

**CREATING AND AMENDING ORDINANCES
POLICY & PROCEDURE 110**

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CREATING AND AMENDING ORDINANCES

.1 PURPOSE

To provide consistency and accuracy in the creation of ordinances and to streamline the codification process.

.2 GENERAL PROVISIONS

County Officials are responsible for submitting proposals for new or amended ordinances in proper format and for using the adopted code as a basis for amendment. Proposed ordinances submitted otherwise will be returned to the initiating department.

2.1 Format of All Ordinances

Paper size:	Letter
Margins:	1 inch top and bottom, 1.125 left, and .625 right
Font:	12 pt New Times Roman
Tabs:	.31, .63, .81, .88 and 1.5
Page Settings:	Different first page

The following rules apply to the formatting of all ordinances:

- a. A template is to be used when developing a new ordinance. It is available on the County's Intranet page under "County Forms." The Clerk of the Board shall be contacted for a chapter designation if the new ordinance creates a new chapter in the Code.
- b. Ordinances that amend the existing Code use the electronic version of the existing Code obtained from the Clerk of the Board as the basis from which amendments are made. Amended ordinances created in any other way will not be accepted.
- c. All new material shall be underlined using the tracking feature. All deleted material shall be scored through using the tracking feature. Under **no** circumstances should the tracking feature be mixed with manual underlining and strikeout.
- d. Auto numbering is not permitted.
- e. Title and chapter numbers are not adopted as part of an ordinance. They are assigned by the Clerk of the Board after adoption as part of the codification process.
- f. Each section shall be consecutively numbered, beginning with "Section 1" and given a title generally describing the contents of the section.
- g. Subsections shall be consecutively numbered, beginning with (1) then consecutively lettered, beginning with (a), then consecutively numbered by Roman numeral, beginning with (i).
- h. If a new section is created, the number shall be followed by the words "A new section is created to read as follows:"

- i. If a section is amended, the number shall be followed by the words "Section XXX (appropriate section number) is amended to read as follows:"

A sample of the format to add or amend existing code is shown in Appendix A. An example of an ordinance repealing an existing code is shown in Appendix B.

2.2 Submission of Proposed Ordinance

Proposed ordinances shall be submitted by County Officials to the Clerk of the Board as both a hard copy and as a Microsoft Word document. Once approved as to format by the Clerk of the Board, the department will be notified so they can submit the proposed ordinance to the Board in Work Session in compliance with Board Policy. All changes made to the proposed ordinance following submission to the Clerk of the Board will be made by the Clerk of the Board, or with the permission of the Clerk of the Board.

Following approval to proceed from the Board of Commissioners, a notice of public hearing will be prepared by the originating department and presented to the Clerk of the Board in compliance with Board Policy. The notice of public hearing shall comply with County Administrative Policy. A template for the notice of public hearing is located on the County's Intranet page under "County Forms."

2.3 Procedures for Consideration by the Board

The Board will hear public testimony on the proposed ordinance on the date and at the time noted in the notice of public hearing. After the public hearing, the Board may consider adoption of the ordinance or may modify the proposed ordinance in accordance with the requirements of the Clallam County Home Rule Charter and state law.

Substantive changes suggested by staff, the Board, or the public following the hearing may require that another hearing be scheduled and held following the process outlined in 2.3. When in doubt, departments should consult with the prosecuting attorney regarding the need for additional hearings.

3 CODIFICATION

When an ordinance is adopted, the Clerk of the Board will assign the ordinance a number. The ordinance will be posted to the County's Internet site under "Adopted Ordinances not yet codified". The Clerk of the Board will submit the ordinance for codification at the following semi-annual codification process.

3.1 Code Maintenance

The Clerk of the Board is responsible to ensure that the Code is updated, at least annually, accurately reflecting all adopted ordinances. The code will be maintained both electronically and in printed form. The Clerk of the Board will distribute printed updates to each code-holder.

Each code-holder is responsible to update the Code when semi-annual revisions are received from the code publisher and forwarded by the Clerk of the Board.

Code-holders include:

- a. North Olympic Library, City of Port Angeles Branch – 1
- b. Clallam County Law Library – 1
- c. Clallam County Department of Community Development – 3
- d. Clallam County Public Works Department – 1
- e. Clallam County Board of Commissioners – 2

3.2 Public Access to the Code

The North Olympic Library, Port Angeles Branch maintains a copy of the Code as required by the Clallam County Charter. The public may also access it through the County's Internet site under "County Laws and Policies."

.4 RESPONSIBILITIES

4.1 Prosecuting Attorney

The Prosecuting Attorney shall review all proposed ordinances before they are submitted to the Clerk of the Board.

4.2 Clerk of the Board

The Clerk of the Board shall:

- a. Approve format prior to consideration of a notice of public hearing
- b. Provide electronic file of existing Code for amendments
- c. Publish notice of public hearing
- d. Provide timely codification of ordinances adopted by the Board
- e. Maintain the electronic version of the Code including linked ordinances, distribute copies of adopted ordinances, and forward updates received from the code publisher to official code-holders.

4.3 County Officials

County Officials shall:

- a. Update any hard copy of the Code assigned to their office in a timely manner.
- b. Make written recommendations to the Board concerning deficiencies, conflicts, or obsolete provisions in the code and the need for reorganization or revision of the code.
- c. Prepare for submission to the Board correction or removal of such deficiencies, conflicts or obsolete provisions or to otherwise improve the form or substance of

any portion of the code of this county as the public interest or the administration of the subject may require.

4.4 Board of Commissioners

The Board conducts public hearings and considers adoption of all proposed ordinances. The Board may also request and assign various departments to revise sections of the Code that are deficient, conflicting, or obsolete.

APPENDIX A

The ordinance creating or amending chapters/sections shall appear as shown below.

Ordinance _____

(Description of Ordinance: **Example:** “An ordinance amending Clallam County Code, Chapter 15.16, Firearms Discharge Restrictions, adding No Discharge Area 3 (Maletti Hill) ”)

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Section 1 Section title. A new section is created to read as follows:

Begin typing text.

Section 2 section XXX is amended to read as follows:

Begin typing text.

ADOPTED this _____ day of _____ 20____

BOARD OF CLALLAM COUNTY COMMISSIONERS

ATTEST:

Clerk of the Board

APPENDIX B

An ordinance repealing an existing Chapter of the Clallam County Code shall appear as shown below.

Ordinance _____

An ordinance repealing (list source ordinance and any amendments) codified as (list Chapter number and title)

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Section 1:
Ordinance _____ codified as Chapter _____ of the Clallam County Code is hereby repealed.

Section 2.
This ordinance shall take effect ten days after adoption.

ADOPTED this _____ day of _____ 20____

BOARD OF CLALLAM COUNTY COMMISSIONERS

ATTEST:

Clerk of the Board