

# **DRAFTING GUIDE FOR KING COUNTY LEGISLATION**

**Melani Pedroza**  
**Clerk of the Council**  
**Bruce A. Ritzen**  
**Code Reviser**

**July 2019**



## TABLE OF CONTENTS

<b>INTRODUCTION</b>	<b>5</b>
<b>ORDINANCES</b>	<b>7</b>
<b>ORDINANCE TITLES</b>	<b>8</b>
<b>PREAMBLE, STATEMENT OF FACTS, FINDINGS OF FACT</b>	<b>11</b>
<b>ORDINANCE TEXT</b>	<b>12</b>
<b>General Considerations</b>	<b>12</b>
<b>Attachments (Substantive Attachments)</b>	<b>13</b>
<b>Captions and Part Headings</b>	<b>14</b>
<b>Effective Date and Contingent Effective Date</b>	<b>14</b>
<b>Emergency</b>	<b>15</b>
<b>New Material</b>	<b>15</b>
<b>Penalties</b>	<b>16</b>
<b>Provisos</b>	<b>16</b>
<b>Repeals</b>	<b>16</b>
<b>Reports</b>	<b>17</b>
<b>Severability</b>	<b>18</b>
<b>MOTIONS</b>	<b>19</b>
<b>COMMITTEE AND COUNCIL AMENDMENTS TO PROPOSED LEGISLATION</b>	<b>21</b>
<b>STYLE GUIDE</b>	<b>27</b>
<b>General Considerations</b>	<b>27</b>
<b>Punctuation and Grammar</b>	<b>27</b>
<b>Numbers</b>	<b>37</b>
<b>Capitalization</b>	<b>38</b>
<b>Spelling</b>	<b>40</b>
<b>Numbering and Citations</b>	<b>44</b>
<b>FORMATTING GUIDE</b>	<b>47</b>
<b>Sample Ordinance</b>	<b>47</b>
<b>Sample Motion</b>	<b>49</b>
<b>Formatting Guide Notes</b>	<b>50</b>
<b>Formatting for Special Ordinances</b>	<b>52</b>
<b>Appropriations</b>	<b>52</b>

<b>Vacations of Property</b>	<b>53</b>
<b>APPENDICES</b>	<b>55</b>
<b>Amendment to Proposed Ordinance or Motion</b>	<b>55</b>
<b>Appropriation</b>	<b>56</b>
<b>Effective Date</b>	<b>59</b>
<b>Emergency</b>	<b>60</b>
<b>Form of Amendment to Existing Ordinance or Code</b>	<b>61</b>
<b>Motion</b>	<b>64</b>
<b>New Section</b>	<b>65</b>
<b>Penalties</b>	<b>66</b>
<b>Preamble, Statement of Facts and Findings of Fact</b>	<b>67</b>
<b>Preamble</b>	<b>67</b>
<b>Statement of Facts</b>	<b>68</b>
<b>Findings of Fact</b>	<b>69</b>
<b>Provisos and Expenditure Restrictions</b>	<b>70</b>
<b>Repealer</b>	<b>71</b>
<b>Severability</b>	<b>72</b>
<b>Striking Amendment</b>	<b>73</b>

## INTRODUCTION

The King County Charter provides that the county council exercises its legislative power by the adoption and enactment of ordinances (Section 220.20 of the King County Charter) and motions (Section 240 of the King County Charter). This drafting guide is prepared to assist all county agencies in drafting both ordinances and motions for the council's consideration (K.C.C. 1.24.075). Because many ordinances are codified in the King County Code, uniformity is necessary in the drafting process. Uniformity also allows more certainty in interpretation, application and enforcement of the law. Questions regarding drafting ordinances and motions should be directed to the clerk of the council, the code reviser or the clerk's staff.

Appendices in this drafting guide contain samples of motions, ordinances, amendments and other items. The clerk's office will also provide both hard copy and electronic forms for ordinances or motions on request.

This drafting guide is available at the clerk of the council's web page, and is also available for council staff at M:\CLERK\Drafting Guide. The electronic versions reflect the most-recent updates of the drafting guide.

For other information on legislative drafting, please see the Bill Drafting Guide, published by the Washington State Office of the Code Reviser, which is available on the Internet at <http://slc.leg.wa.gov>.

Some useful books on legal drafting are:

*Black's Law Dictionary*. 6th ed. West Publishing Co., 1990.

Garner, Bryan A. *A Dictionary of Modern Legal Usage*. 2nd ed. Oxford University Press, 1995.

Singer, Norman J. *Statutes and Statutory Construction*. 5th ed. Clark Boardman Callaghan, 1994. Also known and cited as *Sutherland Statutory Construction*.

If you wish to have more information, please contact the office of the Clerk of the Council. Any suggestions or corrections are welcome.

Melani Pedroza  
*Clerk of the Council*  
Bruce A. Ritzen  
*Code Reviser*  
Angel Allende  
*Deputy Clerk*



## ORDINANCES

The King County Charter identifies the county council as the legislative and policy-making body of county government. This authority generally is exercised by adopting and enacting ordinances. Ordinances are used for a variety of purposes, such as to:

- A. Levy taxes and impose fees;
- B. Appropriate revenue and enact the budget;
- C. Enact capital improvement programs;
- D. Organize county departments;
- E. Enact comprehensive, community and functional plans and policies;
- F. Establish the county compensation system;
- G. Enact regulatory laws in such areas as public safety, public health and zoning;
- H. Authorize contracts that commit the county to expenditures from future appropriations; and
- I. Accomplish other actions such as declaring property surplus or approving an interlocal agreement.

A proposed ordinance must be limited to one subject and may be introduced by a councilmember, by initiative petition by residents of the county or by institutional initiative by cities within the county. Regardless of the method of introduction, an ordinance must have seven days between its introduction and a public hearing unless it is an emergency ordinance. The public hearing must be held before council action. Once the council adopts an ordinance, the ordinance must be presented within five days to the county executive. The executive then has ten days to sign the ordinance, veto the entire ordinance or any object of expense in an appropriation ordinance or let the ordinance be enacted without signature. Once either the executive has approved the ordinance or ten days have elapsed without veto or signature, or the council has overridden a veto by six votes, the ordinance is enacted. An ordinance takes effect ten days after enactment unless it specifies a later date as the effective date. An ordinance adopted as an emergency is both enacted and effective on the date the council adopts it. However, emergency appropriations ordinances, which are subject to the veto power of the executive, are enacted and effective when: approved by the executive; the time for executive approval expires; or, if vetoed and overridden, when overridden.

Ordinances that amend, add to or repeal sections of the King County Code and that are of a general and permanent nature are codified. Ordinances that are temporary, or that relate only to specific circumstances, are not codified but are kept in the clerk's office for reference.

In general, an ordinance must contain: a title; an ordaining clause; the text; and closing phrases and legal signatures. An ordinance might also contain: a preamble, statement of facts or findings; definitions; and attachments.

## ORDINANCE TITLES

An ordinance may contain only one subject. The title of an ordinance should be general, comprehensive and short, and should only reflect material that is actually in the ordinance. The title of an ordinance is a quick index to the ordinance itself and consideration of eventual indexing should be a guide in drafting the ordinance title. Do not include substantive provisions, including definitions and acronyms, in the title. Also, it is unnecessary to include redundancies, such as "AN ORDINANCE of King County...."

A. The components of a title are (bolding, wording and numbers for illustrative purposes only):

1. A broad statement of subject matter:

**AN ORDINANCE relating to musical entertainment.**

2. (Optional) A brief explanation of the contents of the ordinance:

AN ORDINANCE relating to musical entertainment,  
**limiting the use of brass instruments in public.**

3. The recitation of sections amended, if any (in the order they appear in the ordinance):

AN ORDINANCE relating to musical entertainment,  
limiting the use of brass instruments in public; **and**  
**amending Ordinance 187, Section 1, and K.C.C.**  
**6.52.050.**

4. The recitation of sections added, if any (in the order they appear in the ordinance):

AN ORDINANCE relating to musical entertainment,  
limiting the use of brass instruments in public; amending  
Ordinance 187, Section 1, and K.C.C. 6.52.050 **and adding**  
**a new section to K.C.C. chapter 6.52.**

5. The recitation of chapters added, if any (in the order they appear in the ordinance):

AN ORDINANCE relating to musical entertainment,  
limiting the use of brass instruments in public; amending  
Ordinance 187, Section 1, and K.C.C. 6.52.050, adding a  
new section to K.C.C. chapter 6.52 **and adding a new**  
**chapter to K.C.C. Title 6.**



6. The recitation of recodified sections, if any (in the order they appear in the ordinance). Decodified sections would also go here, in a similar fashion, following any recodified sections (also in the order they appear in the ordinance):

AN ORDINANCE relating to short subdivisions, making amendments under chapter 58.17 RCW, defining completed applications for preliminary short subdivisions, revising the short subdivision standards and procedures, relating to short subdivision alteration and vacation; **and recodifying K.C.C. 19.26.510.**

7. The recitation of sections or ordinances repealed, if any (in the order they appear in the ordinance):

AN ORDINANCE relating to short subdivisions, making amendments under chapter 58.17 RCW, defining completed applications for preliminary short subdivisions, revising the short subdivision standards and procedures, relating to short subdivision alteration and vacation; recodifying K.C.C. 19.26.510 **and repealing Ordinance 3113, Section 3, and K.C.C. 19.26.010 and Ordinance 9543, Section 19, as amended, and K.C.C. 19.04.290.**

B. If more than one section is being amended or repealed, list each section by ordinance, section and K.C.C. number together, as in "Ordinance 13145, Section 2, and K.C.C. 1.45.090, Ordinance 13145, Section 3, and K.C.C. 1.45.100 and Ordinance 13145, Section 4, and K.C.C. 1.45.110." Do **not** use a format that combines sections, such as "Ordinance 13145, Sections 2 through 4, and K.C.C. 1.45.090 through 1.45.110."

C. Cite ordinance sections being amended by the original ordinance and section number and K.C.C. section number. If the section has been amended since the original ordinance that created it, add ", as amended," after the original ordinance section number and before the K.C.C. section number.

D. Specialized ordinances also require additional clauses in the title (bolding for illustrative purposes):

1. If the ordinance prescribes penalties:

AN ORDINANCE related to the conversion of real property to condominium ownership, requiring relocation assistance and code inspection and repair requirements; repealing Ordinance 4189, Section 1, and K.C.C. 20.58.010 **and prescribing penalties.**

**SEE APPENDIX Penalties**

2. If the ordinance appropriates money:

AN ORDINANCE making [**an/a supplemental/a net supplemental**] **appropriation** of \$4,750,000 to the 1991 Series A building acquisitions fund for purchase of Washington center; and amending **the 1991-1992 Biennial Budget Ordinance, Ordinance 9720, Section 94, and Attachment 1, as amended.**

**NOTE: The title also cites the year and that it is the budget ordinance being amended, along with the ordinance and section numbers. Do not use "to provide the appropriate level of appropriation authority" in the title.**  
SEE APPENDIX Appropriations

3. If the ordinance carries an emergency clause:

AN ORDINANCE permitting King County to enter into a six-year lease agreement for the department of public works for office space in the 400 Yesler Building and to allow King County to secure an option to purchase the building; **and declaring an emergency.**

**NOTE: The phrase "and declaring an emergency" should be underlined and should be the last phrase in the title. Because of the way the computer system operates, the underlining will not appear on agendas, but will show up on the actual legislation.**  
SEE APPENDIX Emergency

## **PREAMBLE, STATEMENT OF FACTS, FINDINGS OF FACT**

Background or supporting information may be contained in a preamble, a statement of facts or findings of fact. If findings of fact are required, they must be included in the body of the ordinance. With a proposed ordinance from the executive, the background or supporting information is often contained in a cover letter accompanying the proposed ordinance. Use all preambles, statements of facts and findings of fact sparingly; do not use them as a substitute for what should be in the substantive text of the ordinance.

A preamble, which is a statement of intent or policy, should not be a section of the ordinance. If in an ordinance, the preamble should precede the ordaining clause ("BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:"). A preamble does not contain numbered paragraphs.

A statement of facts, which operates much like a preamble but sets forth the facts underlying the ordinance, is also inserted before the ordaining clause. The paragraphs of a statement of facts are numbered.

Findings of fact are used to include information that is legally required, such as to support the enactment of an emergency ordinance. If used, findings of fact should be included as a section of the ordinance, coming after the ordaining clause.

Generally, preambles, statements of facts and findings of fact are not part of the law and are not codified.

### **Tips:**

A. Do not use "whereas" clauses in an ordinance. "Whereas" clauses are only appropriate in motions.

B. A preamble, statement of facts or findings of fact should not be used in a motion. Background information for a motion may be contained in the "WHEREAS" clauses.

C. Do not include legal descriptions of property in a preamble.

D. Ordinances with emergency clauses must always contain findings of fact that support the finding of an emergency, as well as a separate section declaring that an emergency exists.

**SEE APPENDIX Preamble, Statement of Fact and Findings of Fact**

**SEE APPENDIX Emergency**

## ORDINANCE TEXT

The text of an ordinance should be limited to those statements that are intended to have the force of law. An ordinance may create new material, add new material to an existing ordinance, amend an existing ordinance or repeal an existing section or ordinance. The text should be clear and logically divided into sections according to the subject matter. Generally, if the content of a section cannot be described in a one-line caption, the section should be divided into two or more sections. Short sentences and sections facilitate both comprehensibility and future amendment.

### General Considerations

A. It is imperative to use the most current version of the law. At the beginning of the process of drafting, consult with the clerk's office. The staff will assist you with getting an up-to-date version of the law to use as the base of the legislation, the proper formatting for the legislation and drafting concerns and approaches to take with the legislation.

B. Ordinances amending an existing ordinance must include the full text of the ordinance or resolution section or sections as last amended or, if the material has been codified, the full text of the K.C.C. section or sections as last amended. Citation to the amended sections must be included in both the title and the text of the ordinance. Appropriations ordinances have rules specific to them; **SEE APPENDIX Appropriations.**

C. In many instances, an ordinance has been amended several times. All amending ordinances are deemed merged into the original. Therefore, if amending a section that has already been amended, it is technically necessary only to cite the number and section of the underlying ordinance and make note that the section has been amended.

D. If amending a code section, research the code to be certain that all sections affected in the code reflect recent amendments. Do this by both looking in the written and electronic versions and by contacting the clerk's office. Other sections of the code might refer to the item you are amending and might also require amendment.

E. If amending an existing ordinance's section, which is usually codified section, the entire section must be quoted and the changes must be expressed as shown in the following (K.C.C. 1.24.075):

1. Deleted language and punctuation are set forth in full and enclosed by double parentheses and indicated by single strikethrough like this: ((~~material to delete~~)).
2. Material added to an amendatory section is underlined like this.
3. Deletions should precede new material.

4. If only single words or phrases are left in the middle of deleted or added material, an amendment can be difficult to read. In those cases, it is permissible to delete an entire word or phrase and reinsert the new word or phrase as new material.

5. Do not mistake a word processor's "track changes" function for the same thing as showing these changes as required. Though track changes looks the same as underlining and striking through, it is merely showing how a document has been changed; those underlines and strike-outs are an editing tool for a document-in-progress and should not be used in legislation or amendments under consideration by the council or a committee.

6. If adding or subtracting an "s" from a word, it is permissible to change that part only. For example, "amends" and "amend((s))" are permitted. However, if the entire form of the word is being changed by changing a suffix or a similar change, strike the entire word and insert the new word. For example, "~~((amends))~~ amending."

**SEE APPENDIX Form of Amendment to Existing Ordinance or Code**

### **Attachments (Substantive Attachments)**

If an ordinance refers to attached materials, reliable identification of the attachment is necessary. An attachment that is referred to in an ordinance is a "substantive attachment." A substantive attachment should be clearly labeled by attachment number, title and date. The labels of "Attachment A," "Attachment B," and the like are preferred. Refer to substantive attachments in the form "Attachment A to this ordinance" or "Attachment B to this motion." If a substantive attachment is titled "agreement," "addendum," "Exhibit A" or a similar title, state the title of the attachment in the body of the ordinance to which the attachment is attached. Do not restate or summarize the contents of the attachment as a substitute for its name, though a restatement or summary may be used to supplement the description of the attachment. Be sure that references to an attachment accurately reflect the attachment's title.

If an item intended to be an attachment has its own attachments, they should all be part of a single attachment to the legislation. For example, the materials attached to the legislation would not be Attachment A (the main body of the attachment) plus Attachment B (the attachment to the attachment), but one attachment, Attachment A, that consists of both the main body of the attachment and the main body's own attachment.

Substantive attachments are not codified. Because of this, information that states the law or gives the public notice of the operation of the law should be included in the ordinance itself and should not be contained in an attachment.

Number each page of a substantive attachment sequentially. Split a document into several attachments if having several attachments increases clarity and facilitates page numbering. Using a variety of computer programs to create a single attachment can be difficult; collecting them into a pdf file as a single attachment might be a helpful approach.

If amending a substantive attachment, also change the attachment's date, or date the attachment if the original attachment does not have a date, so identification of the proper version is possible. Amend references to the attachment in the ordinance to reflect any change.

Do not include as a substantive attachment a document that is not mentioned in the body of the ordinance.

Substantive attachments are listed at the end of the signature report on all proposed legislation. The list is generated when the attachments are entered into the Legistar system by staff. The disclosure looks like this:

A. If there is not a substantive attachment:

Attachments: None

B. If there are one or more substantive attachments:

**Attachments:** A. East Sammamish Community Plan dated 9/13/92, B. Area Zoning Map dated 9/11/92

### **Captions and part headings.**

Typically, sections of an ordinance, or chapters being created in an ordinance, should not have captions, and an ordinance should not have part headings. Captions should be created only as part of the codification process after legislation becomes law. Captions and part headings are not part of the law and to include them in legislation creates ambiguity. There are some rare exceptions in which captions are customarily used, such as findings of fact and severability clauses, but they are never mandatory. See K.C.C. 1.02.040.

### **Effective Date and Contingent Effective Date**

A. A section stating an effective date should only be added if the ordinance is intended to take effect on a date later than the date provided in the charter, which is usually ten days after signature by the executive. The only method to ensure an earlier effective date is by adoption of the ordinance as an emergency.

B. A contingent effective date may be used if a condition must be met for the legislation to take effect. Many legal issues might arise in this type of situation, so you must confer with legal counsel if taking this approach.

**SEE APPENDIX Effective Date**

### **Emergency**

The purpose of an emergency clause is to ensure that an ordinance takes effect on the day the council adopts the ordinance. Also, an emergency allows immediate adoption without waiting seven days for a public hearing and it precludes a referendum on the adopted ordinance. An ordinance adopted with an emergency clause is not subject to the executive's veto power unless the ordinance is an emergency appropriation ordinance. An ordinance containing an emergency clause requires six votes to be adopted by the council. In drafting an ordinance with an emergency clause:

A. Add "and declaring an emergency" at the end of the title. The phrase must be underlined in the legislation.

B. Set forth in a findings of fact in the ordinance the specific facts that constitute the emergency.

**SEE APPENDIX Preamble, Statement of Facts and Findings of Fact**

C. Add as the last section of the ordinance the following:

SECTION x. The county council finds as a fact and declares that an emergency exists and that this ordinance is necessary for the immediate preservation of public peace, health or safety or for the support of county government and its existing public institutions.

**SEE APPENDIX Emergency**

### **New Material**

A. If a new section is being added to an existing chapter of the code, it should begin with "NEW SECTION. SECTION [x]. There is hereby added to [K.C.C chapter/Ordinance] a new section to read as follows:". If several sections are to be added to the same chapter of the code, a section directing the codification may be used: "SECTION [y]. Sections 2 through 14 of this ordinance should each be added to K.C.C. chapter ...."

B. If adding a new chapter to the code, identify the title into which the chapter is to be codified and which sections of the ordinance are to be included in the chapter. For example, "SECTION 17. Sections 18 through 32, 34 and 35 of this ordinance should constitute a new chapter in K.C.C. Title 20."

C. Sections relating only to the ordinance that are neither being codified nor being added to another ordinance are not prefaced with "NEW SECTION." These sections include severability, effective date and codification directive sections.

**SEE APPENDIX New Section**

### **Penalties**

An ordinance that establishes a penalty must include "and prescribing penalties" in the title.

The maximum penalty for a criminal misdemeanor is either a fine not to exceed one thousand dollars or imprisonment in the county jail for a period not to exceed ninety days, or both.

The ordinance may instead also state that "punishment is provided by the laws of the state of Washington."

**SEE APPENDIX Penalties**

### **Provisos**

Provisos are appropriate as legal restrictions on appropriations and may be used for that purpose in the budget ordinance and supplemental appropriations. Otherwise, provisos, which are clauses in documents making qualifications, conditions or restrictions and introduced by "provided, that," should not be used. They are considered legalese and are inherently ambiguous. Instead, set out any exception to the general provisions of the ordinance in an independent sentence immediately following the general provisions. Using the form "provided" without including the grammatically necessary "that" does not avoid the problem.

