

ORDINANCE NO. 59-18

AN ORDINANCE of the City of Richland amending Chapter 23.70 of the Richland Municipal Code related to the Board of Adjustment.

WHEREAS, the City has need, from time to time, to update the Richland Municipal Code to bring it into alignment with current practices and to eliminate conflict and ambiguity; and

WHEREAS, over time, disparate regulations have been codified for the City's various boards, commissions and committees which make consistent and clear administration difficult; and

WHEREAS, on May 15, 2018, Council approved Ordinance No. 21-18, which amended RMC 2.04.110 to lend consistency to the overall administration of the City's boards, commissions and committees, and to bring the Richland Municipal Code into alignment with current practices; and

WHEREAS, in the process of adopting Ordinance No. 21-18, the City created temporary conflicts in existing individual board, commission and committee code sections that now require amendment; and

WHEREAS, an element of the City's strategic plan is to ensure that proper foundational authorities are in place to allow for successful government.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Richland Municipal Code Section 23.70.040, entitled Board of adjustment – Created, as first enacted by Ordinance No. 28-95, is hereby amended as follows:

**23.70.040 Board of adjustment – ~~C~~created – Membership.**

There is created a board of adjustment consisting of five members appointed by the city council. ~~Members shall be selected without regard to political affiliation and shall serve without compensation. Members shall be residents of the city of Richland. The city council may remove any members.~~ Members shall serve staggered terms of five years and until their successors are appointed and confirmed. ~~Selection of members shall follow established procedures as set forth in RMC 2.04.120. The city manager shall designate the secretary and recorder of the board.~~

Section 2. Richland Municipal Code Section 23.50.050, entitled Board of adjustment – Rules of procedure, as first enacted by Ordinance No. 28-05, is hereby amended as follows:

**23.70.050 Board of adjustment – Rules of procedure.**

~~The board of adjustment shall elect from among its members a chairman and vice-chairman and shall adopt rules necessary to the conduct of its affairs, and in keeping with the provisions of this title. Not less than one regular meeting shall be held in each month of each year; provided, that if no issues over which the board has jurisdiction are pending, a meeting may be cancelled. All meetings shall be open to the public. The board of adjustment shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be public record and be filed in the offices of the city of Richland. Three members of the board shall constitute a quorum for the transaction of business; a majority vote shall be sufficient for the accomplishment of certain actions; however, a concurring vote of three members of the board of adjustment (regardless of vacancies) shall be necessary to decide in favor of an applicant or to reverse any order, requirement, decision or determination of the administrative official, or to effect any variation in the application of this title (RMC 23.70.160).~~

Section 3. This ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 20<sup>th</sup> day of November, 2018.

  
ROBERT J. THOMPSON  
Mayor

ATTEST:

APPROVED AS TO FORM:

  
MARCIA HOPKINS, City Clerk

  
HEATHER KINTZLEY, City Attorney

Date Published: November 25, 2018