

ORDINANCE 1116

AN ORDINANCE OF THE CITY OF NORTH BONNEVILLE RELATING TO THE NORTH BONNEVILLE PUBLIC DEVELOPMENT AUTHORITY AND AMENDING ORDINANCE 1028, SECTIONS 11 AND 12 RELATING TO CHARTER AMENDMENTS.

WHEREAS, by Chapter 37, Laws of 1974, extraordinary session, as amended by Chapter 322, Laws of 1985, regular session and codified as RCW 35.21.730 through RCW 35.21.757 (the "Act"), the legislature of the State of Washington authorized Cities to create public corporations, commissions and authorities; and

WHEREAS, the City Council created a Public Development Authority [PDA] with ordinance number 1028 for purposes of establishing a Board to control the retail sales of marijuana products resulting from the passage of Washington State Initiative 502; and

WHEREAS, the City Council wishes to amend sections of Ordinance 1028 relating to charter amendments; and

WHEREAS, the City Council finds that correcting issues in ordinance number 1028 serves the public's best interest.

NOW, THEREFORE, The City Council of the City of North Bonneville do hereby ordain as follows:

Legend: New language added = underlined
Old language deleted = ~~strike through~~

Section 1.

Amending Ordinance 1028 as follows:

Section 11. Proposing Charter Amendments.

A. The Authority may propose to the City Council that its Charter be amended by resolution of its Board passed by a procedure outlined in its Charter at a regular or special meeting of which two (2) days advance written notice was given to Board members.

B. Information regarding a proposed Charter amendment shall be provided to members of the Board two (2) days prior to the meeting at which a vote shall be taken and shall include the proposed amendment and a statement of its purpose and effect.

C. The City Council may amend the Charter by ordinance with or without a resolution of the PDA Board of Directors.

Section 12. Charter Amendment.

After adoption of a proposed Charter amendment by the Board of Directors by resolution, the Authority shall file; two (2) complete copies of the ~~Charter~~ resolution with the City Clerk. The Charter may be amended only by ordinance of the City Council. ~~If the City Council approves the proposed amendment, the revised Charter shall be issued in duplicate originals, each bearing~~

~~the City seal and attested by the City Clerk. One original copy shall be retained by the City Clerk as a public record and the other original shall be delivered to the Authority. The City Council may amend the Charter by ordinance with or without a resolution by the Board of Directors. A Charter amendment proposed by the Authority passed by the City Council shall take effect and become a part of the Charter upon issuance of the revised Charter by the City Clerk the effective date stated in the ordinance.~~

Section 3.

Amending North Bonneville Development Authority Charter as follows:

ARTICLE XI Dissolution

~~Dissolution of the Authority shall be in the form and manner required by state law, the Ordinance, and Bylaws.~~

RCW 35.21.750 In the event of the insolvency or dissolution of the public corporation, commission, or authority, the superior court of the county in which the public corporation, commission, or authority is or was operating shall have the jurisdiction and authority to appoint trustees or receivers of the corporate property and assets and supervise such trusteeship or receivership: PROVIDED, That all liabilities incurred by such public corporation, commission, or authority shall be satisfied exclusively from the assets and properties of such public corporation, commission, or authority and no creditor or other person shall have any right of action against the city, town, or county creating such corporation, commission, or authority on account of any debts, obligations, or liabilities of such public corporation, commission, or authority.

Section 3.

Severability.

If any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or 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.

Effective Date and Publication.

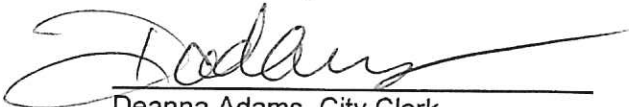
This Ordinance shall be effective five days after publication of the Ordinance, or a summary thereof consisting of its title, in the official newspaper of the City.

PASSED BY THE CITY COUNCIL ON SEPTEMBER 10, 2019.



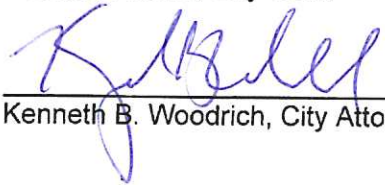
Brian Sabo, Mayor

Attest:



Deanna Adams, City Clerk

Approved as to Form:



Kenneth B. Woodrich, City Attorney