

**ORDINANCE NO. 162-16**

**AN ORDINANCE OF WAHKIAKUM COUNTY ESTABLISHING A SYSTEM OF ASSESSMENT FOR FLOOD CONTROL ZONE DISTRICTS 1, 2, 3, AND 4**

**WHEREAS**, RCW 85.38.160 requires that a system of assessment be established for Wahkiakum Flood Control Zone Districts; and

**WHEREAS**, Wahkiakum County Flood Control Zone Districts No. 1, 2, 3, and 4 (hereafter, "Districts," and separately as "District 1," "District 2," "District 3," and "District 4") have developed a need of assessments in order to protect the District from dangerous erosion from similar sources that make a unified solution the best possible practice in this situation; and

**WHEREAS**, the County Engineer has developed a proposed system of assessment that is calculated to raise sufficient funds for the proposed solution through assessments collected by the Districts; and

**WHEREAS**, notice of a public hearing regarding the proposed system of assessment was published pursuant to RCW 85.38.160(2); and

**WHEREAS**, notice of the said public hearing was sent to every reputed owner of real property within the Flood Control Zone District pursuant to RCW 85.38.160(2); and

**WHEREAS**, on Friday, August 26, 2016, a public hearing on the system of assessment was held pursuant to RCW 85.38.160(3); and

**WHEREAS**, the Board of Commissioners of Wahkiakum County has given due consideration to the system of assessment for the District; and

**WHEREAS**, it is deemed necessary and advisable that the system of assessment be finalized;

**NOW THEREFORE, BE IT HEREBY ORDAINED AS FOLLOWS:**

**I. FLOOD CONTROL ZONE DISTRICT NO. 1**

1. The following system of assessment for District 1 is in accordance with RCW chapter 85.38 and other applicable laws of the State of Washington, and is hereby adopted:
2. There shall be one assessment zone in District 1, to be designated Zone 1. The total number of acres within Zone 1 is 29.41.
  - a. Acreege Assessment: The assessment per acre of land within Zone 1 shall be set by the governing board of District 1, but in no event more than 45 dollars (\$45.00) per acre.

- b. Improvement Assessment: The assessment per thousand dollars of assessed valuation of improvements within Zone 1 shall be set by the governing board of District 1, but in no event more than 80¢ (\$0.8) per thousand dollars of assessed valuation.
3. District 1 shall adopt an annual budget and special assessments based upon application of this system of assessments in order to finance its adopted budget. District 1 shall forward a copy of its resolution approving the budget, the budget and special assessments sufficient to finance the budget to the Board of County Commissioners and to the County Treasurer in accordance with RCW 85.38.170.
4. As provided by RCW 85.38.170, the special assessments shall be collected by the County Treasurer. Notice of the special assessments due may be included in the notice of property taxes due, may be included on a separate notice that is mailed with the notice of property taxes due, or may be sent separately from the notice of property taxes due. Special assessments shall be due at the same time property taxes are due and shall constitute liens on the land or improvements upon which they are imposed. Delinquent special assessments shall be foreclosed in the same manner, and subject to the same time schedules, interest and penalties as delinquent property taxes. The County Treasurer may impose a fee for collection of special assessments not to exceed one percent of the dollar value of the special assessments collected.

## II. FLOOD CONTROL ZONE DISTRICT NO. 2

1. The following system of assessment for District 2 is in accordance with RCW chapter 85.38 and other applicable laws of the State of Washington, and is hereby adopted:
2. There shall be one assessment zone in District 2, to be designated Zone 1. The total number of acres within Zone 1 is 38.8.
  - a. Acreage Assessment: The assessment per acre of land within Zone 1 shall be set by the governing board of District 2, but in no event more than 45 dollars (\$45.00) per acre.
  - b. Improvement Assessment: The assessment per thousand dollars of assessed valuation of improvements within Zone 1 shall be set by the governing board of District 2, but in no event more than 80¢ (\$0.8) per thousand dollars of assessed valuation.
3. District 2 shall adopt an annual budget and special assessments based upon application of this system of assessments in order to finance its adopted budget. District 2 shall forward a copy of its resolution approving the budget, the budget and special assessments sufficient to finance the budget to the Board of County Commissioners and to the County Treasurer in accordance with RCW 85.38.170.
4. As provided by RCW 85.38.170, the special assessments shall be collected by the County Treasurer. Notice of the special assessments due may be included in the notice of property taxes due, may be included on a separate notice that is mailed with the notice of property taxes due, or may be sent separately from the notice of property taxes due.

Special assessments shall be due at the same time property taxes are due and shall constitute liens on the land or improvements upon which they are imposed. Delinquent special assessments shall be foreclosed in the same manner, and subject to the same time schedules, interest and penalties as delinquent property taxes. The County Treasurer may impose a fee for collection of special assessments not to exceed one percent of the dollar value of the special assessments collected.

