



CITY OF EDGEWOOD
REGULAR COUNCIL MEETING AGENDA

Tuesday, February 11, 2025 – 7:00 PM ♦ City Hall – 2224 104th Avenue East ♦ Edgewood, WA
Meeting Link: <https://cityofedgewood-org.zoom.us/j/86916509308>

1. CALL TO ORDER

2. PRESENTATION

A. State of the City Address

3. AUDIENCE COMMENT

4. MAYOR'S REPORT

5. CONSENT AGENDA: *The consent agenda includes items that are routine in nature and are adopted by one motion. Should Council wish to discuss a consent agenda item, the item would be removed from the consent agenda and discussed under Council Business.*

The following items are presented for Council approval:

A. Regular City Council Meeting Minutes of January 28, 2025

B. Study Session Meeting Minutes of February 4, 2025

C. AB25-055 - a motion approving February 2025 Budgeted Expenditures as follows: AWC Employee Benefit Trust; Deferred Compensation Program; Payroll Direct Deposit; Department of Retirement Systems; and IRS 941 in the amount of \$198,301.79 and Vendor Check Numbers 26388 through 26403, with EFT, and Direct Pay Payments in the amount of \$463,262.02 and EFT Voids in the amount of (\$276.64). Total distributions submitted for review and authorization in the amount of \$661,287.17.

D. AB25-0767 - Resolution 25-0767 Surplus of City Equipment

6. COUNCIL BUSINESS

A. AB25-0675 - Ordinance 25-0675 relating to Non-Conforming Uses and the Lawful Establishment Date thereof

7. COUNCIL COMMENTS

8. ADJOURN

This meeting is accessible to persons with disabilities. For individuals who may require special accommodations, please contact City Hall at (253) 952.3299, 24 hours in advance.



CITY OF EDGEWOOD

REGULAR COUNCIL MEETING AGENDA SUMMARY

Tuesday, January 28, 2025 – 7:00 PM ♦ City Hall – 2224 104th Avenue East ♦ Edgewood, WA

1 CALL TO ORDER

Mayor Olson called the meeting to order at 7:00pm and led the attendees in the Pledge of Allegiance

Present: Mayor Olson, Councilmember Ramirez, Councilmember Keith (via Zoom), Deputy Mayor Tomy (via Zoom), Councilmember West, Councilmember Southard (via Zoom) Councilmember Buckley (via Zoom) **Excused:** Councilmember Pazaruski **Staff Present:** Assistant City Administrator Rachel Pitzel, City Clerk/HR Director Jill Schwerzler-Herrera, Public Works Director Chuck Hendricksen, Finance Director Hardeep Goraya, City Attorney Randi Shaffer

2 AUDIENCE COMMENT

Mike Stanzel spoke.

3 MAYOR'S REPORT

Mayor Olson read his report and then opened it up for the directors to speak on topics of their choosing.

4 CONSENT AGENDA:

- A. Regular City Council Meeting Minutes of January 14, 2025
- B. Study Session Meeting Minutes of January 21, 2025
- C. Review of Boards/Commission Meeting Minutes
- D. **AB25-054** - a motion approving December 2024 and January 2025 Budgeted Expenditures as follows: Deferred Compensation Program; Payroll Direct Deposit; Department of Retirement Systems; IRS 941; Employment Security Department; Employment Security Department-WA Cares Fund; Department of Labor & Industry; and Employment Security Department-PFML in the amount of \$164,113.63 and Vendor Check Numbers 26371 through 26387, with EFT and Direct Pay Payments in the amount of \$388,741.29. Total distributions submitted for review and authorization in the amount of \$552,854.92.
- E. **AB25-0765** - Resolution 25-0765 Commission and Board Liaisons
- F. **AB25-0766** - Resolution 25-0766 Pierce Transit Long Range Plan

Motion: As Read **Action:** Approved **Moved by:** Councilmember West **Seconded by:** Councilmember Ramirez **Motion Passed 6-0**

5 COUNCIL BUSINESS

- A. Lindke v. Freed

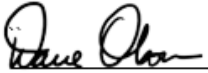
This item was brought forward for discussion at the request of the Council, and City Attorney Randi Shaffer spoke on the topic.

6 COUNCIL COMMENTS

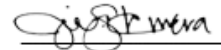
There were no council comments.

7 ADJOURN

Mayor Olson adjourned the meeting at 7:32pm.



Dave Olson
Mayor



Jill Schwerzler-Herrera
City Clerk/HR Director

From: [Samantha Merganthaler](#)
To: [Jill Schwerzler-Herrera](#)
Subject: Re: 1/14/25 Council Meeting Questions for Council
Date: Tuesday, January 28, 2025 12:20:45 PM

***This message is from an External Sender**

Thank you!

I have a few additional questions for the council that I am hoping can be presented at today's meeting.

Why are the schools in Edgewood the only schools in the Puyallup School District with speed cameras? Why did Edgewood decide on cameras rather than only flashing lights?

What influenced the city to install the speed cameras?

The City of Edgewood website states "A national survey found two-thirds of drivers exceed the posted speed limit in school zones during the 30-minute periods before and after classes." Was a local study done before installing the cameras to corroborate the national survey?

In 2024 the estimated revenue from school zone cameras was \$535,000. \$399,000 (estimated) went towards the camera contract, making the net revenue \$136,000 (estimated). \$122,866 (estimated) went towards the Pierce County Police Contract. Leaving \$15,000 or 2.8% of the total estimated revenue for city safety improvements/programs. It almost appears that the city has the cameras, simply to pay for the cameras.

Thank you!
Samantha Merganthaler

On Jan 14, 2025, at 2:11 PM, Jill Schwerzler-Herrera <jill@cityofedgewood.org> wrote:

Hello,

I will forward your comments on to the city council for their review.

Thank you,

<image001.jpg>

Jill Schwerzler-Herrera, CMC, CPRO
City Clerk/HR Director
Direct: 253-831-4250 | City Hall: 253-952-3299
2224 104th Ave E., Edgewood, WA 98372
M-F 6:30AM – 3:00PM – Remote Friday

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From: Samantha Merganthaler <merganthaler0714@hotmail.com>

Sent: Monday, January 13, 2025 3:48 PM

To: City Hall <cityhall@cityofedgewood.org>

Subject: 1/14/25 Council Meeting Questions for Council

***This message is from an External Sender**

Hello,

I have a question and a comment that I was hoping the council could cover during the "Audience Comment" portion.

