Ordinance No. 3192

["Beginning July 1, 1998"]

(Amending or Repealing Ordinances)

Amended by Ord. 3471
Readopting, re-enacting, ratifying & confirming rates & fees by Ord. 3534
ORDINANCE NO. 3192

AN ORDINANCE of the City Council of the City of Kent, Washington, amending Chapter 6.07 relating to street use permits and the moving of buildings or structures across, along or upon a public place within the City.

WHEREAS, Chapter 6.07 relating to street use permits requires a street use permit to move a building or structure across or along a public place within the City of Kent; and

WHEREAS, in the past, such structures have been moved into or within the City with no final destination established thereby resulting in those buildings or structures being stored on property without permanent footings or foundations; and

WHEREAS, the storage of buildings or structures without permanent footings or foundations has resulted in dangerous buildings and fire hazards; and

WHEREAS, the Council desires to alleviate the problem of storage of buildings and structures without permanent footings or foundations and the resulting dangerous and hazardous conditions they create by amending Chapter 6.07 to require building permits for siting said building or structure prior to issuance of street use permits; NOW, THEREFORE,
THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Kent City Code Chapter 6.07 entitled "Street Use Permits" is hereby amended by amending Section 6.07.040 to read as follows:

Sec. 6.07.040. Permit application.

To obtain a permit, the person shall file an application on a form furnished by the city for that purpose. Every application shall, where applicable:

1. Identify the property by legal description and address for which a building, grading or fill permit is being sought or an accurate description of the public place or portion thereof desired to be used.

2. Provide the use desired to be made of such public place by the applicant.

3. Provide the plans and specifications for any utility or structure desired to be constructed, erected or maintained by the applicant in or on a public place.

4. Identify routes to be utilized to and from the property.

5. Identify the owner of the property being developed.

6. Identify the contractor and subcontractor responsible for the development work.

7. Include the state contractor's number of such
contractor or subcontractor.

8. Include the city business license number of such contractor or subcontractor.

9. Be signed by the owner or the agent of the firm who will be actually responsible for the development work.

10. Include a copy of any building permit as required in Section 6.07.050(C) below for any building or structure to be moved across, along or upon any public place, pursuant to a permit issued herein, and sited within the City of Kent.

SECTION 2. Kent City Code Chapter 6.07 is further amended by amending Section 6.07.050 to read as follows:

Sec. 6.07.050. Processing of applications.

A. The director shall examine each application submitted to determine if it complies with the provisions of this chapter. In order to ascertain any facts which may aid in determining whether a permit shall be granted, the director may inspect the premises which are desired to be used under the permit.

B. If the director finds that the application presented to him or her for approval conforms to the requirements of this chapter, and also that the proposed use of such public place will not unduly interfere with the rights of the public or unduly interfere or compete with adjacent uses on public or private property or otherwise constitute a threat to the health, safety and welfare of the public, then he or she may approve such application.
C. Prior to application and issuance of a street use permit for any building or structure to be moved across, along or upon any public place within the City of Kent and sited within the City, the applicant shall first obtain a building permit for the siting of said building or structure.

SECTION 3. **Severability.** If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional 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. **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.

[Signature]

JIM WHITE, MAYOR
APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED 4th day of OCTOBER, 1994.
APPROVED 5th day of OCTOBER, 1994.
PUBLISHED 7th day of OCTOBER, 1994.

I hereby certify that this is a true copy of Ordinance No. 3192, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOBER, CITY CLERK (DEPUTY)

(DONNA SWAW)