) a ((n agreement by the owner(s)) covenant ((that is binding on subsequent)) by
7 the owner(s) to the City of Seattle stating that the owner(s) ((in a form prescribed by the
8 Director,)) agree ((agreeing)) to((; a.)) restrict use of the principal and accessory dwelling units
9 in compliance ((Comply)) with the requirements of this subsection 23.44.041.C((;)) and
10

11 ~~((b. N))~~ notify all prospective purchasers of ((the)) those requirements ((of
12 this subsection C)).

13 The covenant shall run with the land and be binding upon the property owner, his/her heirs and
14 assigns, and upon any parties subsequently acquiring any right, title or interest in the property.

15 The covenant shall be in a form prescribed by the Director that includes the legal description of
16 the principal use lot. The property owner(s) shall return the original covenant with recording
17 stamp to the Department of Planning and Development before the building permit for the
18 accessory dwelling unit is issued.

19 4. Covenant release. At the request of a property owner and after an inspection
20 finding that an accessory dwelling unit has been removed from the owner's property, the
21 Department of Planning and Development shall record a release of any previously recorded
22 covenant for that accessory dwelling unit.
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1 D. Single-family ~~((S))~~status ~~((U))~~unaffected. A single-family lot with an accessory
2 dwelling unit shall be considered a single-family residence for purposes of rezone criteria
3 (Section 23.34.011).

4 E. Reporting. DPD shall report annually to the ~~((Urban Development and))~~Planning,
5 Land Use and Neighborhoods Committee or its successor committee on city-wide ~~((detached and~~
6 ~~attached))~~ accessory dwelling unit permit activity ~~((in the geographic area described in Section~~
7 ~~23.44.041.B.1)).~~ This annual report~~((ing))~~ shall encompass all ~~((include the number of))~~
8 attached and detached accessory dwelling unit ~~((applications))~~permits issued and all permits
9 finald since the previous annual report~~((,))~~ and shall include ~~((the following information:-))~~the
10 number of permits~~((s))~~~~((applications,-))~~~~((issued and))~~ issued and the number of permits finald,
11 ~~((since the previous annual report, and))~~ a map that shows the location and dispersion of ~~((the))~~
12 both types of accessory dwelling units ~~((that were the subject of all permit applications since the~~
13 ~~previous report, indicating which have been denied, which have been issued, which have been~~
14 ~~finald,))~~ and ~~((whether any))~~ the number of parking waivers ~~((were))~~ granted~~((for parking, and~~
15 ~~which are still in the application stage)).~~ For each detached accessory dwelling unit permit
16 issued, the report shall state the height, gross floor area, total square footage of the lot where the
17 detached accessory dwelling unit is located, and total lot coverage of all structures on the lot, and
18 whether any garage space is incorporated into the detached accessory dwelling unit. For each
19 permit finald, the report shall include a photograph of the detached accessory dwelling unit.
20 The report shall be delivered to the Council by no later than January 31 of the following calendar
21 year.

1 Section 4. A new subsection “Cottage, backyard” is added to Section 23.84A.006 “C” of
2 the Seattle Municipal Code, which was last amended by Ordinance 123046, as follows:

3 **23.84A.006 “C” – Definitions**

4 * * *

5 “Cottage, backyard.” See “detached accessory dwelling unit” under the definition of
6 “Residential use” in Section 23.84A.032.

7 * * *

8
9 Section 5. Section 23.84A.008 “D” of the Seattle Municipal Code, which Section was last
10 amended by Ordinance 122311, is amended as follows:

11 **23.84A.008 “D” – Definitions**

12 * * *

13
14 "Dwelling unit, detached accessory." Also known as a backyard cottage. See “detached
15 accessory dwelling unit” under the definition of “Residential use” in Section 23.84A.032.

16 * * *

17 Section 6. Section 23.84A.032 “R” of the Seattle Municipal Code, which Section was last
18 amended by Ordinance 122935, is amended as follows:

19 **23.84A.032 “R” – Definitions**

20 * * *

21
22 "Residential use" means any one ((+))or more of the following:

23 * * *

1 7. "Detached accessory dwelling unit" means an additional room or set of rooms located
2 within an accessory structure on the same lot as an owner-occupied single-family dwelling unit,
3 meeting the standards of Section 23.44.041, and designed, arranged, occupied or intended to be
4 occupied by not more than one ~~((4))~~ household as living accommodations independent from
5 any other household. A detached accessory dwelling unit is also known as a backyard cottage.

6 * * *

7
8 13. "Single-family dwelling unit" means a detached structure having a permanent
9 foundation, containing only one ~~((4))~~ dwelling unit, except that the structure may also contain
10 an accessory dwelling unit where expressly authorized pursuant to this title. A detached
11 accessory dwelling unit, also known as a backyard cottage, is not considered a single-family
12 dwelling unit for purposes of this chapter.