This is on the topic of school zone cameras.

1. The Northwood school zone cameras turn on 30 minutes before school and stay on 30 minutes after school. They remain on 15 minutes after school has started and 15 minutes before school is let out. Why are these time frames so vast?

2. Northwood does not have crossing guards or crosswalks. The majority of 24th does not even have sidewalks. The cameras should not be the only safety measure that the city relies on to keep students safe.

3. Why doesn't the Final Budget Report detail further what is included in the Citywide Traffic Safety Program or Public Safety when it comes to the School Zone Camera revenue uses?

Thank you!

This is an external email. Please use caution when opening any attachments.

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CITY OF EDGEWOOD

STUDY SESSION MEETING AGENDA SUMMARY

Tuesday, February 4, 2025 – 7:00 PM ♦ City Hall – 2224 104th Avenue East ♦ Edgewood, WA

1 CALL TO ORDER

Mayor Olson called the meeting to order at 7pm and Councilmember Pazaruski led attendees in the Pledge of Allegiance.

Present: Mayor Olson, Deputy Mayor Tomin (via Zoom), Councilmember Pazaruski (via Zoom), Councilmember Ramirez, Councilmember Keith (via Zoom), Councilmember West, Councilmember Buckley, Councilmember Southard **Staff Present:** Assistant City Administrator Rachel Pitzel, City Clerk/HR Director Jill Schwerzler-Herrera, Community Development Director Jeremy Metzler, IT Director Matthew Ray, Finance Director Hardeep Goraya, Public Works Director Chuck Hendricksen

2 COUNCIL BUSINESS

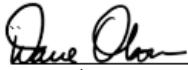
- A. Equity, Diversity, and Inclusion Council Sub-Committee Update**
Councilmember Buckley provided an update on the sub-committees recent discussions.
- B. Ordinance - Non-Conforming Uses and Lawful Establishment Date**
Community Development Director Metzler brought forward the draft ordinance that would authorize the proposed amendments to Edgewood Municipal Code Title 18 for review.
- C. Surplus of City Equipment**
Public Works Director Hendricksen brought forward this housekeeping item for review, asking that it be placed on the next weeks consent agenda.

3 OTHER COUNCIL ITEMS

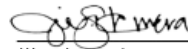
Mayor Olson, Deputy Mayor Tomin, Councilmembers Keith, Ramirez, Southard, and Buckley spoke.

4 ADJOURN

Mayor Olson adjourned the meeting at 7:29pm.



Dave Olson
Mayor



Jill Schwerzler-Herrera
City Clerk/HR Director



City Of Edgewood Council Agenda Summary Sheet

Subject: AB25-055 - a motion approving February 2025 Budgeted Expenditures as follows: AWC Employee Benefit Trust; Deferred Compensation Program; Payroll Direct Deposit; Department of Retirement Systems; and IRS 941 in the amount of \$198,301.79 and Vendor Check Numbers 26388 through 26403, with EFT, and Direct Pay Payments in the amount of \$463,262.02 and EFT Voids in the amount of (\$276.64). Total distributions submitted for review and authorization in the amount of \$661,287.17.	Agenda Item #: 5.C
	For Agenda of: 2/11/2025
	Prepared by: Stephanie Goff, Vicki Lundgren
Attachments (list): 1. 021125 Claims Register 2. 021125 Voucher Directory	
Approval of Materials: Stephanie Goff, Vicki Lundgren Rachel Pitzel, Assistant City Administrator 2/6/2025 Dave Olson, Mayor 2/6/2025	Expenditure Required: \$661,287.17
	Amount Budgeted: \$661,287.17
	Timeline:

Summary Statement:

AB24-030 approving February 2025 Budgeted Expenditures as follows: AWC Employee Benefit Trust; Deferred Compensation Program; Payroll Direct Deposit; Department of Retirement Systems; and IRS 941 in the amount of \$198,301.79 and Vendor Check Numbers 26388 through 26403, with EFT, and Direct Pay Payments in the amount of \$463,262.02 and EFT Voids in the amount of (\$276.64). Total distributions submitted for review and authorization in the amount of \$661,287.17.

Item History:

Recommended Action:

Fiscal Note/Consideration:

City of Edgewood 2025

February 11th, 2025 Council Meeting Check & EFT Payment Distribution Review & Authorization

Number	Name	Print Date	Amount
US Bank PAYROLL ACCOUNT DISTRIBUTION			
10611 Last Number Issued Previous Authorization			
<u>AWC EFT 1/31/25</u>	AWC Employee Benefit Trust	1/31/2025	\$48,660.58
<u>DCP EFT 1/31/25</u>	Deferred Compensation Program	1/31/2025	\$19,568.54
<u>Direct Deposit Run -</u>	Payroll Vendor	1/31/2025	\$94,025.05
<u>DRS EFT 1/31/25</u>	Dept of Retirement Systems	1/31/2025	\$19,883.12
<u>IRS 941 EFT 1/31/25</u>	IRS 941	1/31/2025	\$16,164.50
Total			\$198,301.79

