

TOWN OF RUSTON

ORDINANCE NO. 1370

**AN ORDINANCE OF THE TOWN OF RUSTON,
WASHINGTON, RELATING TO STANDARD
CONSTRUCTION SPECIFICATION OF THE TOWN OF
RUSTON, AMENDING SECTION 12.09.010 OF THE
RUSTON MUNICIPAL CODE TO MAKE ADOPTION OF
SPECIFICATIONS CURRENT AND CONSISTENT WITH
STATE LAW AND ESTABLISHING AN EFFECTIVE
DATE.**

WHEREAS, in accordance with RCW 35.21.180 the Town is permitted to adopt the codes and standards by reference; and

WHEREAS, Section 12.09.010 of the Ruston Municipal Code adopted the 1994 version of the Standard Specifications and Standard Plans for Road, Bridge and Municipal Construction, promulgated by the Washington State Department of Transportation; and

WHEREAS, the current edition of this document should be enacted by the Town of Ruston in order to keep the Town's specifications for Town construction standards up to date; and

WHEREAS, in order to adopt these current standards, Section 12.09.010 of the Ruston Municipal Code must be amended; and

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

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

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

Section 1. Section 12.09.010 of the Ruston Municipal Code is hereby amended to read as follows:

12.09.010 - Adopted.

The ~~1994 2012~~ Standard Specifications and Standard Plans for Road, Bridge and Municipal Construction, promulgated by the Washington State Department of Transportation, ~~and any amendments hereafter made thereto~~, are adopted as the standards of the Town of Ruston applicable to such construction. One copy of such publication has been filed for the use and examination of the public in the office of the Town Clerk.

Section 2. Direction to Clerk. The Town Clerk is directed to maintain on copy of the 2012 Standard Specifications and Standard Plans for Road, Bridge and Municipal Construction, promulgated by the Washington State Department of Transportation on file in the Clerk's Office available for examination and use by the public during regular business hours.

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
Judy Grams, Town Clerk

APPROVED AS TO FORM:

Denyse J. Roberts
Office of the Town Attorney

FILED WITH THE TOWN CLERK: _____

PASSED BY THE TOWN COUNCIL: _____

PUBLISHED: _____

EFFECTIVE DATE: _____

ORDINANCE NO: 1370

Subject: Ordinance #1370 Adopting
 The current WSDOT construction standards
 As Ruston Standards

Proposed Council Action:

Adopt Ordinance #1370.

Dept. Origin: Town Attorney's Office
Prepared by: Jennifer Robertson
 Assistant Town Attorney
For Agenda of: May 15, 2012
Exhibits: Attached ordinance
 Initial & Date
Concurred by Mayor: _____
Approved/form by Town Atty: JSR5/2/2012
Approved by _____ Director: _____
Approved by Department Head: _____

Expenditure Required	Amount Budgeted	Appropriation Required
\$0	\$0	\$0

INFORMATION / BACKGROUND

This ordinance is a housekeeping measure intended to bring the Ruston code current.

Section 12.09.010 of the Ruston Municipal Code adopted the “1994 Standard Specifications and Standard Plans for Road, Bridge and Municipal Construction, promulgated by the Washington State Department of Transportation, and any amendments hereafter made” as the standards for public construction within Ruston. The current version of this document is the 2012 version. RMC 12.09.010 should be amended to adopt the current version of this WSDOT document. In addition, the provision of “any amendments hereafter made” has been stricken from RMC 12.09.010 as we cannot adopt documents or provisions that do not exist as of the date of adoption. Finally, a sentence has been added to RMC 12.09.010 to require that a copy of the document adopted be kept on file with the Town Clerk. This practice is consistent with state law which requires copies of documents adopted by reference to be maintained by the Clerk for public use and inspection.

FISCAL CONSIDERATION

None.

BOARD OR COMMITTEE RECOMMENDATION

N/A

RECOMMENDATION / MOTION

Adopt Ordinance #1370.

MOTION: I move to adopt Ordinance #1370 amending Section 12.09.010 of the Ruston Municipal Code to update the adopted standards and specifications for Town construction.