

ORDINANCE NO. 2016-07-018

AN ORDINANCE OF THE CITY OF BELLINGHAM AMENDING BELLINGHAM MUNICIPAL CODE 9.12.080 BY CHANGING THE PENALTY FOR NON-COMPLIANCE WITH BELLINGHAM MUNICIPAL CODE 9.12 FROM A CRIME TO A CIVIL INFRACTION AND ESTABLISHING THE PENALTY FOR NON-COMPLIANCE

WHEREAS, the City of Bellingham prosecutes, under its own laws and within its own municipal court, all misdemeanor and gross misdemeanor offenses and civil infractions occurring within the City of Bellingham;

WHEREAS, the City has an existing garbage collection code, Bellingham Municipal Code 9.12;

WHEREAS, the City's current garbage collection code, Bellingham Municipal Code 9.12, provides that non-compliance with its terms is a misdemeanor;

WHEREAS, reducing the penalties for certain code enforcement violations in the Bellingham Municipal Code from misdemeanors to civil infractions will serve the interests of justice by providing appropriate penalties to violators and potentially reducing the burden on the criminal justice processes and resources of the City; and

WHEREAS, modifying the penalty from a misdemeanor to a civil infraction for non-compliance with the terms of Bellingham Municipal Code 9.12 is consistent with the City's criminal justice goals and the public health and welfare of the City;

NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1. Section 9.12.080 of the Bellingham Municipal Code shall be amended to read as follows:

9.12.080 Violation Penalty

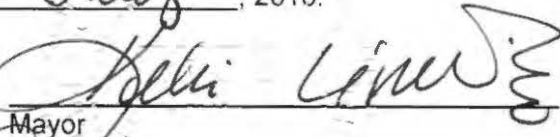
Any person violating any of the provisions of this chapter is guilty of a civil infraction ~~misdemeanor~~ and upon conviction thereof shall be punished by a fine not exceeding \$500 for each violation. ~~\$1,000, or by imprisonment of not more than 90 days, or by both such fine and imprisonment.~~ Each violation shall be a separate offense, and in the case of a continuing violation, each day's continuance shall be deemed to be a separate and distinct violation.

PASSED by the Council this 11th day of July, 2016



Council President

APPROVED by me this 20th day of July, 2016.

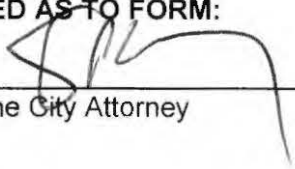


Mayor

ATTEST: 

Finance Director

APPROVED AS TO FORM:



Office of the City Attorney

Published:

July 15, 2016
