

Ordinance No. 00064

[\(Council Minutes 96/02/20\)](#)

ORDINANCE NO. 64

AN ORDINANCE of the City Council of the City of Lakewood, Washington, providing for identification of classes of infraction.

WHEREAS, in connection with the City of Lakewood's assumption of enforcement responsibilities for certain codes, regulations and statutes, those enforcement efforts can be broken down into two (2) major categories: Criminal Violations and Civil Infractions; and,

WHEREAS, the criminal violations are, essentially, relegated to violations involving serious conduct and offenses for which more severe penalties may be had, including larger fines, possibilities of jail and suspension of driver's licenses, among other sentencing option; and, WHEREAS, criminal violations also involve specific procedures including potential jury trials and

's licenses, among other sentencing option; and, WHEREAS, criminal violations also involve specific procedures including potential jury trials and "beyond a reasonable doubt" burdens of proof; and,

WHEREAS, for those violations of City Codes, Regulations and other laws that the City is responsible for enforcing, but that may not be as serious as the criminal violations, it is appropriate for the City to identify these violations as Civil Infractions, and provide the maximum penalty available for those civil infractions; and,

WHEREAS, in order to assist in identifying these civil infractions and providing identification of their penalties, it would be advantageous for the City to identify classes of civil infractions in the City Code which may be referenced in other sections of the Code.

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

Section 1. Unless otherwise specifically provided in connection with certain Sections, Chapters or Titles of the City Code, violations of the City Code may be identified as Class 1 Civil Infractions and Class 2 Civil Infractions. In connection therewith, Class 1 Civil Infractions shall carry a maximum penalty of \$250.00; and Class 2 Civil Infractions shall carry a maximum penalty of \$500.00. Each day, location, violator and incident shall constitute a separate Civil Infraction.

Section 2. That if any portion of this Ordinance or its application to specific persons or circumstances is held invalid, the remainder of the Ordinance or its application to other persons or circumstances shall not be affected.

Section 3. 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 20th day of February, 1996.

CITY OF LAKEWOOD

/S/

Bill Harrison, Mayor

Attest:

/S/

Alice M. Bush, CMC, City Clerk

Approved as to Form:

/S/

Daniel B. Heid, City Attorney

.....