
HOUSE BILL 2423

State of Washington 53rd Legislature 1994 Regular Session

By Representatives Springer, H. Myers and Edmondson

Read first time 01/14/94. Referred to Committee on Local Government.

1 AN ACT Relating to publication of ordinances; amending RCW
2 35.22.288, 35.23.310, 35.24.220, 35.27.300, 35.30.018, 35A.12.160, and
3 65.16.160; and adding a new section to chapter 35.21 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 35.22.288 and 1988 c 168 s 1 are each amended to read
6 as follows:

7 Promptly after adoption, the text of each ordinance or a summary of
8 the content of each ordinance shall be published at least once in the
9 official newspaper of the city. For purposes of this section, a
10 summary shall mean a brief description which succinctly describes the
11 main points of the ordinance. Publication of the title of an ordinance
12 authorizing the issuance of bonds, notes, or other evidences of
13 indebtedness shall constitute publication of a summary of that
14 ordinance. When the city publishes a summary, the publication shall
15 include a statement that the full text of the ordinance will be mailed
16 upon request.

17 An inadvertent mistake or omission in publishing the text or a
18 summary of the content of an ordinance shall not render the ordinance
19 invalid.

1 In addition to the requirement that a city publish the text or a
2 summary of the content of each adopted ordinance, every city shall
3 establish a procedure for notifying the public of upcoming hearings and
4 the preliminary agenda for the forthcoming council meeting. Such
5 procedure may include, but not be limited to, written notification to
6 the city's official newspaper, publication of a notice in the official
7 newspaper, posting of upcoming council meeting agendas, or such other
8 processes as the city determines will satisfy the intent of this
9 requirement.

10 **Sec. 2.** RCW 35.23.310 and 1988 c 168 s 2 are each amended to read
11 as follows:

12 Promptly after adoption, the text of each ordinance or a summary of
13 the content of each ordinance shall be published at least once in the
14 official newspaper of the city. For purposes of this section, a
15 summary shall mean a brief description which succinctly describes the
16 main points of the ordinance. Publication of the title of an ordinance
17 authorizing the issuance of bonds, notes, or other evidences of
18 indebtedness shall constitute publication of a summary of that
19 ordinance. When the city publishes a summary, the publication shall
20 include a statement that the full text of the ordinance will be mailed
21 upon request.

22 An inadvertent mistake or omission in publishing the text or a
23 summary of the content of an ordinance shall not render the ordinance
24 invalid.

25 In addition to the requirement that a city publish the text or a
26 summary of the content of each adopted ordinance, every city shall
27 establish a procedure for notifying the public of upcoming hearings and
28 the preliminary agenda for the forthcoming council meeting. Such
29 procedure may include, but not be limited to, written notification to
30 the city's official newspaper, publication of a notice in the official
31 newspaper, posting of upcoming council meeting agendas, or such other
32 processes as the city determines will satisfy the intent of this
33 requirement.

34 A certified copy of any ordinance certified to by the clerk, or a
35 printed copy of any ordinance or compilation printed by authority of
36 the city council and attested by the clerk shall be competent evidence
37 in any court.

1 **Sec. 3.** RCW 35.24.220 and 1988 c 168 s 4 are each amended to read
2 as follows:

3 Promptly after adoption, the text of each ordinance or a summary of
4 the content of each ordinance shall be published at least once in the
5 city's official newspaper.

6 For purposes of this section, a summary shall mean a brief
7 description which succinctly describes the main points of the
8 ordinance. Publication of the title of an ordinance authorizing the
9 issuance of bonds, notes, or other evidences of indebtedness shall
10 constitute publication of a summary of that ordinance. When the city
11 publishes a summary, the publication shall include a statement that the
12 full text of the ordinance will be mailed upon request.

13 An inadvertent mistake or omission in publishing the text or a
14 summary of the content of an ordinance shall not render the ordinance
15 invalid.

16 In addition to the requirement that a city publish the text or a
17 summary of the content of each adopted ordinance, every city shall
18 establish a procedure for notifying the public of upcoming hearings and
19 the preliminary agenda for the forthcoming council meeting. Such
20 procedure may include, but not be limited to, written notification to
21 the city's official newspaper, publication of a notice in the official
22 newspaper, posting of upcoming council meeting agendas, or such other
23 processes as the city determines will satisfy the intent of this
24 requirement.

25 **Sec. 4.** RCW 35.27.300 and 1988 c 168 s 5 are each amended to read
26 as follows:

27 Promptly after adoption, the text of each ordinance or a summary of
28 the content of each ordinance shall be published at least once in the
29 official newspaper of the town.

30 For purposes of this section, a summary shall mean a brief
31 description which succinctly describes the main points of the
32 ordinance. Publication of the title of an ordinance authorizing the
33 issuance of bonds, notes, or other evidences of indebtedness shall
34 constitute publication of a summary of that ordinance. When the town
35 publishes a summary, the publication shall include a statement that the
36 full text of the ordinance will be mailed upon request.

1 An inadvertent mistake or omission in publishing the text or a
2 summary of the content of an ordinance shall not render the ordinance
3 invalid.

4 In addition to the requirement that a town publish the text or a
5 summary of the content of each adopted ordinance, every town shall
6 establish a procedure for notifying the public of upcoming hearings and
7 the preliminary agenda for the forthcoming council meeting. Such
8 procedure may include, but not be limited to, written notification to
9 the town's official newspaper, publication of a notice in the official
10 newspaper, posting of upcoming council meeting agendas, or such other
11 processes as the town determines will satisfy the intent of this
12 requirement.

