

ORDINANCE NO. 2766

AN ORDINANCE AMENDING CHAPTER 6.18 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "PENALTIES AND ENFORCEMENT"

THE CITY COUNCIL OF THE CITY OF MOSES LAKE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Chapter 6.18 of the Moses Lake Municipal Code entitled "Penalties and Enforcement" is amended as follows:

6.18.010 Notice of Violation and Order to Correct: When the Community Services Officer determines that any violation of Title 6 requires further and/or additional enforcement action, he or she may proceed against that violation using the procedures provided in this section and Chapter 1.20.

A. Notice of Violation and Order to Correct or Cease Activity:

1. General. If the Community Services Officer or any Police Officer determines that any activity or condition, related to the keeping or management of animals as set forth in Title 6 exists that does not conform to this Title, he or she may issue a Notice of Violation and Order to Correct or Cease Activity. This Notice will specifically indicate the following:
 - a. The name and address of the person(s) charged with the violation.
 - b. What provision of this chapter is being violated.
 - c. The street address of the site on which the violation has been determined to exist.
 - d. What is necessary to correct the violation.
 - e. The time by which the violation is to be corrected or activity ceased.
 - f. A statement that the civil penalties established in Section 1.20 shall be assessed against the person(s) cited if the violation is not corrected within the specified time period.
2. Notice to Occupant and Owner. The Community Services Officer shall deliver or cause to be delivered the Notice of Violation and Order to Correct or Cease Activity by U.S. postal mail, or certified mail return receipt requested, or personal service to the occupant or person in charge of the property.

B. Appeals. Any Notice of Violation and Order to Correct or Cease Activity issued by the Community Services Officer shall be appealable to the Hearing Examiner as provided in Chapter 1.20.

C. Penalties. Any violation for which a Notice of Violation and Order to Correct or Cease Activity has been issued shall be subject to the penalties provided for in Section 1.20. The cumulative penalty provided for in Chapter 1.20 shall not preclude the initiation of appropriate legal action to correct the violation.

D. The Community Services Officer may refer the matter to the City Attorney for civil enforcement by injunction or other appropriate action.

E. Compromise, Settlement, and Disposition of Disputes or Litigation. The Community Services Officer and the City Attorney may negotiate a settlement or compromise, or otherwise dispose of a dispute or litigation when to do so would be in the best interests of the City.

Section 2. This ordinance shall take effect and be in force five (5) days after its passage and publication of its summary as provided by law.

Adopted by the City Council and signed by its Mayor on May 12, 2015.



Dick Deane, Mayor

ATTEST:



W. Robert Taylor, Finance Director

APPROVED AS TO FORM:



Katherine L. Kenison, City Attorney