

ORDINANCE NO. 1731

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING SECTIONS 12.16.010, 12.16.020, AND 12.20.050 OF THE BONNEY LAKE MUNICIPAL CODE AND ADDING SECTIONS 12.16.040 AND 12.32.050 TO THE BONNEY LAKE MUNICIPAL CODE TO AMEND THE ENFORCEMENT PROVISIONS FOR CHAPTERS 12.16, 12.20 AND 12.32 OF THE BONNEY LAKE MUNICIPAL CODE; AMENDING SECTIONS 12.20.010, 12.20.020, 12.20.030.B, AND 12.20.040 OF THE BONNEY LAKE MUNICIPAL CODE TO UPDATE THE NAME OF THE CITY'S ENGINEERING DESIGN STANDARDS; PROVIDING FOR SEVERABILITY AND CORRECTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the only enforcement provisions for violations of Chapters 12.16 and 12.20 of the Bonney Lake Municipal Code (hereinafter BLMC) is a misdemeanor; and

WHEREAS, the proposed amendment would amend the enforcement provisions for Chapters 12.16 and 12.20 BLMC so that violations would be addressed using the City's code enforcement procedures outlined in Chapter 14.130 BLMC; and

WHEREAS, there are currently no enforcement provisions for violations of Chapters 12.32 BLMC; and

WHEREAS, the City's code enforcement procedures prioritize achieving voluntary compliance before issuing fines.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. Section 12.16.010 of the Bonney Lake Municipal Code is hereby amended to read as follows:

12.16.010 Obstructing streets and sidewalks.

The existence of any obstruction to a street, alley, crossing or sidewalk, and any excavation in or under any street, alley, crossing or sidewalk, which is by ordinance prohibited, or which is made without lawful permission, or which, having been made by lawful permission, is kept and maintained after the purpose thereof has been accomplished, and for an unreasonable length of time is proclaimed to be a public nuisance. ~~Those persons responsible for maintaining, with knowledge, such~~

~~nuisances shall be cited into the appropriate court of law and charged with a misdemeanor.~~

Section 2. Section 12.16.020 of the Bonney Lake Municipal Code is hereby amended to read as follows:

12.16.020 Sidewalks in disrepair.

The existence of a sidewalk or a portion of a sidewalk adjacent to any premises which is out of repair, and in a condition to interfere with the public convenience in the use of such sidewalk is proclaimed to be a public nuisance. ~~Those persons responsible for maintaining, with knowledge, such nuisances shall be cited into the appropriate court of law and charged with a misdemeanor.~~

Section 3. A new section 12.16.040 entitled “Enforcement” is hereby added to the Bonney Lake Municipal Code to read as follows:

12.16.040 Enforcement.

Any violation of this chapter, shall be subject to the enforcement provisions of Chapter 14.130 BLMC.

Section 4. Section 12.20.010 of the Bonney Lake Municipal Code is hereby amended to read as follows:

12.20.010 Applicability.

The City of Bonney Lake Development Policies and Public Works Design Standards ~~Road Approach Control Regulations~~, together with all amendments thereto, shall govern and control the construction, repair, alteration and use of all approaches to city roads within the city of Bonney Lake, and are hereto incorporated into law by reference.

Section 5. Section 12.20.020 of the Bonney Lake Municipal Code is hereby amended to read as follows:

12.20.020 Permits for construction, repair or alteration.

No person or organization shall construct, repair or alter any approach to any city road without first obtaining a road approach permit from the city and otherwise complying with all requirements set forth in the City of Bonney Lake

Development Policies and Public Works Design Standards Road Approach Control Regulations.

Section 6. Section 12.20.030.B of the Bonney Lake Municipal Code is hereby amended to read as follows:

12.20.030 Permits required for change of use.

B. The approach conforms to the standards set forth in the City of Bonney Lake Development Policies and Public Works Design Standards Approach Control Regulations.

Section 7. Section 12.20.030.B of the Bonney Lake Municipal Code is hereby amended to read as follows:

12.20.040 Regulations availability available at City Hall.

The City of Bonney Lake Road Development Policies and Public Works Design Standards Approach Standards and Conditions shall be available on the City's website for inspection at the City Hall during normal business hours or may be purchased at a cost of \$5.00.

Section 8. Section 12.20.050 of the Bonney Lake Municipal Code is hereby amended to read as follows:

12.20.050 Enforcement Penalty for violation.

Any violation of this chapter, shall be subject to the enforcement provisions of Chapter 14.130 BLMC. Any person, firm or corporation who fails to obtain the necessary permit or comply with the requirements of the City of Bonney Lake Approach Control Regulations shall be deemed guilty of a misdemeanor. Each day of violation shall constitute a separate offense.

Section 9. A new section 12.32.060 entitled "Enforcement" is hereby added to the Bonney Lake Municipal Code to read as follows:

12.32.060 Enforcement.

Any violation of this chapter, shall be subject to the enforcement provisions of Chapter 14.130 BLMC.

Section 10. Severability. If any section, sentence, clause, or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

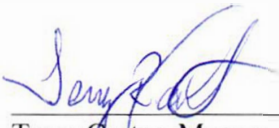
Section 11. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 12. Corrections. Upon the approval of the city attorney, the city clerk, and/or the code publisher is authorized to make any necessary technical corrections to this ordinance, including but not limited to the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto. Provided, however, that nothing in this section allows the city attorney, the city clerk, and/or the code publisher to change the intent of this Ordinance.

