

CITY OF SPOKANE ADMINISTRATIVE POLICY AND PROCEDURE	ADMIN 0500-11-04 LGL 2011-0013
<b>TITLE: ORDINANCE DRAFTING GUIDELINES</b> EFFECTIVE DATE March 4, 2011 REVISION EFFECTIVE DATE: N/A	

1.0 GENERAL

1.1 The City Council for the City of Spokane enacts its legislative action, through the passage of ordinances. This policy and procedure provides guidelines for staff in drafting ordinances that relate to the Spokane Municipal Code.

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2.0 DEPARTMENTS/DIVISIONS AFFECTED

This policy and procedure shall apply to all City divisions and departments.

3.0 REFERENCES

City Charter  
Chapter 1.01 SMC

4.0 DEFINITIONS

4.1 "Ordinance" is a law enacted by a municipal corporation, such as a city council or county commission. Ordinances govern matters not already covered by state or federal laws such as zoning, safety and building regulations.

5.0 POLICY

5.1 It is the policy of the City of Spokane to have clear, consistent wording in its ordinances.

6.0 PROCEDURE

See Appendices.

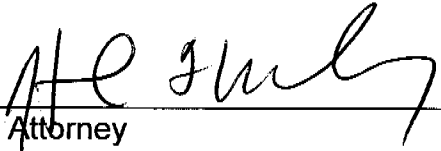
7.0 RESPONSIBILITIES

The City Attorney's Office shall administer this policy.


8.0 APPENDICES

Ordinance Drafting Guidelines

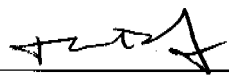
APPROVED BY:

  
\_\_\_\_\_  
City Attorney

2-17-11  
Date

  
\_\_\_\_\_  
Legal

2-17-11  
Date

  
\_\_\_\_\_  
City Administrator

2-17-11  
Date

**CITY OF SPOKANE**

**MUNICIPAL CODE  
ORDINANCE  
DRAFTING  
GUIDELINES**

March 2011

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## A. ORDINANCE REQUIREMENTS.

### 1. Background.

An ordinance should be used for city council actions when required by state law or city charter. It is also used for legislative acts by the City. Ministerial and administrative acts may be exercised by resolution. Legislative actions relate to subjects of a permanent and general character.

The Spokane Municipal Code is a compilation of city ordinances in an organized collection. It is divided into titles of related subject matter.

These guidelines will discuss the drafting of ordinances that adopt, repeal or amend sections of the Spokane Municipal Code. Note that not all ordinances are contained in the Code (for example, emergency budget ordinances).

### 2. Ordinance Elements.

Ordinances are numbered and have a title for purposes of identification. Ordinances must include an enactment clause and often include a recital or "whereas" section, definitions, penalty provisions, and an effective date in addition to their substantive provisions.

### 3. Numbering.

There is no statute requiring that any particular numbering system be used. The City of Spokane numbers ordinances consecutively with a C before the number. The number is assigned by the City Clerk at the time the ordinance is filed for council action. Drafters should insert at the top of the ordinance:

ORDINANCE NO. \_\_\_\_\_

### 4. Title.

The ordinance needs to have a title. The title gives notice to the City Council, as well as the public, of the nature and purpose of the ordinance.

Ordinances are generally limited to one subject (City Charter section 13). The subject must be clearly reflected in the ordinance's title. Titles should be short and concise and be expressed in clear language. The title does not need to be a listing of the entire contents of the ordinance. The title shall not contain any information that is not in the ordinance. It does, however, need to list each municipal code section being amended, repealed and adopted in the ordinance.

The title needs to indicate if the ordinance is an emergency or if a specific effective date is desired.

