

ORDINANCE 2021-04

**AN ORDINANCE AMENDING A SECTION OF CHAPTER 12.01 OF THE
TOPPENISH MUNICIPAL CODE STANDARDS AND SPECIFICATIONS**

WHEREAS, the City Council has adopted ordinances related to construction, development, streets and sidewalks, subdivision, and water and sewer services; and

WHEREAS, there exists a need to implement standards and specifications that remain current with governmental and industry standards for construction impacting the city's infrastructure; and

WHEREAS, the City's Engineer has recommended the content of the updated Design and Construction Standards and Specifications for Public Works Improvements; and

WHEREAS, the City Council wishes to adopt design and construction standards and specifications for construction that promote compliance to, and administration of, construction standards and specifications for projects performed by the City or on its behalf to protect public health and safety,

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

SECTION 1: Section 12.01.010 of the Toppenish Municipal Code (TMC) is hereby amended to read as follows:

12.01.010 Streets, sewers and storm drains, utilities and street lighting standards adopted by reference City of Toppenish Design and Construction Standards and Specifications Manual for Public Works Improvements.

The City of Toppenish Design and Construction Standards and Specifications Manual for Public Works Improvements (standards and specifications), latest edition, herein adopted, are intended to provide a uniform standard for all work of any nature, performed by the city or work done on its behalf where design and construction may occur for a facility, infrastructure or system of interest to the city. The city adopts the standards and specifications as set out in attached Exhibit A of the ordinance codified in this section and amended from time to time by resolution of the city council and on file in the city clerk-treasurer's office, which Exhibit A is resolutions are by this reference incorporated in this chapter as the official standards and specifications for the construction of streets, sewers and storm drains, utilities and street lighting all work within city limits and private property with facilities, infrastructure and systems of interest to the city. This includes city-owned utility extensions into the Urban Growth Area. Resolutions containing the current standards and specifications are to be maintained and kept current by the city engineer and public works director in a manual titled the City of Toppenish Design and Construction Standards and Specifications for Public Works Improvements and shall bear the month and year of adoption by resolution of the city council.

SECTION 2: 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 section.

SECTION 3: This ordinance shall become effective five days after publication of a summary thereof.

PASSED by the Toppenish City Council during its regular meeting held on April 12, 2021.



MARK OAKS, 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 2021-04 (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 12th day of April, 2021, 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 13th day of April, 2021.



Heidi Riojas, CMC, City Clerk

Official Newspaper: *Sunnyside Sun*

Published: April 21, 2021

Effective: April 26, 2021