

CITY OF LYNDEN

EXECUTIVE SUMMARY



Meeting Date:	January 2, 2024	
Name of Agenda Item:	Ord 23-1680 Amending Civil Penalties Code	
Section of Agenda:	Public Hearing	
Department:	City Administration	
Council Committee Review:	Legal Review:	
<input checked="" type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input checked="" type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input type="checkbox"/> Review Not Required
Attachments:		
Draft Ord 23-1680 with Exhibit A - Redline of proposed changes.		
Summary Statement:		
<p>Over the last 12 months City Administration, staff, and legal counsel, Luke Phifer, have been drafting an update to the City’s civil penalties code. The City’s current code needs this update as it includes many criminal misdemeanor penalties for offenses that would be more appropriately classified as civil infractions. Additionally, although the code recognizes the authority of the City to fine violators, it provides only broad guidance on what dollar amount could be used under this authority.</p> <p>The revised code carefully defines general penalties, civil infractions, misdemeanors, and gross misdemeanors. It assigns penalties to infractions which would be classified as C-1 through C-9 depending on the severity of the violation. The amended code also establishes a uniform process for citing and correcting violations, a critical tool for staff seeking to provide fair and consistent enforcement of the city’s code provisions.</p> <p>To implement a revision of this nature it is necessary to amend numerous existing penalty provisions throughout the municipal code. The bulk of the civil penalties code will be in Chapter 1 of the Lynden Municipal Code, but many other chapters would also be amended to classify infractions and identify corrective processes. Title 13 has been amended to include stormwater provisions and for general consistency with the proposed changes. However, staff anticipates that additional revisions related to utilities will be addressed in the coming year.</p> <p>After extensive work, staff and legal counsel are advocating for this revision as a significant improvement to the code and the guidance it provides to consistently address violations, and attain compliance, within the city.</p>		
Recommended Action:		
Motion to approve Ord 23-1680 regarding an amendment to the city’s Civil Penalties Code which updates multiple chapters of the Lynden Municipal Code and to authorize the mayor’s signature on the ordinance.		