

ORDINANCE 892

AN ORDINANCE RELATING TO THE REVOCATION, SUSPENSION OR MODIFICATION OF CONDITIONAL OR SPECIAL USE PERMITS PREVIOUSLY GRANTED FOR CONTINUING NON-COMPLIANCE AND ADDING A NEW SECTION, 16.87.080 TO THE LACEY MUNICIPAL CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

Section 1. There is hereby added to the Lacey Municipal Code a new Section, 16.87.080 to read as follows:

"If the enforcing officer determines that there has been continuing non-compliance with the conditions of a conditional use or special use permit previously granted by the city council, such officer shall schedule a public hearing before the city's land use hearings examiner for purpose of hearing and making recommendation to the city council regarding the revocation, suspension or modification of such conditional use or special use permit. Refusal by the enforcing officer to so schedule a hearing shall be deemed to be an administrative decision, subject to appeal by an aggrieved party pursuant to the provisions of this code. The procedures to be followed in providing for the public hearing, notice thereof, recommendation by the hearings examiner to the city council and action by the city council shall be the same as that action directed to be taken upon application for such a conditional or special use permit pursuant to the terms of this chapter.

The city council, after receipt of recommendation from the hearings examiner as provided in this chapter, may revoke, suspend or modify a conditional use or special use permit previously granted for those uses listed herein when it determines there has been continuing non-compliance with the conditions of such permit or other regulations governing such use. The options for decision before the city council and the final nature of such decision shall be the same as action on an original application pursuant to Section 16.87.070 of this chapter.

Section 2. The summary of this ordinance, which is attached hereto, is approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, this 23<sup>rd</sup> day of August, 1990.

CITY COUNCIL

BY Kay M. Boyd  
Mayor

Attest:

Charlotta M. Taylor  
City Clerk

Approved as to form:

[Signature]  
City Attorney

SUMMARY FOR PUBLICATION  
ORDINANCE 892

CITY OF LACEY

The City of Council of the City of Lacey, Washington, passed on July 26, 1990, Ordinance No. 887 entitled "AN ORDINANCE RELATING TO THE REVOCATION, SUSPENSION OR MODIFICATION OF CONDITIONAL OR SPECIAL USE PERMITS PREVIOUSLY GRANTED FOR CONTINUING NON-COMPLIANCE AND ADDING A NEW SECTION, 16.87.080 TO THE LACEY MUNICIPAL CODE."

A section by section summary of this ordinance is as follows:

Section 1 adds a new Section 16.87.080 to the Lacey Municipal Code. This new Section provides that if there is continuing non-compliance with the conditions of a conditional use or special use permit which has been granted for land use, that permit can be revoked, suspended or modified. Procedural safeguards by the way of public hearing, recommendation by the hearings examiner and final action by the city council are detailed.

Section 2 approves this summary.

A copy of the full text of this ordinance will be mailed without charge to any person requesting the same from the City of Lacey.

Published: August 26, 1990.