ORDINANCE NO. 2131

AN ORDINANCE of the City of Kent, Washington, adopting the Kent City Code, and repealing Ordinance 1292 of the City of Kent.

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DO HEREBY ORDAIN AS FOLLOWS:

Section 1. ADOPTION OF CODE. The codification of the ordinances of the City of Kent of a general, public or permanent nature as contained and set forth in a printed copy thereof on file in the office of the City Clerk entitled "Kent City Code," be and the same is hereby adopted as the official Code of the City of Kent, as provided by RCW 35.21.500 - 35.21.570.

Section 2. COPIES AS PROOF OF ORDINANCES. As provided for by RCW 35.21.550, copies of such Code in published form shall be received without further proof as the ordinances of permanent and general effect of the City of Kent by all courts and administrative tribunals of this State.

Section 3. ADOPTION OF NEW MATERIAL. New material shall be adopted by the City Council as separate ordinances prior to the inclusion thereof in this codification; PROVIDED, that any ordinance amending the codification shall set forth in full the section or sections of the codification being amended, and this shall constitute a sufficient compliance with any statutory requirement that no ordinance nor any section thereof shall be revised or amended unless the new ordinance sets forth the revised ordinance or amended section in full.

Section 4. TITLE AND CITATION OF CODE. The codification hereby adopted shall be known as the "Kent City Code" and may be cited as such. The titles, chapters and sections as set forth in the codification hereby adopted shall be, and they hereby are, declared to be the titles, chapters and sections by which the provisions of the Kent City Code may be designated and cited.

Section 5. PURPOSE OF CATCHLINES. The catchlines appearing in connection with the titles, chapters and sections of the Kent City Code are inserted as a matter of convenience, and they shall be wholly disregarded by any person, officer, court or other tribunal in construing the terms and provisions of the Kent City Code.
Section 6. CONTINUATION OF ORDINANCES. The provisions of the Kent City Code, insofar as they are substantially the same as ordinances heretofore adopted by the City of Kent, shall be construed as continuations thereof and not as new enactments.

Section 7. REFERENCE APPLIES TO AMENDMENTS. Whenever a reference is made to any portion of the Kent City Code, or to any ordinances of the City of Kent, such reference shall apply to all amendments and additions now or hereafter made.

Section 8. GENERAL PENALTY. Unless otherwise specifically provided in the Kent City Code, any person, firm or corporation, their agents or servants, who shall violate any of the provisions of the Kent City Code shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine in a sum not exceeding five hundred dollars or by imprisonment for a period not exceeding six months, or by both such fine and imprisonment in the discretion of the Court.

Section 9. SAVINGS CLAUSE. Nothing contained in this Ordinance or in the Kent City Code adopted herein shall be construed as abating any action now pending under or by virtue of any general ordinance of the City of Kent herein repealed; or as discontinuing, abating, modifying or altering any penalty accrued or to accrue, or as affecting the liability of any person, firm or corporation, or as waiving any right of the City under any ordinance or provision thereof in force at the time of enactment of this Ordinance.

Section 10. SEVERABILITY. Each title, section and subdivision of a section of the Kent City Code hereby adopted, is declared to be independent of every other title, chapter, section or subdivision of a section, and the invalidity of any title, chapter, section or subdivision of a section of the Kent City Code, shall not invalidate any other title, chapter, section or subdivision of a section thereof.

Section 11. ADOPTION OF MATERIAL BY REFERENCE. All codes or statutes adopted by reference shall be effective when the ordinances adopting said code or statute is passed and published as required by the general laws of the City of Kent and the State of Washington and three copies of said adopted code or statute are filed with the City Clerk.

All codes or statutes so adopted by reference shall be effective as if fully set out in the adopting ordinance.
Section 12. PENALTY PROVISION - EXCEPTION. Notwithstanding anything to the contrary in Section 1.10.04 of the adopted code or statute, the appropriate penalty for any and all violations of any adopted code or statute shall be a fine in any sum not exceeding five hundred dollars or by imprisonment for a term not exceeding six months or both such fine and imprisonment. Each separate day or portion thereof during which any violation of any adopted code or statute occurs shall constitute a separate violation thereof and upon conviction thereof, shall be punished as herein provided.

The appropriate penalty provision herein as stated is not intended to effect the validity of other remedies, and/or penalties other than fine and/or imprisonment. All other remedies including, but not limited to abatement, removal and replacement shall continue to be effective as stated in the adopted code or statute.

Section 13. AMENDMENTS TO RCWs OR KING COUNTY SECTIONS ADOPTED. All provisions of the Revised Code of Washington and the King County Code adopted by the City of Kent by reference, unless otherwise stated, shall include all subsequent amendments thereto. Such amendments shall become effective when three copies are filed with the City Clerk.

Section 14. CONFLICT AMENDING CODE SECTIONS. Any otherwise unreasonable conflict amending Code sections shall be resolved in favor of the section most recently enacted.

Section 15. DEFINITIONS. For the purpose of the Kent City Code, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number, and pronouns of the masculine and feminine gender shall be read to include both the masculine and feminine pronouns. The word "shall" is always mandatory and not merely directory.

1) "Business" is meant to include all kinds of vocations, occupations, professions, enterprises, establishments, and all other kinds of activities and matters, conducted for private profit, or benefit, either directly or indirectly, on any premises in this City or anywhere else within its jurisdiction.
2) "City" is the City of Kent, Washington.

3) "City Council" is the City Council of the City of Kent, Washington.

4) "Code" is the Kent City Code.

5) "person" is meant to include individual natural persons, partnerships, joint adventures, societies, associations, clubs, trustees, trusts, or corporations; or any officer, agent, employee, factor, or any kind of personal representative of any thereof, in any capacity, acting either for himself, or any other person, under either personal appointment or pursuant to law.

Section 16. REPEAL. Ordinance 1292 of the City of Kent be and the same hereby is repealed in its entirety.

Section 17. EFFECTIVE DATE. This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as provided by law.

ATTEST:

ISABEL HOGAN, MAYOR

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

DONALD E. MIRK, CITY ATTORNEY

PASSED the 4th day of December, 1978.
APPROVED the 5th day of December, 1978.
PUBLISHED the 10th day of December, 1978.

I hereby certify that this is a true copy of Ordinance No. 2131, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

MARIE JENSEN, CITY CLERK (SEAL)