

ORDINANCE NO. 195

CITY OF LACEY

AN ORDINANCE OF THE CITY OF LACEY ADOPTING A GENERAL PENALTY AND AMENDING AND REPEALING CERTAIN PENALTY PROVISIONS INCONSISTENT THEREWITH.

THE CITY COUNCIL OF THE CITY OF LACEY DOES ORDAIN AS FOLLOWS:

Section 1. Except where a different penalty is specifically provided by ordinance, any person convicted of a misdemeanor under the ordinances of the City of Lacey shall be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment not to exceed six (6) months, or by both such fine and imprisonment, and each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the ordinances of Lacey is committed, continued, or permitted by any such person, and he shall be punished accordingly.

Section 2. Section 11 of Ordinance No. 3 is hereby amended to read as follows:

"Section 11. Penalties.

(a) Any person who shall violate any of these provisions of the Fire Prevention Code hereby adopted or who shall fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specification of plans submitted and approved thereunder, or any certificate or permission thereunder from which no appeal has been taken, or who shall fail to comply with such order as affirmed or modified by the board of fire commissioners of the fire protection district having jurisdiction thereof as provided herein, within the time fixed herein, shall severally and for each and every such violation or non-compliance respectively be guilty of a misdemeanor, punishable

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2nd 6/24/71

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~~by a fine of not more than \$250.00 or by imprisonment in the city jail for not more than 90 days or by both such fine and imprisonment.~~ The imposition of one penalty for any violation shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violation or defect within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense hereunder."

Section 3. Section 18 of Ordinance No. 18 is hereby amended to read as follows:

"Section 18. Penalties. Any person who shall fail to comply with, or violate, any of the provisions of this ordinance shall be guilty of a misdemeanor, ~~and upon conviction thereof, shall be fined in an amount not exceeding \$300.00, or by imprisonment in the Lacey City Jail not exceeding 30 days or by both such fine and imprisonment.~~"

Section 4. Section 6 of Ordinance No. 52 is hereby amended to read as follows:

"Section 6. Any person, firm or corporation violating any of the provisions of this ordinance or failing to comply with any of the provisions hereof, shall be guilty of a misdemeanor, ~~and upon conviction thereof shall be punished by a fine not to exceed the sum of \$500.00, or imprisonment in the City Jail for a period not to exceed thirty (30) days.~~ The Council of the City of Lacey, may, upon proof of the conviction of any operator or licensee of any violation of or failure to comply with any of the provisions of this ordinance, revoke and cancel such license and forfeit all moneys deposited or paid for such license fees, but shall give said operator due notice and an opportunity for a hearing before the Council passes upon the cancellation of said license and for forfeiture of said fees."

Section 5. Section 39 of Ordinance No. 88 is hereby amended to read as follows:

"Section 39. Violations--Penalty. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding Three Hundred Dollars-(\$300.00);-or-by-imprisonment-in-jail-not-exceeding-ninety-(90)-days-or-both such-fine-and-imprisonment."

Section 6. Section 11 of Ordinance No. 94 is hereby amended to read as follows:

"Section 11. Penalty. Any person who refuses, or fails to comply with, or violates any of the provisions of this ordinance shall be guilty of a misdemeanor and shall be punished by a fine not to exceed One Hundred Dollars-(\$100.00)-or-by-imprisonment not-to-exceed-ninety-(90)-days;-or-by-both-such-fine and-imprisonment."

Section 7. Section X of Ordinance No. 104 is hereby amended to read as follows:

"Section X. Violations-Penalties: Any person, firm, or corporation wilfully violating any of the provisions of this ordinance shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine in any sum not exceeding \$300.00 or by imprisonment in jail for a period not exceeding ninety-(90)-days-or-by-both-such-fine-and-imprisonment."

Section 8. Section 10 of Ordinance No. 132 is hereby amended to read as follows:

"Section 10. Any person who shall violate and refuse to obey any of the rules and regulations made, filed and adopted as set forth in Section 9 hereof, shall be deemed guilty of a misdemeanor and upon conviction thereof, be fined in any sum, not exceeding \$100.00, or imprisoned in the County Jail for a period not exceeding thirty-(30)-days, or by both such fine and imprisonment."

Section 9. Section 6 of Ordinance No. 152 is hereby amended to read as follows:

"Section 6. Any person who shall fail to comply with or violates any of the provisions of this ordinance

shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined in an amount not exceeding Five Hundred Dollars (\$500.00) or by imprisonment in the City Jail not exceeding Ninety (90) days, or by both such fine and imprisonment."

Section 10. Section 13 of Ordinance No. 165 is hereby amended to read as follows:

"Section 13. Penalty. Any person, firm or corporation violating the terms of this ordinance shall be guilty of a misdemeanor, and shall upon conviction be subject for each offense to a fine of not less than \$10.00 nor more than \$500.00 or by imprisonment for 30 days or by both such fine and imprisonment; -- Every day upon which such violation shall occur or upon which such violation shall continue shall constitute a separate offense."

Section 11. Section 5 of Ordinance No. 23 is hereby amended to read as follows:

"Section 5. Violations of this ordinance shall be punishable by a fine of not over One Hundred Dollars (\$100.00) for each violation, or imprisonment for thirty (30) days, or both constitute a misdemeanor."

Section 12. Ordinance No. 43 is hereby amended to add a new section reading as follows:

"Section 7. Any person, firm or corporation violating the terms of this ordinance shall be guilty of a misdemeanor."

Section 13. Section 6 of Ordinance No. 48 is hereby amended to read as follows:

"Section 6. All persons violating this ordinance shall be liable to a fine in the sum of \$100.00 or imprisonment for not more than thirty days, or both such fine and imprisonment; guilty of a misdemeanor."