Legal counsel must be consulted when drafting a budget ordinance proviso or an amendment to a proviso. The proviso should specify clearly what is conditioned upon compliance with the proviso and what the consequences for the violation of the proviso are. Expenditure restrictions in the budget ordinance should be treated the same way.

**SEE APPENDIX Provisos and Expenditure Restrictions**

### **Repeals**

A. If repealing a section of the code, both the ordinance section and the code section must be cited. B. If repealing an ordinance that has been amended, it is technically necessary only to cite the original ordinance. However, if all amendments are known, it is permissible to repeal them as well. Be certain you do not repeal an amended section that should be retained.



C. If repealing an entire chapter, repeal each section, stating the ordinance number, section and code section for each, and that they "are hereby repealed." Do not state "K.C.C. chapter 20.58 is hereby repealed," because that approach permanently removes the chapter number 20.58 from the code. A principle of codification is to not use the same code number twice. For example, if a code section is repealed, the same number in the code should not be used again. This principle greatly helps keeping track of the history of the code, which is a vital tool in interpretation and drafting.

D. Do not use the procedure of "repeal and replace" in changing the code. If a section is to be changed to such a degree that it is preferable to repeal the section and substitute another, both repeal the section and add a new section to the code, codified in the same chapter as the repealed section and containing the new language. In this way, a record in the code, independent of the ordinance itself, can be made indicating that language has been changed.

Similar to the principle of not using the same code number twice, avoiding the technique of "repeal and replace" helps avoid problems in tracing the history of a section. "Repeal and replace" makes understanding and interpreting historic material unnecessarily difficult by not clearly showing the changes made to the law.

E. If it is important to retain the section number for practical reasons, such as continued reference to the same subject matter, but the section is being entirely changed, strike through all existing text of the section, surrounding the strikethrough with double parentheses, and replace the text with underlined material. Check with the clerk for assistance if doing this.

F. A repeal must be made using an ordinance section. Citing a repeal in an ordinance's title only is not sufficient to effect the repeal.

**SEE APPENDIX Repealer**

## **Reports**

A. When requiring a report, be clear on who is responsible for creating and filing the report, what the report must contain, when the report is due, where the report is filed and to whom the report is distributed. A typical clause for the filing and distribution is:

By March 27, 2020, the executive must file the report in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff to the budget and fiscal management committee or its successor.

B. A provision regarding a report should not be codified unless the report is ongoing, which often means annual.

### **Severability**

A severability clause is an indication of the council's intent that even if any portion of the ordinance or its application to a specific person or circumstance were unlawful, the council would have enacted the remainder of the ordinance and the remainder should stay in effect.

A severability clause should be the last section of the ordinance unless there is a section declaring an emergency.

Courts usually interpret laws as severable, so severability clauses are often superfluous.

Severability clauses are not codified.

Rarely, a nonseverability clause has been employed. Check with the clerk of the council or legal counsel if considering using a nonseverability clause.

**SEE APPENDIX Severability**

## MOTIONS

A. A motion is used to do such things as:

1. Express policy;
2. Authorize administrative acts and procedures;
3. Express legislative intent;
4. Create special committees;
5. Express an opinion to other groups or bodies;
6. Express recognition for meritorious service or commendation;
7. Express recognition for a special event or commemoration;
8. Appoint committee members; and
9. Request information, by the council, from any other agency of county government..

B. A motion should contain:

1. A title that is general and comprehensive but that contains sufficient information for ready identification. The title should briefly state the purpose of the motion. A motion should contain only one subject.

2. "WHEREAS" clauses that explain the necessity or reason for the motion. Each paragraph of the "WHEREAS" clauses should begin with "WHEREAS,"; if more than one paragraph is necessary, each paragraph except for the last should end with ", and" and the next paragraph should begin with "WHEREAS," (the last paragraph ends with ";"). The "WHEREAS" part of the motion should not be extensive, but should clearly explain the need or reason for the motion.

3. A "moving" clause that states: "NOW, THEREFORE, BE IT MOVED by the Council of King County:".

4. A body that must refer to the specific act, procedure, policy or intent the council is approving or declaring.

5. A notation at the bottom of the signature report citing any substantive attachment or noting that there is none.

**SEE APPENDIX Motion**

Motions may also include **attachments**. See the discussion of attachments on pages 13 and 14 of this drafting guide for more information.



## COMMITTEE AND COUNCIL AMENDMENTS TO PROPOSED LEGISLATION

It is important to be clear in what sense the term "amendment" is being used when discussing amendments.

If an ordinance has become law, an ordinance including an amendment is used to change the original ordinance. That type of amendment calls for following the formatting and other requirements discussed in pages 12 and 13 of this drafting guide. A motion may not be amended after being adopted by the council; to change a motion, the motion must be rescinded and a new motion must be created to accomplish the change.

However, another type of amendment, a committee or council amendment, is used to change proposed legislation before the proposed legislation becomes law. That type of amendment may be made whether the proposed legislation is an ordinance or a motion. It is an instruction of how to rewrite the proposed legislation. And that is amendment discussed in this part of this drafting guide.

Amending proposed legislation is the most-misunderstood and easily confused element of legislative drafting. Before working on that type of an amendment, check with the clerk's office for assistance.

A. A committee or council amendment must be provided to the clerk or committee assistant in writing, either before or at the meeting, and distributed to each councilmember. The amendment must contain the date, the name of the councilmember offering the amendment, the number of the proposed ordinance or motion to be amended and the page and line number of the proposed ordinance or motion to be amended. Oral amendments, many of which are "friendly" amendments designed to expediently fix a problem with the proposal, may also be used. However, because oral amendments also increase the probability of uncertainty and inaccuracy, they should be used sparingly.

Effect statements are often used to explain amendments. Be sure that the claims of the effect statement are accurate and complete.

### **SEE APPENDIX Amendment to Proposed Legislation**

B. A committee or council amendment to proposed legislation changes the piece of legislation that is, in turn, changing the law. Do not think of an amendment as simply changing the law. That distinction will help avoid some common errors in drafting amendments.

Use quotation marks (not apostrophes) for all quoted material. Quote exactly what appears in the proposed legislation and what is being inserted or deleted; account for all punctuation, underlining and strikethroughs. Do not inadvertently

add any material within quoted material. To avoid misinterpretation, do not put a period at the end of each amendment to "finish" what looks like a sentence.

Keep amendments simple. Identifying the context for an amendment with "after \_\_\_\_\_" without adding "and before \_\_\_\_\_" to the amendment is usually sufficient. However, be sure the same word used to identify the placement does not show up in another spot close enough to cause confusion. If that happens, use more words to identify the context.

Do not assume that any other amendments are incorporated. Write amendments directly to the legislation being amended.

Never use underlining and strikethrough, commonly known as "legislative format," when amending new material. Only use underlining and strikethrough if amending material that is amending existing ordinance, as shown in the examples.

### C. Examples.

1. Amendments to a new section, whether or not the new section is being codified.

Example being amended:

1            SECTION 1. The executive is hereby authorized to enter an interlocal agreement.

a. To add new material:

On page 1, line 1, after "agreement" insert "with the city of Issaquah"

b. To delete material:

On page 1, line 1, after "enter an" strike "interlocal"

c. To add and delete material in the same place in a new section:

On page 1, line 1, after "enter" strike "an interlocal" and insert "a new"

2. Amendments to an amendatory section. Amending a proposed ordinance that is itself making amendments to a codified or uncodified ordinance can be confusing. Think of what the proposed ordinance being amended will look like after the amendment is integrated into it. Be sure to ask the clerk's office for assistance.

Example being amended:

SECTION 1. Ordinance 4514, Section 1, and K.C.C. 6.01.180 are hereby amended to read as follows:

The director or designee is authorized to take such lawful action, including ~~((the))~~ writing and insurance of misdemeanor citations, as ~~((may be))~~ is required to enforce the provisions of any business license codified in this title.

a. To add new material to an existing ordinance (note that new material must be shown by underlining):

On page 1, line 4, after "citations" insert "and the posting of notices of violation"

b. To delete material in an existing ordinance (note that a direction to delete or strike material is in itself insufficient to change material in an existing ordinance – the material being deleted must be shown in the ordinance as struck out and within double parentheses):

On page 1, line 5, after "license" strike "codified" and insert "~~((codified))~~"

c. To restore material being struck by the proposed ordinance (note that the restored language is not underlined):

On page 1, line 4, after "including" strike "~~((the))~~" and insert "the"

d. Finally, this amendment not only restores a proposed change to the original language of the code but also makes an additional change in that same place of the code:

On page 1, line 3, after "citations, as" strike "~~((may be))~~ are" and insert "~~((may))~~ might be"

D. If adding or deleting one or more sections, add this phrase to the end of the amendment:

Renumber the remaining sections consecutively and correct any internal references accordingly.

This instructs the person preparing the final version ("engrossing" the legislation) to make those types of changes. The directive is not in quote marks.

This type of directive could also be used for moving subsections in sections comprised solely of new material. However, it should not be used to effect changes within amendatory sections. For amendatory sections, each change must be indicated with the necessary strikethroughs, including being bracketed with double parentheses, and underlines, and should not be done merely by directive.

A title amendment might also be necessary if sections are being added or deleted.

E. A striking amendment is one that strikes all text of an ordinance or motion after the title and inserts new language. The new language may not change the scope and object of the proposed ordinance. A striking amendment may be used if there are substantial changes to the proposed ordinance or motion. If the amendments are not considerable, the line amendment process should be used. A striking amendment strikes all language of the legislation through the last line of text. A striking amendment often requires an accompanying title amendment to correct the ordinance's title. Changes to attachments are also sometimes required.

Do not confuse an amendment that strikes some, but not all, text with a striking amendment. An amendment that changes anything less than the entire text after the title is not a "striking amendment" but is a "line amendment." Even when an attachment is replaced, that is a "line amendment" and not a "striking amendment."  
**SEE APPENDIX Striking Amendment**



F. If amending an attachment, replace the attachment to the proposal with a new version of the attachment. The effect statement of the amendment may be used to explain what changes are being made. For example:

Strike Attachment A, Interlocal Agreement between King County and Woodinville, dated April 1, 2020, and insert Attachment A, Interlocal Agreement Between King County and Woodinville, dated April 15, 2020.



## STYLE GUIDE

### General Considerations

A. Everything named in an ordinance should be given its correct current name. For county-related names, this name is usually found in the ordinance that created it. Colloquial and popular names are not appropriate. Also, popular acronyms should not be used if the acronym is not defined in the context of the legislation.

