

ORDINANCE 1077

CITY OF LACEY

AN ORDINANCE RELATING TO TRAFFIC ADOPTING SECTION 10.04.010, REPEALING SECTIONS 10.04.011, 10.04.012, 10.04.013, 10.04.017, AND 10.04.018, AMENDING SECTION 10.04.019 AND APPROVING A SUMMARY FOR PUBLICATION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

Section 1. Section 10.04.010 of the Lacey Municipal Code is hereby amended to read as follows:

**10.04.010 Washington Model Traffic Ordinance and Additional Statutes Adopted.**

Chapter 308-330 of the Washington Administrative Code, except Sections 308-330-500 through 308-330-565 of said code and any portion of said code which adopts by reference RCW 46.61.502, 46.61.504, 46.61.506 and 46.61.520 which chapter is known as the "Washington Model Traffic Ordinance," is hereby adopted. Laws 1997 1<sup>st</sup> Ex. Sess, ch 1 is also hereby adopted by reference Chapter 50 and all of Chapter 332 except Sections 5 and 18 thereof are also hereby adopted by reference and all provisions adopted by this section together with the balance of this Chapter shall constitute the traffic code of the City of Lacey . It is the intent of the council in adopting said statutes and laws by reference that the addition of or the renumbering of sections by the Legislature or the renumbering of sections or the addition of statutes by those adopting the Washington Administrative Code shall be deemed to amend this Chapter of the Lacey Municipal Code and that it shall not be necessary for the Council to take any action with respect to such addition, amendment, repeal or renumbering.

Section 2. Sections 10.04.011, 10.04.012, 10.04.013, 10.04.014, 10.04.017, and 10.04.018 of the Lacey Municipal Code are hereby repealed.

Section 3. Section 10.04.019 of the Lacey Municipal Code is hereby amended to read as follows:

**10.04.019 Severability.** The provisions of this chapter and the ordinances enacting and amending said chapter are declared to be separate and severable. The invalidity of any clause, sentence,

paragraph, subdivision, section or portion of this chapter or the ordinances enacting and amending said chapter, or the invalidity of the application thereof to any person of circumstance shall not affect the validity of the remainder of this chapter or the ordinances enacting said chapter or the of the validity of its application to other persons or circumstances. Specifically, without limiting the severability of other portions of this chapter and the ordinances enacting and amending it, the following provisions shall apply:

~~A. In the event that a court should declare void any provision of this chapter upon the basis that said provision calls for an alcohol concentration of 0.08 rather than 0.10, then an alcohol concentration of 0.10 rather than 0.08 shall be in full force and effect as though "0.10" appeared everywhere "0.08" appears in this chapter and prosecutions shall be made and shall continue thereunder as if the alcohol concentration was 0.10.~~

Section 4. The summary of this Ordinance, which is attached, is approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, this 22nd day of January, 1998.

CITY COUNCIL

BY: Nancy Peterson  
Mayor

Attest:

Approved as to form:

Charotte M. Taylor  
City Clerk

[Signature]  
City Attorney

Published: JANUARY 26, 1998  
Monday

SUMMARY FOR PUBLICATION

ORDINANCE NO. 1077

CITY OF LACEY

The City Council of the City of Lacey, Washington, passed on January 22 ~~day of~~ \_\_\_\_\_, 1998, Ordinance No. 1077 entitled "AN ORDINANCE RELATING TO TRAFFIC ADOPTING SECTION 10.04.010, REPEALING SECTIONS 10.04.011, 10.04.012, 10.04.013, 10.04.017, AND 10.04.018, AMENDING SECTION 10.04.019 AND APPROVING A SUMMARY FOR PUBLICATION."

A section by section summary of this Ordinance is as follows:

Section 1 Amends the language adopting the Washington Model Traffic Ordinance (MTO) under Chapter 308-330 of the Washington Administrative Code.

Section 2 repeals Sections 10.04.011 through 10.04.018 since these sections are included in the Model Traffic Ordinance (MTO).

Section 3 amends the severability clause.

Section 4 approves this summary for publication.

A copy of this full text of this Ordinance will be mailed without charge to any person requesting the same from the City of Lacey.

Published: Monday January 26, 1998.