

**ORDINANCE 557**

**AN ORDINANCE OF THE TOWN OF YACOLT, WASHINGTON, REPEALING ORDINANCES #9, #13, #30, #45, #62, #66, #79, #85, #93, #96, #119, #124, #159, #197, #275, #284, #285, #330, #335, #395, #396, #398, #423, #448, #457, AND ALL PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE**

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Whereas, the Town of Yacolt has identified a number of Ordinances which are no longer valid due to court decisions or changes in circumstances, or which have been substantially repealed by the enactment of later ordinances, or which have been pre-empted by State law;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, it is 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 19<sup>th</sup> day of December, 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**Section 1 - Repealer:** The following Ordinances are hereby repealed: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 #9:** Ordinance #9 of the Town of Yacolt, adopted November 16, 1908, entitled “An Ordinance Fixing the Salary of City Officials” is hereby repealed.
- (B). **Ordinance #13:** Ordinance #13 of the Town of Yacolt, adopted April 5, 1909, entitled “An Ordinance Amending Ordinance No. 9 Entitled ‘An Ordinance Fixing The Salary of City Officials’” is hereby repealed.
- (C). **Ordinance #30:** Ordinance #30 of the Town of Yacolt, adopted March 6, 1911, entitled “An Ordinance Empowering the Mayor of the Town of Yacolt to Appoint an Attorney, Poundmaster, a Superintendent of Streets, Civil Engineer, a Health Officer, Marshall, Clerk; Report of Such Appointments to the Council for Approval; Fixing the Salaries and Compensations of Such as Are to Receive Salaries; Designating the ‘Yacolt Bulletin’ as the Official Paper of the City, and Providing the Compensation to be Received by Such Paper for Official Notices and Publications by the Town of Yacolt; and Other Regulations of all of the Said Officers” is hereby repealed.
- (D). **Ordinance #45:** Ordinance #45 of the Town of Yacolt, adopted April 7, 1913,

entitled “An Ordinance Empowering the Mayor of Yacolt to Appoint an Attorney, Poundmaster, a Superintendent of Streets, Police Justice, Police Officers, a Health Officer, Marshal and Clerk; to Report Such Appointments of Said Officers to the Town Council; to Fix the Salaries and Compensations of 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 the Said Officers as May be Deemed Necessary by the Mayor and Council, and to Repeal Ordinance No. 30, Passed by the Town Council March 6, 1911” is hereby repealed.

- (E). **Ordinance #62:** Ordinance #62 of the Town of Yacolt, adopted February 7, 1916, entitled “An Ordinance Amending the Fourth Section of Ordinance No. 45 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 of Said Officers to the Town Council; to Fix the Salaries and Compensations of 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 the Said Officers as May be Deemed Necessary by the Mayor and Council, and to Repeal Ordinance No. 30, Passed by the Town Council March 6, 1911’” is hereby repealed.
- (F). **Ordinance #66:** Ordinance #66 of the Town of Yacolt, adopted December 2, 1918, entitled “An Ordinance Amending the Fourth Section of Ordinance No 45 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 of Said Officers to the Town Council; to Fix the 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 the Said Officers as May be Deemed Necessary by the Mayor and Council’ and to Repeal Ordinance No 62 Passed by the Town Council February 7, 1917” is hereby repealed.
- (G). **Ordinance #79:** Ordinance #79 of the Town of Yacolt, adopted March 7, 1932, entitled “An Ordinance Amending Section IV of Ordinance 66 of the Town of Yacolt, Washington, 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, Marshal and Clerk; to Report Such Appointments of Said Officers to the Town Council; to Fix the 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 the Said Officers as May be Deemed Necessary by the Mayor and Council, and to Repeal Ordinance No. 62 Passed by the Town Council February 7, 1917” is hereby repealed.