B. Everything referenced in the title of an ordinance must be included in the body of the ordinance. References in the title include amendments, new sections, repeals, recodifications and decodifications to code or ordinances, penalties and emergencies. See the section on Ordinance Titles beginning on page 8 of this drafting guide.

C. Use gender-neutral language. If referring to a single person, name the person to avoid using a pronoun. Do not use "he or she," "his or her," "he/she" or "his/hers" or similar constructions.

### Punctuation and Grammar

A. **Commas.** A comma is to be used only if required. The most important uses of the comma are described in the following:

1. In a series of three or more words or phrases, a comma is used after each item except the last word or phrase before the conjunctive ("and") or disjunctive ("or"), as in "red, white and blue," and "this, that or the other." Draft carefully to avoid ambiguity.

2. Place commas around the year if used in a date. For example: "From December 1, 2022, through November 30, 2025, the department shall . . ."

3. If a qualifying phrase applies to all antecedents instead of the immediately preceding antecedent only, separate the qualifying phrase from the antecedents with a comma. This is called the last antecedent rule. For a discussion on the rule, see the Washington State Bill Drafting Guide.

4. Commas set off a nonrestrictive clause but commas should not set off a restrictive clause, which is essential to the meaning of the word being modified. Compare the following two sentences, which illustrate a restrictive clause and a nonrestrictive clause, respectively:

Children who love to eat should go to that restaurant.  
Children, who love to eat, should go to that restaurant.

Compare with the use of "that" and "which" on page 31 of this drafting guide.

5. A comma is used to separate the independent clauses of a compound sentence but should not be used to separate the noun from the verb in a simple sentence. The following examples illustrate the proper use and omission of commas in a simple sentence and a compound sentence, respectively:

The board may adopt rules to implement this chapter and shall report by February 1 each year to the executive.

The board may adopt rules to implement this chapter, and the board shall report by February 1 each year to the executive.

**B. Semicolons.** A semicolon is not used where a comma suffices but is used to separate phrases already containing commas. A semicolon, not a period or a comma, is used following each item in a series listing that is introduced by a colon. For example:

The board has the following duties: approval of minutes; consideration of motions; appropriation of funds; and the hiring, salary range and termination of employees.

However, for a sentence with this kind of structure, tabulation should be seriously considered.

### **C. Tabulation.**

1. Break a sentence into its parts and present them in tabular form only if this makes the meaning substantially more clear.

2. Use a single "or" to indicate the disjunctive and a single "and" to indicate the conjunctive at the end of the next-to-last item in a series. Use a semicolon at the end of each item in the series.

3. To indicate the disjunctive or conjunctive in a series, use a phrase in the introductory clause of the series that clearly expresses how many of the following items are to be included, as in "any of the following," "one of the following," "all of the following" or "any one or more of the following." This can be done to replace "and" and "or." This is the only place a directional phrase, such as "the following," is appropriate. Do not use phrases such as "above," "below" or "herein," which are ambiguous. See words and phrases to avoid in subsection K of this style guide on pages 32 through 37 of this drafting guide.

4. Language that qualifies all of the items should not be included in the last item of the tabulation. That language should be included in the introductory phrases to the tabulation. Rewrite the paragraph if it is too convoluted to be easily understood.

5. Do not place a sentence or paragraph after tabulation. If the sentence or paragraph is not part of the tabulated series, or is not solely part of the last item in the tabulated series, draft it as a separate subsection or paragraph.

6. Do not use bullets or other graphics to indicate items in a list. Enumerating items is the best way to differentiate between them because enumeration allows clear reference to the items. Keep in mind that legislation, not a presentation, is being written.

7. Do not number an item if it is the only item in the list. For example, there should not be a subsection A. if there is not a subsection B.

**D. Provisos.** Provisos should not be used except in budgetary matters. See the discussion on page 16 of this drafting guide.

**E. Colons.** A colon is used to introduce a list. See subsection B of this style guide pertaining to semicolons on page 28 of this drafting guide. Colons are also used in provisos. See subsection D of this style guide (on this page) pertaining to provisos on this page and the discussion on page 16 of this drafting guide for more on provisos.

**F. Quotation marks.** Quotation marks are used to set off a particular word or phrase under discussion, as in a definition of a term. If the end of a quotation coincides with another punctuation mark, several rules should be observed. Periods and commas are always placed inside the quotation marks. All other punctuation marks, such as colons, semicolons, question marks and exclamation points are placed inside the quotation marks only if they are part of the material being quoted.

Quotation marks are also used in amendments to proposed legislation. See the discussion of committee and council amendments to proposed legislation on pages 21 through 25 of this drafting guide.

Regular quotation marks (") rather than "smart" quotation marks (“ ”) must be used, because "smart" quotation marks are often rendered erroneous after text is edited.

**G. "Shall," "may," "will" and "must."**

1. Draft in the present tense; legislation speaks at the time it is read. Therefore, "shall" should not be used to state a proposition in the future tense. "Evidence is admissible . . ." is preferable to "Evidence shall be admissible . . ."

2. "Shall" should be used to create a legal obligation, that is, to require the performance of an act. For example, "the executive shall appoint a director . . ."

3. Avoid using a negative subject with an affirmative shall. "A person may not . . ." is preferable to "No person shall . . ." The latter means that no one is required to act. So read, it negates the obligation, but not the permission, to act. On the other hand, "A person may not . . ." negates the permission and is, therefore, the stronger prohibition. To avoid confusion, the drafter should use the affirmative form, "A person may not . . ." rather than negative forms such as "No person may . . .," "No person shall . . ." or the slightly ambiguous "A person shall not . . ."

4. "May" indicates discretion and is used to confer a right, privilege or power.

5. Do not confuse the words "may" and "might." "May" confers authority, as in "A person may file a petition." "Might" describes a possibility, as in "The director shall alert the emergency coordinator if there might be snow."

6. To determine whether the use of "shall" or "may" is correct, a helpful test is to substitute for the word "may" the words "has the authority to" and substitute for the word "shall" the words "has the duty to." This reading makes it readily apparent whether the word is correct.

7. "Will" should generally be avoided, because it is ambiguous as to meaning and is more a prediction than a requirement or authorization. For the King County Code, in K.C.C. 1.02.030, it is defined as mandatory, but that is not always clear in context. "Shall" is clear and preferable for mandatory language.

8. "Must" is generally not used. It can be useful in situations like this, but other wording is usually a better alternative:

The applicant "must be" (inactive verb) an adult.  
Prior convictions "must be set forth" (active verb in passive voice) in the application.

Use "must not" if the verb it qualifies is an inactive verb or an active verb in the passive voice. Examples:

The applicant "must not be" (inactive verb) a convicted felon.  
The application "must not be filed" before the end of the reporting period.

Active voice is preferable to passive voice. If the word "must" seems appropriate because of passive voice, the drafter should improve the phrase to avoid ambiguity.

9. Always check the context in which words are being used. Many words and phrases have been defined in the code.

H. **"That" and "which."** "That" introduces a restrictive clause. "Which" introduces a nonrestrictive clause. If the drafter does not clearly differentiate between restrictive and nonrestrictive clauses, "that" and "which" are misused. These are examples of the differences between the two uses:

Cats that love to chase dogs shall go to the kennel [refers to certain types of cats].

Cats, which love to chase dogs, shall go to the kennel [refers to all cats, indicating that all cats have a common love of chasing dogs, and all shall go to the kennel].

This sentence is incorrect because of its ambiguity:

Cats which love to chase dogs shall go to the kennel.

"Which" is seldom the appropriate word in drafting legislation because legislation is usually intended to specify items and not merely describe them.

#### I. **Tense, mood and voice.**

1. Use the present tense instead of the future tense. "A person who violates this section . . ." is preferable to "A person who shall violate this section . . . ." Similarly, use the present perfect tense 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 . . . ." (though ". . . a person who violated . . ." is even better).

2. Proper drafting uses both the indicative mood and the imperative mood, but the uses of the two moods are distinct. The proper role of the imperative mood is to create a legal duty or prescribe a rule of conduct, as in, "The department shall adopt rules." The imperative mood should not be used merely to state a legal result. "This chapter shall not apply to . . ." and "'Vehicle' shall mean . . ." are both "false imperatives" because the purpose of the provision is achieved by the very act of declaring the legal result. As self-executing provisions, the indicative mood is proper. Thus, "This chapter applies to . . ." and "'Vehicle' means . . ." In neither situation is the subjunctive mood appropriate, as in "If the director shall decide that . . . ."

3. The active voice is preferable to the passive voice. The active voice forces the drafter to identify the party who is required or authorized to act. Thus, "The commission shall adopt rules . . ." is less ambiguous than "Rules shall be adopted . . ." or "Rules must be adopted . . . ."

J. "**Fewer,**" "**less.**" "Fewer" refers to number or individual countable items. "Less" refers to degree or quantity or general amounts. Examples:

Nonfat milk has fewer calories than whole milk.  
We have less milk than I thought.

K. **Words and phrases to avoid.** Using the suggested substitutes for the following words or phrases can eliminate ambiguity, wordiness and legalese.

