



CITY OF BURIEN, WASHINGTON

ORDINANCE NO. 537

**AN ORDINANCE OF THE CITY OF BURIEN, WASHINGTON,
RELATING TO DOMESTIC PARTNER BENEFITS, CONFORMING
BMC CH. 2.27 TO REFERENDUM 71, PROVIDING FOR
SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, on December 17, 2001, the City Council of the City of Burien enacted Ordinance No. 348 (codified at BMC Ch. 2.27) which, in part, established the qualifying criteria for domestic partner status as identified in Exhibit A attached thereto, and

WHEREAS, in the November 3, 2009, election via Referendum 71, the Washington State voters approved Engrossed Second Substitute Senate Bill (ESSSB) 5688, the 2009 Registered Domestic Partnership Expansion Bill, and

WHEREAS Section 1 of ESSSB 5688 amended RCW Ch. 26.60 establishing state registered domestic partnerships by adding a new statement of intent that broadens the benefits available to state registered domestic partners, and

WHEREAS, the City is permitted to adopt its own qualifying criteria for domestic partner status as long as the requirements are not more restrictive than the qualifying criteria for registered domestic partnerships under RCW CH. 26.60, and

WHEREAS, the current qualifying criteria for domestic partner status under the City Code is more restrictive than the qualifying criteria under RCW CH. 26.60, and

WHEREAS, the City finds that it is in the best interest of the public health, safety and welfare to amend BMC Ch. 2.27 to conform to state law;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Repeal and Re-Enactment of BMC CH. 2.27 (Domestic Partner Benefits).
Chapter 2.27 of the Burien Municipal Code is hereby repealed in its entirety and re-enacted to read as follows:

2.27.010 Domestic Partner.

For purposes of the City personnel rules, a "domestic partner" shall mean and refer to a person who has been issued a state registered domestic partnership by the Office of the Secretary of State pursuant to RCW Ch. 26.60, as now or hereafter amended.



Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE _____ DAY OF _____, 2010, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS _____ DAY OF _____, 2010.

CITY OF BURIEN

Joan McGilton, Mayor

ATTEST/AUTHENTICATED:

Monica Lusk, City Clerk

Approved as to form:

Christopher D. Bacha,
Kenyon Disend, PLLC
Interim City Attorney

Filed with the City Clerk:
Passed by the City Council:
Ordinance No. 537
Date of Publication: