

ORDINANCE #544

AN ORDINANCE REPEALING OBSOLETE ORDINANCES

#1, #46, #74, #92, #106, #239, #296, #483, #527, #528, #529, #530, #531, #532, AND #533.

Whereas, the Town Council of the Town of Yacolt has deemed it advisable and necessary to codify the Town's Ordinances, and is therefore preparing to adopt a Yacolt Municipal Code;

Whereas, the Town of Yacolt has identified a number of Ordinances which are no longer valid or useful due to court decisions or changes in circumstances, or which have been substantially repealed by the enactment of later ordinances, or which have been pre-empted by State law;

Whereas, in preparing Yacolt's Municipal Code, the Town Council deems it advisable and necessary to exclude those Ordinances which are not or should not any longer be considered effective; and,

Whereas, the Town Council of the Town of Yacolt is in regular session this 6th day of September, 2016, and all members of the Town Council have had notice of the time, place, and purpose of said meeting:

NOW THEREFORE, be it Ordained by the Town Council of the Town of Yacolt, Washington:

Section 1 - Repealer. The following Ordinances are hereby repealed:

- (A). **Ordinance #1:** Ordinance #1 of the Town of Yacolt, adopted August 11, 1908, entitled "To Define and Prevent Misdemeanors Within the Limits of The Town of Yacolt" is hereby repealed.
- (B). **Ordinance #46:** Ordinance #46 of the Town of Yacolt, adopted April 7, 1913, entitled "An Ordinance Amending Ordinance No One Entitled 'To Define and Prevent Misdemeanors Within the Limits of the Town of Yacolt'" is hereby repealed.
- (C). **Ordinance #74:** Ordinance #74 of the Town of Yacolt, adopted April 5, 1926, entitled "An Ordinance designating an Official Newspaper for the Town of Yacolt, Clark County Washington" is hereby repealed.
- (D). **Ordinance #92:** Ordinance #92 of the Town of Yacolt, adopted on November 3, 1941, entitled "An Ordinance Empowering the Mayor of the Town of Yacolt to Appoint an Attorney, Poundmaster, a Superintendent of

Streets, Civil Engineer, Police Justice, Police Officers, a Health Officer, Marshall and Clerk; to Report Such Appointments to the Town Council; to Fix the Salaries and Compensations as Such Officers as Are to Receive Salaries or Compensations; to Provide for Bonds for All or Any of Said Appointed or Elective Officers; and to Provide any Other Regulations of All or Any of Said Appointed or Elective Officers; and to Provide Any Other Regulations of All or Any of the Said Officers as May be Deemed Necessary by the Mayor and Council and to Repeal Ordinances No. 45 and 85 Previously Passed by the Town Council” is hereby repealed.

- (E). **Ordinance #106:** Ordinance #106 of the Town of Yacolt, adopted June 6, 1949, entitled “An Ordinance Providing for the Sanitary Disposal of Human Excreta, Waste from Kitchen Sinks, Bath Tubs, Slop Receptacles, Laundry and Dish Water, Waste and All Organic Material, Liquid or Solid Which May be Classified as Harmful to Health and Fixing Penalties for Violations Thereof”, is hereby repealed.
- (F). **Ordinance #239:** Ordinance #239 of the Town of Yacolt, adopted March 2, 1982, entitled “An Ordinance of the Town of Yacolt, Washington Requiring the Installation of Smoke Detectors in New and Existing Buildings” is hereby repealed.
- (G). **Ordinance #296:** Ordinance #296 of the Town of Yacolt, adopted December 1, 1987, entitled “An Ordinance Repealing Section 2 of Ordinance #1. An Ordinance Regulating the Use of Firearms, Air Guns, B.B. Guns, Explosives and Other Weapons Within the Town Limits of Yacolt, Washington” is hereby repealed.
- (H). **Ordinance #483:** Ordinance #483 of the Town of Yacolt, adopted June 20, 2011, entitled “An Ordinance Establishing Rules of Procedure for Town Council Meetings; and Repealing Ordinance Number 479” is hereby repealed.
- (I). **Ordinance #527:** Ordinance #527 of the Town of Yacolt, adopted January 20, 2015, entitled “Legislation for Adoption of the International Building Code” is hereby repealed.
- (J). **Ordinance #528:** Ordinance #528 of the Town of Yacolt, adopted January 20, 2015, entitled “Legislation for Adoption of the International Residential Code” is hereby repealed.
- (K). **Ordinance #529:** Ordinance #529 of the Town of Yacolt, adopted January 20, 2015, entitled “Legislation for Adoption of the International Mechanical Code” is hereby repealed.

- (L). **Ordinance #530:** Ordinance #530 of the Town of Yacolt, adopted January 20, 2015, entitled “Legislation for Adoption of the International Existing Building Code” is hereby repealed.
- (M). **Ordinance #531:** Ordinance #531 of the Town of Yacolt, adopted January 20, 2015, entitled “Legislation for Adoption of the International Fire Code” is hereby repealed.
- (N). **Ordinance #532:** Ordinance #532 of the Town of Yacolt, adopted January 20, 2015, entitled “Legislation for Adoption of the International Fuel Gas Code” is hereby repealed.
- (O). **Ordinance #533:** Ordinance #533 of the Town of Yacolt, adopted January 20, 2015, entitled “Legislation for Adoption of the International Swimming Pool and Spa Code” is hereby repealed.

