
SUBSTITUTE SENATE BILL 5795

State of Washington

53rd Legislature

1993 Regular Session

By Senate Committee on Labor & Commerce (originally sponsored by Senators Moore, Amondson and Jesernig)

Read first time 03/03/93.

1 AN ACT Relating to regulatory reform; adding a new section to
2 chapter 35.21 RCW; and adding a new section to chapter 36.01 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.21 RCW
5 to read as follows:

6 In addition to other requirements imposed by law, no city or town
7 may adopt an ordinance or resolution, the violation of which subjects
8 a business to a penalty or sanction, or that establishes, alters, or
9 revokes a qualification or standard for the issuance, suspension, or
10 revocation of a license to pursue a commercial activity, trade, or
11 profession, unless:

12 (1) There exists a written record providing substantial evidence
13 that: (a) The particular ordinance or resolution is needed; (b) the
14 benefits of the particular ordinance or resolution outweigh its costs;
15 (c) the city or town considered any other less intrusive or less costly
16 means to achieve the purpose of the rule that were proposed in public
17 hearing, but had reasonable justification for rejecting them in favor
18 of the adopted rule; and (d) a fee imposed by the ordinance or

1 resolution is reasonable and directly related to the cost of program
2 administration;

3 (2) The ordinance or resolution is clearly and simply stated, so
4 that it will be understood by a party required to comply;

5 (3) The ordinance or resolution does not conflict with, overlap, or
6 duplicate any other provision of local, state, or federal law; and

7 (4) The city or town has a written plan to inform and educate
8 affected parties about the rule, to promote voluntary compliance, and
9 to evaluate whether the ordinance or resolution achieves the purpose
10 for which it was adopted.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 36.01 RCW
12 to read as follows:

13 In addition to other requirements imposed by law, no county may
14 adopt an ordinance or resolution, the violation of which subjects a
15 business to a penalty or sanction, or that establishes, alters, or
16 revokes a qualification or standard for the issuance, suspension, or
17 revocation of a license to pursue a commercial activity, trade, or
18 profession, unless:

19 (1) There exists a written record providing substantial evidence
20 that: (a) The particular ordinance or resolution is needed; (b) the
21 benefits of the particular ordinance or resolution outweigh its costs;
22 (c) the county considered any other less intrusive or less costly means
23 to achieve the purpose of the rule that were proposed in public
24 hearing, but had reasonable justification for rejecting them in favor
25 of the adopted rule; and (d) a fee imposed by the ordinance or
26 resolution is reasonable and directly related to the cost of program
27 administration;

28 (2) The ordinance or resolution is clearly and simply stated, so
29 that it will be understood by a party required to comply;

30 (3) The ordinance or resolution does not conflict with, overlap, or
31 duplicate any other provision of local, state, or federal law; and

32 (4) The county has a written plan to inform and educate affected
33 parties about the rule, to promote voluntary compliance, and to
34 evaluate whether the ordinance or resolution achieves the purpose for
35 which it was adopted.

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