An example of the component parts of and their order of appearance in the title are as follows:

- a. The title shall begin as follows:  
*AN ORDINANCE ....*
- b. A broad statement of the subject matter:  
*relating to motor vehicles;...*
- c. The recitation of the SMC sections being amended, if any, in the order they appear in the ordinance, which is usually SMC order:  
*amending SMC 10.04.110 and 10.04.120;...*
- d. The recitation of any sections or chapters added, if any, in the order they appear in the ordinance, which is usually SMC order:  
*adopting a new section 10.04.050 to chapter 10.04 SMC; ...*
- e. The recitation of the SMC sections being repealed, if any, in the order they appear in the ordinance, which is usually SMC order:  
*repealing SMC 10.40.100;...*
- f. If the ordinance prescribes penalties, use the phrase:  
*prescribing penalties;...*
- g. If the ordinance has a specific effective date, use the phrase:  
*setting an effective date, ...*
- h. If the ordinance carries an emergency effective date section (i.e., is effective upon passage or before the normal effective date per City Charter), place the following at the end of the title:  
*and declaring an emergency.*

A sample title would read as follows:

*AN ORDINANCE relating to -----; amending SMC -----; adopting a new section ----- to chapter ----- SMC; repealing SMC -----; prescribing penalties and setting an effective date (or declaring an emergency).*

5. Recitals.

Ordinances sometimes will include an introductory recital section located after the title and before the enactment clause. Recitals provide information regarding the background or purpose of the ordinance.

A recital is advisory only but may be considered by the courts when interpreting the ordinance or addressing its validity. Findings of fact placed in a recital are not part of the ordinance and are not codified.

A recital may be used to list all of the conditions precedent that have been fulfilled before the ordinance can be enacted (frequently used in land use ordinances).

Typically, each recital section will be introduced by the word "WHEREAS". Except for the last recital in an ordinance, each recital section shall end with a semi-colon and the word "and". The final recital section should end with a semi-colon, a dash and then the words: "Now, Therefore,".

An alternative to the use of recitals in the inclusion of a "purpose" section in the body of the ordinance itself.

A sample recital section might read as follows:

*WHEREAS, -----; and*

*WHEREAS, -----; -- Now, Therefore,*

6. Enactment Clause.

An enactment or ordaining clause is required in any ordinance. The enactment clause is located immediately following the recitals, or if none, the title. Under the Spokane City Charter (section 14), the enacting clause of all ordinances shall be in the words:

*The City of Spokane does ordain:*

7. Statement of Purpose.

It may be desirable to state the purpose of the ordinance in the first section, particularly if there are no recital clauses. By being the first section of the ordinance, the purpose clause is part of the ordinance, and depending on the specific topic, may be included in any codification of the ordinance. This would not be true of recital clauses.

8. Definitions Section.

If a definitions section is used, it typically follows the enactment clause or the statement of purpose, if one is used. Use of a definitions section is not mandatory when drafting an ordinance.

Definitions should be used sparingly. Common words should not be defined unless the common meaning is altered.

Definitions should be arranged alphabetically.

Section 1.02.010 of the Municipal Code states:

"Subject to specific definitions and rules of construction as are variously provided in this code, words and phrases used in this code have meaning in accordance with the following rules:

1. Terms are defined so as to give effect to the obvious legislative intent.
2. Particular words are construed in context so as to give meaning to every word used and to achieve consistency within the entire context.
3. Technical terms and jargon have such special meanings as are generally understood by practitioners in the field from custom and usage.
4. Terms used in laws adopted by reference carry over their meanings in the laws adopted.
5. Words are given common and ordinary meaning."

If the definition is restrictive, use "*means.*" Do not use the phrase "*shall mean.*"

If the definition is inclusive, use "*includes.*"

9. Substantive Provisions.

The body of the ordinance shall contain only those statements that will have the force of law.

a. Repeal.

A repeal of an ordinance can only be by ordinance (City Charter section 21).

If the ordinance preparer is repealing a portion of the Code, he/she needs to specifically list each separate section being repealed. It is not necessary to include the full text of the ordinance being repealed. For example.

