

ORDINANCE NO. 2015-03-005

AN ORDINANCE OF THE CITY OF BELLINGHAM, WASHINGTON RELATING TO RESIDENTIAL RENTAL REGISTRATION, SAFETY INSPECTION, AND CODE COMPLIANCE AND ADDING A NEW CHAPTER 6.15 TO THE BELLINGHAM MUNICIPAL CODE.

WHEREAS, some rental housing units with substandard conditions exist within the City of Bellingham; and

WHEREAS, improving residential housing and helping ensure that all rental housing in the City meets specific minimum life safety and fire safety standards requires a rental registration and safety inspection program to promote code compliance and to determine if such rental units endanger or impair the health or safety of tenants; and

WHEREAS, the rental registration and safety inspection program set forth below is not intended to establish requirements beyond the requirements that apply to existing structures under code provisions that are already in effect.

NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1: A new chapter is hereby enacted and added to the Bellingham Municipal Code, Chapter 6.15, as follows:

**Chapter 6.15
RENTAL REGISTRATION AND SAFETY INSPECTION PROGRAM**

Sections:

- 6.15.010 Purpose.**
- 6.15.020 Definitions.**
- 6.15.030 Scope.**
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6.15.010 Purpose.

The City of Bellingham finds that establishment of a rental registration and safety inspection program will protect the public health, safety, and welfare of tenants by encouraging the proper maintenance of residential rental housing, by identifying and requiring correction of substandard housing conditions, and by preventing conditions of deterioration and blight that could adversely impact the quality of life in Bellingham.

6.15.020 Definitions.

For the purpose of this chapter, the following words or phrases have the meaning prescribed below:

- A. "Accessory dwelling unit" or "ADU" means a second, subordinate housing unit that is accessory to a single family residence, and meets the definition and requirements of BMC 20.10.035 and BMC 20.28.100 for accessory dwellings.
- B. "Building" means a structure having a roof supported by columns or walls used for supporting or sheltering a use of any kind.
- C. "Building Code" means all code provisions adopted in and throughout BMC Chapter 17.10.
- D. "Carriage house unit" means a second dwelling unit located above a parking garage that meets the definition and requirements of BMC 20.28.090.
- E. "Certificate of Inspection" means the document signed and dated by a qualified rental housing inspector and submitted to the City as the result of an inspection conducted by a qualified rental housing inspector that certifies that the residential housing units that were inspected comply with the requirements and standards of BMC 6.15.050 or such a document signed and dated by a City Building Code Enforcement Officer.
- F. "City Building Code Enforcement Officer" means the City Building Official and those City employees he or she designates to perform the inspections and related duties under this chapter. For purposes of completing a certificate of inspection, this term may also refer to

a person who performs an inspection and submits inspection results under this chapter and under a contract with the City.

- G. "Declaration of Compliance" means a statement submitted to the City, by the owner or the landlord that certifies that, to the best of his or her knowledge, after an on-site review of the conditions of the rental unit, each residential housing unit complies with the requirements and standards of BMC 6.15.050.
- H. "Department" means the City of Bellingham Department of Planning and Community Development.
- I. "Director" means the Director of the Department of Planning and Community Development or the Director's designee.
- J. "Fire Code" means all code provisions adopted in and throughout BMC Chapter 17.20.
- K. "Landlord" means the owner, lessor, or sublessor of the rental unit or the rental property of which it is a part, and in addition means any person designated as representative of the owner, lessor, or sublessor including, but not limited to, an agent, a resident manager, or a designated property manager.
- L. "Mobile home" means a mobile home or a manufactured home as defined in Chapter 59.20 RCW.
- M. "Owner" has the meaning as defined in RCW 59.18.030(11).
- N. "Qualified rental housing inspector" and "RHI" mean a private inspector who possesses at least one of the following credentials and who has been approved by the Director as a RHI based on a process developed by the Director consistent with the intent of this Chapter:
1. American Association of Code Enforcement Property Maintenance and Housing Inspector certification;
 2. International Code Council Property Maintenance and Housing Inspector certification;
 3. International Code Council Residential Building Code Inspector;
 4. Washington State licensed home inspector; or
 5. Other acceptable credential the Director establishes by rule.
- O. "Rental unit" means a residential housing unit occupied or rented by a tenant or available for rent by a tenant.
- P. "Rental Property" means all residential dwelling units rented or leased on a single parcel of land managed by the same landlord.

