Adoption of Amendments to the
East Wenatchee Municipal Code

WHEREAS, Douglas County has adopted a Comprehensive Plan pursuant to the Growth Management Act (GMA), RCW Chapter 36.70A, which covers all unincorporated areas within Douglas County, through a series of planning area Comprehensive Plans which were found to be consistent with each other and with the adopted GMA plans of adjoining jurisdictions; and

WHEREAS, Douglas County and the City of East Wenatchee have agreed to plan jointly within the unincorporated area of the East Wenatchee Urban Growth Boundary consistent with the GMA and Douglas County Regional Policy Plan; and

WHEREAS, on July 9, 2013 the City of East Wenatchee passed Ordinance 2013-04, adopting amendments to the East Wenatchee Municipal Code;

WHEREAS, the Douglas County Planning Commission transmitted a recommendation to this Board regarding the adoption of amendments of the East Wenatchee Municipal Code effective on unincorporated lands of the County inside the East Wenatchee Urban Growth Boundary; and

WHEREAS, notice of all public hearings and public meetings on this matter have been published according to law; and

NOW, THEREFORE, the Board of County Commissioners hereby accepts the Findings of Fact and Conclusions adopted by the Douglas County Planning Commission, entering those findings into the record as their own as set forth in Exhibit A and incorporating them in this ordinance by this reference as though fully set forth herein.

BE IT FURTHER, hereby resolved and ordained that the recommendation of the Douglas County Planning Commission is accepted and the amendments to the East Wenatchee Municipal Code attached as Exhibit B are adopted, effective immediately.

Dated this 1st day of October 2013 in Waterville, Washington.
EXHIBIT A

Findings of Fact:

1. Proposed text amendments to several sections of the East Wenatchee Municipal Code (EWMC) in Title 17 – the Zoning Code to update provisions related to home occupations. Douglas County has adopted city codes for application within the unincorporated areas located inside the urban growth area (UGA) boundary. Any amendments adopted by the city are subsequently adopted by Douglas County.

2. The proposed text amendments would be effective within the residential zoning districts within the city of East Wenatchee and the unincorporated portions of Douglas County within the East Wenatchee urban growth area.

3. The City of East Wenatchee has adopted a comprehensive plan pursuant to the Growth Management Act (GMA), RCW Chapter 36.70A, which is a generalized, coordinated land use policy statement of the City. Goals and policies in the plan generally support the proposed amendment.

4. An Environmental Checklist was prepared on September 20, 2012. A threshold determination and environmental review pursuant to RCW 43.21C the State Environmental Policy Act was completed and a Determination of Non-significance was issued on September 20, 2012 with a comment period that ended on October 8, 2012. No comments were received indicating that the proposed project would have a probable significant adverse impact on the environment.

5. In accordance with RCW 36.70A.106 the draft amendments were transmitted to the Washington State Department of Commerce (Commerce) and other state agencies for review on May 3, 2012. Expedited Review for a comment period that coincided with the SEPA DNS comment period was requested.

6. Chapters 35A.63 and 36.70A RCW authorize the adoption of development regulations governing land use activities.


8. City staff presented the draft amendments to the Douglas County Planning Commission at their March 13, 2013 public meeting.

9. The City hereby finds that this development regulation amendment is consistent with the spirit and intent of the GMA.

10. Public testimony was taken at the hearing.

11. Douglas County has adopted a Comprehensive Plan pursuant to the Growth Management Act (GMA), RCW Chapter 36.70A, which covers all unincorporated areas within Douglas County, through a series of planning area Comprehensive Plans there were found to be consistent with each other and with the adopted GMA plans of the adjoining jurisdictions.

12. The Douglas County Planning Commission is responsible for long range planning matters and providing implementation recommendations to assure

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compliance with the growth management act for unincorporated areas of Douglas County. These measures include updates and amendments to the comprehensive plan, development regulations, environmental regulations, and any other rules, actions or regulations deemed necessary to implement the Growth Management Act.

