

ORDINANCE NO. 3652

AN ORDINANCE OF THE CITY OF MOUNT VERNON, WASHINGTON AMENDING CHAPTER 2.60, PLANNING COMMISSION, FOR THE PURPOSE OF CHANGING THE REGULAR MEETING TIMES FROM 7 PM TO 6 PM.

WHEREAS, the proposed amendments are not subject to the SEPA process and do not need to be transmitted to the Department of Commerce consistent with RCW 36.70A.106(1); and,

WHEREAS, a notice of public hearing was published on May 7, 2015; and,

WHEREAS, The City utilized the State Attorney General Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property for evaluating constitutional issues, in conjunction with and to inform its review of the Ordinance. The City has utilized the process, a process protected under Attorney-Client privilege pursuant to law including RCW 36.70A.370(4), with the City Attorney's Office which has reviewed the Advisory Memorandum has discussed this Memorandum, including the "warning signals" identified in the Memorandum, with decisions makers, and conducted an evaluation of all constitutional provisions potentially at issue and advised of the genuine legal risks, if any, with the adoption of this Ordinance to assure that the proposed regulatory or administrative actions did not result in an unconstitutional taking of private property, consistent with RCW 36.70A.370(2).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, WASHINGTON, AS FOLLOWS:

SECTION ONE. The City Council does hereby adopt the above listed recitals as set forth fully herein.

SECTION TWO. That Section 2.60.055 Meetings – General requirements, is hereby repealed and reenacted, the new section to read as follows.

A. Open Meetings. All meetings of the city planning commission shall be open and public in accordance with Chapter 42.30 RCW and all persons shall be permitted to attend any meeting except as otherwise provided in Chapter 42.30 RCW and this chapter.

B. Regular Meetings. Regular meetings of the city planning commission shall be held on the first and third Tuesday of each month at the hour of **6:00 p.m.** at Mount Vernon Police and Court Campus, 1805 Continental Place, Mount Vernon, Washington; provided, however, that when any of these days falls on a holiday the chair shall designate an alternate day and notice of such meeting shall be given in a manner consistent with the requirements of Chapter 42.30 RCW. The city planning commission may upon motion duly made and carried at a regular meeting dispense with, postpone, or advance the date of any regular meeting of the city planning commission. Regular meetings of the city planning commission shall normally conclude at or before 10:00 p.m.; provided, that should there be additional business to conduct, the city planning commission may by motion, consensus, or acquiescence continue to conduct business past the hour of 10:00 p.m. or by vote of a majority of those present continue the meeting until another date.

C. Special Meetings. A special meeting may be called at any time by the chair, or vice chair acting as presiding officer, or by a majority of the members of the city planning commission. Notice of such meetings shall be made in accordance with RCW 42.30.080.

1. Rescheduling of Regular Meetings. The planning commission may, upon majority vote of the commission, and with permission of the mayor, change the day and/or time that their meetings are held. If the meeting schedule is changed from that which subsection (B) of this section directs, a public notice shall be published in the local newspaper letting the public know of the changed schedule and the estimated duration of such a change. Notice of such meeting rescheduling shall also be made in accordance with RCW 42.30.080.

D. Conducting Meetings. The parliamentary rules and procedures contained in the current edition of Robert's Rules of Order shall apply. When an open record public hearing is held and public comment is presented to the commission the following rules shall apply:

1. Each speaker is requested to limit their comments to three minutes of speaking time. If a speaker is representing an organization, that speaker shall be granted five minutes of speaking time.

2. Members of the public attending the meeting may only speak if acknowledged by the chairperson.

3. If audience dialogue becomes disruptive, the chairperson may recess the meeting or request that the meeting be adjourned. (Ord. 3523 § 5, 2011).

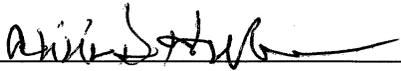
SECTION THREE. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

SECTION FOUR. City staff are hereby directed to complete preparation of the final ordinance, including correction of any typographical or editorial edits.

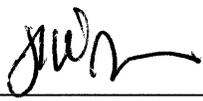
SECTION FIVE. This ordinance shall be in full force and effect five days after its passage, approval and publication as provided by law.

PASSED AND ADOPTED this 24th day of June, 2015.

SIGNED AND APPROVED this 21st day of ~~June~~ 2015.

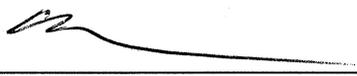


Alicia D. Huschka, Finance Director



Jill Boudreau, Mayor

Approved as to form:



Kevin Rogerson, City Attorney

Published July 27, 2015

The Mount Vernon City Council adopted Ordinance 3652 on June 24, 2015. An Ordinance of the City of Mount Vernon, Washington, amending Chapter 2.60, Planning Commission, for the purpose of changing the regular meeting times from 7 PM to 6 PM. Anyone wishing to view or receive the ordinance in its entirety should contact the Mount Vernon Finance Office, 910 Cleveland, Mount Vernon WA 98273.

Published: July 27, 2015