Number	Name	Print Date	Amount
CLAIM VOUCHER ACCOUNT DISTRIBUTION			
26387 Last Number Issued Previous Authorization			
<u>26388</u>	Ace Hardware	2/11/2025	\$1,882.16
<u>26389</u>	Association of WA Cities	2/11/2025	\$500.00
<u>26390</u>	City of Sumner	2/11/2025	\$22,993.50
<u>26391</u>	Code Publishing Inc.	2/11/2025	\$930.00
<u>26392</u>	Fife Milton Edgewood Chamber of Commerce	2/11/2025	\$35.00
<u>26393</u>	Gray & Osborne, Inc	2/11/2025	\$27,466.64
<u>26394</u>	Hanson Tree Service LLC	2/11/2025	\$4,615.94
<u>26395</u>	Kelley Create	2/11/2025	\$501.33
<u>26396</u>	Orkin	2/11/2025	\$2,283.00
<u>26397</u>	PCRCD, LLC	2/11/2025	\$277.14
<u>26398</u>	Pierce County Auditor's Office	2/11/2025	\$27,784.84
<u>26399</u>	Pierce County Budget & Finance 2% Dist	2/11/2025	\$962.57
<u>26400</u>	Pierce County Budget & Finance Court	2/11/2025	\$30,675.00
<u>26401</u>	Pierce County Budget & Finance Sheriff	2/11/2025	\$281,457.17
<u>26402</u>	Tacoma Screw Products Inc	2/11/2025	\$135.65
<u>26403</u>	WA Assoc. of Building Officials	2/11/2025	\$145.00
<u>Direct Pay Payment</u>	AHBL	2/11/2025	\$5,846.31
<u>Direct Pay Payment</u>	Amazon Capital Services	2/11/2025	\$773.70
<u>Direct Pay Payment</u>	American Traffic Solutions	2/11/2025	\$33,250.00
<u>Direct Pay Payment</u>	Jennings Equipment, Inc.	2/11/2025	\$4,398.50
<u>Direct Pay Payment</u>	McClatchy Company LLC	2/11/2025	\$1,210.93
<u>Direct Pay Payment</u>	McKinstry Co, LLC	2/11/2025	\$1,686.46
<u>Direct Pay Payment</u>	Pape Machinery Inc.	2/11/2025	\$694.34
<u>Direct Pay Payment</u>	Utilities Underground Location Center	2/11/2025	\$94.50
<u>EFT Payment 2/6/2025</u>	Comcast	2/11/2025	\$99.42
<u>EFT Payment 2/6/2025</u>	Verizon Connect Fleet	2/11/2025	\$211.13
<u>EFT Payment 2/6/2025</u>	Verizon Wireless	2/11/2025	\$1,328.60
<u>EFT Payment 2/6/2025</u>	Crystal Springs	2/11/2025	\$156.12
<u>EFT Payment 2/6/2025</u>	Kings III Emergency Communications	2/11/2025	\$54.95
<u>EFT Payment 2/6/2025</u>	Les Schwab Tire Center	2/11/2025	\$166.01
<u>EFT Payment 2/6/2025</u>	McLendon Hardware-Blue Tarp Credit Services	2/11/2025	\$586.93
<u>EFT Payment 2/6/2025</u>	Murrey's Disposal Company	2/11/2025	\$390.18
<u>EFT Payment 2/6/2025</u>	Office Depot	2/11/2025	\$155.63
<u>EFT Payment 2/6/2025</u>	O'Reilly Auto Parts	2/11/2025	\$218.31
<u>EFT Payment 2/6/2025</u>	Puget Sound Energy	2/11/2025	\$9,295.06
Total Claims Voucher Distribution			\$463,262.02

Total Distribution Submitted for Review & Authorization	\$ 661,563.81
Authorization Adjustments: VOID-Duplicate Payments-Mt. View Edgewood Water Co.	\$ (276.64)
Total Distribution Net of Prior Authorized Adjustments	\$ 661,287.17

Claims Voucher Approval: I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Edgewood, and that I am authorized to authenticate and certify to said claim.

Accounting Manager, Stephanie Goff

Mayor, Dave Olson

Council Member



Voucher Directory

Fiscal : 2025 - February
Council Date : 2025 - February - 1st Council Meeting

Vendor	Number	Reference	Account Number	Description	Amount
Ace Hardware	26388		2025 - February - 1st Council Meeting		
		020425-AH			
			Apr 24-Jan 25 Statement		
			001-018-000-518-20-31-01	Office & Operational Supplies	\$32.11
				Cleaning Supplies-City Hall	
			001-018-000-518-30-48-03	Maintenance/Repairs - Buildings	\$152.32
				Materials-City Hall	
			001-022-000-548-30-31-01	Operating Supplies	\$281.12
				Misc Supplies	
			001-022-000-548-30-32-02	Supplies/Parts-Vehicles & Equipment	\$466.48
				Vehicles-#18,#19,#20;Pressure Washer;Compressor	
			001-022-000-548-30-35-01	Small Tools/Minor Equipment	\$10.50
				Saw Hole	
			001-076-000-576-80-31-01	Operational Supplies	\$331.85
				Materials-Parks	
			001-076-000-576-80-31-02	Recreation Activities & Events	\$434.26
				Supplies-Tree Lighting Event	
			001-076-000-594-76-61-01	Park Structures/Buildings	\$51.71
				Supplies-Roof Repair-ECP	
			410-000-000-531-38-32-02	Supplies/Parts-Vehicles & Equipment	\$121.81
				Vehicles-#18, #19, #20	
		Total 020425-AH			\$1,882.16
	Total 26388				\$1,882.16
Total Ace Hardware					\$1,882.16
AHBL					
	Direct Pay Payment 2/6/2025 1:54:31 PM - 1		2025 - February - 1st Council Meeting		
	149975				
			December Svcs-Edgewood Comprehensive Plan Periodic Update		
			001-058-000-558-60-41-23	Professional Serv-GMA	\$5,846.31
				Edgewood Comprehensive Plan Periodic Update	
		Total 149975			\$5,846.31
	Total Direct Pay Payment 2/6/2025 1:54:31 PM - 1				\$5,846.31
Total AHBL					\$5,846.31

Vendor	Number	Reference	Account Number	Description	Amount
Amazon Capital Services					
		Direct Pay Payment 2/6/2025 1:54:31 PM - 2	2025 - February - 1st Council Meeting		
		1QW-RVL6-PDQ			
			January Statement		
			001-018-000-518-20-31-01	Office & Operational Supplies	\$69.94
				General Office & Cleaning Supplies	
			001-018-000-518-20-31-01	Office & Operational Supplies	\$47.06
				Rechargeable Batteries (Qty 2)-City Hall Doors	
			001-018-000-518-85-35-01	IT Small Tools/Minor Equipment	\$82.91
				Webcam-(Qty 2)	
			001-076-000-576-80-31-01	Operational Supplies	\$85.78
				Toolbox Lock Cylinder; Sprocket Cover Kit	
			410-000-000-531-38-31-01	Operational Supplies	\$488.01
				Weather Station	
		Total 1QW-RVL6-PDQ	\$773.70		
		Total Direct Pay Payment 2/6/2025 1:54:31 PM - 2	\$773.70		
Total Amazon Capital Services					\$773.70
American Traffic Solutions					
		Direct Pay Payment 2/6/2025 1:54:31 PM - 3	2025 - February - 1st Council Meeting		
		INV0093115			
			January Traffic Camera Services		
			001-021-000-521-70-41-11	Traffic Policing-Traffic Camera Contract	\$33,250.00
				7 Traffic Cameras	
		Total INV0093115	\$33,250.00		
		Total Direct Pay Payment 2/6/2025 1:54:31 PM - 3	\$33,250.00		
Total American Traffic Solutions					\$33,250.00
Association of WA Cities					
	26389		2025 - February - 1st Council Meeting		
	157583				
			Mayors Exchange Winter 2025 Registration		
			001-011-000-511-60-49-03	Registration & Training	\$125.00
				Mayors Exchange Winter 2025 Registration	
	Total 157583		\$125.00		
	157584				
			City Action Days 2025 Registration		
			001-011-000-511-60-49-03	Registration & Training	\$250.00
				City Action Days 2025 Registration	
	Total 157584		\$250.00		
	157624				
			EOE Forum 2025 Registration		
			001-011-000-511-60-49-03	Registration & Training	\$125.00

