

BINGEN MUNICIPAL CODE

Chapter 1.16

GENERAL PENALTY

Sections:

- 1.16.010 Penalty designated.
- 1.16.015 Fine amount.
- 1.16.020 Each day deemed separate offense.

1.16.010 Penalty designated.

Any person violating any of the provisions or failing to comply with either the mandatory or prohibitory requirements of any ordinance of the city shall be guilty of either a misdemeanor or gross misdemeanor. If the city has adopted by reference a crime set forth in the Washington State Criminal Code, the designation of that crime as misdemeanor or gross misdemeanor shall be the same as the designation of that crime in the Washington State Criminal Code. If the crime is not set forth in the Washington State Criminal Code, the offense shall be a misdemeanor unless otherwise designated. The maximum penalty for violation of such ordinances shall not exceed a fine of five thousand dollars or by imprisonment not to exceed one year, or by both such fine and imprisonment. However, those crimes designated as misdemeanors in either the Washington State Criminal Code or the Bingen Municipal Code shall have a maximum penalty not to exceed one thousand dollars or by imprisonment not to exceed ninety days, or by both such fine and imprisonment. (Ord. 422 (part), 1994; Ord. 347 §1, 1985; Ord. 272 §1.A, 1979).

1.16.015 Fine amount.

- A. The amount of any fine specified or included by incorporation in the Bingen Municipal Code, whether it be a criminal or a traffic infraction or other civil infraction fine is the base amount. The base amount is not intended to include the Public Safety and Education Assessment (PSEA) as set forth in RCW 3.62.090 as now or as amended, or the additional penalty for traffic infractions pursuant to RCW 46.63.110, as now or as amended, or other fees or assessments required by law. The actual fine amount ordered should include the base amount determined by the arbiter and, as appropriate, Public Safety and Education Assessment, RCW 46.63.110 additional penalty, and any other fees or assessments required by law.
- B. The base amount of any non-traffic civil infraction fine specified in the Bingen Municipal Code shall be not less than the amount of \$30.00 or the amount necessary to insure the fine amount levied covers, to the extent applicable, the State of Washington required Judicial Information System (JIS) fee, Emergency Medical Services and Trauma Care fee, the fee required by RCW 46.63.110 (8) as now or as amended, and the Public Safety

and Educational Assessment fee required by RCW 3.62.090 as now or as amended and any other assessments or fees required by law, whichever amount is greater.

- C. The base amount of any traffic infraction or criminal fine specified in the Bingen Municipal Code shall be not less than the amount of \$55.00 or the amount necessary to insure the fine amount levied covers, to the extent applicable, the State of Washington required Judicial Information System (JIS) fee, the Emergency Medical Services and Trauma Care fee, the fee required by RCW 46.63.110 (8) as now or as amended, and the Public Safety and Educational Assessment Fee required by RCW 3.62.090 as now or as amended and any other assessments or fees required by law, whichever amount is greater. (Ord. 483 §1, 2003).

1.16.20 Each day deemed separate offense.

Each person is guilty of a separate offense for each and every day during any portion of which any violation of any provision of the ordinances of the city is committed, continued or permitted by any such person, and he is punishable accordingly. (Ord. 272 §1.B, 1979).