13. The Notice of Public hearing before the Planning Commission was published on August 29, 2013.

14. The Douglas County Planning Commission conducted an advertised public hearing on September 11, 2013. The Planning Commission entered into the record the files on this amendment, accepted public testimony, and deliberated the merits of the proposal.

15. The Douglas County Planning Commission has reviewed the entire record including the goals and policies of the comprehensive plan and public testimony as it relates to the development regulations adopted by the City of East Wenatchee.

16. The Douglas County Planning Commission finds that the amendments are consistent with the Greater East Wenatchee Area Comprehensive Plan and Growth Management Act, RCW 36.70A.

CONCLUSIONS

1. It is the determination of the responsible official for the lead agency that no more than a moderate effect on the environment is a reasonable probability as a result of the proposed action. The proper exercise of the threshold determination process as required by WAC 197-11 is than an environmental impact statement is not required to be prepared for this project.

2. The proposed text amendment is consistent with and implements the goals and policies in the comprehensive plan.

3. Proper legal requirements of RCW 36.70A.106 and Title 19 EWMC were met and the community was given the opportunity to comment on the proposal at duly noticed public hearing.

4. Approval of the proposal will not be detrimental to the public health, safety, and general welfare.
EXHIBIT B

17.08.320 Home occupation.
"Home occupation" means a lawful business, occupation, enterprise, or profession or activity carried on entirely conducted within a residential structure, including the dwelling or an attached or detached accessory structure, by a member of the family person residing within the dwelling plus no more than one nonresident individual. The home occupation must be clearly incidental and secondary to the use of the structure and premises for residential purposes, residence as a clearly secondary use involving the occupant(s) thereof and conducted in such a manner as to not manifest any outward appearance or characteristic of a business in the ordinary meaning of the term. Professional offices and transacting wholesale-retail establishments are not home occupations for the purpose of this title.

17.08.512 Personal service.
"Personal service" means services to human beings including, but not limited to, beauty salons, barber shops, tanning salons, tailoring, shoe repairing, specialty boutiques, day spas, and similar services.

17.08.524A Professional offices.
"Professional offices" means offices maintained and used as places of business conducted by persons engaged in health services for human beings, such as doctors and dentists, and by engineers, attorneys, realtors, architects, accountants, clerical, and other recognized general office and medical occupations.

17.24.030 Accessory uses.
Subject to the dimensional standards set forth in EWMC 17.24.050, the following uses shall be accessory uses in the R-L district:
A. Attached or detached accessory buildings and structures clearly incidental to the residential use of the lot, such as the storage of personal property, including private garages;
B. Family day care home as defined in EWMC 17.08.155(B);
C. Not more than a total of eight cars, trucks, or recreational vehicles per dwelling may be parked outside of a building on any lot. Said vehicles shall be parked to the rear of the front yard setback line, except when parked in the driveway. For purposes of this section, "recreational vehicles" shall mean any travel trailers, truck campers, tent trailers, motor homes, snowmobiles, boats or jet skis, utility trailers for hauling materials or recreational vehicles, and similar equipment;
D. Fences as provided for in EWMC 17.72.160;
E. Covered Patios.
1. A freestanding covered patio must meet the standards of this title. If the cover over the patio is attached to a dwelling or within six feet of the dwelling it is to be considered as part of that dwelling for the purposes of determining the setback for the dwelling;

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2. Height limit: 10 feet for a detached structure with a flat roof; provided, however, that a fireplace flue may extend beyond the maximum height limit to a height of not over 13 feet; in all other cases the roof height shall not exceed the provisions of EWMC 17.24.050(D);

3. Area limit: Must not exceed the provisions of EWMC 17.24.050(E);

F. Swimming Pools.

1. All pools must be located behind the front yard setback line and maintain at least a five-foot setback from all side and rear property lines;

