

ORDINANCE 2023 - _____
AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF SUNNYSIDE, WASHINGTON, AMENDING
THE SUNNYSIDE MUNICIPAL CODE (SMC), TITLE 5,
BUSINESS LICENSES, FEES AND REGULATIONS

WHEREAS, Article XI, § 11 of the Washington State Constitution, provides that "[a]ny county, city, town or township may make and enforce within its limits all such local police, sanitary and other regulations as are not in conflict with general laws"; an; and

WHEREAS, RCW 35A.13.180, authorizes code cities to adopt any standard code of technical regulations, or portions thereof for City purposes if a copy of such adopted code is made available for inspection by the City; and

WHEREAS, there are currently a number of separate code provisions through the International Building Code and International Fire Code that address property maintenance standards, building safety standards, and fire safety standards; and

WHEREAS, the purpose of the light and heavy industrial zoning districts is to provide locations for small manufacturing, processing, assembly or storage facilities that will strengthen and diversify Sunnyside's economic base without conflicting with adjacent land uses, and provide areas for major manufacturing assembly and processing plants where railroad facilities are available and industrial sewerage treatment is available; and

WHEREAS, the City Council held an open record public hearing on May 17, 2023, pursuant to notice, to consider such amendment as recommended by City staff; and

WHEREAS, the City Council of the City of Sunnyside, having considered the record herein, hereby finds and determines that approval of these amendments is in the best interest of residents of the City of Sunnyside, and the changes will continue to promote general health, safety, and welfare, while allowing additional investment into the City of Sunnyside;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, as follows:

SECTION 1. Amendments to Replace and Supersede. The proposed amendments to SMC Chapter 5.42, as contained in Exhibit "A" respectively attached hereto and fully incorporated herein, shall replace and supersede previous versions of the referenced documents.

SECTION 2. Severability/Validity. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining proportion of this ordinance.

SECTION 3. Ratification. Any act consistent with the authority, and prior to the effective date of this ordinance is hereby ratified and affirmed.

SECTION 4. Authorization to File. The City Clerk is hereby authorized and directed to file a certified copy of this ordinance with the Yakima County Auditor.

SECTION 5. Effective Date. This ordinance shall be effective five days after passage, approval and publication as required by law.

PASSED this 22nd day of May, 2023

DEAN BROERSMA, MAYOR

ATTEST:

JACQUELINE RENTERIA, CITY CLERK

APPROVED AS TO FORM:

SAXTON RILEY & RILEY, PLLC
Attorneys for the City of Sunnyside

Date of Publication: _____