AN ORDINANCE OF THE CITY OF MAPLE VALLEY, WASHINGTON, AMENDING SECTION 14.30.010 OF THE MAPLE VALLEY MUNICIPAL CODE ENTITLED “AUTHORITY TO ADOPT INTERIM SURFACE WATER MANAGEMENT CODE,” ESTABLISHING AND EFFECTIVE DATE AND PROVIDING FOR SEVERABILITY AND CORRECTIONS.

WHEREAS, the 2009 King County Surface Water Design Manual (KCSDM) was adopted by the City Council pursuant to section 14.30.010 of the Maple Valley Municipal Code entitled “Authority to adopt Interim Surface Water Management Code;” and

WHEREAS, under current National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit, the City of Maple Valley is required to adopt a stormwater design manual, which is equivalent to the 2012 Stormwater Management Manual for Western Washington; and

WHEREAS, the 2016 KCSDM is determined to be equivalent to the 2012 Stormwater Management Manual for Western Washington; and

WHEREAS, the 2016 KCSDM contains the development codes and standards to make stormwater low impact development (LID) Best Management Practices (BMPs) the preferred and commonly-used approach to site developments; and

WHEREAS, the adoption of 2016 KCSDM will comply with the current NPDES Municipal Stormwater Permit; and

WHEREAS, the adoption of 2016 KCSDM will replace the 2009 KCSDM; and

WHEREAS, section 14.30.010 of the Maple Valley Municipal Code entitled “Authority to adopt Interim Surface Water Management Code” must be amended to reflect the adoption of the 2016 KCSDM and replacement of the 2009 KCSDM;

WHEREAS, the 2016 KCSDM and its regulations must be adopted by December 31, 2016; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings of Fact. The “Whereas” clauses above shall constitute findings of fact in support of the need to adopt the municipal code amendments hereafter set forth and incorporated herein.
Section 2. Code Amendment. Section 14.30.010 of the Maple Valley Municipal Code entitled “Authority to adopt Interim Surface Water Management Code” is hereby amended to read as follows: (new text shown in underline; deleted text shown in strikethrough):

14.30.010 Authority to adopt Interim Surface Water Management Code.

Pursuant to RCW 35.21.180, 35A.11.020 and 35A.21.160, the City adopts by reference KCC Title 9, Surface Water Management, attached to the ordinance codified in this section as Exhibit “A” and by this reference fully incorporated herein, as presently constituted or hereinafter amended, as the Interim Surface Water Management Code; except that the rate structure for surface water management fees is adopted pursuant to Chapter 13.05 MVMC and no action by King County shall be effective to amend the rate structure established by the City of Maple Valley. The City of Maple Valley adopts the 2009 2016 King County Surface Water Design Manual. A copy of KCC Title 9 as currently written has been filed with the City Clerk and identified with Clerk’s Receiving No. 1404. (Ord. O-09-397 § 1; Ord. O-07-339 § 1; Ord. O-01-173 § 1; Ord. O-97-36 § 1).

Section 3. Effective Date. A summary of this ordinance shall be published in the official newspaper of the City. The ordinance shall take effect and be in full force five days after adoption and publication.

Section 4. Severability. If any section, sentence, or phrase of this ordinance should be declared 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, or phrase of this ordinance.

Section 5. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

ADOPTED BY THE CITY COUNCIL AT A REGULAR BUSINESS MEETING THEREOF ON THIS 28th DAY OF NOVEMBER, 2016.

____________________________________
Sean P. Kelly, Mayor
ATTEST:

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Shaunna Lee-Rice, City Clerk

APPROVED AS TO FORM:

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Patricia Taraday, City Attorney

Date of Publication: January 3, 2017
Effective Date: January 8, 2017