2. All pools and the yard or area around them must be enclosed by a fence/barrier of not less than 48 inches in height meeting the requirements established in the Uniform Building Code for Barriers for Swimming Pools, Spas and Hot Tubs, as the same now exists or may be amended as adopted in Chapter 15.04 EWMC and the following general provisions:
   a. Such fence/barrier shall be constructed and maintained as to prevent, within reason, any person from gaining access beneath, over, or through said fence/barrier;
   b. Gates or doors to the pool area shall be of the same height as the fence/barrier and substantial in construction;
   c. All gates or doors shall be equipped with self-closing mechanisms and devices for locking, and shall be kept locked at all times the pool is unguarded, unattended or not in use;

G. Large satellite dish, amateur radio tower, or attached wireless communication facility subject to the provisions of Chapter 17.70 EWMC, as the same now exists or may hereafter be amended;

H. Accessory dwelling units pursuant to the provisions of EWMC 17.72.190, as the same now exists or may hereafter be amended;

I. The keeping and raising of livestock and poultry, as specified in EWMC 17.72.200; provided, that no commercial structure shall be constructed or maintained on the premises;

J. Home occupations with no outside employees, as specified in Chapter 17.66 EWMC.

17.24.040 Conditional uses.
The following uses shall be conditional uses in the R-L district under conditions set forth in Chapter 17.64 EWMC:

A. Public schools and private schools;

B. Public parks and playgrounds;

C. Churches;

D. Municipal buildings;

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E. Public facilities and utilities;
F. Home occupations with outside employees;
G. Neighborhood centers;
H. Child day care centers – Group 1 facilities only as defined in EWMC 17.08.155(A)(1);
I. Bed and breakfast facilities.

17.28.040 Conditional uses.
The following uses shall be conditional uses in the R-M district under conditions set forth in Chapter 17.64 EWMC:

A. Home occupations with outside employees;
B. Churches;
C. Hospitals;
D. Schools and studios for group instruction;
E. Child day care centers – Group 1 facility only as defined in EWMC 17.08.155(A)(1);
F. Municipal buildings;
G. Public facilities and utilities;
H. Bed and breakfast or boardinghouse;
I. Neighborhood centers;
J. Public schools and private schools;
K. Public parks and playgrounds;
L. Manufactured home parks.

17.32.020 Permitted uses.
The following uses shall be permitted uses in the R-H district:
A. Any permitted uses allowed in the R-L district with the exception of agricultural uses;
B. Apartments, assisted living facilities, and other multifamily dwelling units up to 24 dwelling units per acre;
C. Boardinghouses, lodging houses and housekeeping rooms;
D. General or professional offices; provided, all of the following criteria are satisfied:
1. The term "general or professional offices" for this section includes a building or separately defined space (which may include more than one building) occupied by doctors, dentists, accountants, bookkeepers, insurance agents, realtors, attorneys,
optometrists, architects, professional engineers and surveyors, or any group or
combination with a professional or personal service-oriented business, excluding any
service to domestic or farm animals, commercial laundries, funeral services or other
services where the use of hazardous chemicals, equipment, or process which creates
noise, vibration, glare, smoke, dust, fumes, odors, heat or electrical interference with
any radio or television receivers. In case of a dispute the Hearing Examiner
Administrator shall determine whether or not the proposed use is a professional or
personal service-oriented business.

1-2. The use of an office does not include retail sales or manufacture of goods unless
incidental and subordinate to the primary use of the property for the professional or
service business, provided such operation or use does not exceed 30 percent of the
floor area of the primary structure, or 3,000 square feet in area, whichever is less;

2-3. The lot has frontage on an primary or secondary arterial or collector street as
shown on the comprehensive plan and uses such frontage as its primary access;

3-4. Off-street parking is provided in compliance with the provisions of EWMC
17.72.010, as the same exists now or may hereafter be amended;

4-5. Screening shall be provided on any property line abutting a residential land use
consisting of a continuous fence supplemented with landscape planting or a continuous
wall, evergreen hedge or combination thereof which effectively screens the area which
it encloses. All required screening shall be constructed to the maximum heights
allowable for fences;

5-6. Business hours are limited to between 7:00 a.m. and 10:00 p.m. daily.
E. Mobile/manufactured home parks meeting the standards of EWMC 17.64.130,
including all future amendments.

