

CITY OF BLACK DIAMOND, WASHINGTON

ORDINANCE NO. 06- 813

**AN ORDINANCE OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON ADDING A NEW SECTION 18.56.070 TO THE BLACK DIAMOND MUNICIPAL CODE AND AMENDING ORDINANCE NO. 06-811 REGARDING PLACEMENT OF DESIGNATED MANUFACTURED HOMES ON SINGLE FAMILY LOTS**

WHEREAS, RCW 35A.21.312, effective July 1, 2005, preempts the City from prohibiting certain manufactured homes from being located on single-family lots; and

WHEREAS, RCW 35A.21.312 does permit the City to adopt certain standards governing such manufactured homes; and

WHEREAS, Ordinance No. 06-811 placed a moratorium, effective until October 5, 2006, on the landing of mobile homes and manufactured homes; and

WHEREAS, the City Council desires to amend Ordinance No. 06-811 to allow placement of certain manufactured homes in accordance with RCW 35A.21.312; now, therefore

THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. Black Diamond Municipal Code Chapter 18.56 is hereby amended by the addition of a new section 18.56.070 to read as follows:

**18.56.070 Placement of New Manufactured Homes**

Notwithstanding any other provision of this chapter, a manufactured home built to 42 U.S.C. Sec. 5401-5403 standards (as amended in 2000), that meets all requirements for a designated manufactured home as defined in RCW 35.63.160, as amended, shall be permitted on individual lots in zoning districts to the same extent and manner, and subject to the same conditions, as site-built single family structures, provided that:

a. The manufactured home is a new manufactured home as defined in RCW 35.63.160, as amended;

b. the manufactured home complies with all local design standards applicable to all other homes within the neighborhood in which the manufactured home is to be located; and

c. the manufactured home is thermally equivalent to the state energy code.

This section does not override any legally recorded covenants or deed restrictions of record and does not affect the authority granted under Chapter 43.22 RCW.

Section 2. Ordinance No. 06-811 is hereby amended to exclude from the moratorium the placement of new manufactured homes pursuant to BDMC18.56.070.

Section 3. If any provision of this Ordinance, or Ordinance modified by it is determined to be invalid or unenforceable for any reason, the remaining provisions of this Ordinance and Ordinance modified by it shall remain in force and effect.

Section 4. This Ordinance shall be in full force and effect five (5) days after publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

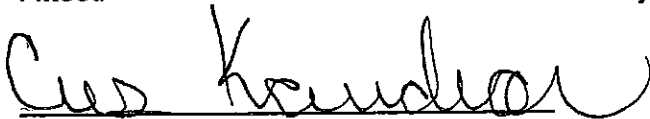
Introduced the 15<sup>TH</sup> day of June, 2006.

Passed by the City Council on the 15<sup>TH</sup> day of June, 2006.



Mayor Howard Botts

Attest:



Cris Kandior, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Loren D. Combs, City Attorney

Published: \_\_\_\_\_

Posted: June 16, 2006

Effective Date: \_\_\_\_\_