

CITY OF BUCKLEY, WASHINGTON

ORDINANCE NO. 01-21

AN ORDINANCE OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON,  
AMENDING SECTION 1.04.020 (PENALTIES) OF THE BUCKLEY CITY CODE TO  
CORRESPOND WITH RCW 9A.20.021.

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**WHEREAS**, the City's Taxes, Rates & Fees Schedule is to be reviewed by the City Council prior to approval; and

**WHEREAS**, review by Court staff revealed a discrepancy between the City Code and the Revised Code of Washington regarding the definition of a gross misdemeanor; and

**WHEREAS**, the City Code cannot not have a stricter penalty regarding maximum penalties for crimes;

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON,  
DO ORDAIN AS FOLLOWS:

**Section 1.** Section 1.04.020 of the Buckley Municipal Code is hereby amended to read as follows:

1) Gross Misdemeanor. Every person convicted of a gross misdemeanor shall, unless otherwise specified, be punished by a fine not to exceed \$5,000 or by confinement in jail for a term not to exceed 364 days or by both such fine and confinement.

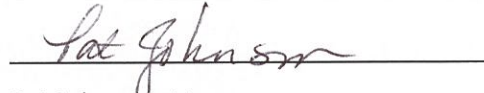
(2) Misdemeanor. Every person convicted of a misdemeanor shall, unless otherwise specified, be punished by a fine not to exceed \$1,000 or by confinement in jail for a term not to exceed 90 days or by both such fine and confinement.

(3) Civil Infraction. Unless otherwise specified, a civil infraction is punishable by a maximum penalty of \$250.00 not including statutory assessments. (Ord. 19-07 § 1, 2007; Ord. 04-05 § 1, 2005).


**Section 2.**      Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

**Section 3.**      Effective Date. This Ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after publication.


Introduced, passed, and approved this 23<sup>rd</sup> day of February 2021.

  
Pat Johnson, Mayor

Attest:

  
Treva Percival, City Clerk

APPROVED AS TO FORM:

  
Phil Olbrechts, City Attorney

PUBLISHED: March 3, 2021

EFFECTIVE: March 8, 2021