

TOWN OF WOODWAY

ORDINANCE 18-592

AN ORDINANCE OF THE TOWN OF WOODWAY AMENDING WOODWAY MUNICIPAL CODE (“WMC”) SECTION 1.14.100 RELATING TO THE ASSESSMENT OF CIVIL PENALTIES; PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE AND AUTHORIZING SUMMARY PUBLICATION BY ORDINANCE TITLE ONLY.

WHEREAS, the Town Council of the Town of Woodway has amended its fee schedule to exclude civil penalties for violations of the WMC to avoid confusion between fees and penalties; and

WHEREAS, WMC Section 1.14.100 currently provides that the civil penalty for a code violation is assessed pursuant to the Town’s fee schedule in Chapter 3.32 when specific penalty is not otherwise stated; and

WHEREAS, WMC Section 1.14.100 requires amendment;

NOW, THEREFORE, the Town Council of the Town of Woodway does hereby ordain as follows:

Section 1. WMC Section 1.14.100 D is hereby amended to read as follows (additions shown by underline, deletions shown by strikeout):

- D. Where the specific code section violated provides for a particular civil penalty, that civil penalty shall be set forth in the notice and order with respect to that violation. Where the code section or chapter violated does not provide for a specific civil penalty provision, ~~the civil penalty for such violation shall be assessed pursuant to the Town’s fee schedule in Chapter 3.32.~~ any person, firm, or corporation violating any provisions or failing to comply with any of the mandatory requirements of any ordinance of the Town may be subject to, in addition to other penalties hereunder, a civil penalty not more than \$250.00 per day or portion of a day for each violation, plus payment of the Town’s reasonable attorneys’ fees, witness fees, staff time, and other costs incurred in enforcing said civil penalty.

Section 2. If any part or portion of this Ordinance is declared invalid for any such reason, such declaration of invalidity shall not affect any remaining portion. This Ordinance shall take effect 5 days after date of publication by ordinance title only.

PASSED this 17th day of September 2018 by the Town Council of the Town of Woodway.