- Q. "Rental Property Complex" means all residential dwelling units rented or leased on a contiguous parcel or parcels of land managed by the same landlord as a single rental complex.
- R. "Residential housing unit" means any building or part of a building in the City of Bellingham that is used or may be used as a home, residence or sleeping place by one or more persons, including but not limited to single-family residences, accessory dwelling units, duplexes, tri-plexes, four-plexes, townhouses, multifamily dwellings, apartment buildings, condominiums, and similar living accommodations.
- S. "Residential rental housing registration" means a registration issued under this chapter.
- T. "Shelter" means a facility with overnight sleeping accommodations, owned, operated, or managed by a nonprofit agency or governmental entity, the primary purpose of which is to provide temporary shelter for the homeless in general or for specific populations of the homeless.
- U. "Single Family Residence" means a single detached building containing only one residential housing unit that is completely separated by open space on all sides from any other structure, except its own garage or shed, and which provides complete independent living facilities as specified for a dwelling unit in BMC 20.08.020. The phrase "single family residence" may also refer to such a building when it contains an ADU or a carriage house or is a common wall attached single family unit per BMC 20.32.045.
- V. "Tenant" means a person occupying or holding possession of a building or premises pursuant to a rental agreement or who pays rent for occupancy or possession.
- W. "Transient" means any guest, resident, or other occupant to whom lodging and other services are furnished under a license to use real property for less than one month, or less than thirty continuous days if the rental period does not begin on the first day of the month. The furnishing of lodging for a continuous period of one month or more to a guest, resident, or other occupant is a rental or lease of real property. It is presumed that when lodging is furnished for a continuous period of one month or more, or thirty continuous days or more if the rental period does not begin on the first day of the month, the guest, resident, or other occupant purchasing the lodging is a nontransient upon the thirtieth day without regard to a specific lodging unit occupied throughout the continuous thirty-day period. An occupant who contracts in advance and does remain in continuous occupancy for the initial thirty days will be considered a nontransient from the first day of occupancy provided in the contract.
- X. "Transitional housing" means residential housing units owned, operated, or managed by a nonprofit agency or governmental entity in which supportive services are provided to individuals or families that were formerly homeless, with the intent to stabilize them and move them to permanent housing within a period of not more than 24 months.

Y. "Unit unavailable for rent" means a residential housing unit that is not offered or available for rent as a rental unit, and that prior to offering or making the unit available as a rental unit, the owner is required to obtain a residential rental registration for the rental property in which the unit is located and comply with applicable regulations adopted pursuant to this chapter.

6.15.030 Scope.

A. Exemptions. The provisions of this chapter apply to all residential housing units, with the exception of:

1. Owner-occupied single family residences without an accessory dwelling unit or carriage house;
2. Units unavailable for rent;
3. Housing accommodations in hotels, motels, inns or similar accommodations for transient guests; provided that, as allowed by state law, this chapter shall apply to any unit within such an accommodation that is occupied by a person that does not meet the definition of transient guest;
4. Housing accommodations in retirement or nursing homes;
5. Housing accommodations in any hospital, State-licensed Medical Care Facility as defined by BMC 20.08.020, State-licensed facility providing Service Care as defined by BMC 20.08.020, convent, monastery or other facility occupied exclusively by members of a religious order;
6. Mobile homes or manufactured homes, both as defined in Chapter 59.20 RCW; and
7. Shelters and transitional housing.