*Section 1. That SMC section 1.11.1111 is repealed:*

It would be helpful to the City Clerk to also include the title of the section being repealed.



*Section 1. That SMC section 1.11.1111 entitled "Dogs at Large" is repealed.*

If a section has been previously repealed, its number can NOT be used for new text later.

If repealing a section, the ordinance preparer may also need to amend other sections of the SMC that contain references to the repealed section.

b. Amendment.

An amendment of an ordinance can only be by ordinance (City Charter section 21).

An amendment may add to, delete from, or otherwise change an existing Code section. The manner by which a City of Spokane ordinance may be amended is controlled by the City Charter and Municipal Code.

City Charter section 21 states that an amending ordinance shall contain the entire section being amended.

SMC 1.01.040 interprets City Charter section 21 as prescribing a method of amendment and not as prescribing a minimum unit of text which may be amended. Charter section 21 provides that this code may not be amended by that parliamentary method known as insert and/or strikeout; rather, amendment is by setting forth the entire text of the provision as amended.

However, due to the SMC being on-line, it is necessary to show the entire section being amended and not just the subsection.

Use the current on-line version of the SMC or obtain the WORD copy from the City Clerk's Office for preparing amendments. The use of older versions will result in the inadvertent deletion of current language, the reenactment of obsolete language, and other serious consequences. To determine if the on-line version is current, contact the City Clerk' Office.

Pursuant to SMC 1.01.040, the City follows the amendatory format of the Washington State Code Reviser, whereby:

- language (including punctuation) to be deleted is set forth in full and enclosed in double parentheses lined out;
- new language to be added is underlined, unless an entire new section, subsection, or other unit is being added; and
- deletions precede additions.

Do not cross out part of a word, instead crossout the entire word and insert the new word.

The City Clerk has the authority to correct clerical or typographical errors and to make technical or editorial changes, such as recodifying or renumbering (including relettering) provisions of the Code as necessary.

A sample amended section would read:

*Section 1. That SMC section 2.22.2222 is amended to read as follows:*

**2.22.2222                      How To Do Ordinances**

*When you amend ((a-resolution)) an ordinance, you need to put the deleted wording before the added wording.*

c.      **Adoption of New Section.**

The addition of a new section does not need to be underlined.

A sample adopted section would read:

*Section 1. That there is adopted a new section 3.33.3333 to chapter 3.33 SMC to read as follows:*

**3.33.3333      How To Amend An Ordinance.**

*When you amend an ordinance, you need to put the deleted wording before the added wording.*

10.      **Penalty Provisions.**

If a violation of the ordinance is to be punished by a fine or imprisonment, the penalty must be specifically stated in the ordinance.

Cities can only impose a misdemeanor penalty (not felony). Maximum fine is \$1,000 for a misdemeanor and \$5,000 for a gross misdemeanor. A person guilty of a misdemeanor can be jailed for up to ninety (90) days and for a gross misdemeanor up to one year.

An alternative penalty is a civil infraction. However, a civil infraction can't be imposed for an act that constitutes a crime under state law. A civil infraction can't be used if it establishes a different criminal punishment than that provided by state law for the same act. If a civil infraction is being imposed, the class of the infraction must also be listed in chapter 1.05 of the Code.

If a penalty for continuing violations is desired, the penalty section should include the phrase 'each day's violation constitutes a separate offense.'

11. Effective Date.

Under the city manager form of government, ordinances were normally effective thirty (30) days after city council action. This made it easy to determine the effective date of an ordinance.

The current charter makes the effective date of most ordinances thirty (30) days after the Mayor signs the ordinance. This could be up to seven (7) weeks after the council action. (See further explanation under Section D – Ordinance Adoption Process.)

If the ordinance preparer wants a specific effective date, the date needs to be specifically stated in the body of the ordinance and needs to be at least thirty (30) days after the mayor's signature (unless also declaring an emergency). The ordinance title also needs to indicate that there will be a specific effective date for the ordinance.

