

ORDINANCE NO. 18-1100

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, AMENDING CHAPTER 10.40 OF THE BLACK DIAMOND MUNICIPAL CODE TO ADD OFFENSE OF UNLAWFUL INTERSECTION AVOIDANCE.

WHEREAS, the Black Diamond Police Department has received complaints from private property owners who have observed vehicles cutting through their parking lots to avoid sitting at a busy intersection; and

WHEREAS, the Police Department believes this behavior constitutes a potential danger to persons and/or property and is not consistent with the intent of Title 10 of the Black Diamond Municipal Code ("Vehicles and Traffic"); and

WHEREAS, the City Council, upon recommendation of the Police Department, desires to establish a new traffic infraction to be known as "Unlawful Intersection Avoidance," punishable by monetary fine;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. New BDMC Section 10.40.070 (Unlawful Intersection Avoidance).

Chapter 10.40 of the Black Diamond Municipal Code is hereby amended to add the following new offense:

10.40.070 Unlawful Intersection Avoidance. It is unlawful for any person operating a motor vehicle on the highways of the city to turn such vehicle either to the right or to the left upon approaching or leaving intersections and thereafter proceed across any private property for the purpose of avoiding the intersection or any traffic control device controlling the intersection, unless so directed by lawful authority. The offense unlawful intersection avoidance shall be considered an infraction, punishable by a fine of not more than \$100.00, plus all mandatory state costs, fees, and assessments.

Section 2. Severability. 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 pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

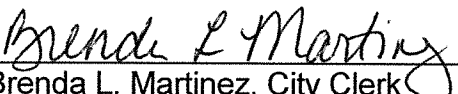
ADOPTED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND AT A REGULAR MEETING THEREOF ON THE 15TH DAY OF FEBRUARY 2018.

CITY OF BLACK DIAMOND



Carol Benson, Mayor

Attest:



Brenda L. Martinez, City Clerk

Approved as to form:

David Linehan, City Attorney

Filed with the City Clerk: 2/16/18
Passed by the City Council: 2/15/18
Ordinance No.18-1100
Date of Publication: 2/20/18
Effective Date:2/25/18