B. Standards for declaration of compliance and certificates of inspection. The checklist for a declaration of compliance and for a certificate of inspection required under this chapter shall include only those standards appropriate for determining whether conditions exist in a rental unit that endanger or impair the health or safety of a tenant. Cosmetic conditions that do not affect structural systems, electrical systems, fire safety systems, sanitation components or weather resistive systems shall not be considered as part of any declaration of compliance or certificate of inspection required under this chapter.

6.15.040 Residential rental housing registration required for each rental property.

- A. Beginning on August 1, 2015, no person shall make available for rent, or rent, lease, or let, to the public any residential housing unit without registering and maintaining registration of the rental property at which the unit is located.
- B. The fee for registration shall be set by Council by ordinance. For the first two years following the effective date of this ordinance, the Director is authorized to waive or suspend the imposition of all or a portion of a late fee in a specific circumstance based on excusable neglect. No registration fee shall be required for the following rental properties:
1. Owner-occupied buildings containing two units or less;
 2. Rental units that a government unit, agency or authority owns, operates or manages, or that are specifically exempted from such a fee by State or federal law or administrative regulation. This fee exemption does not apply once the governmental ownership, operation or management is discontinued;
 3. Rental units:
 - a. Supported by funding or subsidies from the federal, state or a local government; and
 - b. That are inspected at least every three years as a requirement of the funding or subsidy; and
 4. Accessory dwelling units when an owner resides in either the single-family residence or the ADU and the ADU is attached to the single-family residence.
- C. A residential rental registration expires on December 31st of the calendar year following registration or renewal.
- D. The residential rental registration is transferable to any person who has acquired ownership of a registered rental property for the unexpired portion of the one-year term for which it was issued.
- E. Application. Application for a residential rental registration shall be made to the City on a form and through a process established by the Director. The application shall include the applicable registration fee, including late fees if applicable, a declaration of compliance as described in BMC 6.15.040(J) and such other information as required by the Director in order to carry out the intent of this chapter.
- F. Renewal. A residential rental registration may be renewed by paying the registration fee for the ensuing year on or before the date of the expiration of the current registration, submitting a renewal application on a form and through a process established by the Director updating the information contained in the original application, and providing a

declaration of compliance as described in BMC 6.15.040(J). Any person who fails to submit the required documentation and pay the renewal registration fee (unless exempt) on or prior to the expiration date of the registration shall be subject to late fee penalties as determined by City Council in a fee ordinance.

G. Display of Registration. A copy of the registration shall be posted on the inside of each residential housing unit in a visible location; provided, that the Director may by rule establish one or more alternative or additional methods for conveying the information to tenants of residential housing units.

H. Registration Information. The Department will maintain information regarding rental properties that have a valid registration and will make such information available to the public.

I. Information to be provided to tenant and others. The landlord or his or her authorized representative must provide to each new tenant, at the time of the lease or rental agreement is signed or the tenancy otherwise commences, written information regarding tenant rights and resources. The Director is authorized to publish the written information to be provided to the tenant under this subsection and shall make such information available to landlords for this purpose. The Director will also provide and advertise a web site for owners, property managers and tenants regarding rental resources, laws and rights and responsibilities. The Director is further authorized to create outreach and instructional classes for owners, property managers and tenants regarding requirements of this program.

J. Declaration of Compliance. As a condition to the issuance and/or renewal of a residential rental registration, an applicant shall provide a valid declaration of compliance addressing each rental unit in the rental property prior to the issuance of a registration. A declaration of compliance submitted under this chapter must state that each unit complies with the requirements and standards listed in BMC 6.15.050(B)(1)-(13) and/or authorized under BMC 6.15.050(C) using a checklist provided by the City, state that there are no conditions presented in the units that endanger or impair the health or safety of a tenant, and certify that all tenants that commenced their tenancy during the previous 12 months were provided the written information required in BMC 6.15.040(I) at the time the lease or rental agreement was signed or the tenancy otherwise commenced.

