

**ORDINANCE 2017-1046**

**AN ORDINANCE OF THE CITY OF WAITSBURG, WASHINGTON, AMENDING  
CHAPTER 2 OF TITLE 7 AND CHAPTER 6A OF TITLE 12 OF THE WAITSBURG  
MUNICIPAL CODE**

**WHEREAS**, the City staff regularly reviews the City Municipal Code to identify necessary changes, clarifications, updates, and amendments; and

**WHEREAS**, the City staff has determined that updates are needed to the City Municipal Code to amend and clarify various sections of the code associated with penalties for various infractions; and

**WHEREAS**, Section 46.09.360, of the Revised Code of Washington (RCW), authorizes the City to regulate the operation of motorcycles and wheeled all-terrain vehicles on properties under the City's jurisdiction.

**NOW THEREFORE**, the City Council of the City of Waitsburg ordains as follows:

**Section I. Code Sections to be amended.**

**Waitsburg Municipal Code, Title 7, Chapter 2, subsection 010 is amended as follows:**

”Chapter 2 - Miscellaneous Violations

7.02.010. Conditions Constituting Infractions. Each of the following acts, omissions or conditions, unless expressly permitted by law, is hereby declared to be and constitute a civil infraction:

....

~~K. Spitting or expectorating on any walk, crosswalk, or upon the floor of any church, school house, City Hall, theater, opera house, hall, store, office, motel, or boardinghouse within the city of Waitsburg.~~

K. Riding any unauthorized motorcycle or wheeled all-terrain vehicle on the Fairgrounds Dike or the area between the Waitsburg City Cemetery, school athletic fields, and the City Fairgrounds facility along what is known as College Ave. For the purposes of this infraction, the phrase “wheeled all-terrain vehicle.” shall have the same meaning as that defined in RCW 46.09.310, or as later amended. Authorization to drive in the areas described above may only be granted by the Mayor, City of Waitsburg City Administrator, or Waitsburg School District Superintendent.”

**Section II. Code Sections to be amended.**

**Waitsburg Municipal Code, Title 12, Chapter 6A, is amended as follows:**

“12.06A.020. Violations and Penalties. A violation of any provision of this chapter shall be a civil infraction under the Model Traffic Ordinance as adopted by the City. ~~A first offense and shall be punishable by a fine of \$50.00. A second offense shall be punishable by a fine of \$100.00. Third and subsequent offenses shall be punishable by fines, in the discretion of the court, up to \$300.00 per infraction.~~

**Section III.** This Ordinance shall take effect immediately upon passage by the Council and publication as required by law.

Passed by the Waitsburg City Council this 18<sup>th</sup> day of October, 2017.

APPROVED

APPROVED AS TO FORM

\_\_\_\_\_  
Mayor Marty Dunn

\_\_\_\_\_  
City Attorney Jared Hawkins

ATTEST:

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City Clerk Randy Hinchliffe