

ORDINANCE NO. 2203

ORDINANCE REPEALING CHAPTERS 6.10 AND 6.58 OF THE SELAH MUNICIPAL CODE;
PROVIDING FOR SEVERABILITY; AUTHORIZING CORRECTIONS; AND DIRECTING
PUBLICATION AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, RCW Chapters 35A.11, 35A.12 and 36.43 authorize municipalities to: (1) adopt municipal codes, including standard building codes; (2) provide for administration and enforcement of such codes; (3) amend or limit the applicability of such codes as authorized by law; (4) set fees within the codes; and (5) provide that any violation of such codes as adopted shall warrant imposition of a penalty, including potentially a misdemeanor criminal charge; and

WHEREAS, the Selah has identified that numerous discrepancies exist within its currently-existing municipal codes regarding the subjects of graffiti, nuisances, code enforcement, property maintenance, and fire code regulations, including but not exclusively within Selah Municipal Code (SMC) Chapters 6.10 and 6.58; and

WHEREAS, City staff recommends that SMC Chapters 6.10 and 6.58 be repealed and then replaced with a new SMC Chapter 6.75 labeled "Code Enforcement" that will be enacted via a separate Ordinance; and

WHEREAS, the City Council finds that good cause exists;

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, does hereby ordain as follows:

Section 1. Repeal of SMC Chapters 6.10 and 6.58. That SMC Chapters 6.10 and 6.68, each and both, be and are repealed in their entireties so as to henceforth no longer be part of the SMC.

Section 2. Severability. 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 3. Corrections. The City Attorney and the codifiers of the SMC are authorized to make any necessary or desirable clerical or formatting changes – including but not limited to correcting scrivener errors; changing formatting; eliminating bold, italic and underscore emphasis; changing numbering; and correcting references – when publishing or republishing the official text of any section(s), Chapter(s), title(s) or other portion(s) of the SMC due to any amendment, addition, alteration, change, impact or enactment effectuated by this Ordinance.

Section 4. Publishing & Effective Date. Consistent with RCW 35A.12.130 (3rd ¶) and .160 (1st and 2nd ¶¶), this Ordinance or a summary of it shall be published at least once in the City's official newspaper prior to the Ordinance taking effect and this Ordinance shall then take effect and be in

full force five (5) days after the date of such publication.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF SELAH,
WASHINGTON this 12th day of September, 2023.

Sherry Raymond
Sherry Raymond, Mayor

ATTEST:

Dale E. Novobielski
Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:

Rob Case
Rob Case, City Attorney