

**Subject: Repeal of Chapter 1.14 RMC**

**Ordinance #1349**

**Proposed Council Action:**

First Reading of Ordinance #1349 discuss, provide direction to staff, and schedule for second reading.

**Dept. Origin:** Town Planner

**Prepared by:** Jennifer Robertson,  
 Assistant Town Attorney

**For Agenda of:** January 3, 2012

**Exhibits:**

Initial & Date

**Concurred by Mayor:** \_\_\_\_\_

**Approved by Town Planner:** \_\_\_\_\_

**Approved as to form by Town Atty:** JSR12/23/11

**Approved by Finance Director:** \_\_\_\_\_

**Approved by Department Head:** \_\_\_\_\_

| Expenditure   | Amount       | Appropriation |
|---------------|--------------|---------------|
| Required none | Budgeted \$0 | Required \$0  |

**INFORMATION / BACKGROUND**

In conjunction with consolidating all fees into a Master Fee Resolution (Resolution #499), the fees must be removed from the Ruston Municipal Code. Chapter 1.14 RMC entitled "Fees" should be repealed as those fees have been moved to Resolution #499.

Resolution 499 should be passed at the same meeting as the council repeals Chapter 1.14 RMC by passing Ordinance #1349.

**FISCAL CONSIDERATION**

Recovery of costs in the form of fees in an important aspect of fee-setting.

**BOARD OR COMMITTEE RECOMMENDATION**

None.

**RECOMMENDATION / MOTION**

Set for second reading and passage simultaneous with scheduled passage of Ordinances #1342 (Title 19 Revisions), #1347 (Right of Way Encroachment Permit), #1348 (Master Use Permit), #1349 (Repeal of Ch. 1.14 RMC) and Resolution #499 (Master Fee Resolution).

**ORDINANCE NO. 1349**

**AN ORDINANCE OF THE TOWN OF RUSTON, WASHINGTON, RELATING TO FEES CHARGED BY THE TOWN, ELIMINATING PERMIT AND OTHER FEES FROM THE RUSTON MUNICIPAL CODE, REPEALING CHAPTER 1.14, ENTITLED "FEES", OF THE RUSTON MUNICIPAL CODE, AND ESTABLISHING AN EFFECTIVE.**

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WHEREAS, the Town currently includes certain fees for permits and other charges in the Ruston Municipal Code, but because these fees need to be updated annually, they should be included in a resolution and not codified; and

WHEREAS, once the fees are included in a resolution, such fees should be removed from the code; and

WHEREAS, Chapter 1.14 of the Ruston Municipal Code (entitled "Fees") will no longer be necessary and should be repealed; and

WHEREAS, on January 3, 2012 the Town Council held the first reading on this Ordinance; and

WHEREAS, the Town Council adopted this Ordinance in at a regular meeting on February 6, 2012, at second reading; Now, Therefore,

**THE TOWN COUNCIL OF THE TOWN OF RUSTON HEREBY ORDAINS AS FOLLOWS:**

Section 1. Chapter 1.14 of the Ruston Municipal Code, entitled "Fees", is hereby repealed.

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional 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. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 4. Effective Date. This Ordinance shall become effective immediately after publication as provided by law.

ADOPTED by the Town Council of the Town of Ruston, signed by the Mayor and attested by the Town Clerk in authentication of such passage on this 7th day of February, 2012.

  
\_\_\_\_\_  
Bruce Hopkins, Mayor

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Carol Morris, Town Attorney

FILED WITH THE TOWN CLERK: 2/7/2012  
PASSED BY THE TOWN COUNCIL: 2/6/2012  
PUBLISHED: 2/8/2012  
EFFECTIVE DATE: 2/13/2012  
ORDINANCE NO: 1349