Vendor	Number	Reference	Account Number	Description	Amount
				EOE Forum 2025 Registration-D.Olson	
		Total 157624			\$125.00
	Total 26389				\$500.00
Total Association of WA Cities					\$500.00
City of Sumner					
	26390			2025 - February - 1st Council Meeting	
		1255			
				2024 True-Up Fees (Metro Animal Services)	
			001-019-000-554-30-41-01	Animal Control Services	\$22,993.50
				2024 True-Up Fees (Metro Animal Services)	
		Total 1255			\$22,993.50
	Total 26390				\$22,993.50
Total City of Sumner					\$22,993.50
Code Publishing Inc.					
	26391			2025 - February - 1st Council Meeting	
		GC00128852			
				2025 Annual Web Fees	
			001-019-030-514-90-42-06	Professional Service-Code Update	\$930.00
				2025 Annual Web Fees	
		Total GC00128852			\$930.00
	Total 26391				\$930.00
Total Code Publishing Inc.					\$930.00
Comcast					
	EFT Payment 2/6/2025 1:53:39 PM - 1			2025 - February - 1st Council Meeting	
		8498 35 021 0602869 1/29-2/28/25			
				1/29-2/28/25 Services	
			001-018-000-518-85-42-01	Cell Phones/Internet/Telecommunications	\$99.42
				City Hall Public Internet	
		Total 8498 35 021 0602869 1/29-2/28/25			\$99.42
	Total EFT Payment 2/6/2025 1:53:39 PM - 1				\$99.42
Total Comcast					\$99.42

Vendor	Number	Reference	Account Number	Description	Amount
Crystal Springs					
		EFT Payment 2/6/2025 1:53:39 PM - 2	2025 - February - 1st Council Meeting		
		15787820 012225			
		January Water Delivery			
		001-018-000-518-20-31-01	Office & Operational Supplies		\$156.12
			Water Delivery		
		Total 15787820 012225			\$156.12
		Total EFT Payment 2/6/2025 1:53:39 PM - 2			\$156.12
Total Crystal Springs					\$156.12
Fife Milton Edgewood Chamber of Commerce					
	26392		2025 - February - 1st Council Meeting		
		4173			
		December Chamber Luncheon			
		001-011-000-511-60-31-30	Meals & Refreshments		\$35.00
			December Chamber Luncheon-D.Olson		
		Total 4173			\$35.00
	Total 26392				\$35.00
Total Fife Milton Edgewood Chamber of Commerce					\$35.00
Gray & Osborne, Inc					
	26393		2025 - February - 1st Council Meeting		
		2-G&O Prj. 24596.01			
		Jan Svcs-48th Street East Preservation			
		340-000-000-595-10-63-01	Capital Improvements-Engineering		\$20,922.73
			48th Street East Preservation-T-14 CIP		
		Total 2-G&O Prj. 24596.01			\$20,922.73
		39-G&O Prj. 21621.00			
		Jan Svcs-Chrisella Road East Safety Improvements			
		340-000-000-595-10-63-01	Capital Improvements-Engineering		\$6,543.91
			Chrisella Road East Safety Improvements		
		Total 39-G&O Prj. 21621.00			\$6,543.91
	Total 26393				\$27,466.64
Total Gray & Osborne, Inc					\$27,466.64
Hanson Tree Service LLC					
	26394		2025 - February - 1st Council Meeting		
		195110			
		January Services			
		101-000-000-542-70-48-04	Roadside- ROW Veg Maint Contractor		\$4,615.94
			Tree Removal-125th Ave E & 24th St E		
		Total 195110			\$4,615.94
	Total 26394				\$4,615.94
Total Hanson Tree Service LLC					\$4,615.94

Vendor	Number	Reference	Account Number	Description	Amount
Jennings Equipment, Inc.					
		Direct Pay Payment 2/6/2025 1:54:31 PM - 4	2025 - February - 1st Council Meeting		
		120731			
			January Purchases		
			410-000-000-594-31-64-04	Equipment	\$4,398.50
				Honda 7,000 Watt Generator-(DOE Capacity Grant Funding)	
		Total 120731			\$4,398.50
		Total Direct Pay Payment 2/6/2025 1:54:31 PM - 4			\$4,398.50
Total Jennings Equipment, Inc.					\$4,398.50
Kelley Create					
	26395		2025 - February - 1st Council Meeting		
		IN1858859			
			10/31-1/30/25-Copy Charges		
			001-018-000-518-20-42-03	Copy Machine Charges	\$501.33
				Copy Overage Charges	
		Total IN1858859			\$501.33
	Total 26395				\$501.33
Total Kelley Create					\$501.33
Kings III Emergency Communications					
		EFT Payment 2/6/2025 1:53:39 PM - 3	2025 - February - 1st Council Meeting		
		2949132			
			Service Elevator Phone(s)		
			001-018-000-518-30-48-03	Maintenance/Repairs - Buildings	\$54.95
				Service Elevator Phone(s)	
		Total 2949132			\$54.95
		Total EFT Payment 2/6/2025 1:53:39 PM - 3			\$54.95
Total Kings III Emergency Communications					\$54.95
Les Schwab Tire Center					
		EFT Payment 2/6/2025 1:53:39 PM - 4	2025 - February - 1st Council Meeting		
		42700438467			
			January Services		
			001-022-000-548-30-32-02	Supplies/Parts-Vehicles & Equipment	\$83.30
				Replace RF Wheel Stud-Dump Trailer	
			410-000-000-531-38-32-02	Supplies/Parts-Vehicles & Equipment	\$27.77
				Replace RF Wheel Stud-Dump Trailer	
		Total 42700438467			\$111.07
		42700438786			
			January Services		
			001-022-000-544-20-47-03	Waste Disposal	\$54.94

