

**CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON
ORDINANCE NO. 147**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, SPOKANE COUNTY,
WASHINGTON, ADOPTING GENERAL PROVISIONS RELATING TO THE
CODIFICATION OF THE CITY OF LIBERTY LAKE MUNICIPAL CODE.**

WHEREAS, the City is authorized to codify its Municipal Code pursuant to RCW 35.21.500, et. seq.;

WHEREAS, in the adoption of the Municipal Code, it is necessary to provide for general administrative and interpretive matters relating to the compilation of the City Code; and

WHEREAS, the provisions set forth herein are intended to facilitate the use of the Liberty Lake Municipal Code.

NOW, THEREFORE, the City Council of the City of Liberty Lake, Washington does ordain as follows:

Section 1. Codification. The Liberty Lake Municipal Code, pursuant to RCW 35.21.500, et. seq. is hereby published under the authority and direction of the City Council for the purpose of conveniently compiling the legislation of the City.

Section 2. Code Revision and Amendments. Following enactment of an ordinance, it may be codified. Codification of an ordinance means the editing, rearrangement and placement of ordinances under appropriate titles, chapters and sections, and includes, but is not limited to, the following:

(1) editing ordinances as reasonably necessary to clarify language without changing the meaning or intent of such legislation;

(2) substituting for the term "this ordinance", the term "section", "part", "code", "chapter", "title", or reference to specific section or chapter numbers as required;

(3) correcting obvious errors in reference to ordinances, laws and statutes, including spelling or typographical errors, additions or omissions; and

(4) striking provisions which create conflicts and inconsistent statements between ordinances so as to give effect to the City Council legislative intent.

Section 3. Amendments. Ordinances amending the Liberty Lake Municipal Code shall be assigned a reference number and enacted separately prior to codification. Any ordinance that amends a codification shall set forth in full the section(s) being amended and shall show added language in an underline format and deleted language in a strike-through format. The amendment shall set forth the entire section being added or amended. For purposes of repeal of a section, it shall be sufficient to state the codified title, chapter or section being repealed without reproducing it in its entirety.

Section 4. Pending Actions. Nothing contained in this chapter shall be construed as abating any action now pending. The codified ordinances shall be deemed to be effective as set forth in the ordinance approved by the City Council. This code shall not be interpreted as discontinuing, abating, modifying or altering any penalty accrued or to accrue, or as affecting the liability of any person, firm or corporation, or act as waiving any right of the city under any existing ordinance at the time of the adoption of this code.

Section 5. Severability Clause. The Liberty Lake Municipal code shall contain the following:

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this code, or any part hereof or any portion adopted by reference or any codes or portions of codes adopted herein is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this code, or any part hereof or any portion adopted by reference or any codes or portions of codes adopted herein. The Mayor and City Council hereby declares its intent to have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

Section 6. Construction of Words.

A. Liberal Construction: All general provisions, terms, phrases and words contained in this code shall be liberally construed to reflect the intent and meaning of the ordinance.

B. Interpretation: In the interpretation and application of any provision of this code, it shall be held to be the minimum requirements adopted for the promotion of the public health, safety and general welfare. Where provisions in one or more ordinances govern the same matter, the provision that imposes greater restriction upon the subject matter shall be controlling.

C. Additional Interpretations:

1. **Computation Of Time:** Whenever a notice is required to be given or an act to be done in a certain length of time, the day on which such notice is given or such act is

done shall not be counted in computing the time but the day on which such proceeding is to be held shall be counted.

2. Delegation Of Authority: Whenever a provision requires a Director of a department or some other city officer to do some act or perform some duty, it is to be construed to authorize the Director of the department or other officer to designate, delegate and authorize subordinates to perform the required act or perform the duty unless the terms of the provision or section specify otherwise.

3. Gender: A word importing the masculine gender shall extend and be applied to females and to firms, partnerships and corporations as well as to males.

4. May/Shall: The word "may" is permissive; the word "shall" is mandatory.

5. Nontechnical And Technical Words: Words and phrases shall be construed according to the common and understood usage of the language; technical words and phrases and such others as may have acquired a specialized meaning in law shall be construed and understood according to such meaning.

6. Number: A word importing the singular number may extend and be applied to several persons and things as well as to one person and thing.

7. Officers Generally: Whenever any officer is referred by title, such as "clerk", "treasurer", "chief of police", etc., such reference shall be construed as if followed by the words "of the city of Liberty Lake".