17.32.040 Conditional uses.
The following uses shall be conditional uses in the R-H district under conditions set
forth in Chapter 17.64 EWMC:

A. Home occupations with outside employees;
B. A. Public schools and private schools;
C. B. Churches;
D. C. Clinics (not otherwise qualifying under EWMC 17.32.020(D)), hospitals and
sanitariums;
E. Schools and studies for group instruction;
F. D. Child day care centers (Groups 1 and 2);
G. E. Public facilities and utilities;
H. F. Bed and breakfast facilities;

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I.G. Neighborhood centers;
J.H. Public parks and playgrounds;
K.I. Off-street parking facilities as a primary use may be permitted in the R-H district on zoning lots physically contiguous to any commercial district. Such parking uses shall be screened along any property line that abuts or faces a lot zoned for residential purposes pursuant to the requirements for Type I screening in EWMC 17.72.080. Any parking lot created under this section shall directly serve the permitted uses in the contiguous commercial districts. Parking thus provided may be credited toward the required off-street parking requirements for such permitted commercial uses;
L.J. Broadcast relay tower communication facility subject to the provisions of Chapter 17.70 EWMC, as the same now exists or may hereafter be amended.

17.64.060 — Schools and studios for group instruction.
A. — Conditional property uses for schools and studios for group instruction shall meet the same conditions as specified for home occupations.
B. — The off-street parking requirements shall be as set forth in EWMC 17.72.010, as the same exists now or may hereafter be amended.

17.64.100 — Professional offices.
Professional offices shall meet the following minimum conditions:
A. — In case of dispute the board of adjustment shall determine whether or not the proposed use is a professional office;
B. — If structural alterations other than simple remodeling or modernizing are necessary to the proposed establishment of a professional office in an existing building, detailed plans of such alteration must have the approval of the building department of the city. The board of adjustment shall require that such buildings, when completed, remain substantially compatible with the surrounding neighborhood structure;
C. — No professional office established within a structure also containing one or more legal, conforming residences shall employ more than two professional persons and two nonprofessional employees;
D. — Any professional office established in the single-family residence of the professional applicant shall also meet all requirements of EWMC 17.08.330 and 17.64.020 pertaining to home occupations, including the restrictions on persons engaging in the profession on the premises;
E. — Parking: the off-street parking requirements shall be as set forth in EWMC 17.72.010, as the same exists now or may hereafter be amended.
Chapter 17.66
HOME OCCUPATIONS

Sections:
17.66.010 Purpose and intent.
17.66.020 Permit required.
17.66.030 Home occupations minimum standards.
17.66.040 Permitted uses.
17.66.050 Prohibited uses.
17.66.060 Exemptions.
17.66.070 Administration.
17.66.080 Revocation of permit.
17.66.090 Violation - Penalty.

17.66.010 Purpose and intent.
The city of East Wenatchee recognizes the desire and/or need of some citizens to use their residence for business purposes. The purpose of this chapter is to allow for limited business activities within residences while ensuring that all such businesses remain incidental to the residential use of the property, and that the residential viability of the dwelling is maintained. These regulations recognize that many types of jobs can be done in a home with little or no effects on the surrounding neighborhood. It is the intent of this chapter to:

1. Provide special regulations to ensure that home occupations will not be detrimental to the character and livability of the surrounding properties and to maintain and preserve the character of residential neighborhoods.

2. Ensure that home occupations are compatible with other uses permitted in the residential districts;

3. Provide flexibility for residents to use their homes as their work place and encourage creativity in careers by permitting home occupations.