Vendor	Number	Reference	Account Number	Description	Amount
				ROW-Tire Disposal (Qty 10)	
			Total 42700438786		\$54.94
			Total EFT Payment 2/6/2025 1:53:39 PM - 4		\$166.01
Total Les Schwab Tire Center					\$166.01
McClatchy Company LLC					
		Direct Pay Payment 2/6/2025 1:54:31 PM - 5		2025 - February - 1st Council Meeting	
		286880			
			January Statement		
			001-019-030-514-30-41-02	Legal Publications	\$212.73
				January Statement	
			001-058-000-558-60-41-08	Legal Notices/Publications	\$998.20
				January Statement	
			Total 286880		\$1,210.93
			Total Direct Pay Payment 2/6/2025 1:54:31 PM - 5		\$1,210.93
Total McClatchy Company LLC					\$1,210.93
McKinstry Co, LLC					
		Direct Pay Payment 2/6/2025 1:54:31 PM - 6		2025 - February - 1st Council Meeting	
		10276629			
			February Maintenance		
			001-018-000-518-30-48-03	Maintenance/Repairs - Buildings	\$1,686.46
				February Maintenance	
			Total 10276629		\$1,686.46
			Total Direct Pay Payment 2/6/2025 1:54:31 PM - 6		\$1,686.46
Total McKinstry Co, LLC					\$1,686.46
McLendon Hardware-Blue Tarp Credit Services					
		EFT Payment 2/6/2025 1:53:39 PM - 5		2025 - February - 1st Council Meeting	
		012525-MH			
			January Statement		
			001-022-000-548-30-31-01	Operating Supplies	\$138.89
				Bulk Fasteners; Batteries; Motomix Premixed Fuel;Storage Brackets	
			001-022-000-548-30-35-01	Small Tools/Minor Equipment	\$217.75
				Small Hand Tools; Portable Heater	
			001-076-000-576-80-31-01	Operational Supplies	\$230.29
				Chains; Parts-Gate-Nelson Nature Park	
			Total 012525-MH		\$586.93
			Total EFT Payment 2/6/2025 1:53:39 PM - 5		\$586.93
Total McLendon Hardware-Blue Tarp Credit Services					\$586.93

Vendor	Number	Reference	Account Number	Description	Amount
Murrey's Disposal Company					
		EFT Payment 2/6/2025 1:53:39 PM - 6	2025 - February - 1st Council Meeting		
		12698715S111			
			January Services		
			001-022-000-544-20-47-03	Waste Disposal	\$390.18
			PW Yard		
		Total 12698715S111			
		Total EFT Payment 2/6/2025 1:53:39 PM - 6			
Total Murrey's Disposal Company					
Office Depot					
		EFT Payment 2/6/2025 1:53:39 PM - 7	2025 - February - 1st Council Meeting		
		408200565001			
			January Purchases		
			001-076-000-576-80-31-01	Operational Supplies	\$155.63
			Toilet Tissue-(Qty 2 Cases)		
		Total 408200565001			
		Total EFT Payment 2/6/2025 1:53:39 PM - 7			
Total Office Depot					
O'Reilly Auto Parts					
		EFT Payment 2/6/2025 1:53:39 PM - 8	2025 - February - 1st Council Meeting		
		012825-OAP			
			January Statement		
			001-022-000-548-30-31-01	Operating Supplies	\$33.83
			Shop Pump;Fuse	Accessories-Stock	
			001-022-000-548-30-32-02	Supplies/Parts-Vehicles & Equipment	\$99.88
			Motor Oil-Vehicle #6; Battery Tender;Fluids/Lube-Fleet		
			101-000-000-542-64-31-01	Traffic Control Devices-Office & Operational	\$65.97
				Supplies	
				Supplies/Parts-Radar Signs	
			410-000-000-531-38-32-02	Supplies/Parts-Vehicles & Equipment	\$18.63
			Motor Oil-Vehicle #6;Fluids/Lube-Fleet		
		Total 012825-OAP			
		Total EFT Payment 2/6/2025 1:53:39 PM - 8			
Total O'Reilly Auto Parts					
Orkin					
	26396		2025 - February - 1st Council Meeting		
		013025-ORKIN			
			Acct 31501490 2025 Annual Service		
			001-018-000-518-30-41-01	Professional Services	\$2,283.00

Vendor	Number	Reference	Account Number	Description	Amount
				2025 Annual Service	
		Total 013025-ORKIN			\$2,283.00
	Total 26396				\$2,283.00
Total Orkin					\$2,283.00
Pape Machinery Inc.					
	Direct Pay Payment 2/6/2025 1:54:31 PM - 7			2025 - February - 1st Council Meeting	
	15846469				
		January Purchases			
		001-022-000-548-30-32-02		Supplies/Parts-Vehicles & Equipment	\$125.96
		Parts-Skid Steer			
		410-000-000-531-38-32-02		Supplies/Parts-Vehicles & Equipment	\$41.99
		Parts-Skid Steer			
	Total 15846469				\$167.95
	15851116				
		January Purchases			
		001-022-000-548-30-32-02		Supplies/Parts-Vehicles & Equipment	\$110.38
		Parts-Skid Steer			
		410-000-000-531-38-32-02		Supplies/Parts-Vehicles & Equipment	\$36.79
		Parts-Skid Steer			
	Total 15851116				\$147.17
	15855045				
		January Purchases			
		001-022-000-548-30-32-02		Supplies/Parts-Vehicles & Equipment	\$89.94
		Parts-Skid Steer			
		410-000-000-531-38-32-02		Supplies/Parts-Vehicles & Equipment	\$29.98
		Parts-Skid Steer			
	Total 15855045				\$119.92
	15857755				
		January Purchases			
		001-022-000-548-30-32-02		Supplies/Parts-Vehicles & Equipment	\$18.79
		Parts-Skid Steer			
		410-000-000-531-38-32-02		Supplies/Parts-Vehicles & Equipment	\$6.27
		Parts-Skid Steer			
	Total 15857755				\$25.06
	15873890				
		February Purchases			
		001-022-000-548-30-32-02		Supplies/Parts-Vehicles & Equipment	\$234.24
		Parts-Chain Saw			
	Total 15873890				\$234.24
	Total Direct Pay Payment 2/6/2025 1:54:31 PM - 7				\$694.34
Total Pape Machinery Inc.					\$694.34

