

# TITLE 1

## GENERAL PROVISIONS

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**CHAPTER 1.01**  
**CODE ADOPTION**

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**1.01.010 Adoption of the “Tukwila Municipal Code”**

As authorized by RCW 35.21.500 through 35.21.570, there is adopted the “Tukwila Municipal Code” as compiled, edited and published by Book Publishing Company, Seattle, Washington.

*(Ord. 618 §1, 1970)*

**1.01.020 Title - Citation - Reference**

This code shall be known as the “Tukwila Municipal Code”, and it is sufficient to refer to said code as the “Tukwila Municipal Code” in any prosecution for the violation of any provision thereof or in any proceeding at law or equity. It is also sufficient to designate any ordinance adding to, amending, correcting or repealing all or any part or portion thereof as an addition to, amendment to, correction or repeal of the “Tukwila Municipal Code.” Further, reference may be had to the titles, chapters, sections and subsections of the “Tukwila Municipal Code” and such reference shall apply to that numbered title, chapter, section or subsection as it appears in this code.

*(Ord. 618 §2, 1970)*

**1.01.030 Reference applies to amendments**

Whenever a reference is made to this code as the “Tukwila Municipal Code” or to any portion thereof, or to any ordinance of the City, the reference shall apply to all amendments, corrections and additions heretofore, now, or hereafter made.

*(Ord. 618 §3, 1970)*

**1.01.040 Codification authority**

This code consists of all of the regulatory and penal ordinances and certain of the administrative ordinances of the City, codified pursuant to RCW 35.21.500 through 35.21.570.

*(Ord. 618 §4, 1970)*

**1.01.050 Definitions**

The following words and phrases whenever used in this code 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:

(1) “*Building official*” means the officer or other designated authority who is charged with the administration and enforcement of the City’s “Building Code,” or his duly authorized representative.

(2) “*City*” means the City of Tukwila, Washington, or the area within the territorial City limits of the City of Tukwila, Washington, and such territory outside of the City over which the City has jurisdiction or control by virtue of any constitutional provision, or any law.

(3) “*Council*” means the City Council of the City of Tukwila, Washington. “All its members” or “all councilmen” means the total number of councilmen provided for in RCW 35.24.020.

(4) “*County*” means the county of King, Washington.

(5) “*Law*” denotes applicable federal law, the constitution and statutes of the State of Washington, the ordinances of the City of Tukwila, Washington, and when appropriate, any and all rules and regulations which may be promulgated thereunder.

(6) “*Oath*” includes affirmation.

(7) “*Office.*” The use of the title of any officer, employee, or any office, or ordinance shall mean such officer, employee, office, or ordinance of the City of Tukwila unless otherwise specifically designated.

(8) “*Ordinance*” means a law of the City; provided that a temporary or special law, administrative action, order or directive, may be in the form of a resolution.

(9) “*Person*” means a natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them.

(10) “*State*” means the State of Washington.

(11) “*Street*” includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs, or other public ways in this City 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.

(12) “*May*” is permissive.

(13) “*Must*” and “*shall.*” Each is mandatory.

(14) “*Written*” includes printed, typewritten, mimeographed or multigraphed.

*(Ord. 618 §5, 1970)*

**1.01.060 Grammatical interpretation**

The following grammatical rules shall apply in this code:

- (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 used in this code and not specifically defined shall be construed according to the context and approved usage of the language.

*(Ord. 618 §6, 1970)*

**1.01.070 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. 618 §7, 1970)*

**1.01.080 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. 618 §8, 1970)*

**1.01.090 Reference to specific ordinances**

The provisions of this code shall not in any manner affect deposits or other matters of record which refer to, or are otherwise connected with ordinances which are therein specifically designed 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. 618 §9, 1970)*

**1.01.100 Effect of code on past actions and obligations**

Neither the adoption of this code nor the repeal or amendments of any ordinance or part or portion of any ordinance of the City 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. 618 §10, 1970)*

**1.01.110 Repeal shall not revive any ordinances**

The repeal of an ordinance shall not repeal the repealing clause of such ordinance or revive any ordinance which has been repealed thereby.

*(Ord. 618 §11, 1970)*

**1.01.120 Repeal**

All general ordinances of the City of Tukwila not included in this code or excluded from the operation and effect of this section are repealed.

*(Ord. 618 §12, 1970)*

**1.01.130 Exclusions**

Every special ordinance of this City governing the following subject matter, whether contained in whole or in part within this code, is excluded from the operation and effect of TMC 1.01.120 and is not affected by the repeal provisions hereof. Annexations; franchises; naming roads, streets and public places; acquisition or disposal of public property; vacation of streets, alleys, or public ways; acceptance of any gift, devise, license or other benefit; provided that the foregoing enumeration of exceptions or exclusions shall not be deemed to be exclusive or exhaustive, it being the intent and purpose to exclude from repeal any and all ordinances not of a general nature.

*(Ord. 618 §13, 1970)*

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

Whenever in this code any act or omission is made unlawful, it includes causing, allowing, permitting, aiding, abetting, suffering, or concealing the fact of such act or omission.

*(Ord. 618 §14, 1970)*

**1.01.150 Effective date**

This code shall become effective on the date the ordinance adopting this code as the "Tukwila Municipal Code" is enacted.

*(Ord. 618 §15, 1970)*

**1.01.160 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. 618 §16, 1970)*

**CHAPTER 1.04**  
**CITY SEAL**

**Sections:**

1.04.010 Adopted - Description

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**1.04.010 Adopted - Description**

A corporate seal for the City shall be adopted, and is described as follows: 1-5/8 inches in diameter, the impression of which shall be a cluster of three hazelnuts in the husk, in the center, and an inscription around the outer edge having the words "Seal of Tukwila, Washington, 1908." This seal shall be used as the official corporate seal of the City.

*(Ord. 1 §1, 1908)*

**CHAPTER 1.08**  
**GENERAL PENALTY**

**Sections:**

1.08.010 Violations - Penalty

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**1.08.010 Violations - Penalty**

It is unlawful for any person to violate any provision or to fail to comply with any of the requirements of this code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this code, unless provision is otherwise therein made, shall upon conviction thereof, be punished by a fine of not more than \$500.00, or by imprisonment for a period of not more than six months, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provisions of this code is committed, continued, or permitted by such person and shall be punished accordingly. In addition to the penalties hereinabove provided, any condition caused or permitted to exist in violation of any of the provisions of this code shall be deemed a public nuisance and may be, by this City, summarily abated as such, and each day that such condition continues shall be regarded as a new and separate offense.

*(Ord. 568 §1, 1969)*

**CHAPTER 1.12**  
**INITIATIVE AND REFERENDUM**

**Sections:**

1.12.010 Powers of initiative and referendum

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**1.12.010 Powers of initiative and referendum**

The citizens of the City are hereby granted the powers of referendum and initiative as provided for in RCW 35A.11.080 as of the effective date of the ordinance from which this chapter derives or as thereafter amended. Pursuant to RCW 35A.11.100 as of the effective date of the ordinance from which this chapter derives or as thereafter amended, these powers of initiative and referendum shall be exercised in the manner set forth in RCW 35.17.240 through 35.17.360 as of the effective date of the ordinance from which this chapter derives or as thereafter amended.

*(Ord. 1602 §1, 1991)*