A. This chapter describes the criteria and conditions to be met in obtaining a home occupation permit. A home occupation permit may be approved by either the city's code compliance officer or the board of adjustment.

B. It is the intent of this chapter to recognize the needs of the people who are engaged in small-scale business ventures which could not be sustained if it were necessary to lease commercial quarters for them, or which, in the nature of the home occupation, cannot be expanded to full-scale enterprises. (Example: supplemental retirement income, juvenile self employment, single parents who must support and remain at home with preschool children, etc.) It is the intent of this chapter that full-scale commercial or professional operations, which would be ordinarily be conducted in a commercial or industrial district, continue to be conducted in such districts and not at home.

17.66.020 Permit required.
It is unlawful for a person or individual, company, corporation or association or any other entity to engage in a home occupation as defined in EWM-C 17-09-320 within the
city limits without first having obtained a permit in compliance with the provisions of this chapter. The permit shall not be transferred, nor shall it be valid at any address other than the one appearing on the permit.

A. Applicability. No home occupation shall be operated within the city except in accordance with the provisions of this chapter. A home occupation permit is required for all home occupations except those occupations exempted in this chapter.

B. Transferability. A home occupation permit is not transferable to another person, entity or business and is valid only for the use and property listed on the permit.

C. City business license. Any person operating a home occupation shall also register with the city clerk and obtain a city business license in accordance with chapter 5.04 EWMC, including all future amendments.

17.66.030 Home occupations minimum standards.
All home occupations must meet the following minimum conditions:

A. The use of the dwelling and site unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes. The dwelling and site must remain residential in appearance and characteristics.

B. The home occupation shall be fully enclosed within the primary residential structure or a detached accessory structure with not more than 25 percent of the gross floor area of the entire structure housing the home occupation being used for conducting the home occupation or 500 square feet of total floor area, whichever is less.

B.C. The home occupation shall be fully enclosed within the primary residential structure. The use of an attached or detached garage accessory structure for the home occupation shall not cause the property to be out of compliance with the on-site parking and storage requirements of EWMC 15.38 or EWMC 17.72.010, including all future amendments.

D. Only one home occupation may be operated on sites where an accessory dwelling unit exists; a home occupation may be conducted in either the primary dwelling unit or the accessory dwelling unit, but not both.

E. No home occupation shall serve as headquarters or dispatch center where employees come to the site and are dispatched to other locations.

F. No structural alterations shall be allowed to accommodate the home occupation unless required by law. There is no alteration to the interior or exterior of the structure which changes its residential character.

G. The site must be the primary residence of the person conducting the business/home occupation. No persons other than immediate residents of the structure and one outside nonresidential employee/individual may be employed in the home occupation.

H. There shall be no exterior or window displays, signs, storage of materials, or sample commodities displayed outside of the premises building housing the home occupation.
occupation except that horticulture and floriculture products grown on the premises may be displayed outdoors:

I. There shall be no stock stored nor commodities kept for sale on the premises which is not necessary to the profession or craft. Retail or wholesale sales are limited to products created in the course of the home occupation or incidental items associated with the home occupation such as hair care products in a beauty salons, sheet music offered by an instructor, implements for knitting, and other similar items.

J. There is no use of electrical or mechanical equipment which would change the fire rating of the structure or which would create visible or audible interference in radio or television receivers or which would cause fluctuations in line voltage outside the dwelling;

K. There is no noise, vibration, smoke, dust, odor, heat or glare produced by the business which would exceed that normally associated with a dwelling;

F. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, smoke, dust, fumes, odors, heat or electrical interference with any radio or television receivers, or causes fluctuation in line voltage off the premises which would exceed that normally produced by a single-family residence;

G. No materials or commodities shall be delivered to or from the home occupation which are of such bulk or quantity as to require delivery by a commercial vehicle or trailer having more than a single axle;

