

ORDINANCE NO. 1505

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to monetary penalties for civil infractions and amending DMMC 1.24.190.

WHEREAS, the City Council passed Ordinance No. 1009 on February 11, 1993, establishing rules and procedures for civil infractions, and setting court-imposed penalties for civil infractions committed in the City of Des Moines, and

WHEREAS, Ordinance No. 1325 was passed by the City Council on July 17, 2003, amending the civil infraction monetary penalty amounts as mandated by the Washington State Legislature and as ordered by the Washington State Supreme Court, and

WHEREAS, current monetary penalties allowed under the Des Moines Municipal Code for civil infractions are inconsistent with state law, and

WHEREAS, the Des Moines City Council finds it in the best interest of the City to amend the civil infraction monetary penalty amounts to be consistent with RCW 7.80.120; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:

Sec. 1. DMMC 1.24.190 and section 19 of Ordinance No. 1009 as amended by section 1 of Ordinance No. 1325 as amended by section 1 of Ordinance No. 1402 are amended to read as follows:

Monetary penalties—Amounts. A person found to have committed a civil infraction is assessed a monetary penalty:

(1) The maximum penalty and the default amount for a class 1 civil infraction is \$250.00, not including statutory assessments;

(2) The maximum penalty and the default amount for a class 2 civil infraction is \$125.00, not including statutory assessments;

(3) The maximum penalty and the default amount for class 3 civil infraction is \$50.00, not including statutory assessments;

(4) The maximum penalty and the default amount for a class 4 civil infraction is \$25.00, not including statutory assessments;

(5) The maximum penalty and the default amount for a class 5 civil infraction is \$25.00, not including statutory assessments; and

(6) The maximum penalty and the default amount for a class 6 civil infraction is \$25.00, not including statutory assessments.

Sec. 2. Severability - Construction.

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

(2) If the provisions of this ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this ordinance is deemed to control.

Sec. 3. Effective date. This ordinance shall take effect and be in full force five (5) days after its passage, approval, and publication in accordance with law.

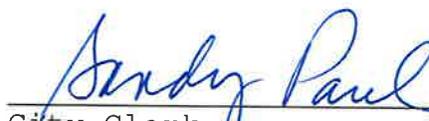
PASSED BY the City Council of the City of Des Moines this 24th day of February, 2011 and signed in authentication thereof this 24th day of February, 2011.


M A Y O R

APPROVED AS TO FORM:


Assistant City Attorney

ATTEST:


City Clerk

Published: March 2, 2011

LEGAL NOTICE

SUMMARY OF ADOPTED ORDINANCE

CITY OF DES MOINES

ORDINANCE NO. 1505, Adopted February 24, 2011.

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This ordinance relates to monetary penalties for civil infractions and amends DMMC 1.24.190.

The full text of the ordinance will be mailed without cost upon request.

Sandy Paul, CMC
City Clerk

Published: March 2, 2011