A sample effective date clause is:

*Section 10. Effective Date. This ordinance shall take effect and be in force on July 1, 2011.*

12. Savings Clause.

If an ordinance is adopted to repeal and replace a previously adopted ordinance, the new ordinance might include a savings clause. A savings clause preserves the rights, remedies and effects of the previous ordinance until the effective date of the new one.

SMC 1.02.900 provides a general savings clause that applies to all ordinances. It states:

*"Unless specifically provided in the particular ordinance, the passage of an ordinance, including the amendment or repeal of an existing ordinance, does not affect the rights and responsibilities of any person or the City under prior law or relieve a person from any liability, civil or criminal, arising from violation of such prior law. Any proceeding pending at the time an amendatory or repealing ordinance takes effect continues under the law in effect at the time the proceeding began, unless otherwise specified."*

A sample savings clause is:

*Section 10. Savings Clause. Ordinance No. C22221, which is repealed by this ordinance, shall remain in force and effect until the effective date of this ordinance.*

13. Severability Clause.

A severability clause is designed to state the city council's intent that, if a portion of an ordinance is held invalid, the remainder of the ordinance should continue in effect. It is commonly used in criminal ordinances which are perhaps more prone to judicial attack and in lengthy, controversial or complex ordinances. A sample severability clause is:

*Section 10. Severability Clause. If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, the decision shall not affect the validity of the remaining portions of this ordinance.*

14. Emergency Clause.

Sometimes it is necessary for an ordinance to take effect immediately or on a specific date that is earlier than a regular effective date.

If the ordinance is to be effective immediately, only one reading of the ordinance is necessary instead of the traditional two readings (City Charter section 19).

The ordinance drafter needs to state the basis of the emergency in either the recital clauses or the body of the ordinance (City Charter section 19).

The ordinance title also needs to indicate that the ordinance is declaring an emergency.

An emergency ordinance requires five (5) votes for passage instead of the regular four (4) votes.

A sample emergency clause is:

*Section 10. Emergency Clause. This ordinance is necessary for the immediate preservation of the public peace, health, or safety or for the immediate support of city government and its existing public institutions.*

15. Short Title.

A short descriptive title may be adopted to assist the identification of the ordinance. A sample short title clause is:

*Section 10. Short Title. This ordinance shall be known as the Sign Code and may be cited as such.*

16. Signatures.

All ordinances shall include a closing phrase and legal signatures block as the last portion of the ordinance.

The closing phrase and legal signatures block shall read as follows:

PASSED BY THE CITY COUNCIL ON \_\_\_\_\_

\_\_\_\_\_  
*Council President*

*Attest:*

*Approved as to form:*

\_\_\_\_\_  
*City Clerk*

\_\_\_\_\_  
*Assistant City Attorney*

\_\_\_\_\_  
*Mayor*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Effective Date*

## B. STYLE

### 1. Gender.

The Municipal Code references to persons are in the masculine gender. SMC 1.02.010 states: "The use of nouns and pronouns of the masculine gender is not intended to exclude corresponding words of the feminine gender. Gender, number, and tense are interchangeable."

Instead of using the cumbersome disjunctive "*he or she*" or "*his or her*," it is best to avoid all personal pronouns reflecting gender, as shown in the following example:

*"The director or the director's designee shall enforce this ordinance."*

### 2. Use Of "Shall" And "May".

The word "shall" indicates mandatory action or a legal obligation. "May" is permissive and is used to confer a right, privilege or power. If a certain act is required, use "shall." If there is discretion use "may."

Before using "shall," decide if the action must be taken or if it is discretionary.

While the word "may" should be avoided, it can also be used to indicate mandatory action. SMC 1.02.020 states:

“Because use of the word “shall” can create ambiguity concerning the intent to use the future tense or the imperative mood of associated verbs, this code sometimes employs alternative phraseology. Hence, for example, the phrase “no person may” expresses a prohibition against acting and has the same meaning as more traditional phrases such as “it shall be unlawful for.”