6.15.050 Certificates of inspection.

A. All rental properties will be inspected once every three years. The Department shall periodically select from registered properties containing rental housing units, the properties that shall be inspected by a qualified rental housing inspector and will require a certificate of inspection within a time period established by the Director. The property selection process shall be based on a methodology adopted by the Director that will further the

purpose of this chapter. The rental housing types listed in BMC 6.15.040(B) shall be exempt from the certificate of inspection requirement.

B. All certificates of inspection submitted under this chapter must state that all units subject to inspection have been inspected, that all units inspected comply with the requirements of the Building Code, Fire Code, and state law specified in or under the authority granted in this section, and that there are no conditions presented in the units inspected that endanger or impair the health or safety of a tenant. A qualified rental housing inspector or city building code enforcement officer inspecting a rental unit for a certificate of inspection under this chapter shall inspect for and certify compliance with the following requirements of the Building Code and RCW 59.18:

1. The minimum floor area standards for a habitable room as contained in the Building Code.
2. The minimum sanitation standards as contained in the Building Code.
3. The minimum structural standards as contained in the Building Code.
4. The occupancy standards as contained in the Building Code.
5. The minimum heating standards as contained in the Building Code.
6. The minimum ventilation standards as contained in the Building Code.
7. The minimum electrical standards as contained in the Building Code.
8. The minimum standards for emergency escape window and doors as contained in the Building Code and Fire Code.
9. The requirements for garbage and debris removal as contained in the Building Code.
10. The requirement to provide and test smoke alarms and carbon monoxide alarms as contained in the Building Code.
11. The requirements regarding fire sprinkler or fire alarm systems (if any) required by the Building Code.
12. The requirements regarding passive fire resistive construction components contained in the Building Code.
13. The requirements related to fitness for human habitation as set forth in RCW 59.18.060.

- C. The Director is authorized to adopt and publish a checklist to be used for declarations of compliance and inspections submitted or conducted under this chapter and is authorized to include additional standards within the Building Code or Fire Code so long as the checklist and standards are consistent with the intent and scope of this chapter. No provision in this Chapter is intended to impose building or fire code standards for existing structures beyond the standards for existing structures set forth in the Building Code or Fire Code. This Chapter shall be interpreted in a manner that is consistent with BMC 17.10.020, as may be amended from time to time, regarding existing structures.
- D. A certificate of inspection shall be based upon a physical inspection by the qualified rental housing inspector or City building code enforcement officer of the residential housing units conducted not more than 90 days prior to the date of the certificate of inspection.
- E. The certificate of inspection shall list and show compliance with the minimum standards for each residential housing unit that was inspected using the checklist provided by the City and shall contain such other information as determined by the Director to carry out the intent of this Chapter.
- F. Limitations and conditions on inspection of units for certificate of inspection.
1. The City may only require a certificate of inspection on a rental property once every three years.
 2. A rental property that has received a certificate of occupancy within the last four years and has had no code violations reported on the property during that period is exempt from inspection under BMC 6.15.050(A).
 3. A rental property inspected by a government agency or other qualified inspector within the previous twenty-four months may provide proof of that inspection which the City may accept in lieu of a certificate of inspection. If any additional inspections of the rental property are conducted, a copy of the findings of these inspections may also be required by the City.
 4. For properties that qualify for an inspection under BMC 6.15.050(F)(5)-(6), the owner or landlord must send written notice of the inspection to all units at the rental property. The notice must advise tenants that some of the units at the property will be inspected and that the tenants whose units need repairs or maintenance should send written notification to the landlord as provided in RCW 59.18.070. The notice must also advise tenants that if the landlord fails to adequately respond to the request for repairs or maintenance, the tenants may contact City of Bellingham officials. A copy of the notice must be provided to the inspector upon request on the day of inspection.
 5. If a rental property has twenty or fewer rental units, no more than four rental units at the rental property may be selected by the City to provide a certificate of

inspection as long as the initial inspection reveals that no conditions exist that endanger or impair the health or safety of a tenant.