- (H). **Ordinance #85:** Ordinance #85 of the Town of Yacolt, adopted November 4, 1935, entitled "An Ordinance Amending the Fourth Section of Ordinance No. 45, Entitled: 'An Ordinance Empowering the Mayor of the Town of Yacolt, Washington, 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 of Said Officers to the Town Council; to Fix the Salaries and Compensations; to Provide for Bonds for All or Any of Said Appointive 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,' as Amended by Ordinances No. 62, 66, and 79 and Repealing All Ordinances or Parts of Ordinances in Conflict Herewith" is hereby repealed.
- (I). **Ordinance #93:** Ordinance #93 of the Town of Yacolt, adopted December 15, 1941, entitled "An Ordinance Providing for Reimbursement for Expenses and for Payment of Salaries to the Mayor and Councilmen of the Town of Yacolt, and Repealing All Ordinances or Parts of Ordinances in Conflict Therewith" is hereby repealed.
- (J). **Ordinance #96:** Ordinance #96 of the Town of Yacolt, adopted December 18, 1944, entitled "An Ordinance to Increase the Salaries of the Following: Marshall, Treasurer and Clerk" is hereby repealed.
- (K). **Ordinance #119:** Ordinance #119 of the Town of Yacolt, adopted March 2, 1953, entitled "An Ordinance Establishing the Salary of the Treasurer - Clerk of the Town of Yacolt and Providing for Payment of the Same" is hereby repealed.
- (L). **Ordinance #124:** Ordinance #124 of the Town of Yacolt, adopted on an unknown date possibly in or around the year 1953, entitled "An Ordinance fixing the rate of reimbursement to be paid by the Town of Yacolt to employees of the Town using their personal vehicles for Town business" is hereby repealed.
- (M). **Ordinance #159:** Ordinance #159 of the Town of Yacolt, adopted February 5, 1969, entitled "An Ordinance to Increase the Town of Yacolt Marshal's Salary" is hereby repealed.
- (N). **Ordinance #197:** Ordinance #197 of the Town of Yacolt, with an unknown adoption date that appears to have been in February, 1979, entitled "An Ordinance Establishing and Adopting Elected Officials' Salaries" is hereby repealed.
- (O). **Ordinance #275:** Ordinance #275 of the Town of Yacolt, adopted February 18, 1986, entitled "An Ordinance Adopting a 3% Cost of Living Adjustment of Salaries for the Public Works Director and Clerk Treasurer" is hereby repealed.
- (P). **Ordinance #284:** Ordinance #284 of the Town of Yacolt, adopted November 18, 1986, entitled "An Ordinance Adopting a 3% Cost of Living Adjustment of Salaries for the Public Works Director and Clerk Treasurer" is hereby repealed.

- (Q). **Ordinance #285:** Ordinance #285 of the Town of Yacolt, adopted November 18, 1986, entitled “An Ordinance Adopting an Adjustment of Compensation for the Mayor” is hereby repealed.
- (R). **Ordinance #330:** Ordinance #330 of the Town of Yacolt, adopted December 3, 1991, entitled “An Ordinance Creating a Salary Schedule for the Clerk/Treasurer and the Public Works Director, and a New Hire Schedule for Those Positions for the Years 1991 Through 1994” is hereby repealed.
- (S). **Ordinance #335:** Ordinance #335 of the Town of Yacolt, adopted on an unknown date possibly in or around February of 1992, with an unknown title, but having as its subject matter the salaries and compensation of the Town Clerk/Treasurer and the Public Works Director, is hereby repealed.
- (T). **Ordinance #395:** Ordinance #395 of the Town of Yacolt, adopted April 17, 2000, entitled “An Ordinance Adopting an Adjustment of Compensation for Members of the Town Council, Amending Ordinance #197” is hereby repealed.
- (U). **Ordinance #396:** Ordinance #396 of the Town of Yacolt, adopted April 17, 2000, entitled “An Ordinance Adopting an Adjustment of Compensation for the Mayor, Amending Ordinance #285” is hereby repealed.
- (V). **Ordinance #398:** Ordinance #398 of the Town of Yacolt, adopted April 17, 2000, entitled “An Ordinance Establishing and Adopting a Mileage Reimbursement Policy for the Town of Yacolt” is hereby repealed.
- (W). **Ordinance #423:** Ordinance #423 of the Town of Yacolt, adopted December 2, 2002, entitled “An Ordinance Adopting an Adjustment of Compensation for the Mayor, Repealing Ordinance #396” is hereby repealed.
- (X). **Ordinance #448:** Ordinance #448 of the Town of Yacolt, adopted January 22, 2007, entitled “An Ordinance Adopting an Adjustment of Compensation for Members of the Town Council, Amending Ordinance #395” is hereby repealed.
- (Y). **Ordinance #457:** Ordinance #457 of the Town of Yacolt, adopted December 17, 2007, entitled “An Ordinance Adopting an Adjustment of Compensation for the Mayor of the Town of Yacolt, Washington” is hereby repealed.
- (Z). **Conflicting Ordinances and Parts of Ordinances:** All previous Ordinances or parts of Ordinances in conflict with this Ordinance be and are hereby repealed.

