

# ORDINANCE 1058

## AN ORDINANCE OF THE CITY OF ROSLYN, WASHINGTON, ADOPTING THE ROSLYN MUNICIPAL CODE

**WHEREAS**, RCW 35.21.500 through 35.21.570 authorizes the City of Roslyn to codify the City's general ordinances into a municipal code; and

**WHEREAS**, the City of Roslyn has contracted with Code Publishing Company to produce such a codification; and

**WHEREAS**, the City has provided Code Publishing Company with edits to the City's general ordinances to eliminate conflicts and inconsistencies and to clarify the language of the ordinances, as is allowed under RCW 35.21.500; and

**WHEREAS**, Code Publishing Company has incorporated those edits into a compiled, edited and published Roslyn Municipal Code, a copy of which is on file in the office of the City Clerk; and

**WHEREAS**, on July 13, 2010 the Roslyn City Council held a first reading of the title of this Ordinance and of the title of the Roslyn Municipal Code, in accordance with RCW 35.21.530; and

**WHEREAS**, on July 27, 2010, the Roslyn City Council conducted a public hearing regarding the adoption of the Roslyn Municipal Code and notice of that public hearing was published on July 14, 2010 in accordance with RCW 35.21.530; and

**WHEREAS**, the Roslyn City Council has inspected the Roslyn Municipal Code and is satisfied that it is a correct and accurate codification of the general ordinances of the City,

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

**Section 1. Code Adopted.** Pursuant to RCW 35.21.500 through RCW 35.21.570, the Roslyn Municipal Code, which consists of the ordinances of the City that have ongoing effect and which have not expired according to their own terms, is hereby adopted.

**Section 2. Title, Citation, Reference.** This Code may be cited as the Roslyn Municipal Code or the RMC in any prosecution for the violation of any provision thereof or in any proceeding at law or equity. Any codes or regulations adopted by reference as part of the RMC may be cited by making reference to the original code or regulation followed by the term "adopted." For example, a Kittitas County Code section may be cited as "KCC XX.XX.XXX, adopted" and a Revised Code of Washington section may be cited as "RCW XX.XX.XXX, adopted."

**Section 3. Reference Applies to Amendments.** Whenever a reference is made to the Roslyn Municipal Code or to any portion thereof, that reference shall apply to all amendments, corrections and additions thereto adopted by the City Council, regardless of whether such amendments, corrections and additions have been incorporated into the text of the Roslyn Municipal Code by means of codification.

**Section 4. Amendment.** This Code may be amended by reference to Code Section without the necessity of referring to the underlying ordinance. If an ordinance amending this Code is enacted with a numbering system that is inconsistent with the Code numbering system, the City Clerk is authorized to assign an appropriate code number and to codify the ordinance accordingly. The repeal of any code section does not revive the original text of the Code Section, but rather, repeal of an existing section repeals the underlying ordinance section and all of its amendments.

**Section 5. Reservation of prosecutions.** The adoption of this Code shall not affect any prosecution for violations of the City ordinances codified herein that were committed prior to the effective date of the adoption of the Code; nor shall the adoption of the Code be construed as a waiver of any license, fee, or penalty due and owing at the effective date of the Code adoption; nor shall adoption affect the validity of any bond or cash deposited with the City pursuant to the terms of any ordinance codified herein; but rather, all rights and obligations pertaining under ordinances in effect prior to codification shall remain in full force and effect.

**Section 6. 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 pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

**Section 7. Effective Date.** This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 27<sup>th</sup> DAY OF JULY, 2010.**

CITY OF ROSLYN

  
\_\_\_\_\_  
Cordy Cooke, Mayor Pro-Tem

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
Amber Shallow, Clerk-Treasurer

Approved as to form:

  
\_\_\_\_\_  
Margaret King, City Attorney

Filed with the City Clerk: July 27, 2010  
Passed by the City Council: July 27, 2010  
Date of Publication: July 30, 2010  
Effective Date: August 4, 2010