8. Tense: Words used in the past or present tense include the future as well as the past and present.

Section 7. General Definitions. Whenever the following words or terms are used in the Municipal Code, they shall have the following meaning, unless the context indicates otherwise:

AGENT:	A person acting on behalf of another with authority conferred, either expressly or by implication.
CITY COUNCIL:	The City Council of the City of Liberty Lake, Washington.
CODE:	The City Code of the City of Liberty Lake.
COUNTY:	The County of Spokane, State of Washington.
FEE:	A sum of money charged by the city for the carrying on of a business, profession or occupation or other activity subject to city regulation, authorization or limitation.
LICENSE:	The permission granted for the carrying on of a business,

profession, occupation or use of City property.

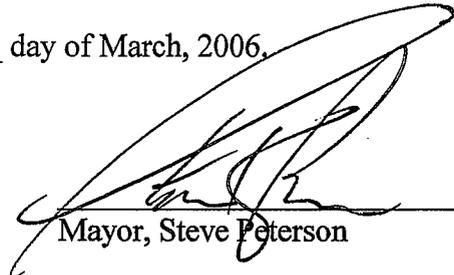
- NUISANCE:** Anything offensive to the sensibilities of reasonable persons, or any act or activity creating a hazard which threatens the health and welfare of inhabitants of the city, or any activity which by its perpetuation can reasonably be said to have a detrimental effect on the property of a person or persons within the community.
- OCCUPANT:** As applied to a building or land, shall include any person who occupies the whole or any part of such building or land whether alone or with others.
- OFFENSE:** Any act forbidden by any provision of this code or the omission of any act required by the provisions of this code.
- PERSON:** Any public or private corporation, firm, partner-ship, association, organization, government or any other group acting as a unit, as well as a natural person.
- PERSONAL PROPERTY:** Includes every description of money, goods, chattels, effects, evidence of rights in action and all written instruments by which any pecuniary obligation, right or title to property is created, acknowledged, transferred, increased, defeated, discharged or diminished and every right or interest therein.
- RCW:** The Revised Code of Washington.
- STREET:** Shall include alleys, lanes, courts, boulevards, public ways, public squares, public places and sidewalks.
- TENANT:** As applied to a building or land, shall include any person who occupies the whole or any part of such building or land, whether alone or with others.
- WRITTEN, IN WRITING:** May include printing and any other mode of representing words and letters, but when the written signature of any person is required by law to any official or public writing or bond, it shall be in the proper handwriting of such person, or in case such person is unable to write, by such person's proper mark.

Section 8. Titles. The titles of the several chapters and sections of the code are intended to indicate the content and shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions thereof.

Section 9. Severability. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 10. Effective Date. This Ordinance shall be in full force and effect five (5) days after publication of this Ordinance or a summary thereof in the official newspaper of the City.

PASSED by the City Council this 7 day of March, 2006.



Mayor, Steve Peterson

ATTEST:



City Clerk/Treasurer, Arlene Fisher

Approved as to Form:



City Attorney, Stanley Schwartz

Date of Publication: 4/16/06
Effective Date: 4/21/06

City of Liberty Lake
Liberty Square Building
22710 E Country Vista Drive
Liberty Lake, WA 99019
(509) 755-6700

**NOTICE OF ORDINANCE PASSED
BY LIBERTY LAKE CITY COUNCIL**

The following is the title and summary of Ordinance No. 147 passed by the City of Liberty Lake City Council on the 7th day of March, 2006.

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, SPOKANE COUNTY,
WASHINGTON, ADOPTING GENERAL PROVISIONS RELATING TO THE
CODIFICATION OF THE CITY OF LIBERTY LAKE MUNICIPAL CODE.**

The introductory paragraphs state that the City is authorized to codify its Municipal Code pursuant to RCW 35.21.5001 et.seq; it is necessary to provide for general administrative and interpretive matters relating to the City Code; and the provisions are intended to facilitate the use of the Liberty Lake Municipal Code

Section 1 defines the Municipal Code is published under the authority and direction of the City Council.

Section 2 defines the terms of code revisions and amendments of an ordinance.

Section 3 states ordinances amending the Liberty Lake Municipal Code shall be assigned a reference number and enacted separately prior to codification.

Section 4 states nothing in this chapter shall be construed as abating any action now pending.

Section 5 states the Liberty Lake Municipal Code contains a severability clause.

Section 6 defines the Construction of Words.

Section 7 defines general definitions used in the Municipal Code.

Section 8 states titles of chapters and sections of the code are intended to indicate the content and shall not govern, limit, modify or affect the scope, meaning or intent of the provisions.

Section 9 establishes a severability clause in the event some portion of the Ordinance is held invalid.

Section 10 states the effective date of the Ordinance.

The full text of the Ordinance is available at the City of Liberty Lake City offices as identified above. A copy will be mailed out upon request.



Arlene Fisher
City Clerk-Treasurer

Published: 4/16/06