Vendor	Number	Reference	Account Number	Description	Amount
PCRCD, LLC	26397			2025 - February - 1st Council Meeting	
		42659B190H			
			January Services		
			001-022-000-544-20-47-03	Waste Disposal	\$277.14
				COE Barn Clean-Out	
		Total 42659B190H			\$277.14
	Total 26397				\$277.14
Total PCRCD, LLC					\$277.14
Pierce County Auditor's Office	26398			2025 - February - 1st Council Meeting	
		CI-363487			
			2024 Auditor Election/Voter Maint		
			001-019-000-514-90-41-01	Voter Registration	\$27,784.84
				2024 Voter Maintenance Cost Reimbursement	
		Total CI-363487			\$27,784.84
	Total 26398				\$27,784.84
Total Pierce County Auditor's Office					\$27,784.84
Pierce County Budget & Finance 2% Dist	26399			2025 - February - 1st Council Meeting	
		CI-364355			
			4th Qtr 2024 Liquor Profit and Excise Taxes		
			001-021-000-521-10-42-01	Intergov Chemical Dependency	\$962.57
				4th Qtr 2024 Liquor Profit and Excise Taxes	
		Total CI-364355			\$962.57
	Total 26399				\$962.57
Total Pierce County Budget & Finance 2% Dist					\$962.57
Pierce County Budget & Finance Court	26400			2025 - February - 1st Council Meeting	
		CI-364653			
			1st Qtr 2025 Services		
			001-021-000-512-52-41-01	Court Services - Contracted	\$30,675.00
				1st Qtr 2025 Services	
		Total CI-364653			\$30,675.00
	Total 26400				\$30,675.00
Total Pierce County Budget & Finance Court					\$30,675.00

Vendor	Number	Reference	Account Number	Description	Amount
Pierce County Budget & Finance Sheriff					
	26401		2025 - February - 1st Council Meeting		
		CI-363783			
			December Services		
			001-021-000-521-20-41-01	Police Services	\$281,457.17
			December Services		
		Total CI-363783	\$281,457.17		
	Total 26401		\$281,457.17		
Total Pierce County Budget & Finance Sheriff					\$281,457.17
Puget Sound Energy					
	EFT Payment 2/6/2025 1:53:39 PM - 9		2025 - February - 1st Council Meeting		
	220036939530 Jan 2025				
			January Statement		
			001-018-000-518-30-47-01	Electricity	\$150.19
			1/3-1/31/25 Services		
		Total 220036939530 Jan 2025	\$150.19		
		300000011233			
			January Statement		
			001-018-000-518-30-47-01	Electricity	\$9,144.87
			1/3-1/31/25 Services		
		Total 300000011233	\$9,144.87		
	Total EFT Payment 2/6/2025 1:53:39 PM - 9		\$9,295.06		
Total Puget Sound Energy					\$9,295.06
Tacoma Screw Products Inc					
	26402		2025 - February - 1st Council Meeting		
		100356307-00			
			January Purchases		
			001-022-000-548-30-31-01	Operating Supplies	\$44.10
			Steel Pins; Oil (Aerosol)		
			001-022-000-548-30-31-53	PPE-Personal Protective Equipment	\$68.66
			Nitrile Gloves-XL-(Qty 4 bxs)		
			410-000-000-531-38-31-53	PPE-Personal Protective Equipment	\$22.89
			Nitrile Gloves-XL-(Qty 4 bxs)		
		Total 100356307-00	\$135.65		
	Total 26402		\$135.65		
Total Tacoma Screw Products Inc					\$135.65
Utilities Underground Location Center					
	Direct Pay Payment 2/6/2025 1:54:31 PM - 8		2025 - February - 1st Council Meeting		
	5010148				
			January Services		
			410-000-000-531-38-49-09	Misc. Fees & Charges	\$94.50

Vendor	Number	Reference	Account Number	Description	Amount
				Utility Locating Svcs. for January	
		Total 5010148			\$94.50
		Total Direct Pay Payment 2/6/2025 1:54:31 PM - 8			\$94.50
Total Utilities Underground Location Center					\$94.50
Verizon Connect Fleet					
	EFT Payment 2/6/2025 1:53:39 PM - 10		2025 - February - 1st Council Meeting		
	626000063222				
		January Statement			
		001-018-000-518-85-42-01		Cell Phones/Internet/Telecommunications	\$211.13
				1/1-1/31/25 Vehicle Tracking Svcs	
		Total 626000063222			\$211.13
	Total EFT Payment 2/6/2025 1:53:39 PM - 10				\$211.13
Total Verizon Connect Fleet					\$211.13
Verizon Wireless					
	EFT Payment 2/6/2025 1:53:39 PM - 11		2025 - February - 1st Council Meeting		
	6104380110				
		January Statement			
		001-018-000-518-85-42-01		Cell Phones/Internet/Telecommunications	\$1,328.60
				January Monthly Statement	
		Total 6104380110			\$1,328.60
	Total EFT Payment 2/6/2025 1:53:39 PM - 11				\$1,328.60
Total Verizon Wireless					\$1,328.60
WA Assoc. of Building Officials					
	26403		2025 - February - 1st Council Meeting		
	20370				
		WABO AEI Registration			
		001-058-000-558-50-49-03		Registration & Training	\$145.00
				2021 IRC:Complete Plan Review-(J.Curbow)	
		Total 20370			\$145.00
	Total 26403				\$145.00
Total WA Assoc. of Building Officials					\$145.00
Grand Total		Vendor Count	35		\$463,262.02



