

HOUSE BILL REPORT

SHB 1021

As Amended by the Senate

Title: An act relating to ordinances of cities and towns.

Brief Description: Changing provisions relating to municipal ordinances.

Sponsors: By House Committee on Local Government (originally sponsored by Representatives Springer, H. Myers and Morris.)

Brief History:

Reported by House Committee on:
Local Government, January 22, 1993, DPS;
Passed House, March 1, 1993, 85-5;
Amended by Senate.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives H. Myers, Chair; Bray, Vice Chair; Edmondson, Ranking Minority Member; Reams, Assistant Ranking Minority Member; Dunshee; Horn; Rayburn; Romero; and Springer.

Minority Report: Do not pass. Signed by 3 members: Representatives R. Fisher; Van Luven; and Zellinsky.

Staff: Bill Lynch (786-7092).

Background: The Municipal Research Council has identified a number of local government statutes that either conflict with other statutes, are inconsistent with powers granted to other local governments under other statutes, or have some confusion surrounding their interpretation.

The Municipal Research Council contracts for the provision of municipal research and services to cities and towns. These consist of: (1) studying and researching municipal government and issues relating to it; (2) acquiring, preparing, and distributing publications related to municipal government; (3) providing educational conferences relating to municipal government; and (4) furnishing legal, technical, consultive, and field services to cities and towns concerning planning, public health, utility services, fire protection, law enforcement, public works, and other

issues relating to municipal government. It has been suggested that cities and towns should be encouraged to send copies of their ordinances to the Municipal Research Council.

The violation of a town ordinance can be prosecuted either as a misdemeanor or be redressed by civil action. It has been suggested that there would be more clarity if the law specifically stated that the violation of a town ordinance can constitute a civil violation subject to a monetary penalty.

Summary of Bill: Cities and towns are encouraged to send a copy of their ordinances to the Municipal Research Council after their adoption. The Municipal Research Council will indicate to cities and towns the types of ordinances it is interested in compiling.

The violation of a town ordinance is a misdemeanor or a civil violation subject to a monetary penalty.

EFFECT OF SENATE AMENDMENT(S): Under current law, when a city, town, or county adopts an ordinance, it is only required to publish a summary of the ordinance rather than the full text of the ordinance. The publication must include the name of the city, town, or county; the formal identification or citation number of the ordinance; a descriptive title of the ordinance; and a statement that the full text will be mailed upon request. The full text must be mailed without charge to any person who requests the text of the ordinance.

The Senate amendment allows a city, town, or county to publish the title of the ordinance rather than a summary of the ordinance.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This will assist the Municipal Research Council to compile information useful to cities and towns.

Testimony Against: None.

Witnesses: Stan Finkelstein, Association of Washington Cities (pro).

VOTE ON FINAL PASSAGE:

Yeas 85; Nays 5; Excused 7; Absent 1

Nays: Representatives Cooke, Fisher R, Forner, Van Luven,
Zellinsky

Excused: Representatives Anderson, Appelwick, Casada,
Chappell, Mastin, Ogden, Schmidt

Absent: Representative Morris