

ORDINANCE NO. 16-0465

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, AMENDING CHAPTER 12.05 EMC ROADS AND RIGHTS-OF-WAY; CLARIFYING THE CITY'S STANDARDS AND PROCEDURES FOR VACATING PUBLIC RIGHTS-OF-WAY IN ACCORDANCE WITH APPLICABLE STATE LAW; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, through enactment of Chapter 12.05 EMC, the City has adopted by reference many of the Pierce County road and right-of-way regulations codified at Title 12 PCC; and

WHEREAS, the City Council desires to amend Chapter 12.05 EMC in order to clarify the applicability of the mandatory state law standards and procedures for right-of-way vacation codified at Chapter 35.79 RCW;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendment of EMC 12.05.010. Section 12.05.010 of the Edgewood Municipal Code is hereby amended to provide in its entirety as follows:

12.05.010 Authority to adopt interim road and rights-of-way code.

A. Pursuant to RCW 35.21.180, 35A.11.020, and 35A.21.160, and except as otherwise provided herein, the city adopts by reference PCC Title 12, Roads and Rights-of-Way, as presently constituted or hereinafter amended, as the city's interim roads and rights-of-way code.

B. The following provisions of PCC Title 12 are excluded from the scope of subsection (A) and are expressly not adopted by reference under this section:

1. Chapter 12.20 PCC
2. Chapter 12.32 PCC

C. In accordance with RCW 35A.12.140, a copy of the regulations adopted by reference under this section shall be filed in the office of the city clerk, and shall be made available for use and examination by the public.

Section 2. Amendment of Chapter 12.05 EMC. Chapter 12.05 EMC is hereby amended by the addition of a new Section 12.05.015 Vacation to provide in its entirety as follows:

12.05.015 Vacation.

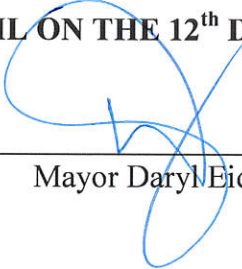
Vacation of streets, roads and other public rights-of-way shall be governed by the standards and procedures set forth in Chapter 35.79 RCW.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should 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 4. Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.


Presented to Council for its first reading and adoption on April 12, 2016

PASSED BY THE CITY COUNCIL ON THE 12th DAY OF APRIL, 2016



Mayor Daryl Eiding

ATTEST/AUTHENTICATED:



Jane Montgomery, Acting City Clerk

APPROVED AS TO FORM:



Zach Lell, City Attorney

DATE OF PUBLICATION: *April 14, 2016*

EFFECTIVE DATE: *April 19, 2016*

CITY OF EDGEWOOD

**2224 - 104th Ave. East
Edgewood, WA 98371
(253) 952-3299
Fax: (253) 952-3537**

LEGAL NOTICE

Date: April 13, 2016

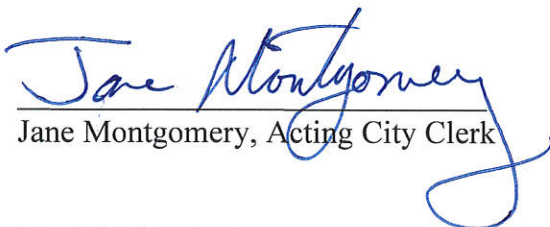
NOTICE OF ORDINANCE PASSED BY EDGEWOOD CITY COUNCIL

The following is a summary of an Ordinance passed by the City of Edgewood City Council on the 12th day of April, 2016, and shall take effect and be in full force on the 19th day of April, 2016.

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The full text of the Ordinance is available at the City Clerk's office, Edgewood City Hall, 2224 - 104th Ave. East, Edgewood, WA 98371 (253) 952-3299.


Jane Montgomery, Acting City Clerk

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