

CHAPTER 1.01

CODE ADOPTION

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1.01.010: Adoption of the Kennewick Municipal Code: Pursuant to the provisions of RCW 35.21.500 through 35.21.570, there is adopted the "Kennewick Municipal Code" as published by Book Publishing Company, Seattle, Washington. (Ord. 1555 Sec. 1, 1971)

1.01.020: Title - Citation - Reference: This code shall be known as the Kennewick Municipal Code and it shall be sufficient to refer to said code as the Kennewick Municipal Code in any prosecution for the violation of any provision thereof or in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting or repealing all or any part or portion thereof as an addition to, amendment to, correction or repeal of the Kennewick Municipal Code and such reference shall apply to that numbered title, chapter, section, or subsection as it appears in the code. (Ord. 1555 Sec. 2, 1971)

1.01.030: Reference Applies to Amendments: Whenever a reference is made to this code as the Kennewick Municipal Code or to any portion thereof, or to any ordinance of the City of Kennewick, Washington the reference shall apply to all amendments, corrections and additions heretofore, now or hereafter made. (Ord. 1555 Sec. 3, 1971)

1.01.040: Title, Chapter, and Section Headings: Title, chapter and section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any title, chapter or section thereof. (Ord. 1555 Sec. 4, 1971)

1.01.050: Codification Authority: The code consists of all of the regulatory and penal ordinances and certain of the administrative ordinances codified pursuant to RCW 35.21.500 through 35.21.570. (Ord. 1555 Sec. 5, 1971)

1.01.060: Definitions: The following words and phrases whenever used in the ordinances of the City shall be construed as defined in this section unless from the context a different meaning is intended or unless different meaning is specifically defined and more particularly directed to the use of such words or phrases:

(1) "City" means the City of Kennewick, Washington or the area within the territorial limits of the City of Kennewick, Washington, and such territory outside of the City which the City has jurisdiction or control by virtue of any constitutional or statutory provision;

(2) "Council" means the City Council of the City of Kennewick, Washington. "All its members" or "all Councilmen" means the total number of Councilmen provided by the general laws of the state of Washington;

(3) "County" means the county of Benton;

(4) "Law" denotes applicable federal law, the constitution and statutes of the state of Washington, the ordinances of the City of Kennewick, Washington, and when appropriate, any and all rules and regulations which may be promulgated thereunder;

(5) "Oath" includes affirmation;

(6) "Office." The use of the title of any officer, employee, or any office, or ordinance means such officer, employee, office, ordinance of Kennewick unless otherwise specifically designated;

(7) "Ordinance" means a law of the City; provided that a temporary or special law, administrative action, order or directive, may be in the form of a resolution;

(8) "Person" means natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them;

(9) "State" means the state of Washington;

(10) "Street" includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs, or other public ways in this City which have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of this state;

(11) "May" is permissive;

(12) "Must" and "shall." Each is mandatory;

(13) "Written" includes printed, typewritten, mimeographed or multigraphed. (Ord. 1555 Sec. 6, 1971)

1.01.070: Grammatical Interpretation: The following grammatical rules shall apply in the ordinances of the City:

(1) Gender. Any gender includes the other gender;

(2) Singular and Plural. The singular number includes the plural and the plural includes the singular;

(3) Tenses. Words used in the present tense include the past and the future tenses and vice versa;

(4) Use of Words and Phrases. Words and phrases not specifically defined shall be construed according to the context and approved usage of the language. (Ord. 1555 Sec. 7 1971)

1.01.080: Prohibited Acts Include Causing and Permitting: Whenever in this code any act or omission is made unlawful it includes causing, allowing, permitting, aiding, abetting, suffering, or concealing the fact of such act or omission. (Ord. 1555 Sec. 8, 1971)

1.01.090: Construction: The provisions of this code and all proceedings under it are to be construed with a view to effect its objects and to promote justice. (Ord. 1555 Sec. 9, 1971)

1.01.100: Reference to Specific Ordinances: The provisions of this code shall not in any manner affect deposits or other matters of record which refer to, or are otherwise connected with ordinances which are therein specifically designated by number or otherwise and which are included within the code, but such reference shall be construed to apply to the corresponding provisions contained within this code. (Ord. 1555 Sec. 10, 1971)

1.01.110: Retroactivity: Neither the adoption of this code nor the repeal or amendments of any ordinance or part or portion of any ordinance of the City shall in any manner affect the prosecution for violations of ordinances, which violations were committed prior to March 27, 1971, nor be construed as a waiver of any license, fee, or penalty on March 27, 1971, due and unpaid under such ordinances, nor be construed as affecting any of the provisions of such ordinances relating to the collection of any such license, fee or penalty, on the penal provisions applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof required to be posted, filed or deposited pursuant to any ordinance, and all rights and obligations thereunder appertaining shall continue in full force and effect. (Ord. 1555 Sec. 11, 1971)

1.01.120: Repeal Shall Not Revive Any Ordinances: The repeal of an ordinance shall not repeal the repealing clause of such ordinance or revive any ordinance which has been repealed thereby. (Ord. 1555 Sec. 12, 1971)

1.01.130: Repeal: All general ordinances of the City not included in this code or excluded from the operation and effect of this section are repealed. (Ord. 1555 Sec. 13, 1971)

1.01.140: Exclusions: Every special ordinance of this City governing the following subject matter, whether contained in whole or in part within this code, is excluded from the operation and effect of Section 1.01.130 and is not affected by the repeal provisions hereof. Annexations; franchises; naming roads, streets and public places; acquisition or disposal of public property; vacation of streets, alleys, or public ways; acceptance of any gift, devise, license or other benefit; provided that the foregoing enumeration of exceptions or exclusions shall not be deemed to be exclusive or exhaustive, it being the intent and purpose to exclude from repeal any and all ordinances not of a general nature. (Ord. 1555 Sec. 14, 1971)

1.01.150: Effective Date: This code shall become effective on March 27, 1971. (Ord. 1555 Sec. 15, 1971)

1.01.160: Constitutionality - Severability: If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code. The Council declares that it would have passed this code, and each section, subsection sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases had been declared invalid or unconstitutional, and if for any reason this code should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect. (Ord. 1555 Sec. 16, 1971)