### **III. FLOOD CONTROL ZONE DISTRICT NO. 3**

1. The following system of assessment for District 3 is in accordance with RCW chapter 85.38 and other applicable laws of the State of Washington, and is hereby adopted:
2. There shall be one assessment zone in District 3, to be designated Zone 1. The total number of acres within Zone 1 is 21.09.
  - a. Acreage Assessment: The assessment per acre of land within Zone 1 shall be set by the governing board of District 3, but in no event more than 45 dollars (\$45.00) per acre.
  - b. Improvement Assessment: The assessment per thousand dollars of assessed valuation of improvements within Zone 1 shall be set by the governing board of District 3, but in no event more than 80¢ (\$0.8) per thousand dollars of assessed valuation.
3. District 3 shall adopt an annual budget and special assessments based upon application of this system of assessments in order to finance its adopted budget. District 3 shall forward a copy of its resolution approving the budget, the budget and special assessments sufficient to finance the budget to the Board of County Commissioners and to the County Treasurer in accordance with RCW 85.38.170.
4. As provided by RCW 85.38.170, the special assessments shall be collected by the County Treasurer. Notice of the special assessments due may be included in the notice of property taxes due, may be included on a separate notice that is mailed with the notice of property taxes due, or may be sent separately from the notice of property taxes due. Special assessments shall be due at the same time property taxes are due and shall constitute liens on the land or improvements upon which they are imposed. Delinquent special assessments shall be foreclosed in the same manner, and subject to the same time schedules, interest and penalties as delinquent property taxes. The County Treasurer may impose a fee for collection of special assessments not to exceed one percent of the dollar value of the special assessments collected.

### **IV. FLOOD CONTROL ZONE DISTRICT NO. 4**

1. The following system of assessment for District 4 is in accordance with RCW chapter 85.38 and other applicable laws of the State of Washington, and is hereby adopted:
2. There shall be one assessment zone in District 4, to be designated Zone 1. The total number of acres within Zone 1 is 30.13.

- a. Acreege Assessment: The assessment per acre of land within Zone 1 shall be set by the governing board of District 4, but in no event more than 45 dollars (\$45.00) per acre.
  - b. Improvement Assessment: The assessment per thousand dollars of assessed valuation of improvements within Zone 1 shall be set by the governing board of District 4, but in no event more than 80¢ (\$0.8) per thousand dollars of assessed valuation.
3. District 4 shall adopt an annual budget and special assessments based upon application of this system of assessments in order to finance its adopted budget. District 4 shall forward a copy of its resolution approving the budget, the budget and special assessments sufficient to finance the budget to the Board of County Commissioners and to the County Treasurer in accordance with RCW 85.38.170.
4. As provided by RCW 85.38.170, the special assessments shall be collected by the County Treasurer. Notice of the special assessments due may be included in the notice of property taxes due, may be included on a separate notice that is mailed with the notice of property taxes due, or may be sent separately from the notice of property taxes due. Special assessments shall be due at the same time property taxes are due and shall constitute liens on the land or improvements upon which they are imposed. Delinquent special assessments shall be foreclosed in the same manner, and subject to the same time schedules, interest and penalties as delinquent property taxes. The County Treasurer may impose a fee for collection of special assessments not to exceed one percent of the dollar value of the special assessments collected.

## V. EFFECT

This Ordinance shall take effect immediately upon passage.

DULY PASSED AND ADOPTED this <sup>th</sup> 26 day of August, 2016.

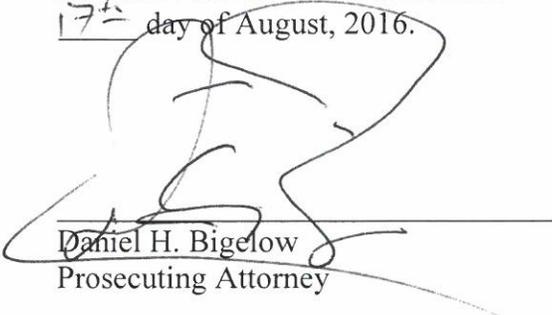
### BOARD OF COUNTY COMMISSIONERS OF WAHKIAKUM COUNTY, WASHINGTON

#### ATTEST:

  
Elizabeth Johnson  
Clerk of the Board

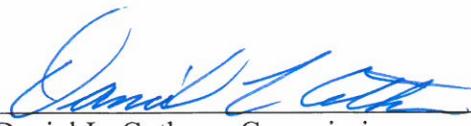
Approved by phone  
Blair H. Brady, Chairman

**APPROVED AS TO FORM** this  
17<sup>th</sup> day of August, 2016.



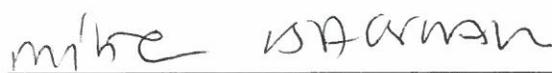
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Daniel H. Bigelow  
Prosecuting Attorney



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Daniel L. Cothren, Commissioner



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Mike Backman, Commissioner