

1287c
January 8, 1986

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3589

AN ORDINANCE amending the Sign Code by repealing the criminal penalty provisions and amending the civil penalty provisions to incorporate the civil infraction penalties and procedures established by Ordinance No. 3532; amending Section 2 of Ordinance No. 1875, as amended, and Bellevue City Code Section 22B.10.170(C); and adding a new Section 22B.10.210 regarding severability to the Sign Code.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 2 of Ordinance No. 1875, as amended, and Bellevue City Code Section 22B.10.170(C), are each hereby amended to read as follows:

22B.10.170 Administration, Enforcement and Sign Removal.

. . . .

C. Code Violations and Enforcement. The remedies provided in this section for violations of or failure to comply with provisions of this code shall be cumulative and shall be in addition to any other remedy provided by law.

Any sign which is not in compliance with all the provisions of this code is an unlawful sign.

1. Civil Remedies. The violation of or failure to comply with any of the provisions of this code, or the erection, use or display of any sign not in compliance with all of the provisions of this code is declared to be unlawful.

a. Injunction and Abatement. The City, through its authorized agents, may initiate injunction or abatement proceedings or other appropriate action in the courts against any person who violates or fails to comply with any provision of this code, or against the erector, owner or user of an unlawful sign or the owner of the property on which an unlawful sign is located, to prevent, enjoin, abate

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or terminate violations of this code and/or the erection, use or display of an unlawful sign.

- b. Civil Penalty. Any person who violates or fails to comply with any of the provisions of this code or the erector, owner or user of an unlawful sign or the owner of property on which an unlawful sign is located shall be subject to the civil infraction enforcement penalties as set forth in Bellevue City Code Chapter 1.18. The infraction procedures set forth in Bellevue City Code Chapter 1.18 shall apply in any proceeding to enforce such penalties.

2. Removal of Unlawful Sign.

- a. Any unlawful sign which has not been removed within thirty days after imposition of civil penalty, may be removed by the City and the costs charged to the violator. If removal costs have not been paid and the sign reclaimed within thirty days of its removal by the City, the City may sell or otherwise dispose of the sign and apply the proceeds toward costs of removal. Any proceeds in excess of costs shall be paid to the owner of the sign.
- b. Signs which the administrator finds upon public streets, sidewalks, rights-of-way or other public property, or which wheresoever located present an immediate and serious danger to the public because of their unsafe condition may be immediately removed by the administrator without prior notice.

. . . .

Section 2. There is hereby added to the Bellevue City Code, Chapter 22B.10, a new section, 22B.10.210, to be entitled Severability, which may be cited as such and will read as follows:

22B.10.210 Severability

If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected, and to this end the provisions of this chapter are declared to be severable.

Section 3. This ordinance shall take effect and be in force thirty days after final passage by the City Council.

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PASSED by the City Council this 13th day of January,
1986, and signed in authentication of its passage this 13th day
of January, 1986.

(SEAL)



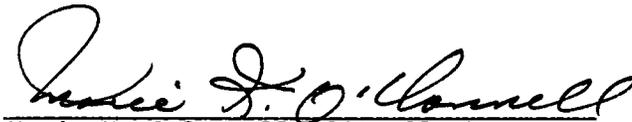
Thomas J. Hansen, Mayor pro Tem

Approved as to form:

Richard L. Andrews, City Attorney


Janet E. Garrow, Assistant City Attorney

Attest:


Marie K. O'Connell, City Clerk

Published January 17, 1986