

***City of College Place, Washington***  
**ORDINANCE NO. 23-010**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF COLLEGE PLACE, WASHINGTON TO REPEAL CHAPTER 8.20 OF THE COLLEGE PLACE MUNICIPAL CODE**

**Whereas**, the City of College Place is a non-charter code city governed by the rules and regulations of RCW 35A; and

**Whereas** the Washington state Constitution grants general police power to cities to make and enforce nuisance regulations not in conflict with general laws and cities have the authority to declare and abate nuisances at common law; and

**Whereas** the City has taken the following substantive actions pertaining to nuisances in general:

- Ordinance 30, enacted in 1947, prohibited fire hazards on any premise in the City, granted authority to the City Fire Chief to identify fire hazards and declare such fire hazards as a nuisance, and granted authority for the City to abate fire hazard nuisances.
- Ordinance 666, enacted in 1990, and codified as chapter 8.20, identifies noise as a nuisance and regulates the same.
- Ordinance No. 70, enacted in 1993 defined and prohibited nuisances in general and granted authority for the City to abate nuisances.
- Ordinance No. 17-019 and Ordinance 17-052, both enacted in 2017, revised the City's nuisance regulation, defining and prohibiting nuisances in general and providing for abatement by the City found in Chapter 8.24 of the City's code.
- Ordinance 21-022, enacted in 2021, again revised the City's nuisance regulation with the adoption of a revised Chapter 8.24. Ordinance 21-021 was adopted in conjunction with 21-022 providing for comprehensive code enforcement for all City code violations, including nuisance regulation.

**Whereas**, unlike the prior nuisance regulation code, the current code, Ordinance 21-022, regulates noise that may be a nuisance, therefore, the separate chapter regulating noise is unnecessary and may be confusing to the public and to City enforcement staff; and

**Whereas**, City code, Chapter 8.20 regulating noise should be repealed, as unnecessary.

**Now therefore, the City Council of the City of College Place do hereby Ordain as follows:**

**Section 1: Repeal** Chapter 8.20 of the College Place City code.

**Section 2: Clerical Corrections.** The City Clerk and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**Section 3: Severability.** If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

**Section 4: Effective Date.** This ordinance shall take effect and be in full force five days after its passage and publication as provided by law.

**PASSED** by the City Council of the City of College Place, Washington, this 22<sup>nd</sup> day of August 2023.

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Norma L. Hernández, Mayor

Attest:

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Sherri St. Clair, City Clerk

Approved as to form:

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Rea Culwell, City Attorney