

ORDINANCE 2025-11

AN ORDINANCE OF THE TOWN OF EATONVILLE, WASHINGTON, AMENDING EATONVILLE MUNICIPAL CODE CHAPTER 18.09 “ADMINISTRATION”

WHEREAS, from time to time the Town evaluates the provisions set forth in the Eatonville Municipal Code (EMC) to determine whether circumstances have changed that would justify amending said provisions; and

WHEREAS, the Town has determined that it is necessary to include a more robust appeals procedure for Board of Adjustment decisions to create a more transparent public process and provides a reasonable timeline for the events of the appeal.

WHEREAS, the Town Council finds the proposed changes to EMC chapter 18.09 are in the Town’s best interests and will promote the public health, safety, and welfare of its citizens; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF EATONVILLE AS FOLLOWS:

Section 1. Eatonville Municipal Code subsection 18.09.030(F) “Conditional Use Permit” is amended to read as follows:

~~F. Appeals. The decision of the board of adjustment shall be final, unless an appeal is made to the town council within 10 days after the board of adjustments decision. The appeal shall be in writing to the town council and filed with the town clerk.~~

The decision of the board of adjustment shall be final and conclusive, unless within 10 days from the date of action the original applicant or an adverse party makes an appeal to the town council. This appeal should be in writing and follow the process set forth in EMC 18.09.055.

Section 2. Eatonville Municipal Code subsection 18.09.040(E) “Variances” is amended to read as follows:

~~E. Board of Adjustment Action. The decision of the board of adjustment shall be final and conclusive, unless within 10 days from the date of action the original applicant or an adverse party makes an appeal to the town council. This appeal should be in writing to the town council and filed with the town clerk.~~

~~1. The decision of the town council shall be final and conclusive unless within 10 days from the date of action the original applicant or an adverse party files application to the county superior court for a writ of certiorari, writ of prohibition or writ of mandamus.~~

1. The decision of the board of adjustment shall be final and conclusive, unless within 10 days from the date of action the original applicant or an adverse party makes an appeal to

the town council. This appeal should be in writing to the town council and filed with the town clerk and adhere to process outlined in EMC 18.09.055.

Section 3. Eatonville Municipal Code section 18.09.055 shall be added to read as follows:

18.09.055 Appeals for Board of Adjustment Decisions

Appeal to the Town Council for Board of Adjustment decisions.

- (a) Filing. Every appeal to the Town Council shall be filed with the Town Clerk within ten (10) days after the date notice of the decision on the matter being appealed was posted.
- (b) Contents. The appeal shall contain a concise written statement identifying:
 - (1) The decision has been appealed.
 - (2) The name and address of the appellant and their interest in the matter.
 - (3) The specific reasons why the appellant believes the decision to be wrong. The appellant shall bear the burden of proving the decision was wrong.
 - (4) The desired outcome or changes to the decision.
- (c) If public notice is required by the underlying permit, public notice shall be posted for the same required amount of time for the appeal
- (d) The Town council, regardless of whether public notice is required, shall have at least 7 days before the next council meeting to review the appeal. The decision shall be made at the next council meeting following those 7 days.
- (e) Appeal fees shall be paid by the appellant in the amount of \$275 per Town of Eatonville Council resolution 2003-E.

Section 4. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 5. This ordinance shall take effect after publication of a summary, consisting of the title, pursuant to RCW 35.27.300.

1ST READING: 11/10/2025
2ND READING: 11/24/2025

PASSED by the Town Council of the Town of Eatonville and attested by the Clerk in authentication of such passage this 24th day of November 2025.

David Baublits
Mayor

ATTEST:

Miranda Doll
Town Clerk

APPROVED AS TO FORM:

Oskar Rey
Town Attorney