ORDINANCE NO. 2908

AN ORDINANCE of the City of Kent, Washington, relating to the Environmental Review and Community Impact Mitigation permit, and amending Section 4.19.050 of the Kent City Code, and adding Section 15.09.095 to the Kent City Code.

WHEREAS, the Kent City Council adopted Ordinance Nos. 2718 and 2745 to adequately assess and recover unusual costs of processing permit applications, reviewing cleanup plans and analyzing community/environmental impacts relating to solid waste and hazardous waste disposal sites and the siting of solid waste energy resource/recovery facilities in the City of Kent through an integrated and comprehensive permit system; and

WHEREAS, the Kent City Council has determined that a single, annual permit system in lieu of multiple permit applications will expedite environmental cleanup and siting review, facilitating federal, state, and local coordination of cleanups and facility siting; and

WHEREAS, Ordinance Nos. 2718 and 2745 provide for an annual permit to consolidate existing substantive and procedural requirements of the City to undertake such activities; and

WHEREAS, it is the desire of the Kent City Council that the requirements of Ordinance 2718 and 2745 complement and not conflict with any applicable preemptive federal or state laws and regulations; and

WHEREAS, the Kent City Council desires to clarify its intent concerning the application of Chapter 4.19 KCC and Chapter 15.09 KCC; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The City Council finds that the requirements of KCC Chapter 4.19 apply only to the extent that cleanup
activities at hazardous waste or solid waste sites otherwise require permits or authorizations from the City of Kent.

Section 2. KCC 4.19.030 is amended as follows:

4.19.030. PERMIT REQUIRED. No person shall undertake any remedial cleanup of a solid waste or hazardous waste site or undertake siting or construction of a solid waste energy resource and recovery or incineration facility without first being issued a permit from the Public Works Department under this Chapter. Such permit incorporates for purposes of this Chapter all other permit and fee requirements, except compliance with the State Environmental Policy Act, RCW Chapter 43.21C, the City of Kent’s Environmental Policy Requirements as contained in Kent City Code Chapter 12.12A and K.C.C. Chapter 4.14 relating to public improvements. (0.2718 §10) The requirements of this chapter apply only to the extent that City permits or authorizations are required by law. If no permit or authorization from the City is sought or required by law, the provisions of this section and chapter do not apply. In the event that no additional permits or clearances are required by law from the City beyond a first issuing year, then the requirements of this section and chapter shall terminate. Should an application thereafter be made from the City as required by law for covered activities at such sites, computation of an annual permit fee shall be determined upon the provisions of KCC 4.19.060B.

Section 3. Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication as provided by law.

DAN KELLEHER, MAYOR
ATTEST:

[Signature]

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

[Signature]

SANDRA DRISCOLL, CITY ATTORNEY

PASSED the 6 day of March, 1989.
APPROVED the 7 day of __________, 1989.
PUBLISHED the 9 day of __________, 1989.

I hereby certify that this is a true copy of Ordinance No. 2908, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

[Signature] (SEAL)

MARIE JENSEN, CITY CLERK

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