H-M. No parking shall be allowed beyond that normal to a residential area and no excessive vehicular or pedestrian traffic shall be present as a result of the home occupation. The home occupation shall not displace or impede the use of required parking spaces for the residences existing on the site;

N. Vehicles larger than 10,000 pounds gross weight may not be operated from the premises and may not be parked on the property or adjacent streets;

I-O. The hours of operation for uses involving nonresident employees and the delivery of materials shall be limited to between 5:007:00 a.m. and 9:00 p.m., Monday through Saturday;

J. Buffers or screens will be provided when deemed necessary to reduce potential impacts to adjacent properties;

P. The home occupation must comply with all applicable city building and fire safety regulations and any requirements of other permitting agencies;

K-Q. Such use shall conform to all other requirements specified in this chapter as well as any special conditions imposed on the home occupation by either the city's code compliance officer or the board of adjustment/fire marshal, as appropriate.

17.66.040 Permitted uses.

A. Home occupations may include, but are not necessarily limited to, the following:

1. Workrooms for dressmaking, seamstresses and tailors;

2. Studios for Artists, artists, and sculptors, authors, and composers;

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3. Authors and composers Schools and studios for group instruction of no more than 12 students per class;

4. Personal and professional offices subject to the following limitations:
   a. Services to clients shall be arranged through appointment so that only two persons per service provider is on the premises at any given time; and
   b. In addition to parking required for the residents, there are no more than two vehicles parked on or in the vicinity of the property as a result of the business at any one time;

4-5. Home crafts, such as model making, rug weaving, lapidary work and cabinet making;

5. Office facility of a minister, rabbi or priest;

6. Office facility of a salesman, sales representative or manufacturer's representative;

7-6. Repair shop for household items such as small appliances, computers, and similar small electronic devices;

8. Telephone answering or soliciting;

9. Computer-based services such as programming, web design, or other graphics and small-scale repair;

10. Pet grooming services;

1. Sale of produce raised on the premises if more than 3 sales or more sale events are conducted per year; and

B. Additional permitted uses may be allowed which meet the intent of this chapter, if not specifically prohibited by EWMC 17.66.050.

17.66.050 Prohibited uses.
The following uses are deemed to be prohibited:

A. Clinics or hospitals;

B. Adult entertainment facility Group (more than two students at one-time) dancing and music schools;

C. Mortuaries or funeral homes;

D. Commercial print shops;

E. Rental of trailers;

F. Restaurants and cafes;

G. Veterinary services/clinics or hospitals, stables or kennels;
H. Painting, detailing, service or repair of any vehicle, including recreational vehicles and watercraft; vehicle repair or auto detailing shops;

I. Retail sales of goods not made on the premises, except as provided in EWMC 17.66.030(d);

J. Outdoor storage of building or construction materials not intended for immediate use in or on the premises; and

K. All other uses which do not comply with the intent of this chapter or the standards set forth in EWMC 17.66.030 and 17.66.060, or the definition of a home occupation set forth in EWMC 17.08.320.

17.66.060 Exemptions.

Exemptions to this chapter include, but are not necessarily limited to, the following activities:

A. Family child care services for the care of 12 or fewer children, including children who reside at the home; Babysitting services for up to four children at any one time in addition to those children living in the home;

B. Adult family home;

C. After hours paperwork performed by residents who have a primary office elsewhere;

D. A person employed by an off-site firm or business and only using their home for telecommuting purposes;

E. Services or activities that are not performed at the residence of the person conducting the activity, such as parties for sale of items such as Tupperware, Mary Kay, etc., and similar services;

F. Temporary or seasonal home boutiques or bazaars for the sale of handcrafted items which do not exceed five days in duration or do not operate for more than ten days in any calendar year;

G. Office facility of a minister, rabbi or priest within the home of the individual;

H. Offices for telephone, internet, or mail order sales within the home of the individual were no goods are processed, fabricated, delivered to or dispatched from the site;

