

**RESOLUTION NO. 1228**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, ESTABLISHING FEES FOR STREET USE PERMITS.

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WHEREAS, ECDC 18.70.050 establishes that application fees and the compensation to be paid to the public for the use of public right of way shall be established by resolution and that such resolutions are adopted in the sole legislative discretion of the City Council of the City of Edmonds, and,

WHEREAS, the City Council finds that the business development impact of outdoor cafes and bistros, artwork and other temporary exclusive commercial uses of this public right of way generally enhances the urban environment and provides for an active street scape and street life in accordance with the City's Comprehensive Plan policies, and

WHEREAS, however, the City Council finds that the temporary exclusive commercial use of the public right of way should result in appropriate compensation to the public for such use, now, therefore,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Pursuant to the authorization of ECDC 18.70.050, the following fees are established for compensation to be paid for the temporary exclusive commercial use of public rights of way.

1. The following Street Use Permit fees are hereby established for the temporary exclusive commercial use of public rights of way:

A. A "right of way use fee" in the sum of \$0.50 per square foot per month and an amount of 12.84% leasehold excise tax on the

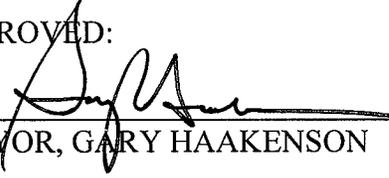
total monthly amount shall be paid to the City. Right of way use fees shall be paid monthly on or before the first day of each month. Failure to remit the use fee by the 15th day of each month may result in the revocation of the Street Use Permit pursuant to ECDC 18.07.040 A(2)b.

B. A \$30.00 annual administrative renewal fee shall be paid to the City. Failure to remit the annual renewal fee by January 15<sup>th</sup> of each respective year may result in the revocation of the Street Use Permit pursuant to ECDC 18.07.040 A(2)b.

2. Such fees shall be effective for all applications and annual permit renewals processed after the effective date of this resolution. The resolution shall be effective immediately upon passage.

RESOLVED this 20th day of April, 2010.

APPROVED:

  
MAYOR, GARY HAAKENSON

ATTEST/AUTHENTICATED:

  
CITY CLERK, SANDRA S. CHASE

FILED WITH THE CITY CLERK: 04-16-2010  
PASSED BY THE CITY COUNCIL: 04-20-2010  
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