

6/24/2019

**RESOLUTION M- 4019**

A RESOLUTION to submit to the voters of the City of Vancouver a proposal to amend Article II, Section 2.12 of the City Charter allowing the City to revise or amend only a subsection of an ordinance provided the context and effect of the amendment can be discerned solely by reference to the subsection.

WHEREAS, a Charter Review Committee (“Committee”) was appointed by the City Council on December 3, 2018; and

WHEREAS, the Committee held eight meetings between January 24 and June 6, 2019, to review proposed amendments to the City Charter; and

WHEREAS, the Committee presented their recommendations to the City Council on June 17, 2019; and

WHEREAS, the City Council held a duly noticed hearing on the 24<sup>th</sup> day of June, 2019 and considered the recommendations of the Committee and voted to submit the proposed amendment to the Charter below to the voters.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY OF VANCOUVER:

Section 1. That the following amendment to Article II, Section 2.12 of the City Charter, allowing the city to revise or amend only a subsection of an ordinance provided the context and effect of the amendment can be discerned solely by reference to the subsection, be submitted to the voters of the City of Vancouver:

(Proposed language to be deleted is shown by ~~striketrough~~. Added language is shown by underline.)

**Article II**

**Section 2.12 Ordinances, Required for Certain Purposes, Title, Enacting Clause, and How Amended:** In addition to such acts of the city council as are required by statute or by this charter to be by ordinance, every act of the city council establishing a fine or other penalty or providing for the expenditure of funds or for the contracting of indebtedness or granting, renewing, or extending a franchise for any purpose shall be by ordinance. No ordinance granting a franchise shall be finally passed until thirty days have expired after its introduction; the expense incident to the enactment of such an ordinance shall be paid by the applicant; and no exclusive franchise shall be granted. When an ordinance granting a franchise is amended after it has been in force, the same provision set forth in the preceding sentence applicable to proposed ordinances granting original franchises shall apply. Every ordinance shall be clearly entitled and shall contain only one subject, which shall be clearly expressed in its title. The enacting clause of all ordinances shall be: "Be it ordained by the City of Vancouver." No ordinance shall be revised, re-enacted, or amended by reference to its title, but the ordinance to be revised or re-enacted or the section thereof amended shall be re-enacted at length as revised or amended; provided that an amendment to a subsection may be re-enacted by subsection if the entire context and effect of such amendment can be discerned solely by reference to such subsection.

ADOPTED at regular session of the Council of the City of Vancouver, this 24th day of June, 2014.

Signed this 24th day of June, 2019.

DocuSigned by:  
*Anne McEnerny-Ogle*  
58CB15C0032F403...  
Anne McEnerny-Ogle, Mayor

Attest:

DocuSigned by:  
*Carrie Lewellen*  
001358AB277E438...  
Natasha Ramras, City Clerk  
By: Carrie Lewellen, Deputy City Clerk

Approved as to form:

DocuSigned by:  
*E. Bronson Potter*  
A4C4768B6D2D44E...  
E. Bronson Potter, City Attorney

City of Vancouver  
Proposed Charter Amendment No. 6

Concerns allowing ordinance amendments by reference to subsection

The charter requires that any ordinance or section of an ordinance that is being revised be published in its entirety. This amendment to Section 2.12 would allow the City to publish only the subsection of an ordinance that is being revised so long as the entire context of the amendment can be understood by reference to the subsection. This will make it easier for readers to more quickly identify which sections of the ordinance are being revised.

Should this amendment to the Charter be enacted?

Yes

No

**Explanatory statement:**

**Current Law:** The charter requires that any ordinance or section of an ordinance that is being revised be published in its entirety. This creates pages of documents for what are often small changes.

**Result of passage:** This amendment to Section 2.12 would allow the City to publish only the subsection of an ordinance that is being revised so long as the entire context of the amendment can be understood by reference to the subsection. This will make it easier for readers to more quickly identify which sections of the ordinance are being revised.

**Full Text:**

**Section 2.12 Ordinances, Required for Certain Purposes, Title, Enacting Clause, and How Amended:** In addition to such acts of the city council as are required by statute or by this charter to be by ordinance, every act of the city council establishing a fine or other penalty or providing for the expenditure of funds or for the contracting of indebtedness or granting, renewing, or extending a franchise for any purpose shall be by ordinance. No ordinance granting a franchise shall be finally passed until thirty days have expired after its introduction; the expense incident to the enactment of such an ordinance shall be paid by the applicant; and no exclusive franchise shall be granted. When an ordinance granting a franchise is amended after it has been in force, the same provision set forth in the preceding sentence applicable to proposed ordinances granting original franchises shall apply. Every ordinance shall be clearly entitled and shall contain only one subject, which shall be clearly expressed in its title. The enacting clause of all ordinances

shall be: "Be it ordained by the City of Vancouver." No ordinance shall be revised, re-enacted, or amended by reference to its title, but the ordinance to be revised or re-enacted or the section thereof amended shall be re-enacted at length as revised or amended; provided that an amendment to a subsection may be re-enacted by subsection if the entire context and effect of such amendment can be discerned solely by reference to such subsection.