

# Ordinance No. 00036

[\(Council Minutes 96/01/08\)](#)

## ORDINANCE NO. 36

AN ORDINANCE of the City Council of the City of Lakewood, Washington, identifying the parameters of the duty to enforce City codes

WHEREAS, in connection with the incorporation of the City of Lakewood, the City will become responsible for enforcement of certain codes and regulations; and,

WHEREAS, in connection enforcement of codes by municipalities, a number of court decisions have addressed liability involved in the duty of enforcement; and,

WHEREAS, in order clearly identify to whom the duty of enforcement is owed and to have that intention clearly expressed by the City Council, it is appropriate to adopt an Ordinance specifying the parameters of the duty of enforcement of codes and regulations of the City of Lakewood.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN as follows:

### Section 1. Duty of Enforcement.

It is the intent of the City Council that any duty of enforcement of any codes, ordinances or regulations of the City, or any part thereof, be owed to the public at large, and not to any individual members of the public. The City Council, further, intends to make no assurances or promises of protection thereby or enforcement thereof to any individual, and that no special relationship regarding enforcement of any code, ordinance or regulation shall exist with any individual which would set such individual a part from the general public.

### Section 2. General Severability.

If any provision of this Ordinance or of any other code, ordinance or regulation adopted by the City Council of the City of Lakewood, or the application thereof to any person or circumstance is held to be invalid, the remainder of such code, ordinance or regulation or the application thereof to other person or circumstances shall not be affected.

### Section 3. Effective Date.

That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary and on February 28, 1996.

ADOPTED by the City Council this 8th day of January, 1996.

CITY OF LAKEWOOD

/S/

Bill Harrison, Mayor

Attest:

/S/

Alice M. Bush, City Clerk

Approved as to Form:

/S/

Daniel B. Heid, City Attorney

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