City Of Edgewood Council Agenda Summary Sheet

Subject: AB25-0767 - Resolution 25-0767 Surplus of City Equipment	Agenda Item #: 5.D
	For Agenda of: 2/11/2025
	Prepared by: Chuck Hendricksen
Attachments (list): 1. RESOLUTION 25-0767 AUTHORIZING THE MAYOR TO DECLARE MISCELLANEOUS OBSOLETE COMPUTER EQUIPMENT ELECTRONICS AND AUTOMOBILES AS SURPLUS 2. Surplus Equipment Exhibit A	
Approval of Materials: Chuck Hendricksen Rachel Pitzel, Assistant City Administrator 2/4/2025 Dave Olson, Mayor 2/4/2025	Expenditure Required: N/A Amount Budgeted: N/A Timeline: 2/4/2025 – SS Discussion 2/11/2025 - RCM Action under Consent Agenda

Summary Statement:

Staff continues to work to identify and prepare to dispose of miscellaneous obsolete computer equipment, electronics, and automobiles that are no longer in use or being retired as obsolete. By approval of this resolution, council will be authorizing the Mayor to work with staff to determine the most appropriate method to surplus the equipment and documenting any proceeds which will be returned to the source fund the surplus item was purchased from.

Item History:

Recommended Action:

MOTION to adopt **AB25-0767** - Resolution 25-0767 Surplus of City Equipment as presented under the Consent Agenda.

Fiscal Note/Consideration:

Any revenues generated from the surplus activity will be deposited in to the fund it was purchased out of.

RESOLUTION NO. 25-0767

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO DECLARE MISCELLANEOUS OBSOLETE COMPUTER EQUIPMENT, ELECTRONICS, AND AUTOMOBILES AS SURPLUS, AND ADMINISTER THE DONATION OR SALE OF THE ITEMS

WHEREAS, City staff have been working to identify and prepare to dispose of miscellaneous obsolete computer equipment, electronics, and automobiles; and

WHEREAS, it is in the best interest of the City to free up valuable space that is currently not available due to storage of unused & obsolete items; and

WHEREAS, the City has donated and recycled obsolete computer equipment and electronics with little to no value in the past, for possible re-use by other government and non-profit organizations; and

WHEREAS, the City Council desires to formally authorize the Mayor to surplus said obsolete equipment;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Surplus Declaration. The City Council hereby declares these items surplus and authorizes the Mayor to administer the sale of items with a value greater than the disposal cost, donation of items that serve the public interest but have nominal or no value to the City, and finally to dispose of or recycle those items remaining. A list of items is attached as Exhibit A. All City data shall be permanently removed from all data devices prior to loss of custody by the City with a certificate provided stating such disposal was done according to the highest industry standards.

Section 2. Effective Date. This resolution will take effect immediately upon passage by the City Council.

ADOPTED THIS 11TH DAY OF FEBRUARY, 2025

Dave Olson, Mayor

ATTEST:

Jill Schwerzler-Herrera, CMC
City Clerk

Exhibit A
(Insert Exhibit here if applicable)

EXHIBIT A

City of Edgewood
Resolution No. 25-07XX
Surplus Property List
February 4, 2025

Description of Item
Tow behind reader board trailer
3x white holding tanks
DR field and brush mower
John Deere skid steer planer attachment

Description of item	Value
2013 Ford Escape	\$5000
2014 Ford Escape	\$5000

- Final values to be determined upon sale of items, to be attached to the Original Resolution.



City Of Edgewood Council Agenda Summary Sheet

Subject: AB25-0675 - Ordinance 25-0675 relating to Non-Conforming Uses and the Lawful Establishment Date thereof	Agenda Item #: 6.A
	For Agenda of: 2/11/2025
	Prepared by: Jeremy Metzler
Attachments (list): 1. Ordinance 25-0675 2. ExA - EMC Title 18 Amendments (Clean)	
Approval of Materials: Jeremy Metzler Rachel Pitzel, Assistant City Administrator 2/4/2025 Dave Olson, Mayor 2/4/2025	Expenditure Required: N/A
	Amount Budgeted: N/A
	Timeline: 02/04/2025 SS 02/11/2025 RCM

Summary Statement: When evaluating any use for non-conforming status, an applicant / proponent must prove that the use was lawfully established and existing prior to the effective date of the applicable regulation. There are some ongoing uses within the City of Edgewood that were established prior to our incorporation on February 28, 1996, and researching back beyond that date has proven in several cases to be challenging at best. In an effort to improve efficiencies, staff is interested in limiting any need for research beyond the City's date of incorporation. This might be accomplished by establishing a date in the municipal code before which the use in question is considered to be "self-evident", or in other words, the exact date of existence does not need to be proven if established prior to said specific date.

For reference, in Washington State, a landowner must satisfy the following three key elements to prove that a use was lawfully established or lawfully existing:

- The use must have existed prior to the enactment of a zoning ordinance that contradicts the use.
- The use must have been lawful at the time it was established.
- The landowner must not have abandoned or discontinued the use for over a year prior to the relevant change in the zoning code.

There are two additional scenarios to consider based on relevant case law:

- Clearly state that any trespass or encroachment would not qualify as “legally established”, and
- Provide a clear process for how an applicant / property owner can prove continual use as simply as possible.

Following initial conversation with the City Council in July 2024 study session, this was moved forward to the

Planning Commission in November 2024 using the City's date of incorporation. Staff prepared draft code redlines for review and discussion, general support was expressed by the commissioners, and no further comment or discussion was provided at their December 2024 meeting. Staff issued a SEPA Determination of Nonsignificance (DNS) on December 22, 2024, scheduled and held a Public Hearing at the January 2025 Planning Commission meeting, and no public comments were received. The Planning Commission unanimously recommended the Council adopt the code amendments at their January meeting.

Attached for Council's consideration is an ordinance that would authorize the proposed amendments to Edgewood Municipal Code (EMC) Title 18.

