

ORDINANCE NO. 1300

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO BICYCLE SAFETY AND HELMETS; AMENDING SECTION 10.22.070 OF THE GIG HARBOR MUNICIPAL CODE TO INCREASE THE PENALTY IN COMPLIANCE WITH STATE LAW REGARDING TRAFFIC INFRACTIONS; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City adopted Bicycle Safety and Helmets under Chapter 10.22 of the Gig Harbor Municipal Code; and

WHEREAS, Chapter 10.22 of the Gig Harbor Municipal Code establishes bicycle safety requirements within the city limits, punishable as a traffic infraction GHMC 10.22.070; and

WHEREAS, the City Council desires to increase the penalty to incorporate the mandatory statutory requirements on all traffic infractions; Now, therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Section 10.22.070 - Amended. Section 10.22.070 of the Gig Harbor Municipal Code is amended as follows:

10.22.070 Penalties – Traffic infraction.

A. Any person violating any of the provisions of this chapter shall have committed a traffic infraction and shall be liable for monetary penalties not to exceed ~~\$25.00~~ \$124.00.

B. The court may waive, reduce, or suspend the penalty and clear the citation as a warning for a person who has not been cited under this chapter within one year, and provides proof that he or she has acquired an approved bicycle helmet at the time of appearance in court.

C. A guardian may be cited for a separate violation of this chapter for each child under 16 years of age riding on or in tow of a bicycle not wearing an approved helmet.

D. Each rental and each event under subsection A of this section shall be a separate violation.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be unconstitutional by a court of competent jurisdiction,

such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance shall take effect and be in full force and effect five days after passage and publication of an approved summary consisting of the title.


PASSED by the Council and approved by the Mayor of the City of Gig Harbor, this 28th day of July, 2014.

CITY OF GIG HARBOR



Mayor Jill Guernsey

ATTEST/AUTHENTICATED:


Molly M. Towslee, City Clerk

APPROVED AS TO FORM:
Office of the City Attorney


Angela G. Summerfield

FILED WITH THE CITY CLERK: 07/09/14
PASSED BY THE CITY COUNCIL: 07/28/14
PUBLISHED: 07/30/14
EFFECTIVE DATE: 08/04/14
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