

ORDINANCE NO. 16-1071

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, RELATING TO TRAFFIC SAFETY SCHOOL, CHANGING THE FEE CHARGED BY THE CITY FOR THE SCHOOL SO THAT IT IS NOT IN EXCESS OF THE PENALTY FOR AN UNSCHEDULED TRAFFIC INFRACTION, AS LIMITED BY RCW 46.83.080, AMENDING BLACK DIAMOND MUNICIPAL CODE SECTION 10.44.030**

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**WHEREAS**, the City currently charges a fee of \$200 for traffic safety school in Resolution No. 15-0143; and

**WHEREAS**, RCW 46.83.080 does not allow the City to charge a fee for the cost of attending the traffic safety school in excess of the penalty for an unscheduled traffic infraction, as established by the Supreme Court, pursuant to RCW 46.63.110; now, therefore,

THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, ORDAINS AS FOLLOWS:

**Section 1.** Section 10.44.030 of the Black Diamond Municipal Code is hereby amended to read as follows:


**10.44.030 Fee.** ~~The Black Diamond police department shall charge a fee to all traffic school participants in an effort at assisting in the reimbursement of some or all costs associated with the administration of the traffic safety school. The fee shall be set at an amount established or amended by the city council by resolution. Fee payments by all traffic safety school participants shall be remitted to City Hall in accordance with the procedures established in conjunction with the Black Diamond police department and City Hall.~~

The Black Diamond police department shall not charge a fee for attendance at traffic safety school that is in excess of the penalty for an unscheduled traffic infraction established by the supreme court pursuant to RCW 46.63.110. For the purposes of this section, the penalty includes the base penalty and all assessments and other costs that are required by statute or rule to be added to the base penalty.

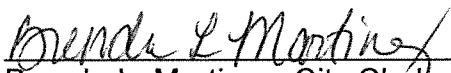
**Section 2.** The City Council directs this change to be shown on the next annual amendment to the City's fee resolution, No. 15-1043, but this Ordinance shall be effective until such amendment and the \$200 fee in that resolution shall not be changed.

**Section 3.** This Ordinance shall be in full force and effect five days after its publication in summary form as provided by law.

Passed by the City Council on this 21<sup>st</sup> day of January, 2016.

  
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Mayor Carol Benson

Attest:

  
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Brenda L. Martinez, City Clerk

APPROVED AS TO FORM:

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Carol Morris, City Attorney

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