

**ORDINANCE NO. 93  
CITY OF LIBERTY LAKE  
SPOKANE COUNTY, WASHINGTON**

**A ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON ESTABLISHING  
A MORATORIUM ON THE FILING OF APPLICATIONS FOR DEVELOPMENT  
PERMITS OR LAND USE APPROVALS ASSOCIATED WITH UNDERGROUND  
STORAGE TANKS WITHIN THE CITY OF LIBERTY LAKE AND DECLARING AN  
EMERGENCY.**

WHEREAS, the City of Liberty Lake is a duly incorporated non-charter code city operating pursuant to RCW Title 35A:

WHEREAS, the City Council believes that it is in the best interest of the City of Liberty Lake to plan in a comprehensive manner and adopt reasonable development standards and criteria for environmentally sensitive areas;

WHEREAS, if the City were to begin public consideration of permanent regulations for underground storage tanks without first adopting a moratorium, the efforts could be frustrated by the submission of applications for certain land uses which would render the proposed regulations moot;

WHEREAS, RCW 35A.63.220 authorizes the City Council to adopt a moratorium as a valid zoning control on the filing of applications for development permits and approvals, including, but not limited to underground storage tanks;

WHEREAS, pursuant to WAC 197-11-880 the adoption of this ordinance is exempt from the requirements of a threshold determination under the State Environmental Policy Act; and

WHEREAS, the City Council finds protection of the public health, safety and welfare supports establishment of a moratorium on applications for underground storage tanks and approvals for associated property development within the corporate limits of the City of Liberty Lake.

NOW, THEREFORE, the City Council of the City of Liberty Lake do ordain as follows:

Section 1. Underground Storage Tanks. A moratorium is imposed upon the filing with City of Liberty Lake of any and all applications for licenses, permits and approvals for underground storage tanks as that term is used in Spokane County Zoning Code and RCW 70.148.010.

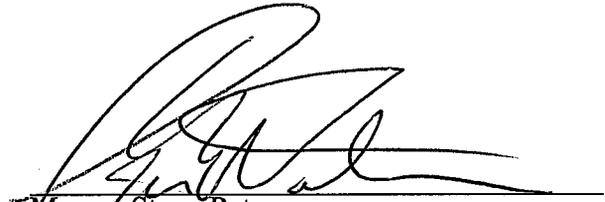
Section 2. Term of Moratorium. The moratorium shall be effective immediately upon passage of this Ordinance and shall continue in effect for a period of ninety (90) days.

Section 3. Public Hearing. A public hearing on the moratorium established by this ordinance shall be held before the City Council within sixty (60) days of adoption of this ordinance. Notice shall be published in the City's official newspaper at least 10 days prior to hearing date. Notice shall also be posted as set forth in City Resolution No. 01-005.

Section 4. Effective Date. This ordinance is declared to be a public emergency ordinance necessary to immediately protect the public health, safety and public property within the City and is therefore immediately effective upon adoption by the Council through a majority vote plus one. Publication in the City's legal newspaper shall follow adoption.

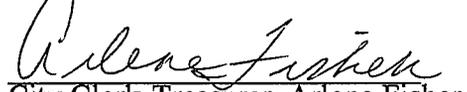
Section 5. Severability. If any section, sentence, clause or phrase of this resolution shall be held to be invalid or unconstitutional by a court of confident jurisdiction, such invalidity or unconstitutionality shall not effect the validity or unconstitutionality of any other section, sentence, clause or phrase of this resolution.

Adopted this 2nd day of July, 2002.



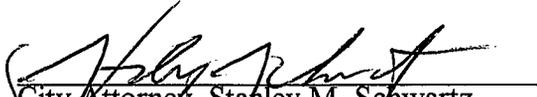
\_\_\_\_\_  
Mayor, Steve Peterson

Attest:



\_\_\_\_\_  
City Clerk-Treasurer, Arlene Fisher

Approved as to Form:



\_\_\_\_\_  
City Attorney, Stanley M. Schwartz