Item History:

07/16/2024 Council SS - <https://vimeo.com/985745206> (starting at 1hr 16min)

11/06/2024 Planning Commission Meeting - <https://edgewoodwa.portal.civicclerk.com/event/1011/overview>

12/09/2024 Planning Commission Meeting - <https://edgewoodwa.portal.civicclerk.com/event/961/overview>

01/13/2025 Planning Commission Meeting - <https://edgewoodwa.portal.civicclerk.com/event/1064/overview>

Recommended Action:

MOTION to adopt **AB25-0675** - Ordinance 25-0675 relating to Non-Conforming Uses and the Lawful Establishment Date thereof

Fiscal Note/Consideration:

N/A

ORDINANCE NO. 25-0675

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, PIERCE COUNTY, WASHINGTON, RELATING TO NON-CONFORMING USES AND THE LAWFUL ESTABLISHMENT DATE THEREOF; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of Edgewood has established process and procedures for existing non-conformities under Edgewood Municipal Code (EMC) Section 18.90.110; and

WHEREAS, when evaluating any use for non-conforming status, an applicant / proponent must prove that the use was lawfully established and existing prior to the effective date of the applicable regulation; and

WHEREAS, to improve efficiencies and reduce the need for extensive research, the City proposes establishing a specific date in the municipal code, such that any use in question existing before this date will be deemed “self-evident” for the purpose of demonstrating that it was lawfully “established”; and

WHEREAS, after initial conversation with City Council in July 2024, the Planning Commission reviewed suggested amendments to EMC Title 18 that would establish said date as the City’s date of incorporation, February 28, 1996; and

WHEREAS, in accordance with the State Environmental Policy Act (SEPA), the City’s SEPA Responsible Official issued a Determination of Nonsignificance (DNS) on December 22, 2024, under file # 24-009-CODE, and the threshold determination was not appealed; and

WHEREAS, on January 14, 2025, the Planning Commission held a duly-noticed public hearing on the proposed code amendments; and

WHEREAS, on January 14, 2025 the Planning Commission voted unanimously to recommend adoption of the proposed amendments to EMC Title 18 relating to Non-Conforming Uses and Lawful Establishment Date to Council; and

WHEREAS, the City Council has determined that an update of the EMC is required to establish a date certain for non-conforming uses; and

WHEREAS, the City Council considered the proposed code amendments at their regular meetings held on February 4, 2025, and February 11, 2025;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. EMC Title 18 Amended. Amendments to Sections 18.20.170, 18.90.110, 18.100.070 and 18.100.080 EMC relating to Non-Conforming Uses and Lawful Establishment Date are attached hereto as Exhibit A, incorporated by reference.

Section 2. Corrections. Upon the approval of the city attorney and/or the city clerk, the code publisher is authorized to make any necessary technical corrections to this ordinance,

including but not limited to the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after publication as provided by law.

PASSED BY THE CITY COUNCIL ON THE 11TH DAY OF FEBRUARY, 2025

Dave Olson, Mayor

ATTEST/AUTHENTICATED:

Jill Schwerzler-Herrera, CMC
City Clerk

APPROVED AS TO FORM:

Maili C. Barber, City Attorney

Date of Publication: February 14, 2025

Effective Date: February 19, 2025

Exhibit A
Edgewood Municipal Code (EMC) Title 18 Amendments
Non-Conforming Uses and Lawful Establishment Date

18.20.170 N Definitions.

...

“Nonconforming lot” means a lot which does not conform to the design or density requirements of the zoning district in which it is located. A nonconforming lot is a lot that was legal when it was created (see EMC 16.01.040(D) for criteria), but no longer meets the current area, width, or depth dimensional requirements for the zoning district in which the property is located. Nonconforming lots may be occupied by any permitted use in the district; provided, that all other development regulations in effect at the time of development are met.

“Nonconforming structure” is one which was lawfully erected in conformance with the regulations in effect at the time of its construction, but which no longer conforms to current development standards including, but not limited to, design, height, setback or coverage requirements of the zoning district in which it is located.

“Nonconforming use” means the use of land, a building or a structure lawfully existing prior to the effective date of this title or subsequent amendments thereto, which does not conform with the regulations of the district in which it is located.

“Nonconformity” means any land use, structure, lot or sign that is proven to have existed on or before February 28, 1996, that was not a criminal use at the time or currently, or that was legally established after February 28, 1996 and prior to the effective date of this title or subsequent amendment, that is no longer permitted by or in full compliance with the regulations of this title.

...

18.90.110 Nonconformities.

...

- I. The burden of demonstrating that nonconformity existed on or before February 28, 1996, or is otherwise lawful under this title, rests with the property or business owner. The exact date need not be proven, only that the nonconformity existed on or before February 28, 1996. Additionally, the nonconformity must not have been criminal at the time under City, State, or Federal law, nor can it be criminal under current law. Some examples of evidence that may indicate legal nonconforming status include: tax assessment records, construction or other permit records, personal or business income tax records, business license records, dated past advertising, dated business receipts to customers, dated rent receipts, affidavits from neighbors or tenants, testamentary documents, photographs whose date may be clearly ascertained, and other such information which is competent and factual. The city may, at its discretion, request such records from a property or business owner as a basis for determining whether nonconformity was legally established and preexisting.

J. Termination of Nonconforming Status.

1. A nonconforming development or use shall terminate under the following conditions:

- a. When the use has been vacated or abandoned for a period of twelve (12) or more months.
 - b. When the structure, which is nonconforming, has been damaged or destroyed to an extent exceeding 50 percent or more of its fair market value as indicated by the records of the Pierce County assessor.
2. Provided, that damaged uses that are allowed to reestablish, as provided in subsection (K) of this section, Damage or Destruction, shall not be considered to be terminated. Once terminated, the use shall not be reestablished, and any subsequent use must comply with the regulations of the zoning district in which it is located.

...

- N. The community development director or designee is hereby empowered to prohibit or condition any nonconforming use that poses a risk to public health, safety, or the environment, even if the use existed prior to February 28, 1996. The director or designee may also impose conditions to remediate or mitigate any such risks to ensure compliance with current standards.

...

18.100.070 Home business.

...

- H. An ongoing home business may be granted nonconforming status; provided, that it was previously permitted and has been in continuous operation since initial approval. The burden of providing a home business's nonconforming status rests with the property owner or tenant, pursuant to EMC 18.90.110. A home business which cannot prove nonconforming status shall be considered in violation of this section and shall cease until the appropriate approvals have been granted.

18.100.080 Limited home business.

...

- H. An ongoing home business may be granted nonconforming status; provided, that it was previously permitted and has been in continuous operation since initial approval. The burden of providing a home business's nonconforming status rests with the property owner or tenant, pursuant to EMC 18.90.110. A home business which cannot prove nonconforming status, shall be considered in violation of this section and shall cease until the appropriate approvals have been granted.