ORDINANCE NO. 10-2020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON REPEALING COVINGTON MUNICIPAL CODE CHAPTER 2.40, HUMAN SERVICES COMMISSION; ADOPTING FINDINGS OF FACT; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 22-02 established Chapter 2.40 of the Covington Municipal Code ("CMC"), Youth and Family Services Commission, on August 13, 2002, which is now known as the Human Services Commission; and

WHEREAS, Ordinance No. 04-05 amended Chapter 2.40 CMC on February 8, 2005; and

WHEREAS, Ordinance No. 17-06 further amended Chapter 2.40 CMC on November 14, 2006; and

WHEREAS, Ordinance No. 13-10 further amended Chapter 2.40 CMC on October 12, 2010; and

WHEREAS, Ordinance No. 09-14 further amended Chapter 2.74 CMC on June 24, 2014; and

WHEREAS, at the City Council Summit on January 25, 2020, the city council agreed to no longer make any distinctions between commission members who live within the city or within three miles of its boundaries; and

WHEREAS, RCW 35A.13.080 is silent on how the city council may appoint citizen commissions and the city council has determined that it would be more efficient to repeal Chapter 2.40 CMC and reestablish the human services commission and its governing rules by resolution; and

WHEREAS, with the concurrent adoption of Resolution No. 2020-15, all current members of the City of Covington Human Services Commission will retain their positions and will continue to serve until their terms expire;

NOW, THEREFORE, the City Council of the City of Covington, Washington, do ordain as follows:

Section 1. Findings of Fact. The recitals set forth above are hereby adopted as the city council's findings of fact.

Section 2. Repeal. Chapter 2.40 CMC is hereby repealed in its entirety.

Section 3. Concurrent Adoption; Continuation; Effective Date; This ordinance is being adopted concurrently with the passage of Resolution No. 2020-15, which will reestablish the Human Services Commission. All current members of the Human Services Commission shall retain their positions and will continue to serve in their positions pursuant to the terms of

Resolution No. 2020-15. Furthermore, all previous policies and procedures, functions, and work of the Human Services Commission shall remain in place under the terms of Resolution No. 2020-15. Resolution No. 2020-15 shall go into effect concurrently with the effective date of this ordinance.

Section 3. Severability. If any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or situation, 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 preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or situation. The City Council of the City of Covington hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clauses, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

Section 4. Corrections. Upon the approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make any necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.

Section 5. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 6. Effective Date. This ordinance is adopted concurrently with Resolution No. 2020-15, and shall be in full effect five (5) days after passage and publication, as provided by law. A summary of this ordinance may be published in lieu of publishing the ordinance in its entirety.

Passed by the City Council of the City of Covington this 28th day of July 2020.

Signed in authentication of its passage this 28th day of July, 2020.

Jeff Wagner, Mayor

EFFECTIVE: August 5, 2020
PUBLISHED: July 31, 2020

AUTHENTICATED:

Joan Michaud, City Clerk

APPROVED AS TO FORM:

/s/ Mark Orthmann, as authorized by email on July 28, 2020
Mark Orthmann, City Attorney