### 3. Use Of Opinion And Subjective Words.

It is best to avoid words involving opinion or which are subjective rather than objective in character. Use of opinion and subjective words can result in a constitutional challenge.

Legislation should be precise.

### 4. “City” Defined.

Pursuant to SMC 1.02.040:

- The word “city” (usually not capitalized), when used geographically, means the territory within the city limits or corporate boundaries of the City of Spokane, Washington, as it exists at any pertinent point in time and, in addition, may mean real property owned by the City of Spokane situated beyond the corporate limits; and may include land or other premises over which the City of Spokane has jurisdiction by law or by contract.
- The word “City” (usually capitalized), when referring to the entity, means the City of Spokane, Washington, a municipal corporation, acting through the city council, the mayor, an executive officer or an administrative agency, as appropriate under the charter, ordinance or other law.

### 5. Department Names.

The name of a department in an ordinance should be the present correct name as shown in chapter 3.01 SMC.

Department names should be consistent throughout the Code. If the name being changed or referenced is different than other sections of the Code, the other sections should also be amended to maintain consistency.

### 6. Other Jurisdiction Names.

City of Spokane  
County of Spokane  
State of Washington  
federal government

7. Code References.

All code references are as follows:

SMC 1.04.010	chapter 1.04 SMC	Title 1 SMC
WAC 1.04.010	chapter 1.04 WAC	Title 1 WAC
RCW 1.04.010	chapter 1.04 RCW	Title 1 RCW

8. Sentences.

Use short sentences.

9. Sections.

Organize the ordinance into sections that contain a single idea.

Provide each section with a descriptive short heading

When drafting new ordinances, divide the text into short, concise sections. Short sections facilitate future amendments. As a rule of thumb, if the content of a section cannot be described in a one-line caption, divide the section into two or more sections.

10. Tense.

Draft ordinances in the present tense.

*"A person who violates this section ..."* is preferable to *"A person who shall violate this section ..."* Similarly, the present perfect tense should be used instead of the future perfect tense. *"After apprehending a person who has violated this section ..."* is preferable to *"After apprehending a person who shall have violated this section ..."*

11. Language.

Simple sentences and ordinary English will make an ordinance understandable. Legal jargon or technical language not commonly understood should be avoided, if possible.

12. References.

- a. References to "this ordinance."

Use general references to *"this ordinance"* with care. If the ordinance will become one new chapter in the code, refer to *"this chapter."*

- b. References to Other Ordinances.

Where reference must be made to an ordinance that has not yet been codified or enacted, use the form "section \_\_\_\_ (or chapter \_\_\_\_) of Ordinance No. \_\_\_\_," filling in as many parts of the citation as are known at the time.

c. References to Other Statutes.

An ordinance that adopts a code, other than the SMC, by reference adopts the specific version in effect when the ordinance was enacted. If the current form of a code adopted by reference is desired, use the language in the following example:

*RCW 1.04.010 as presently constituted or as may be subsequently amended*

13. Articles.

Do not use "each," "any," "every," "all," etc., if an article such as "a," "an," or "the" can be used with the same result.

14. Provisos.

Provisos should be avoided. It is often difficult to determine precisely what a proviso is attempting to modify, particularly where several provisos are used in a string. If a proviso must be used, its function should be to except something from the general clause immediately preceding it, or otherwise qualify or restrain it.

Usually, the use of "but...", "except...", or "however..." will accomplish the same purpose.

Do not use "provided that" or "provided however that," or similar proviso language. Use "except" to create an exception, not to describe an entire category. Instead of saying "all persons except those who are sixty years old or older," say "persons who are less than sixty years old."

15. Dates.

April 1, 2011

April 1st not "first day of April" or "first of April"

January 2011 (no commas)

April 2011 through June 2011 (no commas)

January 1, 2012, through June 1, 2012, (commas on each side of year)



C.     FORMATTING / PREPARATION INSTRUCTIONS

1.     Preparers of detailed or complex ordinances are encouraged to meet with the City Attorney's Office before beginning an ordinance. This will save both the preparer and the attorney review and formatting time later.
2.     All proposed ordinances are typed on white paper that has dimensions of 8.5" by 11".
3.     All margins are one inch (1").
4.     The header shall be set at zero inch. The footer shall be set at one-half inch (0.5").
5.     Each page shall be numbered.
6.     The typeface for all ordinances is 12 point Arial.
7.     Numbers are written out (except for in tables).  
*five hundred fifty five dollars*
8.     Format individual code sections in block style
9.     Identify individual subsections as follows:
  - A.     XXXXX
    1.     XXXXXXXXXXXXXXXXXXXXX
      - a.     XXXXXXXXXXXXXXXXX
        - i.     XXXXXXXXXX
          - (A)    XXXX
  - B.     XXXXXX
10.    In outlining subsections, indent using tab stops as follows:
  1.     (tab stop at 0.5")
  - a.     (tab stop at 1.0")
  - i     tab stop at 1.5 "
  - (A)   (tab stop at 2.0")
11.    Full-side justify the ordinance text.

#### D. ORDINANCE ADOPTION PROCESS

1. Ordinances are filed with the City Clerk's Office by 1:00 p.m. on Wednesdays. They are briefed to the City Council at the next Monday afternoon's council meeting. Regular ordinances require two (2) readings before passage. Public testimony is taken at the second reading (City Charter section 15).
2. Ordinances amending the Municipal Code are subject to veto by the Mayor (except emergency ordinances). The City Clerk has five (5) days to present the ordinance to the Mayor for approval and the Mayor then has ten (10) days to sign the ordinance. If the Mayor fails to sign the ordinance within the ten (10) days, the ordinance is considered enacted from the end of the ten (10) day period plus the thirty (30) days. If the mayor vetoes the ordinance, it will be sent back to the council for further review. (City Charter section 16)
3. Every ordinance shall be attested by the City Clerk and recorded in the City Clerk's Office (City Charter section 18).
4. Every ordinance shall be published once in the *Official Gazette* within ten (10) days after its passage by the City Council.

#### E. SUBSTITUTES FOR COMMONLY USED WORDS AND PHRASES.

1. Words To Avoid Using.

##### **Avoid**

accorded  
afforded  
aforementioned  
aforesaid  
all persons  
and/or  
any and all  
as provided in this chapter  
at such time as  
at the time of  
authorized and empowered to  
be and the same is hereby  
before-mentioned  
carry out  
commence  
constitute and appoint  
deal with  
deemed to be  
during such time as

##### **Use**

given  
given  
"the," "that," or "those"  
"the," "that," or "those"  
a person  
either A or B, or both  
(either word)  
(usually unnecessary - delete)  
when  
when  
may  
is  
"the," "that," or "those"  
"execute" or "complete"  
begin  
appoint  
"address" or "conduct"  
is  
while

during the course of  
each and all  
either directly or indirectly  
employ (meaning to use)  
etc.  
every person  
except when otherwise provided  
expend  
fail, refuse, or neglect  
following section  
for the duration of  
for the reason that  
formulate  
forthwith  
from and after  
from July 1st  
full and complete  
give consideration  
greater than  
has the duty to  
have need of  
hereafter

hereby  
heretofore

in case  
in order to  
in the event that  
in the interests of  
inquire  
institute (verb)  
is able to  
is applicable  
is authorized to  
is binding upon  
is defined as and shall be construed  
to mean  
is direct to  
is empowered to may  
is entitled to  
is hereby authorized to and it shall be  
his duty to

