

CITY OF WINLOCK, WASHINGTON
ORDINANCE NO. 1168

**AN ORDINANCE OF THE CITY OF WINLOCK, WASHINGTON,
AMENDING SECTIONS OF WINLOCK MUNICIPAL CODE CHAPTER
18.25; AMENDING SECTIONS OF ORDINANCE NO. 933 AS
NECESSARY; AND PROVIDING FOR SEVERABILITY AND
ESTABLISHING AN EFFECTIVE DATE.**

RECITALS:

WHEREAS, the City of Winlock, Washington (the “City”) is a Code City under the laws of the State of Washington; and

WHEREAS, pursuant to RCW 35A.11.020, the City may adopt and enforce ordinances of all kinds relating to and regulating the City’s local or municipal affairs and appropriate to the good government of the City; and

WHEREAS, all references herein to “WMC” shall mean the “Winlock Municipal Code,” and

WHEREAS, Chapter 18.25 WMC is entitled “HEARING EXAMINER”; and

WHEREAS, Ordinance No. 933, as codified at Chapter 18.25 of the Winlock Municipal Code, was enacted in 2008; and

WHEREAS, the City’s Development Code, adopted by Ordinance No. 1081 in 2019, contains conflicting provisions with Ordinance No. 933; and

WHEREAS, the Council desires to amend Chapter 18.25 as set forth herein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WINLOCK, WASHINGTON, DO ORDAIN AS FOLLOWS:

The following sections of Chapter 18.25 of the Winlock Municipal Code, as last amended by Ordinance No. 1146 and 933, are hereby amended as follows:

Section 1. Section 18.25.050 of the Winlock Municipal Code is amended to state:

When requested, the examiner shall report to the city for the purpose of reviewing the administration of city planning, building, and other regulations, ordinances, and policies for the

purpose of reviewing the administration of health, safety, and regulating health ordinances and policies.

Section 2. Section 18.25.090 of the Winlock Municipal Code is amended to state:

The examiner's duties shall be limited to land use decisions relating to property within the city limits, and shall not extend to areas outside the city limits but inside the city's urban growth area (UGA). The examiner shall hear, make a record of, and decide matters provided in this chapter or other ordinances.

A. These duties include adjudication or review of all land use decisions, and the following specific matters:

1. The examiner shall be the review authority for all Type III Land Use Applications. Type III Land Use Applications and decisions are governed by the Winlock Development Code, as it now exists or is hereafter amended. The Examiner shall receive and examine available information, conduct an open record public hearing and prepare records and reports thereof, and issue a final decision for all Type III Land Use Applications unless otherwise provided for herein.
2. Review of preliminary plats and modifications thereto, to serve as recommendations to the city council;
3. Preliminary plat extension requests pursuant to RCW 58.17.140 and city ordinance, which shall constitute final decisions subject to the appeal provisions;
4. Plat vacations or amendments pursuant to Chapter 58.17 RCW, which shall constitute final decisions subject to the appeal provisions;
5. Hearings under Chapter 43.21C RCW, State Environmental Protection Act (SEPA) and ordinance sections thereto; and
6. Shoreline management hearings.

B. Except as otherwise provided, an examiner's decision shall be final and conclusive, and may be reviewable as specified within this chapter, or within any other city ordinance, or statute or regulation to such other administrative appellate board or court of competent jurisdiction, as shall thereto be applicable.

C. In computing any period of time prescribed hereunder, the day of the action from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, Sunday or a city legal holiday, in which event the period runs until the end of the next day which is not a Saturday, Sunday or city legal holiday.

Section 3. **Repealer.** Sections 10 of Ordinance No. 933, as codified at Section 18.25.100 of the Winlock Municipal Code is hereby repealed in its entirety. All other ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

Section 4. **Severability.** If any section, sentence, clause, or phrase of this Ordinance should be held to be unconstitutional or unlawful 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 5. Effective Date. This ordinance shall take effect five (5) days after its publication, or publication of a summary thereof, in the City's official newspaper, or as otherwise provided by law.

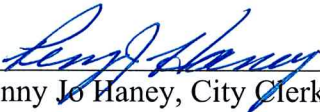
Section 6. Corrections. Upon approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbers, section/subsection numbers, and any references thereto.

PASSED by the Council of the City of Winlock, Washington, and **APPROVED** by the Mayor of the City of Winlock at a regularly scheduled open public meeting thereof, this 10th day of May, 2024.




Brandon Svenson, Mayor

Attest:



Penny Jo Haney, City Clerk

Approved as to form:


Marissa Y. Jay, WSBA # 55593
City Attorney

Approved Reading:

6/10 /2024

Publication Date:

6/13 /2024

Effective Date:

6/18 /2024