

ORDINANCE NO. 1728

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING SECTION 8.04.190 OF THE BONNEY LAKE MUNICIPAL CODE TO AMEND THE ENFORCEMENT PROVISIONS FOR VIOLATIONS OF CHAPTER 8.04.190 OF THE BONNEY LAKE MUNICIPAL CODE; PROVIDING FOR SEVERABILITY AND CORRECTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the only enforcement provisions for violations of Chapter 8.04 BLMC is the issuance of Class 1 Civil Infraction; and

WHEREAS, the proposed amendment would remove the Class 1 Civil Infraction and instead address violations using the City’s code enforcement procedures outlined in Chapter 14.130 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 8.04.190 of the Bonney Lake Municipal Code is hereby amended to read as follows:

8.04.190 Violation – Penalties – Enforcement.

Any violation of this chapter, ~~including but not limited to a failure to comply with the compulsory service requirement, shall be a Class 1 civil infraction under Chapter 7.80 RCW. The city code enforcement officer shall have the authority to issue civil infraction notices~~ shall be subject to the enforcement provisions of Chapter 14.130 BLMC subject to the following:

- A. The amount of the civil penalties established in 14.130.030 and 14.130.100 are modified as provided below:
 - 1. The first violations within a twelve (12) month period shall be \$100
 - 2. The second violation within a twelve (12) month period shall be \$200

3. The third and each subsequent violation within a twelve (12) month period shall \$250.

B. BMLC 14.130.030.D shall not apply to violations Chapter 8.04.190.

Section 2. 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 3. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 3. 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.

Section 4. 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 28th day of January, 2025.

APPROVED by the Mayor this 28th day of January, 2025.


Terry Carter, Mayor

AUTHENTICATED:


Sadie A. Schaneman, CMC, City Clerk

AB 253-03
Passed: 1/28/2025
Valid: 2/11/2025
Published: 2/6/2025
Effective Date: 2/11/2025
This Ordinance totals <u>2</u> page(s)

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

Agenda Item Type: Ordinance	Agenda Bill Number & Ordinance/Resolution/Motion Number: AB25-03 & Ordinance D25-03	
Department/Division Submitting: Public Services	Presenter: Jason Sullivan	City Strategic Goal Category: DON'T FILL OUT YET

Agenda Subject: Garbage & Solid Waste Enforcement

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Section 8.04.190 Of The Bonney Lake Municipal Code To Amendment The Enforcement Provisions For Violations Of Chapter 8.04.190 Of The Bonney Lake Municipal Code; Providing For Severability And Corrections; And Establishing An Effective Date.

Administrative Recommendation: Approve

Background Summary: In 1973, the City adopted Chapter 8.04 BLMC, which mandates trash services within the City. Since then, violations have been enforced through the issuance of a Class 1 Civil Infraction by the Code Enforcement Officer. The proposed amendment would remove the Class 1 Civil Infraction 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. Additionally, the amendments would make the following changes: (1) introduce an escalating penalty structure; (2) reduce the maximum civil penalty to \$250, aligning it with the Class 1 Civil Infraction fine; and (3) eliminate the misdemeanor penalty currently authorized in the City's Code Enforcement chapter.

Attachments: Ordinance D25-03

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

COMMITTEE, BOARD & COMMISSION REVIEW

Committee/Commission/Board: Community Development Committee
Public Hearing Date:

	Return/To Committee/ Commission/Board	Council Workshop Discussion	Consent Agenda	Committee/Council Full Issues	Chair Approval
Date: 1/21/2025	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	GAF
Date:	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	
Date:	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	
Date:	<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): January 28, 2025	Public Hearing Date(s): Tabled To:

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

Classified Proof

Client Information					
Client	3100013000 - City of Bonney Lake- LEGAL ADS	Phone	(253) 862-8602		
Address	9002 Main St E, Suite 300	E-Mail	besawk@ci.bonney-lake.wa.us		
	Bonney Lake, WA, 98391	Fax			
Order Details					
Order#	1008577	Requested By	KANDICE BESAW	Order Price	\$31.05
Classification	3030 - Legal Notices	PO #	ORD 1728	Tax 1	\$0.00
Start Date	02/05/2025	Created By	0917	Tax 2	\$0.00
End Date	02/05/2025	Creation Date	01/29/2025, 01:10:18 pm	Total Net	\$31.05
Run Dates	1			Payment	\$0.00
Publication(s)	Enumclaw Courier Herald				
Sales Representative Information					
Sales Rep	9470 - Jennifer Tribbett	Phone	(360) 802-8212		
		E-Mail	jtribbett@courierherald.com		
		Fax			

**City of Bonney Lake
Ordinances adopted
1/28/2025:**

**AB25-03 - Ordinance
1728 [D25-03]**

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ECH1008577
2/5/25