**Avoid**

above  
  
afforded or accorded  
aforesaid, aforementioned,  
before-mentioned  
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  
below  
  
carry out  
commence  
constitute and appoint  
deal with  
deemed to be  
\$1,000,000 dollars  
during such time as  
during the course of  
, e.g.  
  
each and all  
either directly or indirectly  
"..." (ellipses)

**Use**

be more specific; for example,  
cite the subsection  
given  
"the," "that" or "those"  
  
"either A or B, or both" or "any  
combination of . . . or"  
(either word)  
(usually unnecessary – delete)  
when  
when  
may  
  
is  
be more specific; for example,  
cite the subsection  
"execute" or "complete"  
begin  
appoint  
"address" or "conduct"  
is  
one million dollars  
while  
during  
", such as" or a new sentence  
beginning "For example,"  
(use either word)  
(do not use)  
". . ." (two periods in a row  
cause problems for the



	computer system).
	Avoid ellipses Generally, though.
employ (meaning to use)	use
etc.	(do not use)
every person, all persons	a person
except when otherwise provided	(do not use)
expend	spend
fail, refuse or neglect	fail
following section	section <u>(fill in number)</u>
formulate	make
for the duration of	during
for the reason that	because
forthwith	immediately
from and after	after
from July 1	after June 30
full and complete	full
fund (when referring to something other than an accounting unit created under K.C.C. chapter 4A.200.	"moneys." 'proceeds" or another appropriate word.
give consideration to	consider
greater than	more than
has the duty to	shall
have need of	need
hereafter	after the effective date of this ordinance (or section)
hereby	(do not use)
herein, hereinafter, hereinbefore, hereinabove, above, below, following, preceding	(these are objectionable if referring to the position of a section or other position; if reference is necessary, specify the title, chapter, section or subsection by number)
heretofore	before the effective date of this ordinance (or section)
i.e.	"; that is," or "in other words," (but is the phrase necessary?)
in case	If
initiative (if used to mean a proposal or proposed legislation)	"proposal" or "proposed legislation" ("initiative" has a Charter-related meaning, which is legislation proposed by petition)

in order to	to
inquire	ask
institute (verb)	"begin" or "start"
in the event that	if
in the interests of	for
is able to	can
is applicable	applies
is authorized to	may
is binding upon	binds
is defined as and shall be construed to mean	means
is directed to	shall
is empowered to	may
is entitled to	may
is hereby authorized to and it shall be the person's duty to	shall
is required to	"shall" (if an action) or "must" (if a condition). But see discussion of "shall," "may," "will" and "must" in this drafting guide.
is unable to	cannot
it is the person's duty to	shall
it is lawful to	may
make application	apply
make payment	pay
make provision for	provide for
means and includes	"means" or "includes" as required
modify	change
necessitate	require
no later than June 30th	by July 1
none whatever	"none" or "no"
"nonprofit" or "non-profit" (as a noun)	"nonprofit organization" or "nonprofit corporation" as appropriate
not later than	by
null and void	void
occasion (verb)	cause
of a technical nature	technical
on and after July 1st	after June 30
on the person's own application	at the person's request
on or after July 1st	after June 30
on or before July 1st	by July 1
operable	operative
or, in the alternative,	or

per (when intended to mean "as authorized by," "regarding," "referring to," "in accordance with" or similar specific phrase	"as authorized by," "regarding," "referring to," "in accordance with" or appropriate specific phrase
per annum	a year
per centum	percent
period of time	"period" or "time" as required
prior to	before
promulgate	adopt
provided (conjunction)	"if" or "but"
provided, that	"except," "but" or "however," or start a new sentence
provision of law	law
purchase	buy
pursuant to	"in accordance with," "under," "as authorized by" or "in carrying out"
regulations	rules
render (meaning "to give")	give
retain	keep
rules and regulations	rules
said	"the," "that" or "those"
same	(use appropriate pronoun)
set forth in	in
shall be	is
shall be construed to mean	means
shall be deemed to be	is
shall constitute	is
shall have the power to	may
shall mean	means
sole and exclusive	exclusive
subject to the provisions of	under
subsequent to	after
such	the
suffer	allow
sunsets	expires
terminate	end
the provisions of	(do not use)
to provide the appropriate level of appropriation authority	(do not use, especially in the title of an appropriation ordinance)
to wit	(do not use, or use "namely")
under the provisions of	under
unless and until	"unless" or "until" as required
until such time as	until
utilize	use

whatsoever	whatever
whensoever	"when" or "if"
wheresoever	where
whomsoever	(archaic; improper)
whosoever	whoever

Do not make up words. Be extremely reluctant to use words that are not found in the dictionary.

Do not use made-up words such as verbs created from nouns. Those words often end in **"-ize"** or **"-ization."**

Avoid the use of **"such"** or **"said"** as a substitute for **"the," "that"** or a pronoun. Instead, use **"the," "that"** or the pronoun. **"The"** is usually preferable, and is usually perfectly clear. If a sentence is not clear enough that **"the"** can be used, consider rewriting the sentence. If **"such"** must be used, **"such"** requires the addition of **"a"** before a true singular noun, as in **"such a person."**

Do not use **"and/or."** This construction is unclear. Use the appropriate phrase **"either A or B, or both"** or **"any combination of . . . or . . . ."** Most of the time, either **"and"** or **"or"** should suffice.

Avoid **adjectives** such as **"real," "true"** and **"actual"** and **adverbs** such as **"duly"** and **"properly."** Because these ideas are normally implied, expressing them in some instances creates doubt that they are implied elsewhere. Similarly, **"a court of competent jurisdiction"** is the only type of court that could legitimately hear a case, so **"of competent jurisdiction"** is superfluous.

Be cautious if using **"adopted," "enacted,"** or **"passed."** According to the charter, **"adopted"** means the time that five affirmative votes of the council, or six affirmative votes for emergency ordinances, are made. **"Enacted"** is when: the executive approves an ordinance, including an emergency appropriation ordinance; the council adopts an emergency ordinance, other than an emergency appropriation ordinance; or a veto is overridden by the council. **"Passed,"** as used in the charter, is only used in connection with the approval of motions.

L. **Italics.** Italics are used in these instances:

1. Case names. The case name is italicized, but the location information is not. For example: *Citizens Council v. Bjork*, 84 Wn.2d 891 (1975); and

2. Scientific names. For example, the state fossil is the Columbian mammoth of North America (*Mammuthus columbi*). The scientific name is always italicized, with the first word capitalized and the second and subsequent words not capitalized, no matter what their derivation. If the genus name is used by itself (in this case, *Mammuthus*), it is still capitalized and italicized. The scientific name is

placed in parentheses after the popular name, if used, but may also be referred to alone. Groups of higher ranks, such as phyla, classes or orders, are not italicized, as in "the phylum Brachiopoda." For examples, see RCW 77.08.020.

## Numbers

A. Quantities and amounts should be written in words, not figures, as in:

one and one-half  
two and one-tenth percent  
twenty-seven one-thousandths  
four hundred sixty-seven feet  
population of twenty thousand  
one hundred sixteen dollars  
nine hundred dollars and sixty-three cents  
six percent

The budget ordinance and other appropriation ordinances and tables are exceptions to this rule.

Do not repeat numbers in bracketed numerals (as in "four (4)"). Do not add "and" to longer numbers. For example, write "one hundred one" rather than "one hundred and one."

Compound numbers from twenty-one to ninety-nine are hyphenated. Fractions are also hyphenated unless the numerators or denominators are compound numbers that also require hyphens.

Examples:

two-thirds  
two thirty-thirds  
twenty-three one-hundredths

B. Dates. A cardinal number (April 1) should be used rather than an ordinal number (April 1st).

April 1, 2010, (commas on each side of year)  
April 1 (preferred)  
April 1st (though April 1 is preferred)  
first day of April (though April 1 is preferred)  
first of April (though April 1 is preferred)  
April 2nd (though April 2 preferred)  
March 31st (though March 31 is preferred)  
September 30th (though September 30 is preferred)  
the 2011-2012 school year

January 2010 (no commas)  
January 2010 through June 2011 (no commas)  
January 1, 2010, through June 1, 2011, (commas on each side of years)

Be sure that a computer's automatic correction feature does not turn an ordinal number like "April 2nd" into "April 2<sup>nd</sup>" (though ordinal numbers should seldom be used). The same thing is true for such numbers as street numbers ("42nd Street," not "42<sup>nd</sup> Street").

## **Capitalization**

Examples of capitalization for drafting ordinances and motions:

Americans with Disabilities Act  
Attachment A to this ordinance  
2017-2018 Biennial Budget Ordinance, Ordinance 18409,  
2017-2018 biennium  
Capital Improvement Program  
Cascade mountains  
CIP (Capital Improvement Program)  
CIP Project 377183, Inventory Tracking and Asset Management  
K.C.C. chapter 2.98  
city ("city of Redmond")  
(North Bend) city council  
Civil Rule 60  
Comprehensive Plan  
(King County) council  
(King County) council district one (or council district 1)  
county (on its own)  
department (of natural resources and parks)  
(Washington state) Department of Ecology  
(United States) Department of Energy  
(parks and recreation) division  
Elliott Bay  
(King County) executive  
federal  
federal Endangered Species Act  
King County ferry district  
King County flood control zone district  
Geographical names: "Elliott Bay," "Cascade mountains," "Lake  
Washington," "Duwamish river"  
Harborview Medical Center  
(Washington state) House of Representatives  
Internet  
Judge Jones

K.C.C. 20.04.010  
K.C.C. chapter 20.04  
K.C.C. Title 20  
King Conservation District  
King County  
King County Code [usually written "K.C.C."]  
King County council  
King County International Airport  
Lake Washington  
(Washington state) Legislature  
line  
Maury Island  
metropolitan King County council  
Names of businesses: "Cascade Chocolate Company"  
Names of colleges and universities: "University of Washington"  
Names of county boards, bureaus, departments or officers:  
    "department of licensing," "director of the department of  
    licensing"  
Names of county funds: "the jail renovation and construction fund"  
Names of nations, states, cities, towns and counties: "city of  
    Bellevue, "Washington state"  
Names of outside agencies: "Sound Transit"; "(Washington state) Department of  
Licensing"; "Federal Aviation Administration" (if "Federal" is part of its proper  
name); "United States Department of Agriculture"  
Names of people: "Judy A. Jones"  
Pacific Northwest  
page  
Pine Lake park  
Pierce County  
Port of Seattle  
Puget Sound  
Regional Justice Center  
Revised Code of Washington  
(Bellevue) school district No. 405  
section  
section 2 of this ordinance  
Ordinance 14000, Section 2,  
(Washington state) Senate  
Snohomish County  
State Environmental Policy Act  
state of Washington  
Street names: "Southeast 43rd Avenue" or "SE 43rd Ave"  
superior court  
Ryerson transit base  
United States Congress  
United States House of Representatives

United States Senate  
Northshore Sewer District  
United States Supreme Court  
Northshore Utility District  
Urban Growth Area  
Washington state  
Washington state Department of Ecology  
Washington State Register  
(Washington state) Supreme Court  
(Washington state) Treasurer  
Northshore Water District  
X ray [noun]  
X-ray [adjective]

Do not capitalize county titles such as division names, department names, "clerk of the council," "manager" or names or titles of legislation, except in some boilerplate language of ordinances or motions.

Capitalize the first letters of each word in the titles of most local, state and federal agencies and statutes and noncounty entities such as businesses or governmental bodies.

Capitalize the first word after a colon only if the word is a proper noun or the start of a complete sentence.

If the King County Code is incorrect in its capitalization, correct the code in any ordinance being written.

If using the scientific name of a plant or animal, capitalize the first word in the genus name but no other scientific names. See the discussion about scientific names on pages 36 and 37 of this drafting guide.