13 * * *

14
15 Section 7. Section 23.90.018 of the Seattle Municipal Code, which was last amended by
16 Ordinance 122901, is amended as follows:

17 **23.90.018 Civil ~~((e))~~Enforcement ~~((p))~~Proceedings and ~~((p))~~Penalties~~((r))~~**

18 A. In addition to any other remedy authorized by law or equity, any person violating
19 or failing to comply with any of the provisions of Title 23 shall be subject to a cumulative
20 penalty of up to \$150~~((00))~~ per day for each violation from the date the violation begins for the
21 first ten ~~((10))~~ days of noncompliance; and up to \$500 per day for each violation for each day
22 beyond ten days of noncompliance until compliance is achieved, except as provided in
23 subsection 23.90.018.B ~~((of this section))~~. In cases where the Director has issued a notice of
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25

1 violation, the violation will be deemed to begin for purposes of determining the number of days
2 of violation on the date compliance is required by the notice of violation. In addition to the per
3 diem penalty, a violation compliance inspection charge equal to the base fee set by Section
4 22.900B.010 shall be charged for the third inspection and all subsequent inspections until
5 compliance is achieved. The compliance inspection charges shall be deposited in the General
6 Fund.

7
8 B. Specific Violations.

9 1. Violations of Section 23.71.018 are subject to the penalty in the amount
10 specified in Section 23.71.018.H.

11 2. Violations of Section 23.44.041((€)) are subject to a civil penalty of \$5,000 ,
12 as provided in Section 23.90.019, which shall be in addition to any penalty imposed under
13 subsection A of Section 23.90.018((this section)).
14

15 * * *

16 Section 8. Subsection A of Section 23.90.019 of the Seattle Municipal Code, which
17 Section was last amended by Ordinance 122407, is amended as follows:

18 **23.90.019 Civil ((p))Penalty for ((u))Unauthorized ((d))Dwelling ((u))Units in ((s))Single-**
19 **((f))Family Zones ((structures and for unauthorized detached accessory dwelling units.))**

20
21 ((A-)) In addition to any other sanction or remedial procedure that may be available, the
22 following penalty ((ies)) applies ((y)) to unauthorized dwelling units in single-family zones in
23 violation of Section 23.44.006 ((any owner of a single family dwelling unit with one (1) or more
24 unauthorized dwelling unit(s) in the single family dwelling unit or in a detached accessory
25

1 ~~structure~~). An ~~((y))~~ owner of a single-family zoned lot that has more than one single-family
2 dwelling unit ~~((who is issued a notice of violation for an unauthorized dwelling unit that is not a~~
3 ~~legal nonconforming use,))~~ is subject to a civil penalty of ~~((Five Thousand Dollars-))~~ \$5,000
4 ~~((y))~~ for each additional dwelling unit, unless the additional unit is an authorized dwelling unit in
5 compliance with Section 23.44.041, is a legal non-conforming use, or is approved as part of an
6 administrative conditional use permit pursuant to Section 25.09.260. Penalties for violation of
7 Sections 23.44.006 and 23.44.041 for an unauthorized detached accessory dwelling unit existing
8 on January 1, 2009 will be waived if the owner occupancy requirement of Section 23.44.041.C
9 has been met since January 1, 2010, an application for a building permit authorizing the detached
10 accessory dwelling unit is filed with the Department of Planning and Development by June 30,
11 2010, and final inspection approval for the permit authorizing the detached accessory dwelling
12 unit is obtained by December 31, 2010. ~~((This penalty shall be reduced to One Hundred Dollars~~
13 ~~(\$100) if, prior to the compliance date stated on the notice, the owner removes all unauthorized~~
14 ~~dwelling units. Any owner of a single family dwelling unit who voluntarily applies to legalize an~~
15 ~~accessory dwelling unit prior to issuance of a notice of violation for an unauthorized dwelling~~
16 ~~unit, and obtains final inspection approval for the unit within one (1) year of issuance of permit,~~
17 ~~shall not be subject to a civil penalty.))~~

21 ~~((B. After discovery of the existence of one (1) or more unauthorized dwelling unit(s) in~~
22 ~~a single family dwelling unit or the existence of an unauthorized detached dwelling unit in a~~
23 ~~detached accessory structure, the Director may issue a notice of violation in the manner set forth~~
24 ~~in Section 23.90.006, which notice shall impose the civil penalty and notify the owner of the date~~
25

1 ~~by which action to remove or legally establish the unauthorized unit(s) must be completed to~~
2 ~~avoid additional penalty. Failure to complete the required action by the date stated shall be a~~
3 ~~further violation of Title 23, subjecting the owner to an additional penalty of up to Five Hundred~~
4 ~~Dollars (\$500.00) per day for each violation from the date the violation begins until compliance~~
5 ~~is achieved. In cases where the Director has issued a notice of violation, the violation will be~~
6 ~~deemed to begin for purposes of determining the number of days of violation on the date~~
7 ~~compliance is required by the notice of violation. Such penalties shall be collected in the manner~~
8 ~~provided in Section 23.90.018.))~~

10 Section 9. Severability. The provisions of this ordinance are declared to be separate and
11 severable. The invalidity of any clause, sentence, paragraph, sub-division, section or portion of
12 this ordinance, or the invalidity of the application thereof to any person or circumstance shall not
13 affect the validity of the remainder of this ordinance, or the validity of its application to other
14 persons or circumstances.

16 Section 10. This ordinance shall take effect and be in force thirty (30) days from and
17 after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10)
18 days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

20 Passed by the City Council the ____ day of _____, 2009,
21 and signed by me in open session in authentication of its passage this
22 ____ day of _____, 2009.

24 _____
25 President _____ of the City Council

1 Approved by me this ____ day of _____, 2009.

2
3 _____
4 Gregory J. Nickels, Mayor

5 Filed by me this ____ day of _____, 2009.

6
7 _____
8 City Clerk

9 (Seal)

10 t