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ORDINANCE NO. 70

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, ESTABLISHING REGULATIONS PERTAINING TO THE CONVERSION OF APARTMENTS TO CONDOMINIUMS, BY REQUIRING THAT THE DECLARANTS OF SUCH CONVERSIONS SECURE CITY INSPECTIONS OF BUILDINGS PROPOSED FOR CONVERSION, REPAIR ANY VIOLATIONS DISCLOSED BY THE INSPECTION, AND WARRANT SAID REPAIRS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Woodinville City Council is aware that when apartment buildings within the City convert to condominiums, such conversion presents a hardship for tenants residing in the apartments proposed for conversion, and

WHEREAS, RCW Chapter 64.34, Condominium Act as amended by Chapter 166, Laws of Washington, 1990, allows cities to impose certain requirements with respect to any conversion condominium within the jurisdiction of such cities, and

WHEREAS, the Woodinville City Council finds it would be in the public's best interest to impose these requirements in the case of any conversion condominium within the City of Woodinville, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. There is hereby added to the Woodinville Municipal Code a new Chapter entitled "Conversion Condominiums," to read as follows:

Conversion Condominium Requirements Created.

This ordinance establishes requirements pertaining to the conversion of apartments to condominiums as set forth in RCW 64.34, The Condominium Act. Unless otherwise specified, all terms used herein shall have the same meaning as defined in RCW 64.34, as now exists or as may hereafter be amended.

Written Inspection Report.

- A. The public offering statement of a conversion condominium shall contain, in addition to the information required by RCW 64.34.410 and 64.34.415, a copy of the written inspection report prepared by the City's Building Official, which report shall list any violations of the Uniform Code, as adopted by the City in Woodinville City Ordinance No. _____ or other applicable governmental regulation related to life/safety matters. Costs of the inspection shall be borne by declarant.
- B. Said inspection shall be made within forty-five (45) days of the declarant's written request for the inspection and said report shall be issued within fourteen (14) days of said inspection being made.
- C. The Building Official may require a report from a qualified inspection service in lieu of the inspection required above.

Repair of Violations.

- A. Prior to the conveyance of any residential unit within a conversion condominium, other than a conveyance to a declarant or affiliate of a declarant:
 - 1. All violations disclosed in the inspection report, not otherwise waived by the City, shall be repaired with valid building permits, and

2. A letter of certification shall be obtained from the City stating that such repairs have been made. This certification shall be based on a reinspection to be made within seven (7) days of the declarant's written request for the reinspection, and shall be issued within seven (7) days of the reinspection being made. Costs of the reinspection shall be borne by declarant at the rates set forth by the City.

B. Certification by the City shall state that only those defects discovered by the residential inspection have been corrected and that the certification does not guarantee that all relevant code violations have been corrected. No declarant shall use the City's certification in any advertising, nor shall a declarant indicate or imply to anyone, for the purpose of inducing a person to purchase a condominium unit, that the City has "approved" the premises or any unit for sale.

Warranty of Repairs.

A. The repairs required to be made under this section shall be warranted by the declarant against defects due to workmanship or materials for a period of one (1) year following the completion of such repairs.

B. Prior to the conveyance of any residential unit within a conversion condominium, other than a conveyance to a declarant or affiliate of a declarant:

1. The declarant shall establish and maintain, during the one-year warranty period, an account containing a sum equal to ten (10) percent of the actual cost of making the repairs.

2. During the one-year warranty period, the funds in such account shall be used exclusively for paying the

actual cost of making repairs required, or for otherwise satisfying claims made, under such warranty.

3. Following the expiration of the one-year warranty period, any funds remaining in such account shall be disbursed to the declarant.
4. The declarant shall notify in writing the property association and the City as to the location of such account and any disbursements from it.

Violations.

- A. Any person violating the provisions of this ordinance shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished as set forth in Woodinville City Ordinance No. 16.
- B. Such violations shall not invalidate the creation of the condominium or the conveyance of any interest therein.
- C. The provisions of this ordinance are not intended to and shall not be deemed to create any duty on the part of the City to enforce the provisions of this ordinance for any particular individual, but are enacted for the general welfare of all residents of the City.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official

newspaper of the City, and shall take effect and be in full force five (5) days after publication.

PASSED by the City Council of the City of Woodinville this 13th day of SEPTEMBER, 1993.

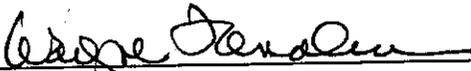
APPROVED:


MAYOR, LUCY DEYOUNG

ATTEST/AUTHENTICATED:


CITY CLERK, JAMES KATICA

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 

FILED WITH THE CITY CLERK: 9/14/93
PASSED BY THE CITY COUNCIL: 9/13/93
PUBLISHED: 9/20/93
EFFECTIVE DATE: 9/25/93
ORDINANCE NO. 70