

ORDINANCE 2025-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TOPPENISH, WASHINGTON, AMENDING SECTION 2.30.110 OF THE TOPPENISH MUNICIPAL CODE TO LIMIT THE NUMBER OF MEMBERS OF THE PLANNING COMMISSION TO FIVE COMMISSIONERS, PROVIDING FOR SEVERABILITY AND ESTABLISH AN EFFECTIVE DATE

WHEREAS the Revised Code of Washington (RCW) section 35.63.040 requires planning commissions to hold at least one regular meeting in each month for not less than nine months in each year, and

WHEREAS the Planning Commission of Toppenish has had historical issues managing and maintaining a legal Planning Commission, and

WHEREAS setting a single limitation of five planning commissioners provides a more manageable Planning Commission in accordance with state law, and

WHEREAS the Council considered this Ordinance during its regular City Council meeting on February 10, 2025,

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

Section 1: 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 well-being 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 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 ordinance.

Section 3. 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 scriveners/clerical errors, and any references thereto references,.

Section 4. Effective Date: This ordinance shall be effective five days after publication of a summary thereof.

ADOPTED by the Toppenish City Council at its regular meeting held on February 10, 2025.

ELPIDIA SAAVEDRA, Mayor

ATTEST:

HEIDI RIOJAS, CMC, City Clerk

APPROVED AS TO FORM:

DANIEL B. HEID, City Attorney