6. If a rental property has twenty-one or more rental units, no more than twenty percent of the units, rounded up to the next whole number, on the rental property, and up to a maximum of fifty units at any one property, may be selected by the City to provide a certificate of inspection as long as the initial inspection reveals that no conditions exist that endanger or impair the health or safety of a tenant.
7. If an owner or landlord is asked to provide a certificate of inspection for a sample of units on the rental property and a selected unit fails the initial inspection, the City may require up to one hundred percent of the units on the rental property to provide a certificate of inspection.
8. If a rental property has had conditions that endanger or impair the health or safety of a tenant reported since the last required inspection, the City may require one hundred percent of the units on the rental property to provide a certificate of inspection.
9. An inspector conducting an inspection under this chapter may only investigate a rental property as needed to provide a certificate of inspection.
10. If a rental property is part of a rental property complex, the limitations set forth in BMC 6.15.050(F) shall apply to the rental property complex as a whole.

G. Notice to Tenants.

1. The landlord shall provide written notification of his or her intent to allow an inspector to enter an individual unit for the purposes of providing the City with a declaration of compliance or certificate of inspection in accordance with RCW 59.18.150(6). The written notice must indicate the date and approximate time of the inspection and the company or person performing the inspection, and that the tenant has the right to see the inspector's identification before the inspector enters the individual unit. A copy of this notice must be provided to the inspector upon request on or before the day of inspection.
2. A tenant who continues to deny access to his or her unit is subject to the penalties in RCW 59.18.150(8).

H. The fee to be assessed for a city building code enforcement officer to conduct an inspection under this chapter shall be set by Council ordinance. The Director is authorized to develop an incentive in the fee structure to benefit those rental properties that pass the initial inspection leading to a certificate of inspection.

6.15.060 Registration denial, suspension, or revocation.

- A. The registration of any rental property may be denied, suspended or revoked by the Director based on one or more of the following grounds:
1. The registration was procured by fraud or false representation of fact;
 2. The applicant or registration holder has failed to comply with any of the provisions of this chapter;
 3. The applicant or registration holder is in default in any fee due to the City under this chapter;
 4. The continued operation of any rental housing unit at the rental property will result in a danger to the public health, safety, or welfare by reason of any of the following:
 - a. The City is provided notice of a violation of the Building Code, the Fire Code, or violations of any other applicable City Code or State law which endangers or impairs the health or safety of the tenant.
 - b. The applicant or registration holder or his/her/its employees or agents have been convicted of a crime which bears a direct relationship to the operation of a residential housing unit under the residential rental registration issued pursuant to this chapter.
- B. If the registration of any rental property is suspended or revoked, or an application for registration is denied, the rental property will be granted registration only after:
1. Any and all deficiencies on which the suspension, revocation, or denial was based have been corrected;
 2. In the event an inspection has been required under BMC 6.15.070(A), the applicant has provided to the City a valid certificate of inspection that meets the requirements of BMC 6.15.050; and
 3. The applicant pays a registration fee as determined by ordinance.

6.15.070 Inspection required in event of notice of code violation.

A. Whenever the Department is provided notice of a violation of the Building Code, the Fire Code, or violations of any other applicable Bellingham Municipal Code with respect to a rental unit, the Department is authorized to request to conduct an inspection of the rental unit under

the Building Code, Fire Code, or other applicable law or to pursue a warrant under RCW 59.18.150. The Department may require proof that the tenant has provided notice to the Landlord identifying the conditions prior to undertaking an inspection. If, after inspecting the rental unit, the Department determines the rental unit violates any of the standards set forth in BMC 6.15.050, the Director is authorized to suspend or revoke the registration as to that unit and to require the owner to provide to the City a certificate of inspection as described in BMC 6.15.050 prior to the rental unit containing the violation having its registration renewed or reinstated. Notwithstanding correction of the violation, the Director may require that any other rental unit covered under the same registration on the property be inspected following the procedures of BMC 6.15.050.