I. Offices for the owner of a business that is conducted at a site other than where the office is located such as construction contractors, lawn care services, window washing, janitorial services, any type of mobile service where the services are not provided at the residence of the provider, and other similar activities when the only activity on-site is administrative in nature such as scheduling, billing, and accounting for the business;

J. Sale of produce raised on the premises if no more than less than 3 sale events are conducted per year. The site must be the primary residence of the person conducting the sale;
B. Newspaper delivery; and

C. Garage and yard sales as long as the sale event does not continue for more than 3 consecutive days in any calendar month and such sale events are held no more than 3 times per calendar year, sale involves only the sale of household goods, none of which were purchased for the purpose of resale and the sale does not continue for more than three consecutive days in any calendar month and is not in violation of any other provisions of this code.

17.66.070 Administration.
This chapter shall be administered as follows:

A. Any person or party wishing to establish a home occupation shall make submit an application through to the city code compliance office/community development department on forms prepared by the code compliance officer by the department. The code compliance officer may approve or deny home occupation permits which do not involve an outside employee (i.e., nonresidents of the structure) or any outward visible evidence (i.e., signs, etc.). All other applications for home occupation permits shall be made to and approved or denied by the board of adjustment.

B. Applications for all home occupation permits shall be subject to payment of a permit fee as established by resolution of the city council.

C. The code compliance officer or board of adjustment administrator or designee may issue a permit for a home occupation provided that the conditions set forth in EWMC 17.66.030 are met, along with any other conditions that the code compliance officer or board of adjustment may deem necessary to assure that the impact of such home occupation will be minimal upon the minimize potential impacts to neighboring properties.

D. All home occupation permit applications subject to the code compliance officer's approval shall be approved or denied within 15 city business calendar days of the filing of the permit application and payment of the permit fee.

E. All permit applications subject to the board of adjustment's approval shall be processed according to the provisions of title 19 EWMC and chapter 17.64 EWMC, including all future amendments, after payment of the permit fee. An application for a conditional use permit pursuant to Chapters 17.92 and 17.96 EWMC, as presently enacted or hereafter amended, have the right to appeal the decision as provided in chapter 19.06 EWMC, including all future amendments.
G. In the event an application is denied by the board of adjustment, the applicant must appeal such denial in accordance with EWM C 17.96.090 or the decision of the board of adjustment shall be final.

17.66.080 Revocation of permit.
A permit issued under this chapter to conduct a home occupation is revocable upon a determination by either the code compliance officer or the board of adjustment that there has been a violation of any condition imposed by this chapter on the home occupation.

A. In the event of an alleged violation occurs, a written notice describing the violation and the corrective measures that must be taken shall be mailed by the code compliance officer to the permit holder. The permit holder shall, within 15 calendar days of the mailing of the notice of violation, comply with all of the conditions imposed by the notice or show cause why the conditions cannot be met or why the permit should not be revoked.

B. Upon revocation of the permit, a written notice of the revocation shall be sent by certified mail by the code compliance officer to the permit holder together with a written statement of findings upon which the revocation is based and notice of the appeal procedures.

C. Appeal of the revocation of a permit shall follow the same procedures set forth in EWM C 17.66.090 regarding the code compliance officer’s denial of a home occupation permit chapter 19.05 EWM C, including all future amendments.

17.66.090 Violation - Penalty.
A. Any person who violates any of the provisions of this chapter or any order or decision of the city entered pursuant to this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as set out in EWM C 1.20.010 as presently enacted or hereafter amended.

B. The instigation of misdemeanor proceedings in accordance with subsection A of this section shall not prevent the city from exercising all available civil remedies to force removal of prohibited conditions or compliance with this chapter.

