

ORDINANCE NO. 1369

AN ORDINANCE OF THE TOWN OF RUSTON, WASHINGTON REPEALING SECTION 1.01.020 OF THE RUSTON MUNICIPAL CODE RELATING TO THE DESIGNATION OF THE OFFICIAL TOWN NEWSPAPER, AND REPEALING SECTION 1.01.040 OF THE RUSTON MUNICIPAL CODE RELATING TO THE BIDDING PROCESS FOR AN OFFICIAL TOWN NEWSPAPER, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, after going through the applicable bidding process in accordance with RCW 35.32.352(7), the Town Council passed Resolution 495 on November 7, 2011 designating the official newspaper of the Town as The Tacoma Daily Index; and

WHEREAS, Chapter 1.01 of the Ruston Municipal Code contains two sections pertaining to the Official Town Newspaper (1.01.020 and 1.01.040) that are inconsistent with Resolution 495; and

WHEREAS, in order to avoid confusion regarding the Town's official newspaper and the procedures for annual bidding for the official newspaper, Sections 1.01.020 and 1.01.040 of the Ruston Municipal Code should be repealed; and

WHEREAS, on May 1, 2012, the Town Council held the first reading of this Ordinance; and

WHEREAS, on May 15, 2012, the Town Council adopted this Ordinance during its regular meeting at the second reading; NOW, THEREFORE

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

Section 1. Section 1.01.020 of the Ruston Municipal Code entitled “Designation of Official Newspaper” is hereby repealed.


Section 2. Section 1.01.040 of the Ruston Municipal Code entitled “Bids for Publication of Notices and Ordinances” is hereby repealed.

Section 3. 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 4. Publication. This Ordinance shall be published by an approved summary consisting of the title.

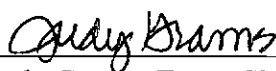
Section 5. Effective Date. This Ordinance shall be effective five days after publication as provided by law.

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 15th day of May, 2012.



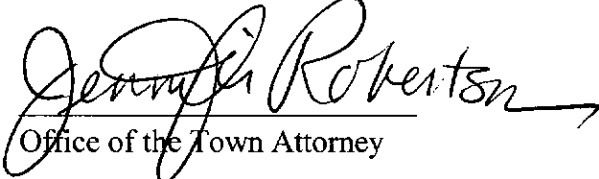
Bruce Hopkins, Mayor

ATTEST/AUTHENTICATED:



Judy Grams, Town Clerk

APPROVED AS TO FORM:


Office of the Town Attorney

FILED WITH THE TOWN CLERK: _____

PASSED BY THE TOWN COUNCIL: _____

PUBLISHED: _____

EFFECTIVE DATE: _____

ORDINANCE NO: 1369

**Subject: Ordinance #1369 – Repeal
 Of RMC Sections 1.01.020 & 1.01.040**

Proposed Council Action:

Adopt Ordinance #1369.

Dept. Origin: Town Attorney's Office
Prepared by: Jennifer Robertson,
 Assistant Town Attorney
For Agenda of: May 15, 2012
Exhibits: Ordinance #1369 Attached

Initial & Date

Concurred by Mayor: _____
Approved by Town Planner: _____
Approved as to form by Town Atty: JSR5/2/2012
Approved by Finance Director: _____
Approved by Department Head: _____

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

INFORMATION / BACKGROUND

On August 15 2011, in accordance with RCW 35.34.352(7), the Town Council passed Resolution #494 calling for bids for the Official Town Newspaper. On November 7, 2011, the Town Council passed Resolution #495 designating The Tacoma Daily Index as the Town's Official Newspaper from November 15, 2011 through November 14, 2012.

Ruston Municipal Code Section 1.01.020 (on the books since 1918) designates The Tacoma News Tribune as the Town's official newspaper. This is no longer accurate and should be repealed to avoid confusion.

Ruston Municipal Code Section 1.01.040 designates the method described by State law for both bidding and awarding the Official Newspaper for the Town. This sets the bid date in November of each year. This process does not need to be in the Town Code. Further, given the dates of Resolution #495, the bid process should commence each year in August or September in order to award the bid no later than the first meeting in November. In order to avoid confusion and avoid unnecessary code provisions, 1.01.040 should be repealed.

FISCAL CONSIDERATION

None.

BOARD OR COMMITTEE RECOMMENDATION

None.

RECOMMENDATION / MOTION

Adopt Ordinance #1369.

MOTION: I move to adopt Ordinance #1369 repealing sections 1.01.020 & 1.01.040 of the Ruston Municipal Code.