Section 2 – Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by a court of competent jurisdiction, or its application to any Person or circumstances is held invalid, the remaining portion of this Ordinance shall remain in full force and effect, and the application of the provision to other Persons or circumstances shall not be affected.

Section 3 - Effect of Repeal. The repeal of an ordinance shall not repeal the repealing clause of such ordinance or revive any ordinance which has been repealed thereby.

Section 4 - Effective Date. This Ordinance shall take effect immediately upon adoption and publication of the following summary, according to law.

Town of Yacolt - Summary of Ordinance #544

The Town Council of the Town of Yacolt adopted Ordinance #544 at its regularly scheduled Town Council meeting held on September 6, 2016. The content of the Ordinance is summarized in its title as follows:

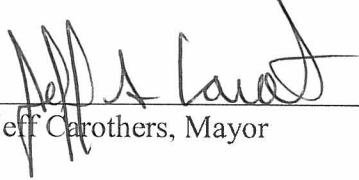
AN ORDINANCE REPEALING OBSOLETE ORDINANCES #1, #46, #74, #92, #106, #239, #296, #483, #527, #528, #529, #530, #531, #532, AND #533. The effective date of the Ordinance is September 14, 2016.

A copy of the full text of the Ordinance will be mailed upon request to the undersigned at the Town of Yacolt Town Hall, P.O. Box 160, Yacolt, WA 98675: (360) 686-3922.

Published this 14th day of September, 2016.
Cindy Marbut, Town Clerk/Treasurer

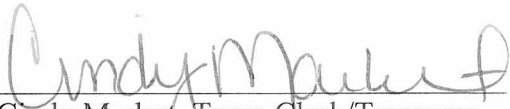
PASSED by the Town Council of the Town of Yacolt, Washington, at a regular meeting thereof this 6th day of September, 2016.

TOWN OF YACOLT



Jeff Carothers, Mayor

Attest:



Cindy Marbut, Town Clerk/Treasurer

Approved as to Form:

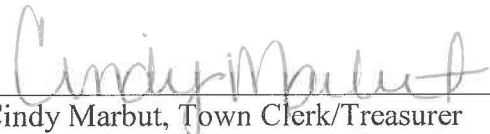
David W. Ridenour, Town Attorney

Ayes: Hancock, Lister, Myers, Tvester + Wallway
Nays: _____
Absent: _____
Abstain: _____

TOWN CLERK'S CERTIFICATION

I hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance #544 of the Town of Yacolt, Washington, entitled "AN ORDINANCE REPEALING OBSOLETE ORDINANCES #1, #46, #74, #92, #106, #239, #296, #483, #527, #528, #529, #530, #531, #532, AND #533", as approved according to law by the Town Council on the date therein mentioned. The Ordinance has been published or posted according to law.

Attest:



Cindy Marbut, Town Clerk/Treasurer

Published: _____
Effective Date: 9-17-16
Ordinance Number: 544

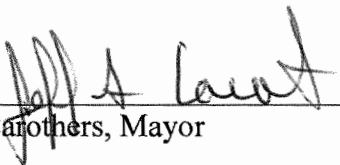
MINISTERIAL CHANGES TO ORDINANCE #544

A 2016 review of Ordinances revealed several typographical errors in Ordinance #544.

The intent of Ordinance #544 was to repeal several obsolete Ordinances, including Ordinances #528, #529, #530, #531, #532, and #533. Repealer clauses for these six Ordinances, found in Section 1 (J) – (O), included references to Ordinance #527. The repealer clauses were changed by replacing references to Ordinance #527 with the number of the Ordinance actually being repealed.

These changes were approved by officials from the Town of Yacolt on the dates listed below.

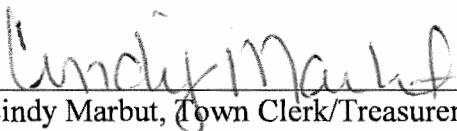
Attest:



Jeff Carothers, Mayor

1-10-17

Date



Cindy Marbut, Town Clerk/Treasurer

1/10/17

Date



David W. Ridenour, Town Attorney

January 10, 2017

Date

ORDINANCE #544

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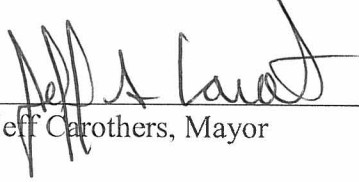
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TOWN OF YACOLT



Jeff Carothers, Mayor

Attest:



Cindy Marbut, Town Clerk/Treasurer

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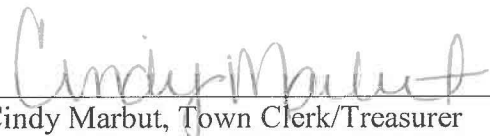
David W. Ridenour, Town Attorney

Ayes: Hancock, Lister, Myers, Tester + Wallway
Nays: 0
Absent: 0
Abstain: 0

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Cindy Marbut, Town Clerk/Treasurer

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