17.72.080
A. R-L and R-M Zoning Districts.
1. Address numbers on individual homes or building complexes shall be three inches in height or larger and shall be visible from the street.
   a. Each use is permitted one monument or freestanding sign having a maximum sign area of 20 square feet. The sign structure together with the sign shall not exceed a height of 48 inches, provided the location of the sign complies with the provisions of Chapter 10.28 EWM C for visibility at intersections. One additional monument or freestanding sign is permitted if there is more than one primary entrance located on an adjacent street.

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b. One flush-mounted wall sign having a maximum sign area of eight square feet. In lieu of a monument sign, the attached sign may be increased in area to the total square footage of the monument sign plus the square footage of the attached sign for a total of 16 square feet.

3. Home Occupations, including Adult Family Homes, and Day Care Facilities. Signs relating to home occupations such as such uses shall be an unlit, flush-mounted wall sign and shall not exceed eight square feet in area. For home occupations such uses that are located in a manner that does not permit visibility of a wall-mounted sign from the street, a freestanding sign not exceeding four square feet in area and located on the property housing the home occupation use or an access easement may be permitted. For properties that are not corner lots and have frontage on more than one public street, a second freestanding sign may be permitted on the other public street. The total height of the sign shall not exceed three and three-quarters feet above the grade of the surface of the ground or driveway and shall be placed in a manner that does not impede vehicular access to the property.

4. Rentals. One unlit sign indicating the renting of rooms, apartments or other dwellings. The sign shall not exceed 16 square feet in area and shall be placed flat against the building.

5. Residential Subdivisions, Short Subdivisions, Multifamily Developments, Manufactured Housing Complexes or Mobile Home Parks, and Planned Residential Developments. Decorative subdivision or area name signs of a permanent character at the street entrance or entrances to the housing development which identify the development shall be permitted, subject to the following conditions:

a. One monument sign may be permitted per entrance from an access street to the property, provided the sign does not exceed 20 square feet and is 48 inches or less in height, provided, the location of the sign complies with the provisions of Chapter 10.28 EWMC for visibility at intersections, or as approved by the city at the time of preliminary subdivision approval.

b. The sign shall be located in a maintained landscaped area in accordance with EWMC 17.72.060, General landscaping, as amended.

c. The sign shall be indirectly illuminated and shall be shielded to prevent glare visible from public rights-of-way and neighboring properties; no internal illumination is permitted.

Chapter 17.84  ADMINISTRATION

Sections:

17.84.010 Administrator.
17.84.020 Permits and authorization to conform.
17.84.030 Enforcement.
17.84.040 Administrator.

Ordinance No. TLS 13-09-30B
The code-compliance officer is directed to administer the provisions of this title not otherwise designated and may appoint officers and deputize such employees as may be authorized to assist him in its administration. The code-compliance officer shall adopt and revise as required such instructions and forms as are necessary to serve the public need and carry out the provisions of this title. The director of the community development department or his/her designee shall have the authority and duty to administer the provisions of this title. The director may adopt and revise as required, such instructions, policies and forms as are necessary to carry out the provisions of this title. (Ord. 91-5 § 2, 1991)

17.84.020 Permits and authorization to conform.

No representative of the city shall issue a use and occupancy permit or give other authorization including a special exception for any use or occupancy that would not be in full compliance with this title. Any such permit or other authorization in violation of this title shall be void without the necessity of any proceedings for revocation or nullification and any work undertaken for uses established pursuant to any such permit or other authorization shall be unlawful, and no action shall be taken by any elected or appointed official of the city purporting to validate any violation. (Ord. 91-5 § 2, 1991)

17.84.030 Enforcement.

The code-compliance officer shall investigate within 10 days any charge of violation of this title brought to his/her attention and may, upon verifying a violation of this title, serve notice to the property owner or person in charge of the premises to comply with this title within 30 days or such lesser period as he/she shall deem reasonable. The code-compliance officer shall reinspect such premises at the end of such period and if the violation is still in effect he/she shall institute appropriate enforcement and penal proceedings against the violator. (Ord. 91-5 § 2, 1991)