

ORDINANCE NO. 2206

ORDINANCE AMENDING SECTIONS 20.24.080, .090 AND .100 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 and fire 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, in 2008 the City Council approved and adopted Ordinance No. 1730, which amended portions of Title 20 labeled “Unified Fee Schedule” of the Selah Municipal Code (SMC), and, more specifically, said Ordinance created a new SMC Chapter 20.24 which established and recited various fees as applicable in the City for certain types of permits and other activities and situations in amounts that were generally conforming to and consistent with various then-current editions of the International Codes as published by the International Code Council; and

WHEREAS, in 2017 the City Council approved and adopted Ordinance No. 2028, which amended the fees established by and recited within said SMC Chapter 20.24 based on newer editions of said International Codes, but, however, the specific preexisting fees established by and recited within SMC sections 20.24.080 and .090 as applicable to the Fire Department’s plan reviews and inspections were – for one reason or another – not amended as part of that process in 2017 so as to generally conform to and be consistent with the newer International Fire Code; and

WHEREAS, the Selah Fire Department, Selah Planning Department and City Attorney now recommend that the fees established by and recited within SMC sections 20.24.080 and .090 be updated so as to comport with the most-current 2018 Edition of the International Fire Code and also generally-prevailing standards in Yakima County, and, further desire to also make related substantive amendments SMC section 20.24.100; 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. Amendment of SMC Sections 20.24.080, 20.24.090 and 20.24.100. That SMC sections 20.24.080, 20.24.090 and 20.24.100, each and all, be and are amended as set forth in “Exhibit A” appended hereto; provided however, the amendments are displayed on said Exhibit A via editing marks (with strikethroughs designating deletions and double-underlines designating additions), those editing marks are included for convenience only on Exhibit A, and all editing marks shall be removed and all text and figures shall appear in ordinary format when the codifiers publish the final versions.

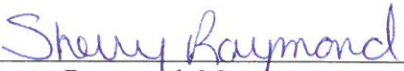
Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this

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.

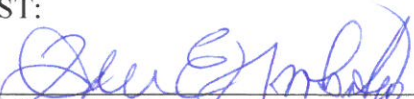
Section 4. Publishing & Effective Date. Consistent with RCW 35A.12.130 (3rd ¶) and .160 (1st and 2nd ¶¶), this Ordinance or a summary of it shall be published at least once in the City's official newspaper prior to the Ordinance taking effect. This Ordinance and the new fees shall take effect on January 1, 2024.

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



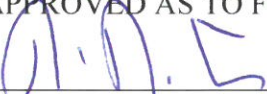
Sherry Raymond, Mayor

ATTEST:



Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:



Rob Case, City Attorney