Section 14. There is added to Ordinance No. 58 a new section reading as follows:

"Any person, firm or corporation violating the terms of this ordinance shall be guilty of a misdemeanor."

Section 15. Section 7 of Ordinance No. 59 is hereby amended to read as follows:

"Section 7. Violations of this ordinance shall be ~~punishable by a fine of not more than \$100.00 for each violation; or imprisonment for thirty (30) days; or both;~~ constitute a misdemeanor."

Section 16. Section 12 of Ordinance No. 92 is hereby amended to read as follows:

"Section 12. Any person violating any of the provisions of this ordinance shall ~~upon conviction be fined not more than \$100.00 or imprisonment for a period not to exceed ninety (90) days or both such fine and imprisonment; -- For the violation of any of the provisions of this Ordinance; each day shall be considered a separate offense;~~ be guilty of a misdemeanor."

Section 17. Section 4 of Ordinance No. 93 is hereby amended to read as follows:

"Section 4. Interference with Impounding. It shall be unlawful for any person to interfere with, hinder, delay or impede any officer in the enforcement of any animal control ordinance adopted by the City of Lacey, and such violation shall ~~be punishable by a fine not exceeding \$100.00 or by imprisonment for a term not exceeding 90 days; or by both such fine and imprisonment;~~ constitute a misdemeanor."

Section 18. Section 14 of Ordinance No. 145 is hereby amended to read as follows:

"Section 14. Anyone violating or failing to comply with any of the provisions of this chapter shall be ~~punishable by a fine of not exceeding one hundred dollars or imprisonment in the city jail not exceeding thirty days; or by both;~~ ordinance shall be guilty of a misdemeanor."

Section 19. Section 13 of Ordinance No. 166 is hereby amended to read as follows:

"Section 13. Penalties. Any person ~~convicted of~~

violating any of the provisions of this ordinance ~~may be punished by a fine not less than \$10.00 nor more than \$100.00; or by imprisonment for not more than 30 days; or both; shall be guilty of a misdemeanor. Each day that a violation continues shall constitute a separate offense."~~

Section 20. Any person, firm, or corporation violating the terms of Ordinance Nos. 16, 19, 29, 31, 34, 36, 38, 42, 61, 65, 71, 76, 89, 164, 184, 185, 28, 105, and 67 shall be guilty of a misdemeanor.

Section 21. Section 2 of Ordinance No. 42 is hereby amended to read as follows:

"Section 2. Minor-Penalty for Violation. Any minor under the age of eighteen years violating the provisions of this ordinance shall be dealt with in accordance with juvenile court laws and procedure, and if remanded for Lacey Police Court prosecution or other prosecution as an adult, shall be punished ~~upon conviction by a fine of not more than \$500.00 or by imprisonment for not more than 6 months or by both such fine and imprisonment; as for the commission of a misdemeanor."~~

Section 22. Section 3 of Ordinance No. 42 is hereby amended to read as follows:

"Section 3. Parents--Not to Permit Violation--Penalty. It shall be unlawful for any parent or other person having the legal care or custody of a minor under the age of eighteen years who to knowingly permits such minor to violate any provision of this ordinance, shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not more than \$500.00 dollars or imprisonment for not more than 6 months or by both such fine and imprisonment."

Section 23. Section 1 of Ordinance No. 61 is hereby amended to read as follows:

"Section 1. ~~In all cases where~~ It shall be unlawful for the parent or parents, legal guardian, or person having custody of any minor child, or any other

person, who, to, by any act or omission, encourages, causes or contributes to the dependency or delinquency of a minor child, ~~shall be guilty of a misdemeanor; and upon conviction thereof, be punished by fine not exceeding five hundred dollars, -(\$500.00) or imprisonment in the City jail for not more than six months (6); or by both such fine and imprisonment."~~

Section 24. Section 1 of Ordinance No. 184 is hereby amended to read as follows:

"Section 1. Every person, except a person enrolled as a student in or parents or guardians of such students or person employed by such school or institution, who without a lawful purpose therefor willfully loiters about the building or buildings of any public or private school or institution of higher learning or the public premises adjacent thereto is a vagrant, and shall ~~upon conviction be punished by confinement in the city jail for not more than six (6) months; or by a fine of not more than Five Hundred (\$500.00) dollars; or by both such fine and imprisonment; be guilty of a misdemeanor.~~"

Section 25. Section 3 of Ordinance No. 67 is hereby amended to read as follows:

"Section 3. Any person who shall violate a restriction so posted by the City Engineer shall be guilty of a misdemeanor; ~~which shall be punishable by a fine not to exceed Five Hundred Dollars (\$500.00) or six (6) months in the City jail; or both."~~

Section 26. The following sections of ordinances are hereby repealed:

Ordinance No. 16, Section 3
Ordinance No. 19, Section 2
Ordinance No. 29, Section 36
Ordinance No. 31, Section 3
Ordinance No. 34, Section 4
Ordinance No. 36, Section 3
Ordinance No. 38, Section 11
Ordinance No. 65, Section 3
Ordinance No. 66, Section 2
Ordinance No. 71, Section 2
Ordinance No. 76, Section 2

Ordinance No. 164, Section 6
Ordinance No. 185, Section 2
Ordinance No. 28, Section 2
Ordinance No. 105, Section 8

Section 27. This ordinance shall take effect five
(5) days after its passage and publication as provided by law.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR
this 24th day of June, 1971.

W. B. Homann
MAYOR

ATTEST:

[Signature]
CITY CLERK

APPROVED AS TO FORM:

[Signature]
CITY ATTORNEY

PASSED: 6-24-71

PUBLISHED: 6-30-71