is required to

during  
(either word)  
(delete)  
use  
(delete)  
a person  
(delete)  
spend  
fail  
section (SMC \_\_\_\_\_)  
during  
because  
make  
immediately  
after  
after June 30th  
full  
to consider  
more than  
shall  
need  
after the effective date of this  
ordinance  
(delete)  
before the effective date of this  
ordinance

if  
to  
if  
for  
ask  
"begin" or "start"  
can  
applies  
may  
binds

means  
shall

may

shall

"shall" (if action) or  
"must" (if condition)

is unable to  
it is his duty to  
it is lawful to  
make application  
make payment  
make provision for  
means and includes  
modify  
necessitate  
no later than June 30th  
none whatever  
not later than  
null and void  
occasion (verb)  
of a technical nature  
on and after July 1st  
on his own application  
on or after July 1st  
on or before July 1st  
operable  
or, in the alternative  
per annum  
per centum  
period of time  
prior to  
promulgate  
provided (conjunction)  
provided, however that  
  
provision of law  
purchase  
pursuant to  
regulations  
render (meaning "to give")  
retain  
rules and regulations  
said  
same  
shall be  
shall be construed to mean  
shall be deemed to be  
shall constitute  
shall have the power to  
shall mean  
sole and exclusive  
subject to the provisions of

cannot  
shall  
may  
apply  
pay  
provide for  
"means" or "includes"  
change  
require  
by July 1st  
"none" or "no"  
by  
void  
cause  
technical  
after June 30th  
at his or her request  
after June 30th  
by July 1st  
operative  
or  
a year  
percent  
"period" or "time"  
before  
adopt  
"if" or "but"  
"except," "but," or "however" or  
start a new sentence  
  
law  
buy  
under  
rules  
give  
keep  
rules  
"the," "that," or "those"  
(appropriate pronoun)  
"is" or "are"  
means  
is  
is  
may  
means  
exclusive  
under

subsequent to  
such  
suffer  
terminate  
the provisions of section 5  
to wit  
under the provisions of  
unless and until  
until such time as  
utilize  
whatsoever  
whenever  
wheresoever  
whosoever

after  
the  
allow  
end  
section 5  
(delete or use "namely")  
under  
"unless" or "until"  
until  
use  
whatever  
"when" or "if"  
where  
whoever

## 2. Words Not To Be Used.

The following words, for which there are no substitutes, should not be used:

- forthwith
- henceforth
- hereby
- herein
- hereinabove
- hereinbelow
- heretofore
- thenceforth
- thereupon
- therewith
- to wit
- whatsoever
- whenever
- wheresoever
- whichsoever

F. ORDINANCE TEMPLATE

ORDINANCE NO. \_\_\_\_\_

An ordinance relating to -----; amending SMC sections -----; repealing SMC sections -----; and adopting new sections ----- to chapter ---- of the Spokane Municipal Code (and setting an effective date or declaring an emergency).

*(Comment: use above as needed)*

WHEREAS, -----; and

WHEREAS, -----; -- Now, Therefore,

*(Comment:Whereases are not mandatory)*

The City of Spokane does ordain:

Section 1. That SMC section ----- is amended to read as follows:

**1.23.456                      How To Do Ordinances**

*(Comment: title of sections need to be bolded. Title should begin 1.5 on tool bar.  
(Comment: for amendments, cross out deleted wording. Underline new wording)*

Section 2. That SMC section ---- entitled "Dogs at Large" is repealed:

*(Comment: for repeals, it is optional to cross out entire section's text)*

Section 3. That there is adopted a new section ---- to chapter --- of the Spokane Municipal Code to read as follows:

*(Comment: for new wording, insert new wording. It is optional to underline the new text)*  
A sample emergency clause is:

Section 4. Effective Date. This ordinance shall take effect and be in force on July 1, 2011.

Section 5. **Emergency Clause**. This ordinance is necessary for the immediate preservation of the public peace, health, or safety or for the immediate support of city government and its existing public institutions.

PASSED BY THE CITY COUNCIL ON \_\_\_\_\_

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date