

ORDINANCE 2024-08

AN ORDINANCE OF THE CITY OF TOPPENISH, WASHINGTON, AMENDING CERTAIN SECTIONS OF CHAPTER 2.30 OF THE TOPPENISH MUNICIPAL CODE FOR THE PLANNING COMMISSION, TO PROVIDE FOR SEVERABILITY, CORRECTIONS, AND AN EFFECTIVE DATE

WHEREAS, the Toppenish City Council has decided to make adjustments to the Toppenish Planning Commission in an effort to better serve the needs of the community,

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

Section 1: Section 2.30.060 of the Toppenish Municipal Code is hereby amended to read as follows:

2.30.060 Absenteeism.

Each member of an advisory commission, other than planning commission, shall not be absent and unexcused from any three consecutive commission meetings and shall attend at least seven of the commission's preceding 12 regular meetings. Any member who fails to attend regular meetings as above mentioned shall lose his or her membership on the advisory commission and the vacancy shall be filled by the city council.

Section 2: Section 2.30.110 of the Toppenish Municipal Code is hereby amended to read as follows:

2.30.110 Membership of the planning commission.

The planning commission shall consist of either five or seven members but shall at no time consist of an even number of six members. The city council recognizes and values the opinions of the residents of the city of Toppenish, as well as those individuals who own and operate a commercial business in the city, and also appreciates the input of the Toppenish Mural Society to assist in planning and directing the safe and prosperous growth and overall wellbeing of the city. With that in mind, so long as a majority of the planning commission members are verifiable residents living within the corporate limits of the city of Toppenish, the city council may appoint up to a total of two nonresident planning commission members who may consist of one owner and operator of a commercial business located within the corporate limits of the city of Toppenish and/or one representative of the Toppenish Mural Society.

Section 3: Section 2.30.120 of the Toppenish Municipal Code is hereby amended to read as follows:

2.30.120 Duties of the planning commission.

The responsibility of the planning commission shall be to consider all amendments, modifications or alterations to the city's comprehensive plan, to conduct hearings as otherwise specified by this code, and to perform other planning functions for the city. Planning commission members shall attend at least nine of the regular planning commission meetings during each calendar year and shall not have more than one unexcused absence from a regular

planning commission meeting during any calendar year. Any member who fails to attend regular meetings as specified herein or who fails to devote the time and effort necessary to competently and conscientiously perform planning commission duties may lose his or her membership on the planning commission and the vacancy shall be filled by the city council.

Section 4. Severability: If any section, sentence, clause, or phrase of this Ordinance should be held to be unconstitutional or unlawful 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 5. Corrections: The city clerk and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the corrections of scribes/clerical errors, references, section or subsection numbers and any references thereto.

Section 6. Effective Date: This ordinance shall become effective five days after publication of a summary hereof.

PASSED by the Toppenish City Council during its regular meeting held on April 22, 2024.



ELPIDIA SAAVEDRA, Mayor

ATTEST:



HEIDI RIOJAS, CMC, City Clerk

APPROVED AS TO FORM:



GARY M. CUILLIER, City Attorney

CITY OF TOPPENISH

21 West First Avenue
Toppenish, WA 98948

"Where the West Still Lives"

CLERK'S CERTIFICATION

I, the undersigned, the duly chosen, qualified and acting Clerk of the City of Toppenish, Washington, and keeper of the records of the Council of the City (herein called the "Council"), DO HEREBY CERTIFY:

1. That the attached Ordinance 2024-08 (herein called the "Ordinance") is a true and correct copy of an Ordinance of the City, as finally passed at a meeting of the Council held on the 22nd day of April, 2024, and duly recorded in my office.
2. That said meeting was duly convened and held in all respects in accordance with law, and, to the extent required by law, due and proper notice of such meeting was given; that a quorum was present throughout the meeting and a legally sufficient number of members of the Council voted in the proper manner for the passage of the ordinance; that all other requirements and proceedings incident to the proper passage of the Ordinance have been duly fulfilled, carried out and otherwise observed; and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Toppenish, Washington, this 23rd day of April, 2024.



Heidi Riojas, CMC, City Clerk

Official Newspaper: *Sunnyside Sun*

Published: May 1, 2024

Effective: May 6, 2024