

ORDINANCE NO. 2016-19

**AN ORDINANCE OF THE TOWN OF EATONVILLE,
WASHINGTON, AMENDING CHAPTER 8.11 OF THE EATONVILLE
MUNICIPAL CODE REGARDING THE PENALTY FOR A
VIOLATION OF THE PUBLIC NOISE ORDINANCE**

WHEREAS, the Eatonville Municipal Code contains chapters dealing with General Nuisance, Junk Vehicles, Public Noise Nuisances, and a General Penalty (these Chapters are collectively referred to herein as the “Nuisance Code”), which prohibits certain conduct within the Town and provides penalties for violations; and

WHEREAS, law enforcement and Town officers charged with enforcing the Nuisance Code have found the Nuisance Code difficult to interpret and therefore difficult to enforce; and

WHEREAS, the Eatonville Town Council, in an effort to clarify the Nuisance Code in order to better inform the public and ease enforcement efforts, finds that the public health, safety, and welfare will be served by amending the various chapters of the Eatonville Municipal Code which form the Nuisance Code; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF EATONVILLE
AS FOLLOWS:**

Section 1. Eatonville Municipal Code Section 8.11.130 is AMENDED to read as follows:

8.11.130 Violation – Penalty.

A. Any person violating any motor vehicle performance standard of this chapter, or who shall create, keep, maintain, or allow to occur any noise related to motor vehicle performance standards, as defined herein, shall be guilty of a misdemeanor.

B. Any person violating any of the provisions of this chapter other than motor vehicle performance standards, or who shall create, keep, maintain, or allow to occur any public disturbance noise or public nuisance noise as defined herein shall be subject to a civil infraction pursuant to the procedures, terms, and conditions set forth in Chapter 1.12 EMC.

C. Each act herein prohibited of continuing nature shall be considered a separate offense.

Section 2. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared

unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. This ordinance shall take effect after publication of a summary, consisting of the title, pursuant to RCW 35.27.300.

1ST READING: 08/08/2016

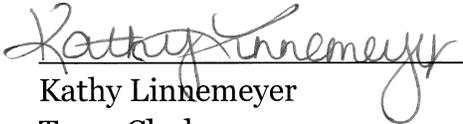
2ND READING: 08/22/2016

PASSED by the Town Council of the Town of Eatonville and attested by the Clerk in authentication of such passage this 22nd day of August, 2016.



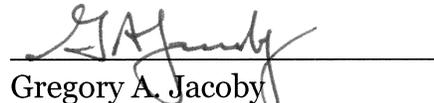
Mike Schaub
Mayor

ATTEST:



Kathy Linnemeyer
Town Clerk

APPROVED AS TO FORM:



Gregory A. Jacoby
Town Attorney