

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 14, 2021

AGENDA ITEM:	
Amendment to Section 6.36.030 of the Marysville Municipal Code	
PREPARED BY:	DIRECTOR APPROVAL:
Burton Eggertsen	
DEPARTMENT:	
Legal	
ATTACHMENTS:	
Ordinance Amending Section 6.36.030 of the Municipal Code	
BUDGET CODE:	AMOUNT:
	n/a
SUMMARY:	

MMC 6.36.030 establishes a maximum penalty of six months in jail and a \$500 fine for violations of Chapter 6.36 MMC (Loitering). However, state law establishes that simple misdemeanors carry a maximum penalty of 90 days in jail and a \$1000 fine.

The proposed ordinance would correct this incongruity with state law by providing that those violating Chapter 6.36 MMC are guilty of a misdemeanor.

RECOMMENDED ACTION: Staff recommends that Council considers adopting Ordinance No. _____.
RECOMMEND MOTION: I move to adopt Ordinance No. _____.

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARYSVILLE,
WASHINGTON, AMENDING SECTION 6.36.030 OF THE MUNICIPAL CODE
TO UPDATE THE CRIMINAL PENALTY FOR LOITERING.**

WHEREAS, Section 6.36.030 of the Marysville Municipal Code (MMC) establishes the criminal penalty for loitering; and

WHEREAS, it is appropriate to amend the municipal code in response to changes in state law or conditions in the City; and

WHEREAS, the current municipal criminal penalty for loitering was established in 1989, and has not been updated to reflect current state law regarding penalties for misdemeanors; and

WHEREAS, public health, safety, and welfare benefits from periodic updates to the municipal code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MARYSVILLE,
WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. Amendment of MMC 6.36.030. Section 6.36.030 of the Marysville Municipal Code is amended as set forth in Exhibit "A."

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

SECTION 3. Correction. Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

SECTION 4. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 20_____.

CITY OF MARYSVILLE

By _____
JON NEHRING, MAYOR

Attest:

By _____
TINA BROCK, DEPUTY CITY CLERK

Approved as to form:

By _____
JON WALKER, CITY ATTORNEY

Date of publication: _____

Effective Date (5 days after publication): _____

EXHIBIT A

6.36.030 Penalty.

Any person violating a provision of this chapter ~~shall be~~ is guilty of a misdemeanor ~~and shall be punished by a fine not to exceed \$500.00 or by imprisonment in jail for not more than six months or by both such fine and imprisonment.~~