

ORDINANCE NO. 23

AN ORDINANCE relating to places of refuge, requiring a license for operation thereof, providing for adoption of standards of safety and building regulations pertaining thereto, prescribing powers and duties of certain officers relating thereto, and declaring an emergency.

BE IT ORDAINED by the Council of the Town of College Place, that:

Section 1. For the purpose of this ordinance and unless otherwise required by the context, words and phrases shall have the following meaning:

(a) The term "place of refuge" shall mean any hospital, ~~asylum~~, almshouse, building ordwelling, other than a maternity home or a hospital approved by the American College of Physicians, or the American College of Surgeons, housing the aged, insane, imbeciles, children, or delinquents, wherein three or more persons, not related by blood or marriage to the householder, owner, operator or manager thereof, are lodged or boarded, for more than fifteen days in any calendar year.

(b) The term "license" shall mean a certificate issued by the Town of College Place authorizing the holder thereof in the name of the said Town, in consideration of the license fee paid, to maintain and to advertise the maintenance of a place of refuge as defined herein, subject to the conditions and regulations under which the certificate or license is issued.

(c) The term "Town" shall mean any area lying within the boundaries of the Town of College Place.

(d) The term "person" shall mean any individual, firm, corporation, company, co-partnership, the State of Washington, the United States of America, association, fraternity, society, or any group of persons acting

as a unit, whether mutual, co-operative, fraternal, religious, nonprofit, or otherwise.

(e) The term "town health officer" shall mean the duly appointed and acting health officers of Walla Walla or his duly authorized assistant or deputy, and the Town Marshall shall act as such town health officer until express provision is otherwise made for such office.

(f) The term "fire inspector" shall mean the duly appointed and acting fire chief for the Town of College Place or his authorized representative, and for the purpose of this Ordinance, the Town Marshall shall act as such fire inspector.

*license required*  
Section 2. No person shall maintain or operate or advertise the maintenance or operation of any place of refuge in the Town of College Place, without applying for and receiving from the Town Council of said Town a license for the operation of a place of refuge, or having applied for and received such license, without having said license currently valid, in effect, and on display at said place of refuge.

*renewals*  
Section 3. No person shall be issued a license to maintain, operate, or advertise the maintenance or operation of a place of refuge without first having filed an application therefor in writing upon a form provided by the Town of College Place, and accompanied by an annual license fee, hereby fixed in the amount of Two (\$2.00) Dollars per year, or for any fraction of a year, nor shall any such license be issued until the applicant shall have complied with the conditions and regulations hereinafter proposed or promulgated. All licenses issued hereunder shall expire on June 30 next following the date of issue of such license, and shall be subject to renewal on or before July 1 of each calendar year. Application for a license or for the renewal thereof shall be filed with the Town Clerk, and said license

shall be issued by the Town Clerk in the name of the Town of College Place after said application has been acted upon and approved by the Town Council of said Town. Provided that said Town Council shall not approve any such application until said applicant has complied fully with the rules and regulations herein provided for.

Section 4. All license fees paid to the Town Clerk shall be deposited in the current expense fund of the Town and shall be disbursed in the manner provided for other current expense funds.

*inspection* Section 5. Before the authorization of any such license by the Town Council or the issuance thereof by the Clerk, said premises shall be inspected by the Town health officer, and by the fire chief, and approved by them as being in compliance with the rules and regulations herein provided for, and all such places of refuge, for the period for which they are licensed, shall be inspected quarterly by said Town health officer and fire chief.

*revocations* Section 6. The Town Council shall deny, or having issued, shall revoke, the license of any place of refuge which it finds through the inspection of the Town health officer or the fire chief, or its own investigation, is not in compliance with the conditions and regulations herein provided. The Town Council shall notify the applicant or licensee of its action, stating its reasons therefor, and defining the conditions to be remedied or met before such license shall be issued, renewed or validated. Any license revoked by the Town Council shall be surrendered by the *issuing* licensee to the Town Clerk, and may be re-issued or renewed only upon proof of compliance and the payment of a fee of Two (\$2.00) Dollars. Any such revocation of *fee* license may be made by the Town Council at any regular or special meeting thereof, on seven days notice to the said licensee.

*regulation by council*  
Section 7. The Town Council shall from time to time promulgate such rules and regulations relating to sanitary and health conditions, and to fire and building standards as it shall deem necessary for the protection of life and property. All such rules and regulations shall be adopted by resolution of said Town Council, and a copy thereof shall be kept in the office of the Town Clerk and made available to any person requesting a copy thereof. Whenever any regulation promulgated by the Town Council requires any applicant or licensee to make structural changes in the premises used, or sought to be used as a place of refuge, the applicant or licensee may apply, and the Town Council in its discretion may grant an extension of not more *not for compliance* than sixty (60) days in which such changes may be made, without disqualifying the applicant or licensee from eligibility to a license, provided that no such extension shall be granted when the conditions to be remedied are such as involve imminent danger to life or property.

*state governments*  
Section 8. The rules and regulations of the State Department of Public Health and the office of the State Fire Marshall relating or applicable to places of refuge are hereby adopted by reference as a part of this ordinance, and shall have the same force and effect as if they were recited herein, but shall not derogate from the right of the Town Council as hereinbefore provided to make its own and further rules and regulations.

*violations*  
Section 9. Neither the Town health officer nor fire chief shall approve for license, or for continued maintenance or operation, any place of refuge which upon investigation, is found to be in violation of any provision of this ordinance or regulations promulgated or adopted under it.

Section 10. The provisions of this ordinance shall apply to all places of refuge, whether heretofore, or hereafter, built, constructed or converted.

*Penalties*  
Section 11. Any person who shall operate or maintain, or advertise the maintenance of a place of refuge without having in force a license so to do, shall

be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed One Hundred (\$100) Dollars, or imprisonment for a period of not to exceed thirty days, and such penalty shall be in addition to the provisions hereof for the cancellation of such license.

Section 12. The invalidity of any provision of this ordinance shall not affect the validity of any other portion thereof.

Section 13. This ordinance is necessary to the immediate protection of life and property and shall take effect at once upon the adoption of this ordinance.

Passed by the Council this 3 day of February, 1947.

Approved this 5 day of February, 1947.

Attest:

Walter H. Bunch  
Mayor  
G. R. Dyer

# AFFIDAVIT OF POSTING

STATE OF WASHINGTON

Walla Walla County

ss.

I, G. H. Soper, being first duly sworn, depose and say:

That I am the duly appointed, qualified, and acting Clerk of the Town of College Place, Washington. That I am a citizen of the United States, a resident of the Town of College Place, Washington, and over the age of 21.

That heretofore and on the 5th day of Feb, 1947, I personally posted three full and true copies of Ordinance Number 23 of the Town of College Place, Washington; that one copy of said ordinance was posted on a large tree used as a bulletin board and located in front of the United States Post Office on the west side of College Avenue, between Pine Street and Cypress Street; that a second copy of said Ordinance was posted on a large tree located on the south side of Cypress Street, between College Avenue and Pope Street and in front of the William's Lumber Company; that a third copy of said Ordinance was posted on an electric light pole located on the west side of College Avenue where College Avenue is intersected by Gravenstein Avenue; all being public places in the Town of College Place, Washington.

Further affiant sayeth naught.

Subscribed and sworn to before me this

5 day of February, 1947

Harley W. Allen  
Notary Public for State of Washington  
Residing therein at Walla Walla