

ORDINANCE 1097

AN ORDINANCE OF THE CITY COUNCIL OF GRAND COULEE, WASHINGTON, AMENDING SECTION 1.06.010 OF THE GRAND COULEE MUNICIPAL CODE REGARDING APPLICABLE GOVERNING AUTHORITY TO CORRECT SCRIVENERS ERROR; CONTAINING A SEVERABILITY PROVISION; AND SETTING AN EFFECTIVE DATE.

WHEREAS, on March 20, 1990, the City of Grand Coulee ("City") adopted Resolution 4-90 ("Resolution"), which expressed an intention to adopt the classification of non-charter code city, pursuant to RCW 35A, as its form of government; and

WHEREAS, Section 2 of the Resolution expressly stated "that it is the intention of the City Council to retain the plan of government under which it is presently organized, to wit: the mayor-council plan under Title 35A, Revised Code of Washington;" and

WHEREAS, on July 17, 1990, following a 90 day notice and referendum period, the City Council adopted Ordinance No. 727, which was intended to formally implement the intention set forth in the prior Resolution and adopt the non-charter code city classification and governance authority under RCW 35A; and

WHEREAS, the official City minutes from the Council meeting addressing adoption of Ordinance No. 727 confirm the Council's intention to adopt the non-charter code city classification and governance authority under RCW 35A (and not to continue operating under RCW 35 as a Town); and

WHEREAS, although the Resolution and minutes expressed an intention to operate under RCW 35A, the Ordinance mistakenly stated, in Section 1, that the City would operate under Title 35 RCW (and not Title 35A RCW); and

WHEREAS, due to the error in the Ordinance, Section 1.06 of the Grand Coulee Municipal Code ("GCMC"), which was codified based on the Ordinance, also erroneously states that the City is formed and governed by Title 35 RCW, rather than Title 35A RCW; and

WHEREAS, the City Council now desires to adopt this Ordinance to correct the reference in Section 1.06.010 to confirm that the City is formed and operates as a non-charter code city pursuant to RCW 35A; and

WHEREAS, adoption of this Ordinance is in the best interest of the health, safety, and welfare of the citizens of the City; now, therefore,

THE CITY COUNCIL OF THE CITY OF GRAND COULEE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Section 1.06.010 of the Grand Coulee Municipal Code is hereby amended to read as follows:

Section 1.06.010 Classification Adopted.

There is adopted for the city of Grand Coulee, Washington, the classification of non-charter code city retaining the mayor-council plan of government under which the city is currently operation pursuant to RCW title 35A.

Section 2. 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 3. The City Clerk is hereby authorized to publish a summary of this Ordinance consisting of the title.

Section 4. This Ordinance shall take effect and be in full force five days following approval and publication.

APPROVED:




Ruth Dalton, Mayor

ATTEST:



Lorna Pearce, Clerk Treasurer

APPROVED AS TO FORM:



JULIE K. NORTON
CITY ATTORNEY