

**ORDINANCE NUMBER 1836**

**AN ORDINANCE OF THE CITY OF DAYTON, WASHINGTON  
AMENDING THE PENALTY PROVISIONS FOR VIOLATIONS OF THE  
CITY OF DAYTON MUNICIPAL CODE AND REPEALING CERTAIN  
SECTIONS OF SAID CODE THAT ARE IN CONFLICT WITH STATE  
LAW, OR THAT ARE OTHERWISE COVERED BY STATE LAW, OR  
THAT ARE NO LONGER NECESSARY.**

**WHEREAS**, the Washington State Court Administrator's Office has promulgated a bail schedule to be used uniformly throughout the State in District Court, as well as Municipal Court, and

**WHEREAS**, it is necessary to amend certain sections of the City of Dayton Municipal Code in order to have penalty provisions that are acceptable to the Washington State Court Administrator's Office and match those set forth in the statewide bail schedule, and

**WHEREAS**, certain sections of the Municipal Code deal with subject matters that are already covered by existing State law, or have otherwise been adopted State law by reference by the City of Dayton, or are no longer necessary, it is therefore advisable to amend the City of Dayton Municipal Code so as to eliminate ordinance sections that are already covered by State law, or are no longer necessary.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY  
OF DAYTON, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1.** The following sections of the city of Dayton Municipal Code are hereby amended or repealed:

**Title 1: Organization and Administration:**

Chapter 1.8 pertaining to the City of Dayton Police Department is hereby repealed in its entirety due to the contract existing between the City of Dayton and the Columbia County Sheriff's Department for enforcement purposes.

There is hereby added to Title 1, a new chapter 1.8 entitled Violations of City of Dayton Municipal Code

Chapter 1-8.01: Adoption by Reference. The following State statute is adopted by reference as a law of the City of Dayton:

(1) Civil infractions. Chapter 7.80 of the Revised Code of Washington as it now exists, or may be hereafter amended, is hereby by this reference, adopted as the law of the City of Dayton, and said civil infractions are punishable by penalties as set forth below.

(a) The maximum penalty and default amount for a class 2 civil infraction shall be \$125.00, not including statutory assessments.

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(b) The maximum penalty and default amount for a class 3 civil infraction shall be \$50.00, not including statutory assessments; and

(c) The maximum penalty and default amount for a class 4 civil infraction shall be \$25.00, not including statutory assessments.

(2) Misdemeanors. A violation that is designated as a misdemeanor is hereby made punishable by a fine up to \$1,000.00, and imprisonment in the County Jail for a period of up to one (1) year.

Chapter 1-9.32 is hereby repealed, and in its place, the penalty provision of the Fire Department shall state as follows: "any person violating the provisions of Section 1-9.28, shall be guilty of a misdemeanor, and punished as set forth above.

Chapter 1-20.04 is hereby repealed. There shall be added a new section 1-20.04 which shall state as follows: The service fee for a bench warrant issued by the Municipal Court Judge shall be that as currently set by the judge at the time the warrant is issued.

**SECTION 2. Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the other remaining parts which shall remain in full force and effect.

**SECTION 3. Effective Date.** This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

Passed by the City Council of the City of Dayton, Washington this 22<sup>nd</sup> day of July, 2013.



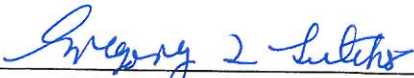
Craig George, Mayor

Attest:

  
Trina Cole, City Clerk-Treasurer

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Approved as to form:

  
\_\_\_\_\_  
Gregory L. Lutch, City Attorney

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ORDINANCE SUMMARY BY TITLE ONLY FOR PUBLICATION PURPOSES  
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**SECTION 1.** The following sections of the city of Dayton Municipal Code are hereby amended or repealed: **Title 1: Organization and Administration**

**SECTION 2. Severability.**

**SECTION 3. Effective Date.**

The full text of Ordinance 1836, adopted the 22<sup>nd</sup> day of July, 2013, is available for examination at the City Clerk's Office, 111 S. 1<sup>st</sup> St., Dayton, WA during normal business hours, 9:00 a.m. to 4:00 p.m., Monday – Friday.

By: /s/ Craig George, Mayor

Attest: /s/ Trina Cole, City Clerk-Treasurer

Approved as to from: /s/ Gregory Lutchter, City Attorney

Published: \_\_\_\_\_

*The Times*