

CITY OF ORTING WASHINGTON

ORDINANCE NO. 2024-1127

**AN ORDINANCE OF THE CITY OF ORTING,
WASHINGTON, RELATING TO THE INADVERTENT
DISCOVERY OF HUMAN SKELETAL REMAINS;
ADOPTING AMENDMENTS TO ORTING MUNICIPAL
CODE CHAPTER 10-16; PROVIDING FOR SEVERABILITY;
AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City of Orting, Washington, has Carbon River and Puyallup River shorelines and was originally inhabited by native populations, such as the Yakama Nation, Puyallup Tribe of Indians, and the Sauk-Suiattle Indian Tribe; and

WHEREAS, RCW 68.50.645, RCW 27.44.055, and RCW 68.60.055 set forth protocols for the response required when human remains are found; and

WHEREAS, it is in the public interest to adopt language pertaining to the inadvertent discovery of human skeletal remains by Ordinance, and codify the language in the Orting Municipal Code; and

WHEREAS, the Planning Commission held a public hearing and considered this Ordinance on February 5, 2024; and

WHEREAS, a 60-day comment period notice for the proposed amendment in this Ordinance was provided to the Washington State Department of Ecology, the Department of Commerce, affected tribes, agencies with expertise, and the public, pursuant to WAC 197-11-800 (1)(c)(iii), and the comment period closed on January 29, 2024, with one set of comments received pertaining to aspects of the proposal unrelated to OMC 10-16; and

WHEREAS, on April 10, 2024, the City Council held a public hearing on the proposed code amendment in this Ordinance; and

WHEREAS, the City Council has determined that the proposed code amendment in this Ordinance is consistent with the goals and policies of the City's comprehensive plan, and will serve the public health, safety, and general welfare;

NOW THEREFORE, the City Council of the City of Orting, Washington, do ordain as follows:

Section 1. Amendment: Orting Municipal Code Chapter 10-16 is hereby amended to add a new section OMC 10-16-5 addressing the inadvertent discovery of human skeletal remains as shown on Attachment A to this Ordinance.

Section 2. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this Ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.


Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 4. Transmittal to State. Pursuant to RCW 36.70A.106, a complete and accurate copy of this Ordinance shall be transmitted to the Department of Commerce within ten (10) days of adoption.

Section 5. Effective Date. This Ordinance shall take effect and be in force five (5) days after its approval, passage and publication as required by law.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 10th DAY of APRIL, 2024.


CITY OF ORTING


Joshua Penner
Joshua Penner (Apr 15, 2024 15:36 PDT)
Joshua Penner, Mayor

ATTEST/AUTHENTICATED:


Kim Agfalvi, CMC, City Clerk

Approved as to form:


Charlotte A. Archer
Inslee Best
City Attorney

Filed with the City Clerk:
Passed by the City Council:
Ordinance No.
Date of Publication:
Effective Date:










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Final Audit Report

2024-04-15

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