## Spelling

A. Write:

a.m.	kidnapping
attorneys' fees	master's degree
attorneys general	moneys
benefited	p.m.
benefiting	rescission
canceled	therefor (for)
canceling	therefore (only if meaning
cancellation	consequently)
capital (meaning city or	totaling
money)	traveled



capitol (meaning buildings)	traveling
commitment	Veterans Affairs
fulfill	voters' pamphlet
kidnapped	willful

B. The following are written as one word:

aircraft, air...  
antifreeze  
biweekly  
bylaw  
cleanup (noun)  
cochair (most words with the prefix "co")  
coextensive  
collocate (place in proximity, especially referring to words; seldom appropriate in legislation)  
colocate (share common facilities)  
councilmember  
councilmember  
counterclaim  
countywide  
coursework  
courthouse  
crosswalk  
cutoff (noun or adjective)  
database  
dropout (noun or adjective)  
email  
handbill  
inpatient  
insofar  
landowner  
layoff (noun)  
letterhead  
livability  
marketplace  
motorboat  
nighttime  
nonjudicial (most words with the prefix "non")  
ongoing  
pari-mutuel  
payoff (noun)  
percent  
policyholder  
policymaker  
posttrial (most words with the prefix "post")  
preeminent (most words with the prefix "pre")

punchcard  
 quitclaim  
 ratepayer  
 rearview  
 recordkeeping  
 reestablish (most words with the prefix "re")  
 runoff  
 safekeeping  
 secondhand  
 semiannual (most words with the prefix "semi")  
 setoff (noun)  
 shorelands  
 statewide  
 stormwater  
 subcommittee  
 supersede  
 textbook  
 tidelands  
 timberland  
 timeline  
 trademark  
 wastewater  
 watercourse  
 watercraft  
 waterworks  
 workload  
 workplace  
 worksite  
 worldwide

Note: In general, words created by using prefixes such as "non," "pre," "re," "semi" and "sub" or suffixes such as "wide" should not be hyphenated ("nonprofit," "reestablish," "nonrevenue"; other typical examples are found in the table). All "multi" words, except those with root words beginning with an "i," are written as one word. Examples: "multifamily"; "multi-industrial." Hyphenation should also be used for clarity. For instance, "re-sign" has a different meaning than "resign." However, those hyphenated terms are extremely rare. Finally, hyphenate if the prefix is before a proper noun, as in "trans-Auburn" or "non-Issaquah."

C. The following are written as two words:

air space	pay off (verb)
at large	per annum (but per year is preferred)
cut off (verb)	per capita
day care	post office
decision making (noun)	

drop out (verb)	pro rata (but "prorated")
ex officio	punch board
part time (noun)	ride sharing (noun, verb)
fire fighter	rule making (noun, verb)
first aid	street car
first class	time frame
food fish	to wit
full time (adverb)	traffic control
horse racing	work force
park owner	X ray (noun)
part time	

Note: Some of these two-word phrases should be hyphenated if used as compound adjectives. For examples, see subsection E of this style guide (on this page).

D. The following are written as three words:

attorney at law  
attorney in fact  
miles per hour (except mph if in a table)  
reduction in force  
right of way (when used as a noun)

E. The following are written as hyphenated words:

before-and-after-school	one-half
by-product	on-site
clean-up (adjective)	out-of-state
court-martial	part-time (adjective)
cross-examined	pull-tabs
cross-pollination	quasi-judicial
cross-reference	quasi-municipal
decision-making (adjective)	ride-sharing (adjective)
even-numbered	right-of-way (adjective)
fact-finder	rule-making (adjective)
fact-finding	second-hand (adjective)
full-time (adjective)	self-esteem
fund-raiser	self-incrimination
fund-raising	so-called
in-service	trade-off
in-state	up-to-date
limited-access (highway)	vice-chair
long-range	vice-presidency
non-Indian	vice-president

odd-numbered (do not use well-being  
"oddly numbered") X-ray (adjective)

Adjectives composed of two or more words are usually hyphenated when they precede a noun, even though the phrase would not be hyphenated if standing alone, such as "low income," "one year," "full time" and "part time." Example:

A low-income person may serve a three-year term.

This is necessary to avoid ambiguity. Compare the following sentences:

A person may purchase two dollar tickets.  
A person may purchase two-dollar tickets.

The ill educated person sold a little used car.  
The ill-educated person sold a little-used car.

I came across a person eating tiger.  
I came across a person-eating tiger.

Do not hyphenate between an adverb ending in "ly" and the adjective it modifies. For example, "substantially new construction" does not need a hyphen.

## Numbering and Citations

A. Subsections and subparagraphs are enumerated as follows:

- A.
- B.
  - 1.
  - 2.
    - a.
    - b.
      - (1)
      - (2)
        - (a)
        - (b)

B. Internal references to these subdivisions may be made as follows:

section 29.A.1.a. of this ordinance  
subsection A. of this section  
subsection B.1.a. of this section  
subsections A. and B. of this section  
subsection A. or B. of this section  
subsection A.1. and 2. of this section

subsection A.1. or 2. of this section  
this subsection A.1.  
this subsection A.2.c.

Internal references may also be made using the entire code citation. For instance, a reference such as "K.C.C. 1.23.040.B.2.a." could be made in K.C.C. 1.23.040A.

### C. Citations.

#### 1. Citation to the King County Code.

The code should be cited as "K.C.C." A code title should be cited as "K.C.C. Title 22." A code chapter should be cited as "K.C.C. chapter 22.04." A code section should be cited as "K.C.C. 22.04.010." Through references should be cited as "K.C.C. 22.04.010 through 22.04.050." A series of sections should be cited as "K.C.C. 22.04.010, 22.04.020 and 22.04.030." Subsections should be cited as "K.C.C. 22.04.070.B" or "K.C.C. 22.04.070B.1.c.(2)." If an ordinance has been codified, a citation in subsequent legislation should be to the code section rather than the ordinance.

#### 2. Citation to the King County Charter.

The charter should be cited as "the King County Charter." An article should be cited as "Article 2 of the King County Charter." A section of the charter should be cited as "Section 220 of the King County Charter." A series of sections should be cited as "King County Charter Sections 220, 230 and 240 of the King County Charter." Through references should be cited as "Sections 220 through 240 of the King County Charter." A subsection should be cited as "Section 220.10 of the King County Charter."

#### 3. Citation within an ordinance.

Use "this ordinance," "section 5 of this ordinance," "section 4B.1 of this ordinance" or similar phrases. Be sure to consider the effect of codification. For example, if a reference is intended to be to the chapter or title of the King County Code into which the section is to be codified, use "this chapter" or "this title." Be careful if using a phrase such as "this ordinance" to be certain that "this ordinance" is what is intended and not something like "this title" or "this chapter."

4. If an ordinance is being cited as being amended in either the title or text, the citation is done in the following order: Ordinance \_\_\_\_\_, Section \_\_\_\_, K.C.C. \_\_\_\_\_. If the section has been amended since its original adoption, add ", as amended," after "Section \_\_\_\_."

5. Do not use "No." after "Ordinance," "Motion" or "CIP" when citing in either the title or text of an ordinance or motion.

6. Do not divide code numbers. Write each number completely on one line.

7. Citation to the Revised Code of Washington and Washington Administrative Code.

The code should be cited as "RCW." An RCW title should be cited as "Title 7 RCW." An RCW chapter should be cited as "chapter 7.24 RCW." An RCW section should be cited as "RCW 7.24.010." A series of sections should be cited as "RCW 7.24.010, 7.24.020 and 7.24.030." Through references should be cited as "RCW 7.24.010 through 7.24.100." Citations to the Washington Administrative Code are done in a similar fashion, as in "WAC 1-06-020." Note that the WAC uses hyphens rather than decimals.

#### 8. Citation to Washington Laws.

Section \_\_\_\_, Chapter \_\_\_\_, Laws of Washington 20\_\_.

If the bill has passed but has not yet received a chapter number additional information is helpful:

Section \_\_\_\_, Chapter \_\_\_\_, Laws of Washington 20\_\_ (Engrossed Second Substitute House Bill \_\_\_\_),

Note that citation to a state bill that has not become law should be avoided. Also, do not use abbreviations, such as "ESSHB," but spell the citation out ("Engrossed Second Substitute House Bill").

9. For other citations, use the "Blue Book" (A Uniform System of Citation published by The Harvard Law Review Association) and the State of Washington Bill Drafting Guide.

## FORMATTING GUIDE

This formatting guide is intended to assist people drafting legislation intended for future entry into the county's legislative information system. A drafting template that addresses many of these guidelines is available to council staff. The page should be set up with 1" margins on the top and bottom and 1.25" margins on the left and right, with no gutter. The required indentations are indicated in the samples. The appendixes at the end of this drafting guide also have formatting information.

### Sample Ordinance

1 ..Title

2                   AN ORDINANCE . . . (Title goes here. Indents 1 inch  
3                   from both left and right margins).

4 ..Body

5           PREAMBLE: (if there is one)

6           Indents for preambles are set 1/2 inch from both margins.

7           Paragraphs in a preamble are not numbered.

8   \*\*\*\*\*Or\*\*\*\*\*

9           STATEMENT OF FACTS: (if there is one)

10           1. Set indents for statement of facts are set 1/2 inch from both margins.

11           2. Number paragraphs beginning with "1." The numbers are flush with  
12           the remainder of the paragraph. Be sure that AutoFormat numbering is  
13           not on.

14           BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

15           (The ordaining clause is indented 1/2 inch from the left margin.)

16           NEW SECTION. SECTION 1. There is hereby added to K.C.C. chapter 2.04 a

17   new section to read as follows:

18           The introductory material for a section is indented on the first line 1/2 inch from  
19 the margin. Also, indent the first line of every paragraph. Use two spaces after "NEW  
20 SECTION." (if used) and after the section number ("SECTION 1."). Spacing otherwise  
21 follows spacing shown in this drafting guide.

22 .....  
23 Attachments: A. The name of the electronic file of a substantive attachment  
24 MUST be exactly the same as the title on the attachment itself and as listed here.  
25 If using the council's drafting macros, note the names of the attachments in the  
26 table at the top of the document (see **APPENDIX Form of Amendment to**  
27 **Existing Ordinance or Code**). B. Any other substantive attachments are listed  
28 consecutively. C. The drafting templates for council and executive staff have  
places in the heading information for listing attachments.



## Sample Motion

1 ..Title

2                   A MOTION...(Title goes here. Indents 1 inch from both  
3                   left and right margins).

4 ..Body

5           WHEREAS, the "whereas" clauses go first, and

6           WHEREAS, the first lines of each "whereas" clause are indented 1/2 inch from  
7 the left margin, as is the "NOW, THEREFORE,..." line and subsequent paragraphs in the  
8 body of the motion, and

9           WHEREAS, each "whereas" clause ends with ", and" except for the last  
10 "whereas" clause, and

11           WHEREAS, the last "whereas" clause ends with a semicolon and no "and";

12           NOW, THEREFORE, BE IT MOVED by the Council of King County:

13           The rest of the motion goes here. If paragraphs are to be enumerated,  
14 begin with "A." Format the lines and note substantive attachments in a similar  
15 manner to the body of an ordinance.

