

Ordinance No. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING  
OLYMPIA MUNICIPAL CODE SECTION 4.50.020 RELATING TO THE DEFINITION  
OF ENFORCEMENT OFFICER**

**WHEREAS**, positions that are allowed to act as an enforcement officer to write civil infractions should be set forth in the Olympia Municipal Code (OMC); and

**WHEREAS**, the definition of Enforcement Officer as set forth in OMC Chapter 4.50 is broader than necessary and should be amended; and

**WHEREAS**, this Ordinance is adopted pursuant to Article 11, Section 11, of the Washington State Constitution and other applicable authority;

**NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:**

**Section 1. Amendment of OMC 4.50.020. Olympia Municipal Code Section 4.50.020 is hereby amended to read as follows:**

**4.50.020 Definitions**

The definitions set forth in this Section shall apply throughout this Chapter:

- A. "Civil Infraction" means a violation of a section of the Olympia Municipal Code designated as a civil infraction for which a monetary penalty may be imposed under this Chapter. Each day during which a violation occurs or exists shall be deemed a separate civil infraction. Traffic and vehicle violations issued pursuant to the Model Traffic Ordinance as adopted by the Olympia Municipal Code Chapter 10.04 are specifically excluded from the application of this Chapter.
- B. "Code" means any provision of the Olympia Municipal Code.
- C. "City" means the City of Olympia.
- D. "Court" means the Olympia Municipal Court or other courts of competent jurisdiction.
- E. "Department" means all City of Olympia departments.
- F. "Enforcement Officer" means any police officer or person authorized by ~~or ordinance or the director of any department~~ to enforce the provisions of the Code or ordinance in which the civil infraction is established, but shall not include private citizens.
- G. "May" means optional and permissive and does not impose a requirement.

H. "Permit or Permit Conditions" means an official authorization, license, document, certificate, or other written permission or conditions attached thereto given to a person by and City of Olympia department or by the Olympia Hearing Examiner authorizing any person to perform a specified activity.

I. "Person" means an individual, partnership, corporation, or other legal entity.

J. "City Attorney" means the Olympia City Attorney or his or her designee.

K. "Shall" means mandatory and imposes a requirement.

**Section 2. Corrections.** The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**Section 3. Severability.** If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or application of the provisions to other persons or circumstances shall remain unaffected.

**Section 4. Ratification.** Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

**Section 5. Effective Date.** This Ordinance shall take effect thirty (30) days after publication, as provided by law.

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MAYOR

**ATTEST:**

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CITY CLERK

**APPROVED AS TO FORM:**



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DEPUTY CITY ATTORNEY

**PASSED:**

**APPROVED:**

**PUBLISHED:**