

Chapter 18.340
DIRECTOR'S INTERPRETATIONS

Sections

18.340.010 Purpose
18.340.020 Procedure

18.340.010 Purpose

It is anticipated that some terms or phrases within the code may be ambiguous and therefore subject to two or more reasonable meanings. Because it is not possible to identify or remove all ambiguities in the code, a process should be established for resolving these ambiguities in advance of or concurrent with applying for a particular permit or other action. Director's interpretations provides a process for resolving ambiguities in such a manner. All director's interpretations are subject to appeal to the city council as provided below.

18.340.020 Procedure

- A. Requests. A request for an interpretation shall be made in writing to the director. The director may develop guidelines to and in the application process.
- B. Decision to issue. The director shall have the authority to consider the request for an interpretation. The director shall respond within 14 days after the request is made, as to whether or not the director will issue the requested interpretation.
- C. Director may decline. The director is authorized to issue or decline to issue a requested interpretation. The director's decision to issue or decline to issue an interpretation is final when such decision is mailed to the party requesting the interpretation and such decision is not subject to any further local appeal.
- D. Written interpretation mailed. If the director decides to issue an interpretation as requested, it shall be issued in writing and shall be mailed to the person requesting the interpretation and any other person that has specifically requested a copy of such interpretation.
- E. Appeal to city council. The applicant and any party who received such notice or who participated in the proceedings through the submission of written or verbal evidence of an interpretation may appeal the director's Interpretation to the city council within 14 days after the interpretation was mailed to the applicant. The appeal may be initiated by filing a notice of appeal with the director pursuant to 18.390.040.G.2.
- F. Appeal procedure. City council shall hear all appeals of a director's interpretation as a Type III action pursuant to 18.390.050.D, except that notice of the hearing shall be provided to the applicant, any other party who has filed a notice of appeal, and any other person who has requested notice.
- G. Final decision/effective date. The decision of the city council on an appeal of a director interpretation shall be final and effective when notice of the decision is mailed to the applicant; provided, however, that if the applicant is the director or the city council, the decision is final and effective when made.
- H. Interpretations on file. The director shall keep on file in the Department of Community Development a record of all director's interpretations. (Ord. 99-22) ■