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**CITY OF FIRCREST
ORDINANCE NO. 1727**

**AN ORDINANCE OF THE CITY OF FIRCREST, WASHINGTON,
AMENDING FIRCREST MUNICIPAL CODE 2.60.010 AND 2.60.020 TO
UPDATE RCW CITATIONS.**

WHEREAS, the City of Fircrest adopted Ordinance No. 1344 on April 27, 2004, creating [Chapter 2.60](#) of the Fircrest Municipal Code (FMC); and

WHEREAS, in March of 2005, the Washington State Legislature adopted [HB 1133-S](#), effective on July 1, 2006, which recodified certain RCW citations as referenced in [FMC Chapter 2.60](#); and

WHEREAS, the City now wishes to update [FMC 2.60.010](#) and [FMC 2.60.020](#) to properly reflect the RCW citations as recodified by [HB 1133-S](#); and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FIRCREST DO
ORDAIN AS FOLLOWS:**

Section 1. Amending FMC 2.60.010. [FMC 2.60.010](#) is hereby amended as follows:

[FMC 2.60.010](#) Findings.

- (a) RCW [42.56.070](#)(1) requires all cities and public agencies to maintain and make available a current index of all public records.
- (b) RCW [42.56.070](#)(4) also states that if maintaining such an index would be unduly burdensome or interfere with agency operation, a city need not maintain such an index so long as it issues and publishes a formal order specifying the reasons why and the extent to which compliance would be unduly burdensome.
- (c) When such an order is made, all indexes maintained by that city must be made available to provide identifying information on those records, which are available for inspection and/or copying.
- (d) The city of Fircrest is comprised of several departments, each containing divisions and subdivisions, which maintain separate recordkeeping systems for indexing records and information.
- (e) Because the city's records are diverse and complex, and stored in multiple locations and computer systems and databases, maintaining a central index of records is unduly burdensome, if not physically impossible.
- (f) The city affirms its commitment to transparent government and its intent to fully comply with the requirements of the Public Records Act under Chapter [42.56](#) RCW. (Ord. 1344 § 1, 2004)

Section 2. Amending FMC 2.60.020. [FMC 2.60.020](#) is hereby amended as follows:

[FMC 2.60.020](#) Order regarding public records index.

Based upon the findings set forth in [FMC 2.60.010](#), and pursuant to RCW [42.56.070](#)(4), the city council orders the following:

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- (a) The city of Fircrest is not required to maintain an all-inclusive index of public records due to findings of the city council that the requirement to do so is unduly burdensome and would interfere with city operations, and such a list is nearly impossible to create and/or maintain.
- (b) Pursuant to Chapter [42.56](#) RCW, the city of Fircrest shall disclose all public records and any indexes of public records maintained by the city to the extent records are not exempt from disclosure per Chapter [42.56](#) RCW or other applicable laws. (Ord 1344 § 1, 2004)

Section 3. Corrections. The City Clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Section 4. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such invalidity shall not affect the validity or effectiveness of the remaining portions of this ordinance.


Section 5. Effective Date. This ordinance shall take effect five days after its passage, approval, and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF FIRCREST, WASHINGTON, at a regular meeting thereof this 10th day of September 2024.

APPROVED:

 Shannon Reynolds, Mayor

ATTEST:

 Arlette Burkhardt, City Clerk

APPROVED AS TO FORM:

 Robert Zeinemann, City Attorney

Publication Date:
 Effective Date: