

**BOARD OF COUNTY COMMISSIONERS  
COUNTY OF KITTITAS  
STATE OF WASHINGTON**

**ORDINANCE NO. 2024 - 006**

**AN ORDINANCE TO AMEND CHAPTER 1.04 OF THE KITTITAS COUNTY CODE**

**WHEREAS**, the Kittitas County Prosecuting Attorney serves as the code reviser for the County; and

**WHEREAS**, in reviewing the Kittitas County Code, it was determined that the Prosecuting Attorney's Office does not have the ability to correct Scrivener's errors and inconsistencies in the Code without taking the correction to a Public Hearing; and

**WHEREAS**, for the sake of efficiency, the Kittitas County Prosecutor, moving forward, can make minor changes to the Kittitas County Code, to correct Scrivener's errors and minor inconsistencies that do not affect the public's rights, without taking each correction through the public hearing process; and

**WHEREAS**, a public hearing was held on May 21, 2024, and the public was provided due notice and opportunity to provide testimony on the proposed ordinance; and

**WHEREAS**, the Board of County Commissioners believes that adopting this Ordinance would be in the best interest of Kittitas County; and

**NOW, THEREFORE BE IT ORDAINED**, by the Kittitas County Board of Commissioners that Chapter 1.04, of the Kittitas County Code is amended by creating the following new subsection to Chapter 1.04:

**Chapter 1.04  
CODE ADOPTION**

**Sections**

[1.04.010](#) Adoption.

[1.04.020](#) Title - Citation - Reference.

[1.04.030](#) Definitions.

[1.04.040](#) Grammatical interpretation.

[1.04.050](#) Prohibited acts include causing, permitting, etc.

[1.04.060](#) Construction.

[1.04.070](#) Provisions codified.

[1.04.080](#) Reference applies to all amendments.

[1.04.090](#) Title, chapter and section headings.

[1.04.100](#) Reference to specific ordinances.

[1.04.110](#) Effect of code on past actions and obligations.

[1.04.120](#) Effective date.

[1.04.130](#) Constitutionality.

[1.04.140](#) Prosecutor to Correct Scrivener's Errors

#### **1.04.010 Adoption.**

There is adopted the "Kittitas County Code," which consists of all of the ordinances as past codified by Book Publishing Company, Seattle, Washington, and all other uncoded ordinances adopted by the Kittitas County board of county commissioners after the last codification published by Book Publishing Company, Seattle, Washington. (Ord. 87-7, 1987; Ord. 71-16 § 1, 1971).

#### **1.04.020 Title - Citation - Reference.**

This code shall be known as the "Kittitas County Code" and it may be referred to as the "Kittitas County Code" in any prosecution for the violation of any provision thereof or in any proceeding at law or equity. Prosecutions for violations of Kittitas County ordinances and/or resolutions and actions based thereon refer to the "Kittitas County Code" sections as well as the underlying ordinance and/or resolution upon which the prosecution or action is based. Amendments to any ordinances or resolutions or portions thereof of Kittitas County shall also refer to the "Kittitas County Code" sections under which such ordinances or resolutions are codified. (Ord. 71-16 § 2, 1971).

#### **1.04.030 Definitions.**

The following words and phrases whenever used in the ordinances or resolutions of the county shall be construed as defined in this section unless from the context a different meaning is intended or unless different meaning is specifically defined and more particularly directed to the use of such words or phrases:

##### **County**

The county of Kittitas, Washington or the area within the territorial limits of the county and such territory outside of the county over which the county has jurisdiction or control by virtue of any constitutional or statutory provision;

##### **Board**

The Board of County Commissioners of Kittitas County, Washington;

##### **All its members (or "all commissioners")**

The total number of commissioners provided by the general laws of the state of Washington;

##### **Law**

Applicable federal law, the constitution and statutes of the state of Washington, the ordinances and resolutions of the county and when appropriate, any and all rules and regulations which may be promulgated thereunder;

**Oath**

Includes affirmation;

**Office**

The use of the title of any officer, employee, or any office, or ordinance or resolution shall mean such officer, employee, office, or ordinance or resolution of Kittitas County, Washington unless otherwise specifically designated;

**Resolution**

A law of the county; provided that a temporary or special law, administrative action, order or directive, may be in the form of a resolution;

**Person**

Natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, 1.04.040 - 1.04.110 1-3 agent, servant, officer or employee of any of them;

**State**

The state of Washington;

**Street**

Includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs, or other public ways in this county which have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of this state except that this definition shall not include any streets, alleys, or roads which are within the boundaries of any incorporated city or town of this county unless specifically included therein;

**May**

Is permissive;

**Must and Shall**

Each is mandatory;

**Written**

Includes printed, typewritten, mimeographed or multigraphed.