B. If, during a two year period, a property subject to this chapter has been subject to two or more notices of violation, orders, decisions, or determinations by the City, which if appealed have been upheld, finding a violation of any of the standards in the Building Code or Fire Code, the rental property shall be added to those properties subject to inspection under BMC 6.15.050 during the following annual inspection period.

C. If a property subject to this chapter has been subject to any order, decision, or determination by the City, which if appealed has been upheld, finding a violation of any of the standards in the Building Code or Fire Code and resulting in a "do not occupy" order, the rental property shall be added to those properties subject to inspection under BMC 6.15.050 during the following annual inspection period.

6.15.080 Notice that rental is unlawful when certificate not provided.

When a certificate of inspection or a declaration of compliance is required for a specified residential housing unit under this chapter and a valid certificate of inspection or declaration of compliance has not been provided to the City, the Director is authorized to notify the owner or landlord that until a valid certificate of inspection or declaration of compliance is provided to the City, it is unlawful to rent or to allow a tenant to continue to occupy the residential housing unit. It shall be unlawful to rent or allow a tenant to occupy or continue to occupy such unit.

6.15.090 Other inspections.

Nothing in this chapter precludes additional inspections conducted under RCW 59.18.150 or at the request or consent of a tenant, pursuant to a warrant, or pursuant to the tenant remedy provided by RCW 59.18.115 of the Residential Landlord-Tenant Act. Those designated as having the authority to apply for a search warrant under RCW 59.18.150 include any city building code enforcement officer, any general authority peace officer, any limited authority peace officer, the city attorney, the deputy city attorney, and any assistant city attorney.

6.15.100 Director is authorized to make rules.

The Director is authorized to adopt, publish and enforce rules and regulations, consistent with this chapter and the standards in this chapter for the purpose of carrying out the provisions of this chapter, and it is unlawful to violate or fail to comply with any such rule or regulation.

6.15.110 Correction notice prior to enforcement.

Before the City suspends or revokes a registration or imposes the penalties set forth in BMC 6.15.150, an attempt shall be made to give the owner or landlord a written notice by personal service or by certified mail, return receipt requested, stating the existence of a violation, that enforcement action is contemplated, and that such person shall have a specified period of time in which to correct the violation.

6.15.120 Appeals.

- A. General. Appeals of registration denials, revocations, or suspensions; other final, written decisions or determinations made by the Director under BMC 6.15.060(B), BMC 6.15.070(A), or BMC 6.15.080; and the written findings of an inspection by a city building code enforcement officer relative to the application and interpretation of this code (i.e. decisions) may be appealed to the Hearing Examiner by filing a notice of appeal in the form specified in BMC 6.15.120(B) at the City of Bellingham Permit Center and paying the applicable appeal fee within 14 days of issuance of the decision.
- B. Form of Notice of Appeal. A person appealing a decision must pay the applicable appeal fee and submit a completed notice of appeal which sets forth:
 - 1. The decision being appealed and the date it was issued;
 - 2. Facts demonstrating that the person is adversely affected by the decision;
 - 3. A statement identifying each alleged error in the decision;
 - 4. The specific relief requested; and
 - 5. Any other information reasonably necessary to make a decision on the appeal.
- C. No suspension or revocation of a registration issued pursuant to the provision of this chapter shall take effect until 14 days after the mailing of the notice thereof by the Department and, if appeal is taken as herein prescribed, the suspension or revocation shall be stayed pending final action by the Hearing Examiner.
- D. The decision of the hearing examiner shall be final. The owner and/or the Department may seek review of the decision by the superior court of Washington in and for Whatcom County within 21 days from the date of the decision. If review is sought as herein

prescribed, the suspension or revocation shall be stayed pending final action by the superior court.

- E. Upon revocation or suspension of any registration as provided in this chapter, no portion of the registration fee shall be refunded.

6.15.130 Immediate health and safety threats.

Nothing in this chapter shall limit the City's ability to inspect properties and issue citations for property-related conditions that may constitute an immediate health or safety threat.