13 **Sec. 5.** RCW 35.30.018 and 1988 c 168 s 6 are each amended to read
14 as follows:

15 Promptly after adoption, the text of each ordinance or a summary of
16 the content of each ordinance shall be published at least once in the
17 official newspaper of the city.

18 For purposes of this section, a summary shall mean a brief
19 description which succinctly describes the main points of the
20 ordinance. Publication of the title of an ordinance authorizing the
21 issuance of bonds, notes, or other evidences of indebtedness shall
22 constitute publication of a summary of that ordinance. When the city
23 publishes a summary, the publication shall include a statement that the
24 full text of the ordinance will be mailed upon request.

25 An inadvertent mistake or omission in publishing the text or a
26 summary of the content of an ordinance shall not render the ordinance
27 invalid.

28 In addition to the requirement that a city publish the text or a
29 summary of the content of each adopted ordinance, every city shall
30 establish a procedure for notifying the public of upcoming hearings and
31 the preliminary agenda for the forthcoming council meeting. Such
32 procedure may include, but not be limited to, written notification to
33 the city's official newspaper, publication of a notice in the official
34 newspaper, posting of upcoming council meeting agendas, or such other
35 processes as the city determines will satisfy the intent of this
36 requirement.

1 **Sec. 6.** RCW 35A.12.160 and 1988 c 168 s 7 are each amended to read
2 as follows:

3 Promptly after adoption, the text of each ordinance or a summary of
4 the content of each ordinance shall be published at least once in the
5 city's official newspaper.

6 For purposes of this section, a summary shall mean a brief
7 description which succinctly describes the main points of the
8 ordinance. Publication of the title of an ordinance authorizing the
9 issuance of bonds, notes, or other evidences of indebtedness shall
10 constitute publication of a summary of that ordinance. When the city
11 publishes a summary, the publication shall include a statement that the
12 full text of the ordinance will be mailed upon request.

13 An inadvertent mistake or omission in publishing the text or a
14 summary of the content of an ordinance shall not render the ordinance
15 invalid.

16 In addition to the requirement that a city publish the text or a
17 summary of the content of each adopted ordinance, every city shall
18 establish a procedure for notifying the public of upcoming hearings and
19 the preliminary agenda for the forthcoming council meeting. Such
20 procedure may include, but not be limited to, written notification to
21 the city's official newspaper, publication of a notice in the official
22 newspaper, posting of upcoming council meeting agendas, or such other
23 processes as the city determines will satisfy the intent of this
24 requirement.

25 **Sec. 7.** RCW 65.16.160 and 1977 c 34 s 4 are each amended to read
26 as follows:

27 (1) Whenever any county, city, or town is required by law to
28 publish legal notices containing the full text of any proposed or
29 adopted ordinance in a newspaper, the county, city, or town may publish
30 a summary of the ordinance which summary shall be approved by the
31 governing body and which shall include:

32 (a) The name of the county, city, or town;

33 (b) The formal identification or citation number of the ordinance;

34 (c) A descriptive title;

35 (d) A section-by-section summary;

36 (e) Any other information which the county, city, or town finds is
37 necessary to provide a complete summary; and

38 (f) A statement that the full text will be mailed upon request.

1 Publication of the title of an ordinance authorizing the issuance
2 of bonds, notes, or other evidences of indebtedness shall constitute
3 publication of a complete summary of that ordinance, and a section-by-
4 section summary shall not be required.

5 (2) Subsection (1) of this section notwithstanding, whenever any
6 publication is made under this section and the proposed or adopted
7 ordinance contains provisions regarding taxation or penalties or
8 contains legal descriptions of real property, then the sections
9 containing this matter shall be published in full and shall not be
10 summarized. When a legal description of real property is involved, the
11 notice shall also include the street address or addresses of the
12 property described, if any. In the case of descriptions covering more
13 than one street address, the street addresses of the four corners of
14 the area described shall meet this requirement.

15 (3) The full text of any ordinance which is summarized by
16 publication under this section shall be mailed without charge to any
17 person who requests the text from the adopting county, city, or town.

18 NEW SECTION. Sec. 8. A new section is added to chapter 35.21 RCW
19 to read as follows:

20 (1) It is the purpose of this section to provide a means whereby
21 all cities and towns may obtain, through a single source, information
22 regarding ordinances adopted by other cities and towns that may be of
23 assistance to them in enacting appropriate local legislation.

24 (2) For the purposes of this section, (a) "clerk" means the city or
25 town clerk or other person who is lawfully designated to perform the
26 recordkeeping function of that office, and (b) "municipal research
27 council" means the municipal research council created by chapter 43.110
28 RCW.

29 (3) The clerk of every city and town is directed to provide to the
30 municipal research council or its designee, promptly after adoption and
31 publication of the text or title, a copy of the full text of each of
32 its regulatory ordinances and such other ordinances or kinds of
33 ordinances as may be described in a list or lists promulgated by the
34 municipal research council or its designee from time to time, and may
35 provide such copies without charge. The municipal research council may
36 provide that information to the entity with which it contracts for the
37 provision of municipal research and services, in order to provide a

1 pool of information for all cities and towns in the state of
2 Washington.

3 (4) This section is intended to be directory and not mandatory.

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