

ORDINANCE NO. 2017-8

**AN ORDINANCE OF THE TOWN OF EATONVILLE,
WASHINGTON, AMENDING EATONVILLE MUNICIPAL CODE
SECTION 12.21.060 REGARDING TRAIL VIOLATIONS**

WHEREAS, Eatonville Municipal Code Chapter 12.21 sets forth the rules and regulations regarding the use of any trail which may be found on public land, or within a public easement or right-of-way, within the Town of Eatonville which does not meet the definition of a park as set forth in EMC 12.20.010; and

WHEREAS, the Public Safety Committee has reviewed and recommends updating the violation section of Eatonville Municipal Code Section 12.21.060; and

WHEREAS, updating Section 12.21.060 of the Eatonville Municipal Code will streamline the enforcement process; now, therefore,

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

Section 1. Eatonville Municipal Code Section 12.21.060 is hereby amended to read as follows:

12.21.060 Violations

~~A violation of this chapter shall be a civil infraction punishable pursuant to the General Penalty set forth in Chapter 1.12 of EMC.~~

Violations of this chapter shall subject the person committing the violation to the abatement remedies set forth herein, as well as the following:

- A. The first offense under this chapter shall be considered a class 2 civil infraction, punishable pursuant to Chapter 1.12 EMC;
- B. The second offense under this chapter shall be considered a class 1 civil infraction, punishable pursuant to Chapter 1.12 EMC; and
- C. The third offense, and any subsequent offense thereafter, shall be considered a misdemeanor.

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: 07/10/2017

2ND READING: __/__/2017

PASSED by the Town Council of the Town of Eatonville and attested by the Clerk in authentication of such passage this _____ day of July 2017.

Mike Schaub
Mayor

ATTEST:

Kathy Linnemeyer
Town Clerk

APPROVED AS TO FORM:

Gregory A. Jacoby
Town Attorney