

ORDINANCE NO. 44-19

AN ORDINANCE of the City of Richland amending Richland Municipal Code Section 23.70.270 related to violations and penalties applicable to Title 23, Zoning Regulations.

WHEREAS, the City has need, from time to time, to amend the Richland Municipal Code (RMC) to eliminate ambiguity or bring the code into compliance with state or federal law; and

WHEREAS, RMC 23.70.270, a section establishing civil penalties, improperly references Chapter 23.70 instead of Title 23, thereby inappropriately limiting the application of the penalties provision; and

WHEREAS, the intent of RMC 23.70.270 is to create a penalty section that applies to the whole of Title 23 RMC.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Richland Municipal Code Section 23.70.270, entitled Violations – Penalties, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 06-10, is hereby amended to read as follows:

**23.70.270 Violations – Penalties.**

Any person who has violated any provision of this ~~chapter~~ title shall have committed a civil infraction subject to a civil penalty as set forth in RMC 10.02.050(E).

Provided, if the same violator has been found to have committed an infraction violation for the same or similar conduct two separate times, with the violations occurring at the same location and involving the same or similar sections of the Richland Municipal Code or other similar codes, the third or subsequent violation shall constitute a misdemeanor, punishable as provided in RMC 1.30.010 for criminal offenses.

For any violation of a continuing nature, each day's violation shall be considered a separate offense and shall subject the offender to the above penalties for each offense.

In addition to the enforcement provisions of this section, any violation of any of the provisions of RMC 23.42.030 is declared to be a public nuisance, per se, which shall be abated by the city attorney by way of civil abatement procedures.

Section 2. This ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

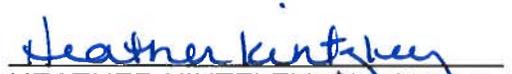
PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 15<sup>th</sup> day of October, 2019.

  
ROBERT J. THOMPSON  
Mayor

ATTEST:

  
TONI FULTON, Acting Deputy City Clerk

APPROVED AS TO FORM:

  
HEATHER KINTZLEY, City Attorney

Date Published: October 20, 2019