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SENATE BILL 5283

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State of Washington

53rd Legislature

1993 Regular Session

By Senators Haugen and Winsley

Read first time 01/21/93. Referred to Committee on Government Operations.

1 AN ACT Relating to requirements for publishing notice of actions of  
2 counties, cities, and towns; and amending RCW 35.22.288, 35.23.310,  
3 35.24.220, 35.27.300, 35.30.018, 35A.12.160, and 65.16.160.

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))~~ title of each ordinance ~~((or~~  
8 ~~a summary of the content of each ordinance))~~ shall be published at  
9 least once in the official newspaper of the city. ~~((For purposes of~~  
10 ~~this section, a summary shall mean a brief description which succinctly~~  
11 ~~describes the main points of the ordinance. When the city publishes a~~  
12 ~~summary, the publication shall include a statement that the full text~~  
13 ~~of the ordinance will be mailed upon request.))~~ When the city publishes  
14 that title, the publication shall include:

- 15 (1) The name of the city;  
16 (2) The formal identification or citation number of the ordinance;  
17 (3) The full title of the ordinance; and  
18 (4) A statement that the full text will be mailed upon request.

1 An inadvertent mistake or omission in publishing the title's text  
2 or (~~(a summary of)~~) the content of an ordinance shall not render the  
3 ordinance invalid.

4 The full text of any ordinance, the title rather than the text of  
5 which is published under this section, shall be mailed without charge  
6 to any person who requests the text from the adopting city.

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

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

18 Promptly after adoption, the (~~(text)~~) title of each ordinance (~~(or~~  
19 ~~a summary of the content of each ordinance)~~) shall be published at  
20 least once in the official newspaper of the city. (~~(For purposes of~~  
21 ~~this section, a summary shall mean a brief description which succinctly~~  
22 ~~describes the main points of the ordinance. When the city publishes a~~  
23 ~~summary, the publication shall include a statement that the full text~~  
24 ~~of the ordinance will be mailed upon request.)~~) When the city publishes  
25 that title, the publication shall include:

- 26 (1) The name of the city;  
27 (2) The formal identification or citation number of the ordinance;  
28 (3) The full title of the ordinance; and  
29 (4) A statement that the full text will be mailed upon request.

30 An inadvertent mistake or omission in publishing the title's text  
31 or (~~(a summary of)~~) the content of an ordinance shall not render the  
32 ordinance invalid.

33 The full text of any ordinance, the title rather than the text of  
34 which is published under this section, shall be mailed without charge  
35 to any person who requests the text from the adopting city.

36 In addition to the requirement that a city publish the (~~(text or a~~  
37 ~~summary of the content)~~) title of each adopted ordinance, every city  
38 shall establish a procedure for notifying the public of upcoming

1 hearings and the preliminary agenda for the forthcoming council  
2 meeting. Such procedure may include, but not be limited to, written  
3 notification to the city's official newspaper, publication of a notice  
4 in the official newspaper, posting of upcoming council meeting agendas,  
5 or such other processes as the city determines will satisfy the intent  
6 of this requirement.

7 A certified copy of any ordinance certified to by the clerk, or a  
8 printed copy of any ordinance or compilation printed by authority of  
9 the city council and attested by the clerk shall be competent evidence  
10 in any court.

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

13 Promptly after adoption, the ~~((text))~~ title of each ordinance ~~((or~~  
14 ~~a summary of the content of each ordinance))~~ shall be published at  
15 least once in the city's official newspaper. ~~((For purposes of this~~  
16 ~~section, a summary shall mean a brief description which succinctly~~  
17 ~~describes the main points of the ordinance. When the city publishes a~~  
18 ~~summary, the publication shall include a statement that the full text~~  
19 ~~of the ordinance will be mailed upon request.))~~ When the city publishes  
20 that title, the publication shall include:

- 21 (1) The name of the city;  
22 (2) The formal identification or citation number of the ordinance;  
23 (3) The full title of the ordinance; and  
24 (4) A statement that the full text will be mailed upon request.

25 An inadvertent mistake or omission in publishing the title's text  
26 or ~~((a summary of))~~ the content of an ordinance shall not render the  
27 ordinance invalid.

28 The full text of any ordinance, the title rather than the text of  
29 which is published under this section, shall be mailed without charge  
30 to any person who requests the text from the adopting city.

31 In addition to the requirement that a city publish the ~~((text or a~~  
32 ~~summary of the content of))~~ title each adopted ordinance, every city  
33 shall establish a procedure for notifying the public of upcoming  
34 hearings and the preliminary agenda for the forthcoming council  
35 meeting. Such procedure may include, but not be limited to, written  
36 notification to the city's official newspaper, publication of a notice  
37 in the official newspaper, posting of upcoming council meeting agendas,

1 or such other processes as the city determines will satisfy the intent  
2 of this requirement.