(Ord. 71- 11 § 1, 1971).

**1.04.040 Grammatical interpretation.**

The following grammatical rules shall apply in the ordinances and resolutions of Kittitas County, Washington:

1. Gender. Any gender includes the other genders;
2. Singular and plural. The singular number includes the plural and the plural includes the singular;
3. Tenses. Words used in the present tense include the past and the future tenses and vice versa;

4. Use of words and phrases. Words and phrases not specifically defined shall be construed according to the context and approved usage of the language. (Ord. 71-11 § 2, 1971).

**1.04.050 Prohibited acts include causing, permitting, etc.**

Whenever in this code any act or omission is made unlawful it shall include causing, allowing, permitting, aiding, abetting, suffering, or concealing the fact of such act or omission. (Ord. 71-11 § 3, 1971).

**1.04.060 Construction.**

The provisions of this code and all proceedings under it are to be construed with a view to effect its objects and to promote justice. (Ord. 71-11 § 4, 1971).

**1.04.070 Provisions codified.**

This code consists of all the regulatory and penal ordinances and certain of the administrative ordinances of Kittitas County, Washington. (Ord. 71-16 § 3, 1971).

**1.04.080 Reference applies to all amendments.**

Whenever a reference is made to this code as the "Kittitas County Code" or to any portion thereof, or to any ordinance of the county the reference shall apply to all amendments, corrections and additions heretofore, now or hereafter made. (Ord. 71-16 § 5, 1971).

**1.04.090 Title, chapter and section headings.**

Title, chapter and section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any title, chapter or section hereof. (Ord. 71-16 § 5, 1971).

**1.04.100 Reference to specific ordinances.**

The provisions of this code shall not in any manner affect matters of record which refer to, or are otherwise connected with ordinances which are therein specifically designated by number or otherwise and which are included within the code, but such reference shall be construed to apply to the corresponding provisions contained within this code. (Ord. 71-16 § 6, 1971).

**1.04.110 Effect of code on past actions and obligations.**

Neither the adoption of this code nor the repeal or amendments hereby or any ordinance or part or portion of any ordinance of the county shall in any manner affect the prosecution for violations of ordinances, which violations were committed prior to the effective date hereof, nor be construed as a waiver of any license, fee, or penalty at said effective date due and unpaid under such ordinances nor be construed as affecting any of the provisions of such ordinances relating to the collection of any such license, fee, or penalty, on the penal provisions applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof required to be posted, filed or deposited pursuant to any ordinance and all rights and obligations thereunder appertaining shall continue in full force and effect. (Ord. 71-16 § 7, 1971).

**1.04.120 Effective date.**

This code shall become effective on the date the ordinance adopting this code as the "Kittitas County

Code" becomes effective. (Ord. 71-16 § 8, 1971).

**1.04.130 Constitutionality.**

If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code. The council declares that it would have passed this code, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases had been declared invalid or unconstitutional, and if for any reason this code should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect. (Ord. 71-16 § 9, 1971).

**1.04.140 Prosecutor to Correct Scrivener's Errors**

The office of the Prosecuting Attorney, unilaterally, and without any action of the Board of County Commissioners, may direct the Kittitas County Information Technology Department, or currently contracted Code Publishing Company, to correct any scrivener's errors found hereafter within any section of the Kittitas County Code.

## Chapter 1.04

### CODE ADOPTION

#### Sections

- [1.04.010](#) Adoption.
- [1.04.020](#) Title - Citation - Reference.
- [1.04.030](#) Definitions.
- [1.04.040](#) Grammatical interpretation.
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The state of Washington;

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ADOPTED this 21<sup>st</sup> day of May, 202 7, at Ellensburg, Washington.

**BOARD OF COUNTY COMMISSIONERS  
KITITAS COUNTY, WASHINGTON**

  
Chairman



WITNESS:  
CLERK OF THE BOARD

  
Julie A. Kjorsvik

  
\_\_\_\_\_  
Vice Chairman

\_\_\_\_\_  
Commissioner

APPROVED AS TO FORM:

\_\_\_\_\_  
Stephanie Hartung, Deputy Prosecuting Attorney