

## ORDINANCE NO. 13-2020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON AMENDING COVINGTON MUNICIPAL CODE CHAPTER 2.15.020, PLANNING COMMISSION MEMBERSHIP; ADOPTING FINDINGS OF FACT; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 28-97 established Chapter 2.15 of the Covington Municipal Code (“CMC”), Planning Commission, on August 5, 1997; and

WHEREAS, Ordinance No. 25-01 amended Chapter 2.15 CMC on October 16, 2001; and

WHEREAS, Ordinance No. 23-02 further amended Chapter 2.15 CMC on August 13, 2002; and

WHEREAS, Ordinance No. 09-14 further amended Chapter 2.15 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;

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. Section 2.15.020 of the Covington Municipal Code is hereby amended as follows:

### **2.15.020 Membership.**

(1) Qualifications. Members of the Planning Commission shall be selected from individuals who have an interest in environmental affairs, planning, land use, and residential and commercial development as evidenced by training, experience, interest or actions. An intent of the selection process shall be to evenly represent the areas of interest as stated herein. Membership in the Planning Commission shall consist of seven members appointed by the City Council. Members must live within the City limits or within a three-mile radius of the City limits.

(2) Number of Members – Terms. The Planning Commission shall consist of seven members. To allow the staggering of terms for the initial Commission, positions shall be numbers one through seven through a random drawing. The initial terms of positions one, two and three shall be for two years. The initial terms of positions four, five, six and seven shall be four years. Subsequent terms shall be for a term of four years. Terms shall commence on September 1st and end August 31st of the respective years. If a member is not appointed for a new term

on September 1st, the incumbent member may continue to serve in that position until such later date when a member is appointed for a new term. The date a member is appointed to their term of office shall not affect the expiration date of that term. When a vacancy occurs on the Commission, the replacement member shall be appointed only for the remainder of the unexpired term.

(3) Appointment. Members of the Planning Commission shall be appointed by the City Council. Members shall be confirmed by a majority vote of the City Council. Commissioners shall be selected without respect to political affiliations and shall serve without compensation.

(4) Removal. Commission members may be removed by the City Council at any time pursuant to the Covington City Council Rules of Procedure, as amended from time to time. Failure to qualify as to residency within a three-mile radius of the City limits of Covington shall constitute a forfeiture of office. The decision of the City Council regarding membership on the Planning Commission shall be final and there shall be no appeal therefrom. Members finding themselves unable to attend regular meetings are expected to tender their resignation.

(5) Vacancies. Vacancies occurring other than through the expiration of terms shall be filled for the unexpired terms in the same manner as for appointments as provided in this chapter.

(6) Conflicts of Interest. Members of the Planning Commission shall fully comply with Chapter 42.23 RCW, Code of Ethics for Municipal Officers, Chapter 42.36 RCW, Appearance of Fairness, and such other rules and regulations as may be adopted from time to time by the City Council regulating the conduct of any person holding appointive office within the City. (Ord. 09-14 § 1; Ord. 25-01 § 1; Ord. 28-97 § 2)

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.

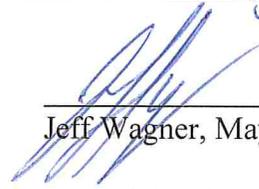
Section 4. Corrections. Upon the approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make any necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection 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 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 11<sup>th</sup> day of August 2020.

Signed in authentication of its passage this 12<sup>th</sup> day of August, 2020.

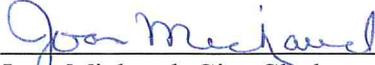


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Jeff Wagner, Mayor

EFFECTIVE: August 19, 2020

PUBLISHED: August 14, 2020

AUTHENTICATED:



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Joan Michaud, City Clerk

APPROVED AS TO FORM:

/s/ Mark Orthmann, as authorized by email on August 11, 2020

Mark Orthmann, City Attorney