**Section 2 - 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 3 – 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 4 - Effective Date:** The Town Clerk shall certify the adoption of this Ordinance and cause it, or the following summary of it, to be published once within fifteen (15) days of adoption in the Town's legal newspaper of record. This Ordinance shall take effect immediately upon adoption and publication, according to law.

**Town of Yacolt - Summary of Ordinance # 557**

The Town Council of the Town of Yacolt adopted Ordinance # 557 at its regularly scheduled Town Council meeting held on December 19, 2016. The content of the Ordinance is summarized in its title as follows:

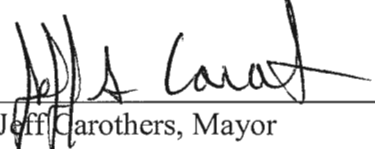
AN ORDINANCE OF THE TOWN OF YACOLT, WASHINGTON, REPEALING ORDINANCES #9, #13, #30, #45, #62, #66, #79, #85, #93, #96, #119, #124, #159, #197, #275, #284, #285, #330, #335, #395, #396, #398, #423, #448, #457, AND ALL PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE. The effective date of the Ordinance is December 28, 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.

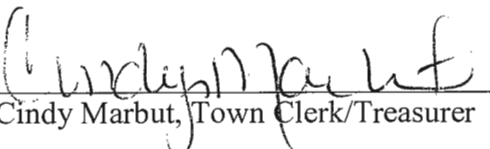
Published this 28<sup>th</sup> day of December, 2016  
Cindy Marbut, Town Clerk/Treasurer

**PASSED** by the Town Council of the Town of Yacolt, Washington, at a regular meeting thereof this 19<sup>th</sup> day of December, 2016.

**TOWN OF YACOLT**

  
\_\_\_\_\_  
Jeff Carothers, Mayor

**Attest:**

  
\_\_\_\_\_  
Cindy Marbut, Town Clerk/Treasurer

Approved as to Form:

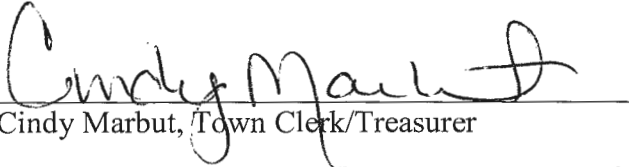
\_\_\_\_\_  
David W. Ridenour, Town Attorney

Ayes: Listek, Meyers + Walkway  
Nays: ②  
Absent: Hancock, Tester  
Abstain: ②

**TOWN CLERK'S CERTIFICATION**

I hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance #557 of the Town of Yacolt, Washington, entitled "AN ORDINANCE OF THE TOWN OF YACOLT, WASHINGTON, REPEALING ORDINANCES #9, #13, #30, #45, #62, #66, #79, #85, #93, #96, #119, #124, #159, #197, #275, #284, #285, #330, #335, #395, #396, #398, #423, #448, #457, AND ALL PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE", 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: December 28, 2016  
Effective Date: December 28, 2016  
Ordinance Number: 557