

CITY OF MONROE
ORDINANCE NO. 022/2020

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON, EXTENDING FOR AN ADDITIONAL SIX MONTH PERIOD INTERIM ZONING REGULATIONS ORIGINALLY ADOPTED UNDER ORDINANCE NO. 005/2020; AMENDING CHAPTER 22.90 MMC, TEMPORARY ENCAMPMENTS TO UPDATE THE CITY'S PROVISIONS REGULATING TEMPORARY HOMELESS ENCAMPMENTS IN ORDER TO REFLECT CURRENT STATE LAW; ADOPTING FINDINGS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, like many communities, Monroe has recently experienced a dramatic increase in the number of homeless persons residing in and near the City; and

WHEREAS, the City of Monroe regulates temporary homeless encampments through the provisions codified at Chapter 22.90 MMC; and

WHEREAS, the City has received inquiries regarding the potential establishment of temporary homeless encampments; and

WHEREAS, the City Council desires to immediately amend Chapter 22.90 MMC, in order to update and clarify the City's existing regulations prior to the submittal of any application for a temporary homeless encampment; and

WHEREAS, on June 9, 2020, the Monroe City Council passed Ordinance No. 005/2020, which adopted interim zoning regulations pursuant to RCW 36.70A.390, RCW 36.70A.302, and RCW 35A.63.220; and

WHEREAS, Ordinance No. 005/2020 adopted interim amendments to Chapter 22.90 MMC, Temporary Encampments; updated the City's provisions regulating temporary homeless encampments to reflect current state law; set forth preliminary supportive findings; provided for severability; declared a public emergency; and established an immediate effective date; and

WHEREAS, a City Council public hearing on the extension of the interim regulations, originally adopted under Ordinance No. 005/2020, was held on November 10, 2020; and

WHEREAS, the interim development regulations adopted by Ordinance No. 005/2020 was to automatically sunset six (6) months from the effective date of that ordinance unless terminated earlier or extended by subsequent Council action; and

WHEREAS, an extension of the interim regulations amending the City's provisions regulating temporary homeless encampments in order to reflect current state law is necessary to establish interim provisions to regulate temporary homeless encampments within the City that are in compliance with state law.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. Adoption of Findings. The recitals set forth in Ordinance No. 005/2020, and as also set forth in the recitals above, as well as information contained in Agenda Bill No. 20-189, associated with this ordinance, are hereby adopted as the City Council's findings in support of the interim development regulations extension provided by this Ordinance.

Section 2. Interim Regulations Extended. The interim development regulations amending Chapter 22.90 MMC, Temporary Encampments, to update the city's provisions regulating temporary homeless encampments in order to reflect current state law, as originally adopted under Ordinance No. 005/2020, are hereby extended for an additional six month period to commence concurrently with the scheduled expiration of the term of Ordinance No. 005/2020. The six month effective period of said extension shall begin December 9, 2020.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by State or federal law or regulation, such decision or pre-emption shall not affect the validity or enforceability of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This ordinance shall be in full force and effect five (5) days from and after its passage and approval and publication, as required by law; provided that the six-month extension of the interim zoning established by Ordinance No. 005/2020 shall commence on December 9, 2020, concurrently with the scheduled expiration of the term of Ordinance No. 005/2020, and shall sunset automatically six (6) months from December 9, 2020, unless terminated earlier or extended by subsequent council action.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this 10th day of November, 2020.

First Reading: 11/10/2020
Adoption: 11/10/2020
Published: 11/17/2020
Effective: 11/22/2020

CITY OF MONROE, WASHINGTON:



Geoffrey Thomas, Mayor

ATTEST:

APPROVED AS TO FORM:



Becky Hasart, Interim City Clerk



Zach Lell (Nov 17, 2020 11:44 PST)

J. Zachary Lell, City Attorney