

ORDINANCE NO. 1637

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, ENACTING A NEW SECTION 3.74.040 OF THE BONNEY LAKE MUNICIPAL CODE AUTHORIZING REIMBURSEMENT FOR REPAIR EXPENSES INCURRED BY THE CITY IN RESPONSE TO MOTOR VEHICLE COLLISIONS.

WHEREAS, some motor vehicle collisions require unanticipated and unbudgeted repairs to City property; and

WHEREAS, the Council has determined that these repair efforts are in the best interests of public safety and for the preservation of municipal investments; and

WHEREAS, the Council desires to seek reimbursement from the parties at fault and/or causing the motor vehicle collision creating damage to City property; and

WHEREAS, the Council desires to collect reimbursement to the extent it is available through automobile, other insurance coverage, court-ordered restitution or collection action.

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

Section 1. A new Section 3.74.040 is added to the Bonney Lake Municipal Code Chapter 3.74, entitled “Motor Vehicle Collision Damage Reimbursement,” to read as follows:

3.74.040 Motor Vehicle Collision Damage Reimbursement.

The City may seek reimbursement from the responsible party for all direct costs associated with repair of damages to City property, including real property, fixtures such as traffic control devices, vehicles, equipment, and landscaping and watering and drainage systems used to maintain the property which are caused by motor vehicle collisions. In the event that several or all of the parties involved are determined to be at-fault, the involved parties may be jointly and severally liable for reimbursement. The City may pursue cost recovery from insurance coverage, court-ordered restitution, direct billing, and collections actions. For purposes of this Section, “responsible party” means any individual or legal entity who caused the motor vehicle collision through negligence or wrongful acts, including but not limited to moving violations and driving under the influence.

Section 2. Effective Date. This Ordinance shall take effect 30 days after final passage.

PASSED by the City Council and approved by the Mayor this 28th day of July , 2020.

DocuSigned by:

Neil Johnson, Jr.

29583F49C281400
Neil Johnson, Jr., Mayor

ATTEST/AUTHENTICATED:

DocuSigned by:

Harwood T. Edvalson

F46A10AD29884A1
Harwood T. Edvalson, City Clerk

APPROVED AS TO FORM:

DocuSigned by:

Kathleen Haggard

3DB6AE277E904C4...
Kathleen Haggard, City Attorney

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

Department/Staff Contact: ASD / Edvalson	Meeting/Workshop Date: 28 July 2020	Agenda Bill Number: AB20-80
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D20-80	Sponsor:

Agenda Subject:

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Enacting A New Section 3.74.040 Of The Bonney Lake Municipal Code Authorizing Reimbursement For Repair Expenses Incurred By The City In Response To Motor Vehicle Collisions.

Administrative Recommendation: Adoption

Background Summary: This ordinance will establish policy and intent of the City to seek reimbursement for damages to City property, including real property, landscaping, etc., resulting from motor vehicle collisions.
Attachments: Ordinance D20-80

BUDGET INFORMATION				
Budget Amount	Current Balance	Required Expenditure	Budget Balance	Fund Source
				<input type="checkbox"/> General <input type="checkbox"/> Utilities <input type="checkbox"/> Other
Budget Explanation: No negative budget impacts to this proposed legislation.				

COMMITTEE, BOARD & COMMISSION REVIEW				
Council Committee Review:	Finance Committee Date: 14 July 2020	<i>Approvals:</i>		Yes No
		Chair/Councilmember	Deputy Mayor Evans	<input checked="" type="checkbox"/> <input type="checkbox"/>
		Councilmember	Tom Watson	<input checked="" type="checkbox"/> <input type="checkbox"/>
		Councilmember	Terry Carter	<input checked="" type="checkbox"/> <input type="checkbox"/>
	Forward to:	Consent Agenda:		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Commission/Board Review:				
Hearing Examiner Review:				

COUNCIL ACTION	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 07/28/2020	Tabled to Date:

APPROVALS		
Director: <i>HTE</i>	Mayor: <i>NHJ</i>	Date Reviewed by City Attorney: 03/2020 <small>(if applicable)</small>