

ORDINANCE NO. 69 OF 1976

An Ordinance providing for recognition and/or adoption of a Planning Commission under State Constitutional and Statutory authority; and delineating certain duties of the Commission.

WHEREAS The Clallam County Superior Court Case No. 22880, Quinn vs. Clallam County held that this County is operating with a nine member planning commission under the authority of RCW 35.63, and,

WHEREAS this Board desires to avail itself of the powers conferred by RCW 35.63, as well as those provided to the County in the State Constitution Article XI, Sec. 11, and RCW 36.32.120, and RCW 43.21C, and RCW 58.17, and to recognize the existence of the existing nine member planning commission and,

WHEREAS the Board wishes to rescind any previous actions of the Board attempting to abolish the planning commission, including the previous action by the Board on June 26, 1975, and, Resolution No. 123, 1975, July 3, 1975, and,

WHEREAS the Board, in addition, and in any event, wishes to create a nine member planning commission under the above-stated authorities, if the present planning commission does not validly exist, and,

WHEREAS the Board finds that the health, safety and general welfare of the county will be benefited by the services of a planning commission which will allow for more public input in decisions relating to land use and land use planning, and,

WHEREAS the Board wishes to rescind Ordinance No. 66 of 1976, February 19, 1976 which amended the County Subdivision Ordinance by transferring the duties of the Planning Commission to the Planning Director, for the reason that more independent advice can be provided to the Board by the Planning Commission than by the employee, Planning Director, now, therefore,

BE IT ORDAINED by the Board of Clallam County Commissioners,  
meeting in regular session in an open and public meeting that:

- (1.) ~~Ordinance No. 66 of 1976 (Feb. 19, 1976) amending the County Subdivision Ordinance is hereby rescinded and repealed, but the County Subdivision Ordinance shall otherwise remain in full force and effect, and,~~ *f.a.f. R.C. P.S.*
- (2.) Action of the Board on June 26, 1975 and on July 3, 1975, and Resolution No. 123 of 1975 attempting to abolish the planning commission are all hereby rescinded and repealed, and,
- (3.) The nine member planning commission as previously constituted is hereby recognized as the legal planning commission of Clallam County, under the authority of RCW 35.63 and under the authority of the above-stated Constitutional and statutory provisions, and,
- (4.) In the event that the planning commission referred to in (3.) above has not been validly created or is not validly existing, there is hereby created a nine member planning commission, under the provisions of RCW 35.63 and also under the authority of the Washington State Constitution Article XI, Section 11, RCW 63.32.120, RCW 43.21C and RCW 59.17 to be an advisory board to the Board of County Commissioners for land use planning matters as provided by law, and their terms of office shall be as follows below, and thereafter the term of office for each appointive member shall be six years:

NAME	TERM EXPIRES
Thomas H. Mansfield	January 1, 1979
Charles Blake	January 1, 1977
Michael P. Shay	January 1, 1978
Donald Corneil	January 1, 1977
Margaret Coffey	January 1, 1979
Merle Eells	January 1, 1978
_____	January 1, 1980
_____	January 1, 1981
_____	January 1, 1982

- (5.) All sections of this Ordinance are severable, and should any section be declared invalid or unconstitutional this shall not affect the other provisions of this Ordinance.

DONE IN OPEN PUBLIC MEETING after duly conducted public hearing upon proper publication and notice. Enacted on this 29<sup>th</sup> day of March, 1976

BOARD OF COUNTY COMMISSIONERS

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NATIONAL BOARD

Frank A. Lally  
Raymond Corbell  
Edward V. Schultz

Approved as to Form:  
Craig C. Peltz  
Prosecuting Attorney

Attest:  
Alice C. Thorne  
By Emily Reeves Adm Asst  
Auditor/ex-officio  
secretary to Board

RECEIVED  
JUL 15 1954  
NATIONAL BOARD

NOTICE TO PUBLIC

NOTICE IS HEREBY GIVEN that a public hearing will be held in the office of the Board of Clallam County Commissioners, Courthouse, Port Angeles, Washington, on March 29, 1976 at 10:15 a.m. for the purpose of reviewing the proposed ordinance providing for the recognition and/or adoption of a Planning Commission under State Constitutional and Statutory authority; and delineating certain duties of the Commission.

(Insert attached text here)

ALL interested persons may appear and be heard at such hearing.

The above ordinance may be amended at the hearing by striking reference to amendment of the Subdivision Ordinance.

BOARD OF CLALLAM COUNTY COMMISSIONERS

*Frank A. Feeley*  
Frank A. Feeley  
Chairman

PLEASE PUBLISH:

March 19, 1976

*Hand carried  
sent to Pa. D. N.  
Mar 16, 1976.*