## Formatting Guide Notes

**Paper:** All proposed ordinances and motions should be prepared on 8½-by-11 inch paper.

**Font:** Times New Roman, 12-point. Bold, underline, strikethrough and italic may be used, in compliance with this drafting guide.

**Spacing:** Double space everything.

**AutoFormat paragraph numbering:** Must be turned off everywhere in the draft.

**Tabs:** Tabs are set at 1/2 inch from the margin (a clear ruler, with no tab stops, also accomplishes this). Some special types of legislation, such as budgets, include different tab stops, which are discussed in this drafting guide.

**Page numbering:** Each page should be numbered at the bottom in the center of the page to ensure that the legislation is complete. One-page ordinances or motions need not be numbered.

**Line numbering:** Not necessary in draft ordinance or motion, but might be helpful while working on drafts (there is line numbering in the templates that are generally used). If used, use continuous numbering to avoid possible confusion caused by page-by-page line numbering.

**Word wrap:** Use unless starting a new paragraph. Do not use a return in the middle of a sentence or at the end of a line of a title.

**Blank lines:** Do not have anywhere, even at the beginning or the end of the document or between paragraphs or sections. Blank lines, when later numbered in the Legislative Information System, add confusion because the final result appears like there might be missing text.

**Document identification:** Place information that is helpful to identify the document, such as typist initials and the person requesting the legislation, at the top of the document. The drafting template for council staff has space for that information.

**Substitutes – later versions of ordinances.** Legislation that is changed after introduction is a substitute. Changes in either text or an attachment require a substitute. Corrections made before introduction do not create a substitute ordinance.

Substitutes are indicated by the different version numbers. The original ordinance is Version 1, with subsequent versions indicating changes adopted by committees or the council. The version number is indicated at the top of the

Signature Report, after the proposed ordinance number, as a number following the decimal point. For example, "2020-0024.2" indicates Proposed Ordinance 2020-0024, Version 2. If the second or higher version is created by a committee, that version also may be referred to as Proposed Substitute Ordinance 2020-0024.

**Sponsors:** The name of the councilmember or councilmembers introducing the legislation are found on the Signature Report in the upper right-hand corner after "**Sponsors.**"

**Tables:** Do not use tables created by the word-processing software in new material; either use ordinary sentences to convey the information or create a table using normal text, spacing and tabbing.

**"..Title" and "..Body":** Realize that all material following a part identifier (such as "..Title" or "..Body") is included in that part until another part identifier or the end of the document is reached.

**Nonprinting character view:** It might be helpful when using this formatting guide to make the nonprinting characters visible on the computer (go to Tools/Options/View/Nonprinting characters for that feature in Word). The margins and tabbing are displayed in the correct form in this document.

**Subsection numbering and spacing:** Number and space subsections as follows. Indents for all are set at both margins. Set tabs at 1/2 inch. Include two spaces after the number and its punctuation:

- A. Use 1 tab. The first word is capitalized;
  - 1. Use 1 tab plus 2 spaces. The first word is capitalized;
    - a. Use 1 tab plus 4 spaces. The first word is not capitalized unless it begins a complete sentence;
      - (1) use 1 tab plus 6 spaces. The first word is not capitalized unless it begins a complete sentence; and
        - (a) use 1 tab plus 8 spaces. The first word is not capitalized.

## Formatting for Special Ordinances

### APPROPRIATIONS

(See also APPENDIX Appropriations)

5            SECTION 1. There are hereby approved and adopted an appropriation of  
6 \$365,990 to the department of adult detention from special programs – executive  
7 contingency.

8            SECTION 2. Ordinance 13678, Section 27, as amended, is hereby amended as  
9 follows:

10           FACILITIES MANAGEMENT – CX – From the current expense fund there is  
11 hereby appropriated to:

12           Facilities management	\$47,915
13           The maximum number of additional FTEs for facilities management shall be:	1.00

14           P1 PROVIDED THAT:

15           This is where any provisos are added or amended. Show any additions with  
16 underlining like this and any deletions with strikethrough (~~like this~~). Include all  
17 provisos (P1, P2 etc.) and expenditure restrictions (ER1, ER2 etc.). Use the latest version  
18 of the provisos and expenditure restrictions, including any amendments made subsequent  
19 to the budget ordinance. If there are no changes to the appropriation and FTEs, but there  
20 are changes to the provisos or expenditure restrictions, include \$0 for the amount in the  
21 appropriation line and 0.00 for the amount in the FTEs line.\*\*\*\*

(Note: Set a left tab at 1/2 inch and a right tab at the right margin, which is usually at around 6 inches, for the lines showing the appropriation amount and the FTE amount. Often, there is not an FTE change and that line is omitted.)

## VACATIONS OF PROPERTY

1 ..Title

2                   AN ORDINANCE authorizing the vacation of a portion of  
3                   Jones Road, File V-5555. Petitioners: Jane and John Doe.

**(NOTE: Do not have a hard return after the file number and before "Petitioners.")**

4 ..Body

5           STATEMENT OF FACTS:

6           1. A petition has been filed requesting vacation of that portion of Jones  
7           Road hereinafter described.

8           2. The department of transportation has notified . . . .

9           Due notice was given in the manner provided by law and a hearing was  
10          held by the office of the hearing examiner on \_\_\_\_\_. (Note that the  
11          margins of this portion of the statement of facts have the same indentation  
12          as the rest of the statement of facts, which is 1/2 inch from each margin.)

13          BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

14          SECTION 1. The council, on the \_\_\_\_ day of \_\_\_\_\_, 2020, hereby vacates and  
15          abandons that portion of Jones Road . . . described as follows:

16          The legal description of the property has indents set 1/2 inch from each  
17          margin. The first line is not indented further.



## APPENDIX Amendment to Proposed Legislation

A committee or council amendment:

[Enter Date]

DRAFT ID

[Drafter's Initials]

Sponsor: XXXXXXXXXX

Proposed No.: 20XX-XXXX

1 **AMENDMENT TO PROPOSED ORDINANCE 2020-XXXX, VERSION 2:**

1 On page Y, line Z, after " \_\_\_\_\_ " strike " \_\_\_\_\_ " and insert " \_\_\_\_\_ "

1 **Effect:** A statement describing the effect of the amendment may be placed here.

**Notes:**

**A. If inserting sections into the proposed ordinance, use a directive to indicate any other changes that might be necessary because of the amendment. This is the typical directive used:**

Renumber the remaining sections consecutively and correct any internal references accordingly.

**B. Place all material quoted in quotation marks ("xx").**

**C. Be cautious using punctuation. Material in quotation marks should reflect the exact language being quoted, including punctuation.**

## APPENDIX Appropriations

An ordinance that appropriates moneys. The numbers are for illustrative purposes only – this is not actually amending Ordinance 9720. Also, the table at the beginning of this example is not required but can be helpful.

Date Created:	
Drafted by:	
Sponsors:	
Attachments:	

1 ..Title

1 AN ORDINANCE appropriating \$365,990 to the  
2 department of adult detention and \$47,915 to the facilities  
3 management division, and disappropriating \$413,0905  
4 from special programs - executive contingency; and  
5 amending the 1991-1992 Biennial Budget Ordinance,  
6 Ordinance 9720, Sections 26, 36 and 42, as amended. [do  
7 not use "to provide the appropriate level of appropriation  
8 authority" in the title]

1 ..Body

1 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

1 *[Variations of section 1 are used, but only as needed, when more than one section of*  
2 *the ordinance affects either the general fund or various other funds. See the language*  
3 *for the types of situations addressed]*

1 SECTION 1. From the general fund there is hereby appropriated a net total of  
2 \$xx,xxx to various general fund agencies.



3 From non-general funds there are hereby disappropriated a net total of \$yy,yyy  
4 from various non-general fund agencies.

5 There is hereby appropriated a net total of \$zz,zzz,zzz to various capital fund  
6 budgets, amending the 1991-1992 Biennial Budget Ordinance, Ordinance 9720.

7 SECTION 2. Ordinance 9720, Section 26, as amended, is hereby amended as  
8 follows:

9 FACILITIES MANAGEMENT - From the current expense fund there is hereby  
10 appropriated to:

11 Facilities management \$47,915

12 The maximum number of additional FTEs for facility management shall be: 1.00

13 SECTION 3. Ordinance 9720, Section 36, as amended, is hereby amended by as  
14 follows:

15 SPECIAL PROGRAMS - EXECUTIVE CONTINGENCY - From the current  
16 expense fund there is hereby disappropriated from:

17 Special programs - executive contingency (\$413,905)

18 SECTION 4. Ordinance 9720, Section 42, as amended, is hereby amended as  
19 follows:

20 ADULT DETENTION - From the current expense fund there is hereby  
21 appropriated to:

22 Adult detention \$365,590

23 The maximum number of additional FTEs for adult detention shall be: 2.00

24 P1 PROVIDED THAT:

25 Of this appropriation, \$365,590 shall only be expended on [give restriction].

26 [If there are reports to be filed:] The report required to be submitted by this  
27 proviso shall be filed in the form of a paper original and an electronic copy with the clerk  
28 of the council, who shall retain the original and provide an electronic copy to all  
29 councilmembers, the council chief of staff and the lead staff to the budget and fiscal  
30 management committee, or its successor [or whatever distribution scheme is necessary].

**Notes:**

**A. Disappropriations should be mentioned in the title and first section. However, moneys coming directly from one fund to another may also be indicated.**

**B. Disappropriations of FTEs should be indicated by placing the number of additional FTEs in parentheses in the same manner as disappropriations of moneys (see section 3 of the example). The same wording is used ("The maximum number of additional FTEs for adult detention shall be: (2.00)")**

## APPENDIX Effective Date

**To establish an effective date other than ten days after the executive has signed the ordinance, add a section in the following format:**

365            SECTION 4. This ordinance takes effect June 1, 2020.

**To establish a contingent effective date, which depends on a separate action to occur that is other than ten days after the executive has signed the ordinance, add a section in the following format (note that the through reference in the first line of the section does not include the contingent effective date section itself):**

365            SECTION Y. **Contingent effective date.** Sections 1 through X of this ordinance  
366 take effect only upon submission by the executive to the clerk of the council by June 30,  
367 2020, of a certification in writing that a fully executed purchase and sale agreement has  
368 been entered into for the acquisition by King County of development rights and a  
369 conservation easement for the Raging river headwaters project. The clerk shall notify all  
370 councilmembers when the certification has been filed.