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

5 Promptly after adoption, the ~~((text))~~ title of each ordinance ~~((or~~  
6 ~~a summary of the content of each ordinance))~~ shall be published at  
7 least once in the official newspaper of the town. ~~((For purposes of~~  
8 ~~this section, a summary shall mean a brief description which succinctly~~  
9 ~~describes the main points of the ordinance. When the town publishes a~~  
10 ~~summary, the publication shall include a statement that the full text~~  
11 ~~of the ordinance will be mailed upon request.))~~ When the town publishes  
12 that title, the publication shall include:

- 13 (1) The name of the town;  
14 (2) The formal identification or citation number of the ordinance;  
15 (3) The full title of the ordinance; and  
16 (4) A statement that the full text will be mailed upon request.

17 An inadvertent mistake or omission in publishing the title's text  
18 or ~~((a summary of))~~ the content of an ordinance shall not render the  
19 ordinance invalid.

20 The full text of any ordinance, the title rather than the text of  
21 which is published under this section, shall be mailed without charge  
22 to any person who requests the text from the adopting town.

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

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

34 Promptly after adoption, the ~~((text))~~ title of each ordinance ~~((or~~  
35 ~~a summary of the content of each ordinance))~~ shall be published at  
36 least once in the official newspaper of the city. ~~((For purposes of~~  
37 ~~this section, a summary shall mean a brief description which succinctly~~

1 ~~describes the main points of the ordinance. When the city publishes a~~  
2 ~~summary, the publication shall include a statement that the full text~~  
3 ~~of the ordinance will be mailed upon request.)) When the city publishes~~  
4 ~~that title, the publication shall include:~~

- 5 (1) The name of the city;
- 6 (2) The formal identification or citation number of the ordinance;
- 7 (3) The full title of the ordinance; and
- 8 (4) A statement that the full text will be mailed upon request.

9 An inadvertent mistake or omission in publishing the title's text  
10 or (~~a summary of~~) the content of an ordinance shall not render the  
11 ordinance invalid.

12 The full text of any ordinance, the title rather than the text of  
13 which is published under this section, shall be mailed without charge  
14 to any person who requests the text from the adopting city.

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

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

26 Promptly after adoption, the (~~text~~) title of each ordinance (~~or~~  
27 ~~a summary of the content of each ordinance~~) shall be published at  
28 least once in the city's official newspaper. (~~For purposes of this~~  
29 ~~section, a summary shall mean a brief description which succinctly~~  
30 ~~describes the main points of the ordinance. When the city publishes a~~  
31 ~~summary, the publication shall include a statement that the full text~~  
32 ~~of the ordinance will be mailed upon request.)) When the city publishes~~  
33 ~~that title, the publication shall include:~~

- 34 (1) The name of the city;
- 35 (2) The formal identification or citation number of the ordinance;
- 36 (3) The full title of the ordinance; and
- 37 (4) A statement that the full text will be mailed upon request.

1 An inadvertent mistake or omission in publishing the title's text  
2 or (~~(a summary of)~~) the content of an ordinance shall not render the  
3 ordinance invalid.

4 The full text of any ordinance, the title rather than the text of  
5 which is published under this section, shall be mailed without charge  
6 to any person who requests the text from the adopting city.

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

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

18 (1) Whenever any county, city, or town is required by law to  
19 publish legal notices containing the full text of any proposed or  
20 adopted ordinance in a newspaper, the county, city, or town may publish  
21 (~~(a summary)~~) the title of the ordinance (~~(which summary shall be~~  
22 ~~approved by the governing body and)~~), which shall include:

- 23 (a) The name of the county, city, or town;  
24 (b) The formal identification or citation number of the ordinance;  
25 (c) (~~(A descriptive)~~) The full title of the ordinance; and  
26 (d) (~~(A section by section summary;~~  
27 (~~e) Any other information which the county, city, or town finds is~~  
28 ~~necessary to provide a complete summary; and~~  
29 (~~f)~~)) A statement that the full text will be mailed upon request.

30 (2) (~~(Subsection (1) of this section notwithstanding, whenever any~~  
31 ~~publication is made under this section and the proposed or adopted~~  
32 ~~ordinance contains provisions regarding taxation or penalties or~~  
33 ~~contains legal descriptions of real property, then the sections~~  
34 ~~containing this matter shall be published in full and shall not be~~  
35 ~~summarized. When a legal description of real property is involved, the~~  
36 ~~notice shall also include the street address or addresses of the~~  
37 ~~property described, if any. In the case of descriptions covering more~~

1 ~~than one street address, the street addresses of the four corners of~~  
2 ~~the area described shall meet this requirement.~~

3 (3)) The full text of any ordinance (~~which is summarized by~~  
4 ~~publication~~), the title rather than the full text of which is  
5 published under this section, shall be mailed without charge to any  
6 person who requests the text from the adopting county, city, or town.

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