

ORDINANCE O-4847

AN ORDINANCE OF THE CITY OF KIRKLAND, REPEALING THE MORATORIUM ENACTED BY O-4779; AND EXTENDED FOR SIX MONTHS BY O-4806; AND EXTENDED FOR ANOTHER SIX MONTHS BY O-4833; PROHIBITING THE ACCEPTANCE OF APPLICATIONS FOR THE REVIEW AND/OR ISSUANCE OF BUILDING PERMITS FOR PERSONAL DELIVERY DEVICE DISPENSERS AND THE ACCEPTANCE OF APPLICATIONS FOR THE REVIEW AND/OR ISSUANCE OF RIGHT-OF-WAY USE PERMITS FOR PERSONAL DELIVERY DEVICES.

1 WHEREAS, the City has the authority to adopt moratoria
2 pursuant to RCW 35A.63.220 and 36.70A.390; and
3

4 WHEREAS, on January 18, 2022, the City Council adopted an
5 emergency moratorium ordinance upon the acceptance of applications
6 for the review and/or issuance of building permits for personal delivery
7 device dispensers and on the acceptance of applications for the review
8 and/or issuance of right-of-way use permits for personal delivery
9 devices, Ordinance O-4779 (hereinafter, the "moratorium ordinance");
10 and

11 WHEREAS, on February 1, 2022, the City Council adopted
12 Resolution R-5521 affirming the moratorium ordinance; and
13

14 WHEREAS, the City Council extended the moratorium for six
15 months via O-4806; and then extended it for another six months via
16 O-4833; and
17

18 WHEREAS, on February 21, 2023, the City Council adopted
19 O-4826, an ordinance that regulates the use and permitting of personal
20 delivery devices within the City of Kirkland, enacting a new Chapter
21 19.29 in the Kirkland Municipal Code entitled "Personal Delivery
22 Devices"; and
23

24 WHEREAS, the effective date of the new Chapter 19.29
25 regulating personal delivery devices was Monday, March 6, 2023,
26 therefore, the City no longer needs the moratorium and it should be
27 lifted.
28

29 NOW, THEREFORE, the City Council of the City of Kirkland do
30 ordain as follows:
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32 Section 1. The moratorium enacted by Ordinance O-4779 and
33 extended for six months by Ordinance O-4806 and extended an
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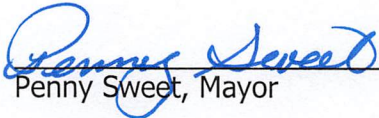
35 additional six months by Ordinance O-4833 is hereby lifted and shall no
36 longer be in effect.

37
38 Section 2. If any provision of this Ordinance or its application to
39 any person or circumstance is held invalid, the remainder of the
40 ordinance or the application of the provision to other persons or
41 circumstances is not affected.


42
43 Section 3. This ordinance shall be in force and effect five days
44 from and after its passage by the Kirkland City Council and publication,
45 as required by law.

46
47 Passed by majority vote of the Kirkland City Council in open
48 meeting this 2nd day of May, 2023.

49
50 Signed in authentication thereof this 2nd day of May, 2023.



Penny Sweet, Mayor

Attest:


Kathi Anderson, City Clerk

Publication Date: May 8, 2023

Approved as to Form:


Kevin Raymond, City Attorney