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Walla Walla County Commissioners

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Ordinance No. 362

Auditor File Number(s) of document being assigned or released:

Grantor

1. **Walla Walla County Commissioners**

2.

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Grantee

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2.

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Legal description (i.e.: lot and block or section township and range)

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Walla Walla County, WA

ORD

2008-01728

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02/27/2008 09:21A

**BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON**

ORDINANCE NO. 362

AMENDING ORDINANCE 351, RELATING TO CHANGES TO CORRECT NON-SUBSTANTIVE CLERICAL ERRORS

Whereas, Ordinance 351 was approved by the Walla Walla County Board of County Commissioners on November 26, 2007; and

Whereas, Section 16 of Walla Walla County Ordinance 351 stated that Ordinance 240, §2(part), 1997 was repealed; and

Whereas, the intent of the Board of County Commissioners was to amend Ordinance 240, §2 to update those provisions of Walla Walla County Code Chapter 6.04 as stated therein, and to repeal only those provisions of Ordinance 240 §2 inconsistent with the updates; and

Whereas, the intent of the Board of County Commissioners was not to repeal Ordinance 240, §2, but to amend its provisions only as set forth in Ordinance 351; and

Whereas, the title to Ordinance 351 does not accurately describe the changes to be made to Walla Walla County Code by Ordinance 351; and

Whereas, the following findings of fact and conclusions of law are hereby made:

Findings of Fact:

1. The Board of County Commissioners held a public hearing on November 26, 2007 for the purpose of receiving testimony for and/or against the adoption of an ordinance pertaining to new fees, resulting in an amendment to Ordinance 240.
2. The title to Ordinance 351 indicated that an amendment was contemplated.
3. The title to Ordinance 351 indicated that the proposed amendments only affected Walla Walla County Code Section 6.04.410.
4. Ordinance 351 was intended to amend several sections of Walla Walla County Code Chapter 6.04.



5. After hearing all testimony, The Board of County Commissioners voted unanimously to enact Ordinance 351.
6. A scrivener's error was made in Section 16 of whereby language meant to amend the Ordinance was replaced by language repealing the Ordinance.

Conclusions of Law:

1. The purpose of the Ordinance was to amend portions of Ordinance 240, §2(part), 1997, not to repeal it.
2. The public hearing was held for the purpose of hearing comments to the proposed amendments to be made to the Ordinance.
3. Ordinance 351 amended Title 6, chapter 4 of the Walla Walla County Code.
4. It was the intent of the Board of County Commissioners to amend Ordinance 240, §2(part), 1997, not to repeal it.
5. It was the intent of the Board of County Commissioners to repeal only those portions of Ordinance 240 §2 that were inconsistent with the amendments made by Ordinance 351.

NOW THEREFORE,

BE IT ORDAINED, by the Walla Walla County Board of County Commissioners that, based on the findings of fact and conclusions of law above, Ordinance 351 is amended as follows,

Section 1. The title of Ordinance 351 shall read: APPROVING A REQUEST BY WALLA WALLA COUNTY FOR THE ADOPTION OF NEW FINES, FEES AND PROVISIONS RELATED TO ANIMAL CONTROL, RESULTING IN AN AMENDMENT TO ORDINANCE 240 AND WALLA WALLA COUNTY CODE CHAPTER 6.04.

Section 2. Ordinance 351 §16 shall now read: Ordinance 240 §2(part), 1997 shall be repealed to the extent it is inconsistent with the provisions of this Ordinance.

Section 3. Effective Date. This ordinance is effective immediately upon adoption.

Section 4. Savings and 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.

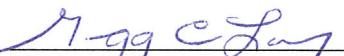
Section 5. Publication. This ordinance will be published by an approved summary consisting of the title.




Approved this 25th Day of February, 2008.



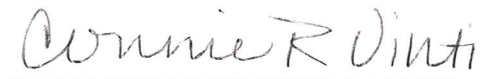

David G. Carey, Chairman


Gregg C. Loney, Member



Gregory A. Tompkins, Member

Constituting the Board of County Commissioners
of Walla Walla County, Washington

Attest:


Connie R. Vinti, Clerk of the Board

Approved as to form


Jason Friedt
Deputy Prosecuting Attorney



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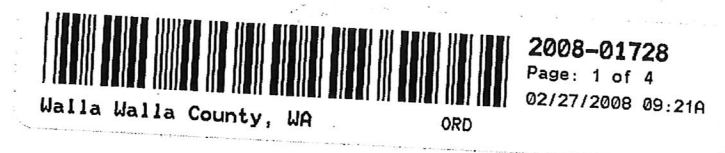
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WALLA WALLA COUNTY, WASHINGTON**

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David G. Carey
David G. Carey, Chairman

Gregg C. Loney
Gregg C. Loney, Member

absent
Gregory A. Tompkins, Member

Constituting the Board of County Commissioners
of Walla Walla County, Washington

Attest:

Connie R. Vinti
Connie R. Vinti, Clerk of the Board

Approved as to form

Jason Friedt
Jason Friedt
Deputy Prosecuting Attorney