6.15.140 Immunity, no warranty by City, and no private right of action.

The purpose of this chapter is to promote the safety and welfare of the general public and not to create or designate any particular class of persons who will or should be specially protected by its terms. Nothing contained in this chapter is intended nor shall be construed to create any liability on the part of the city or its employees for any injury or damage resulting from the failure of an owner, landlord, inspector, or other individual to comply with the provisions of this chapter, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of this chapter on the part of the City or its employees. By enacting and undertaking to enforce this chapter, neither the City, its agents or employees, nor the City Council warrant or guarantee the safety, fitness or suitability of any dwelling in the City or any unit inspected under this program. Owners, landlords, and occupants shall take whatever steps they deem appropriate to protect their interest, health, safety and welfare. Nothing contained in this chapter is intended to create a private right of action.

6.15.150 Penalties.

- A. Prior to imposing any penalties set forth in this section, the City shall provide notice and an opportunity to correct under BMC 6.15.110.
- B. Any person violating any of the provisions or failing to comply with any of the requirements of this chapter shall have committed a civil infraction and shall be punished by a fine not to exceed \$200 per day for the first 10 days that the violation or failure to comply exists and \$500.00 per day for each day thereafter. Each person is guilty of a separate violation for each and every day during any portion of which any violation of any provision of this chapter is committed, continued, or permitted by such person. For purposes of this section, the term "any person" includes, but is not limited to, any owner, landlord, resident manager, and property manager and agents of such persons.
- C. Any person who knowingly submits or assists in the submission of a falsified certificate of inspection, or knowingly submits falsified information upon which a certificate of inspection is issued, is guilty of a gross misdemeanor.

D. The penalties imposed in this chapter are not exclusive when the acts or omissions constitute a violation of another chapter of the Bellingham Municipal Code. In addition to all other penalties, remedies, or other enforcement measures established within this chapter, or as otherwise provided by law, the acts or omissions that constitute violations of this chapter may be subject to penalties and enforcement provisions as provided by Chapters 10.28, 17.10, 17.20 and other provisions of the Bellingham Municipal Code, and such penalties and enforcement provisions may be imposed as set forth therein. All remedies under this chapter are cumulative unless otherwise expressly stated. The exercise of one remedy shall not foreclose use of another. Remedies may be used singly or in combination; in addition, the City of Bellingham may exercise any rights it has at law or equity.

6.15.160 Consistency with RCW 59.18.

The provisions of this chapter shall be interpreted in a manner that is consistent with the provision of Chapter 59.18 RCW.

6.15.170 Annual reporting and City Council Review.

During the first two years of the program, the Director will report to the City Council annually on the status of the program. Before January 1, 2019, the City Council shall review the chapter's effects on the community and the problems the chapter was intended to remedy.

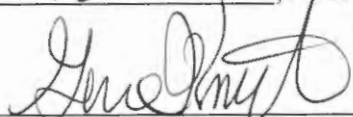
6.15.180 Applicability.

The provisions of this chapter shall apply in addition to the provisions of any other code provision or ordinance. Where there is a conflict, the more restrictive provision shall apply.

6.15.190 Severability.

If any section, sentence, clause, or phrase (i.e., provision) of this chapter or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other provision and the remainder of this chapter, or the application of such provisions to other persons or circumstances, shall not be affected.

PASSED by the Council this 9th day of March, 2015.



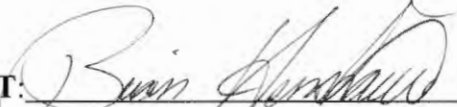
Council President

APPROVED by me this 16th day of March, 2015.



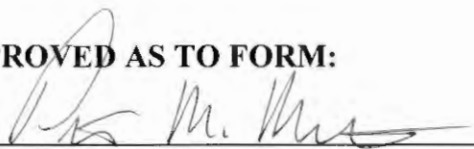
Mayor

ATTEST:



Finance Director

APPROVED AS TO FORM:



Office of the City Attorney

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