## APPENDIX Emergency

### A. An ordinance title declaring an emergency:

Date Created:	
Drafted by:	
Sponsors:	
Attachments:	

1 AN ORDINANCE permitting King County to enter into a  
2 six-year lease agreement for the department of public  
3 works for office space in the 400 Yesler Building and to  
4 allow King County to secure an option to purchase the  
5 building; and declaring an emergency.

### B. All emergency ordinances must have in the ordinance (almost always the last section of the ordinance) the following:

1 SECTION \_\_\_. The county council finds as a fact and declares that an emergency  
2 exists and that this ordinance is necessary for the immediate preservation of public peace,  
3 health or safety or for the support of county government and its existing public  
4 institutions.

5 **Notes:**

**A findings of fact is also typically required, stating the findings upon which the declaration of emergency is based.**

# APPENDIX Form of Amendment to Existing Ordinance or Code

An ordinance showing amendments to the code.

Date Created:	
Drafted by:	
Sponsors:	
Attachments:	

1 ..Title

1 AN ORDINANCE establishing definitions for solid waste  
2 division of the department of public works; amending  
3 Ordinance 800, Section 1, as amended, and K.C.C.  
4 10.12.010.

1 ..Body

1 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

1 SECTION 1. Ordinance 800, Section 1, as amended, and K.C.C. 10.12.010 are  
2 hereby amended to read as follows:

1 ~~((For the purpose of this chapter, the following definitions shall apply in the~~  
2 ~~interpretation and enforcement of this chapter:)) The definitions in this section apply  
3 throughout this chapter unless the context clearly requires otherwise.~~

1 A. ~~((Commercial user))~~ "Certified hauler" means a~~((ny))~~ person engaged in the  
2 business of solid waste handling who has a certificate granted by the Washington Utilities  
3 and Transportation Commission for that purpose.

1 B. "Compacted waste" means a~~((ny))~~ solid waste whose volume is less than in the  
2 loose condition as a result of containment in a closed volume under pressure.

3 C. "Disposal site" means a land site where or facility at which permanently  
4 discarded solid waste is handled, including, but not limited to, landfills, incinerators((;)) and  
5 transfer stations.

6 D. "Manager" means the manager of solid waste division, King County department  
7 of public works or designee.

8 E. Noncommercial user" means a((ny)) person not engaged in the business of solid  
9 waste handling.

10 ((E;)) F. "Persons" means an individual, firm, association, partnership, political  
11 subdivision, government agency, municipality, industry, public or private corporation((;)) or  
12 any other entity whatsoever.

13 ((F;)) G. "Regional direct" means solid waste transported to the Cedar Hills disposal  
14 site by conventional long haul transfer vehicle transporting solid waste generated and  
15 collected in King County from solid waste transfer stations

16 H. "Solid waste" means ((all)) putrescible and nonputrescible solid and semisolid  
17 materials discarded as a result of ((any)) industrial, commercial or agricultural operations  
18 and from community ((or)) and residential activities. ((H)) "Solid waste" does not include  
19 solids ((n))or dissolved material in domestic sewage ((n))or other pollutants in water  
20 resources.

21 ((G. "Manager" means the manager of solid waste division, King County  
22 department of public works, or his designated representative.

23 H;)) I. "Uncompacted waste" means ((any)) solid waste in a loose condition.

**Notes: If amending a definitions section such as this, alphabetizing the definitions should be done because it greatly helps the reader. Also, K.C.C. 10.12.010 no longer exists in the King County Code, and is used here merely as an example of formatting.**





## APPENDIX New Section

### An ordinance that adds new sections:

Date Created:	
Drafted by:	
Sponsors:	
Attachments:	

1 ..Title

1 AN ORDINANCE relating to the department of  
2 rehabilitative services; and adding new sections to K.C.C.  
3 chapter 2.16.

1 ..Body

1 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

1 NEW SECTION. SECTION 1. There is hereby added to K.C.C. chapter 2.16 a  
2 new section to read as follows:

1 The department of rehabilitative services shall administer the following divisions:

1 \*\*\*

1 NEW SECTION. SECTION 2. There is hereby added to K.C.C. chapter 2.16 a  
2 new section to read as follows:

*(etc.)*

## APPENDIX Penalties

### An ordinance title for an ordinance prescribing penalties:

1 ..Title

2 AN ORDINANCE related to negligent operation of a  
3 watercraft; amending Resolution 28232, Section 4, as  
4 amended, and K.C.C. 12.44.040 and prescribing penalties.

5 \*\*\*

## APPENDIX Preamble, Statement of Facts and Findings of Fact

**A. A preamble is placed after the ordinance title and before the ordaining clause ("BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:"). A preamble is indented 5 spaces from both the left and right margins. The paragraphs of a preamble should not be numbered.**

7 PREAMBLE:

8 In accordance with RCW 36.88.090 and Ordinance 2254, a hearing on the  
9 King County road improvement district No. 46 assessment roll was held  
10 on July 14, 1997. Testimony presented at the hearing indicates the  
11 proceedings have been conducted in conformance with applicable statutes  
12 and that the assessments are equitable as revised.

13 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

14 \*\*\*

**B. A statement of facts is also placed before the ordaining clause and is also indented 5 spaces from the left and right margins. The paragraphs of a statement of facts should be numbered 1, 2 etc.**

7 STATEMENT OF FACTS:

8 1. A petition has been filed requesting vacation of that portion of  
9 Southwest 102nd Street described in this ordinance.

10 2. The department of public works, in a January 11, 1990, letter to the  
11 petitioner, recommended "denial" of the proposed vacation. The  
12 petitioner appealed the recommendation before the King County council  
13 transportation and public works committee on July 25, 1990. The  
14 committee directed council staff to prepare a motion granting the appeal.  
15 On August 27, 1990, the King County council passed Motion 8036, which  
16 overturned the previous denial and directed the executive to prepare an  
17 ordinance granting the requested vacation.

18 3. The department of public works has notified the various utilities  
19 serving the area and has been advised that easements have been granted to  
20 Seattle City Light, U.S. West Telephone Company and Southwest  
21 Suburban sewer district.

22 4. At the request of the department of public works, the owner of existing  
23 Tax Lot 012303-9387 has granted an easement for ingress and egress to  
24 existing Tax Lot 012303-9386 that is adjacent to the west . . .

25 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

26 \*\*\*

**C. Findings of fact are placed after the ordaining clause, usually as section 1. They are formatted in the same way as other section of an ordinance. Findings of fact are usually not codified. The subsections of a findings section should be numbered A, B etc.**

17            SECTION 1. Findings:

18            A. Teamsters Local 117 filed a lawsuit against King County on behalf of both  
19 Local 117's membership and all nonrepresented employees of King County, as King  
20 County superior court case number 97-2-07882-2 SEA, seeking redress of inequalities in  
21 pay between various employees based upon the provision or nonprovision of free bus  
22 passes.

23            B. The parties to this suit, King County as defendant and Local 117 as plaintiff in  
24 the action, have negotiated a proposed settlement agreement and addendum.

25            C. King County executive Ron Sims and Teamsters Union, Local 117, Secretary  
26 John A. Williams signed the negotiated settlement agreement on July 17, 1997, and the  
27 addendum to the settlement agreement on October 30, 1997.

## APPENDIX Provisos and Expenditure Restrictions

### A sample proviso as used in the budget:

150 P1 PROVIDED THAT:

151 Funds from the appropriation may not be expended or encumbered for the  
152 purchase of computer equipment until the council has approved by motion a master  
153 computer program plan for the department.

154 The executive should file the plan and motion required by this proviso by May 31,  
155 2018, in the form of a paper original and an electronic copy with the clerk of the council,  
156 who shall retain the original and provide an electronic copy to all councilmembers, the  
157 council chief of staff and the lead staff for the government accountability and oversight  
158 committee, or its successor.

**Subsequent provisos in the same section are prefaced with "PROVIDED FURTHER THAT:" and are numbered "P1," "P2" and so on, consecutively. Expenditure restrictions are treated the same way and are numbered "E1," "E2" and so on.**

**Expenditure restrictions come before provisos in sections in which there are both.**

## APPENDIX Repealer

An ordinance that repeals sections of the code:

1

Date Created:	
Drafted by:	
Sponsors:	
Attachments:	

2 ..Title

3 AN ORDINANCE relating to solid waste; and repealing  
4 Ordinance 9271, Section 14, and K.C.C. 10.12.022 and  
5 Ordinance 7012, Section 7, as amended, and K.C.C.  
6 10.12.055.

7 ..Body

8 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

9 SECTION 1. The following are hereby repealed:

10 A. Ordinance 9171, Section 14, and K.C.C. 10.12.022; and

11 B. Ordinance 7012, Section 7, as amended, and K.C.C. 10.12.055.

12 [if there is only one section being repealed the wording would be:

13 SECTION 1. Ordinance 9171, Section 14, and K.C.C. 10.12.022 are hereby  
14 repealed.]

## APPENDIX Severability

**A severability section, which is usually the last section unless there is a section declaring an emergency:**

145            SECTION XX. Severability. If any provision of this ordinance or its application  
146 to any person or circumstance is held invalid, the remainder of the ordinance or the  
147 application of the provision to other persons or circumstances is not affected.



## APPENDIX Striking Amendment

An amendment that strikes the text of an entire ordinance:

[Enter Date]  
DRAFT ID

[Drafter's Initials]                      Sponsor:            XXXXXXXX  
Proposed No.:    20XX-XXXX

1    **STRIKING AMENDMENT TO PROPOSED ORDINANCE (or MOTION) 20xx-**  
2    **xxxx, VERSION x**

1    On page x, beginning on line x, strike everything through page x, line x, and insert:

1

1    **EFFECT:**

**Note that, in a striking amendment, quotation marks are not used and that all material after the title through the last line of text of the original test is replaced.**

**Also note that an accompanying title amendment and changes to the attachments might be necessary.**

**The box in the top right corner is for the amendment number. Consult with the staff clerking the meeting as to what that number should be.**

**If change to an attachment is necessary with a striking amendment, replace the entire attachment with a new version of the attachment and include the new version of the attachment with the amendment. Word the amendment in a manner like this example:**

Strike Attachment A, Interlocal Agreement between King County and Woodinville, dated April 1, 2020, and insert Attachment A, Interlocal Agreement Between King County and Woodinville, dated April 15, 2020.