Section 13. Effective Date. This Ordinance shall be effective five days after publication as provided by law.

ADOPTED by the City Council of the City of Bonney Lake and attested by the City Clerk in authentication of such passage on this 11th day of March 2025.

APPROVED by the Mayor this 11th day of March 2025.



Terry Carter, Mayor

AUTHENTICATED:



Sadie A. Schaneman, CMC, City Clerk

AB <u>25</u> -09
Passed: 3/11/2025
Valid: 3/25/2025
Published: 3/20/2025
Effective Date: 3/25/2025
This Ordinance totals <u>4</u> page(s)

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Agenda Item Type: Ordinance	Agenda Bill Number & Ordinance/Resolution/Motion Number: AB25-09 & Ordinance D25-09	
Department/Division Submitting: Public Services	Presenter: Jason Sullivan	City Strategic Goal Category: DON'T FILL OUT YET

Agenda Subject: Chapters 12.16, 12.20, and 12.32 BLMC Enforcement

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Sections 12.16.010, 12.16.020, And 12.20.050 Of The Bonney Lake Municipal Code And Adding Sections 12.16.040 And 12.32.050 To The Bonney Lake Municipal Code To Amend the Enforcement Provisions For Chapters 12.16, 12.20 And 12.32 Of The Bonney Lake Municipal Code; Amending Sections 12.20.010, 12.20.020, 12.20.030.B, And 12.20.040 Of The Bonney Lake Municipal Code To Update The Name Of The City's Engineering Design Standards Providing For Severability And Corrections; And Establishing An Effective Date.

Administrative Recommendation: Approve

Short Background Summary (Use a memo to write a full history): The Current Enforcement Provisions For Chapters 12.16 And 12.20 BLMC Is A Misdemeanor. Chapter 12.16 BLMC Relates To Obstructing Public Streets And Sidewalks. Chapter 12.20 BLMC Establishes The Requirements For Road Approaches From Private Property Onto The City's Public Rights-Of-Way. Finally, Chapter 12.32 BLMC Prohibits Unauthorized Encroachments Into The City's Public Rights-Of-Way And Currently Lacks Any Specific Enforcement Mechanism. The Proposed Amendment Would Remove The Provision That Allow Only For A Misdemeanor As The Enforcement Mechanism And Instead Address Violations Using The City's Code Enforcement Procedures Outlined In Chapter 14.130 BLMC. These Procedures Prioritize Achieving Voluntary Compliance Before Issuing Fines.

Attachments: Ordinance D25-09

BUDGET INFORMATION			
Budgeted Amount	Current Balance	Expenditure Amount Needed	Budgeted Balance Difference
Budget Explanation:			

COMMITTEE, BOARD & COMMISSION REVIEW					
Public Hearing Date:		Name Of Committee/Commission Public Hearing Was Done At:			
Date & Name Of Committee/ Commission Meeting	Return To Committee/ Commission/Board	Council Workshop Discussion	Consent Agenda	Council Full Issues	Chair's Signature For Approval Of Next Steps
Date: 2/18/2025 Name: CDC	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	<i>GAF</i>
Date: Name:	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	
Date: Name:	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	
Date: Name:	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	

Hearing Examiner Review:

COUNCIL ACTION	
Workshop Date(s): Meeting Date(s): 3/11/2025	Public Hearing Date(s): Tabled To:

APPROVALS		
Department Director: <i>Jason Sullivan</i>	Mayor: <i>Terry Carter</i>	Date Reviewed By City Attorney (if applicable):

Classified Proof

Client	3100013000 - City of Bonney Lake- LEGAL ADS	Phone	(253) 862-8602		
Address	9002 Main St E, Suite 300	E-Mail	BesawK@bonneylake.gov		
	Bonney Lake, WA, 98391	Fax			
Order#	1010546	Requested By	KANDICE BESAW	Order Price	\$36.19
Classification	3030 - Legal Notices	PO #	ORD 1731	Tax 1	\$0.00
Start Date	03/19/2025	Created By	0917	Tax 2	\$0.00
End Date	03/19/2025	Creation Date	03/12/2025, 11:23:44 am	Total Net	\$36.19
Run Dates	1			Payment	\$0.00
Publication(s)	Enumclaw Courier Herald				
Sales Rep	9470 - Jennifer Tribbett	Phone	(360) 802-8212		
		E-Mail	jtribbett@courierherald.com		
		Fax			

**AB25-09 - Ordinance
1731 [D25-09]**

An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Sections 12.16.010, 12.16.020, And 12.20.050 Of The Bonney Lake Municipal Code And Adding Sections 12.16.040 And 12.32.050 To The Bonney Lake Municipal Code To Amend The Enforcement Provisions For Chapters 12.16, 12.20 And 12.32 Of The Bonney Lake Municipal Code; Amending Sections 12.20.010, 12.20.020, 12.20.030.B, And 12.20.040 Of The Bonney Lake Municipal Code To Update The Name Of The City's Engineering Design Standards Providing For Severability And Corrections; And Establishing An Effective Date.
ECH1010546
3/19/25