Ordinance No. 3017

["Beginning July 1, 1998"]

(Amending or Repealing Ordinances)

Amended by Ord. 3408
ORDINANCE NO. 3077

AN ORDINANCE of the City of Kent, Washington, relating to traffic, deleting the existing chapter on the subject of traffic and speed limits in the City, Kent City Code Chapters 10.02 and 10.08, (repealing Ordinances 1963, 2384, 2391, 2414, 2680, 2716, 2769, 2918, 2974, 2163, 2210, 2240, 2265, 2305, 2399, 2491, 2589, 2660, 2706, 2821, 2845, 2934 and 3006; adopting The Model Traffic Ordinance of the State of Washington ("MTO") by reference; adding sections relating to inattentive driving, intersection avoidance; and providing for penalties therefor.

WHEREAS, it is the desire of the City of Kent to encourage highway safety and uniform traffic laws by adopting the State of Washington comprehensive compilation of sound and uniform traffic laws, The Model Traffic Ordinance (MTO); as set forth in the revised Code of Washington, (RCW) Chapter 46.90 and to make all local amendments or additions thereto as are necessary; and

WHEREAS, in order to do so, the City must repeal all existing ordinances on the same subject; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. City of Kent Ordinance No. 1963 relating to traffic offenses entitled:

AN ORDINANCE of the City of Kent, Washington, adopting the Kent Traffic Code; and repealing Ordinances 382, 475, 521, 523, 544, 554, 651, 813, 839, 848, 857, 861, 866, 882, 912, 936, 993, 1018, 1107, 1150, 1166, 1214, 1220, 1222, 1285, 1323, 1328, 1356, 1403, 1413, 1611, 1641, 1642, 1677, 1711 and 1824.
and subsequent ordinances amending Ordinance No. 1963, numbers 2384, 2391, 2414, 2680, 2769 and 2680 are hereby repealed.

Section 2. City of Kent Ordinance No. 2163 relating to traffic speed entitled:

AN ORDINANCE of the City of Kent, Washington relating to traffic speed, increasing or decreasing speed limits upon certain streets, providing for regulations of traffic signals, repealing conflicting ordinances and providing for penalties for violations.

and subsequent ordinances amending Ordinance No. 2163, numbers 2210, 2240, 2265, 2305, 2399, 2491, 2589, 2660, 2706, 2821, 2845, 2934 and 3006, are hereby repealed.

Section 3. The adopting ordinance shall be published in a newspaper as provided in RCW 35A.12.160 and a copy of the State of Washington Model Traffic Code, together with its amendments, shall be authenticated and recorded by the Clerk along with this adopting ordinance. Not less than one copy of the Model Traffic Code and its amendments shall also be filed with the City Clerk for examination by the public.

Section 4. There is also adopted a section added to and to become part of the Kent Traffic Code in Section 3 above entitled "Inattentive Driving" to read as follows:

INATTENTIVE DRIVING.

A. It is unlawful for any person to operate a motor vehicle in an inattentive manner over the highways of the City of Kent.
B. For the purpose of this violation "inattentive" means the operation of a vehicle upon the public highways of the City in a lax or slack manner.

C. The offense of operating a vehicle in an inattentive manner shall be considered to be a lesser offense than, but included in the offense of operating a vehicle in a negligent manner.

D. Any person violating the provisions of this section is guilty of a traffic infraction and the mandatory penalty will be Forty Seven Dollars ($47).

Section 5. There is also adopted a section added to and to become part of the Kent Traffic Code in Section 3 above entitled "Avoidance of Intersection" to read as follows:

AVOIDANCE OF INTERSECTION.

A. It is unlawful for any person operating a motor vehicle on the highways of the City of Kent to turn such vehicle either to the right or to the left upon approaching or leaving intersections and to proceed across any private property for the purpose of avoiding the intersection or any traffic control device controlling the intersection, unless so directed by lawful authority.

B. Penalty.

1. Any violation of this section shall be a traffic infraction and punishable by monetary penalty of Forty Seven Dollars ($47).
Section 6. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance or the validity of its application to other persons and circumstances.

Section 7. Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication as provided by law.

DAN KELLEHER, MAYOR

ATTEST:

BRENDA JACOBER, DEPUTY CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED the 3rd day of December, 1991.
APPROVED the 4th day of December, 1991.
PUBLISHED the 6th day of December, 1991.
I hereby certify that this is a true copy of Ordinance No. 3017, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOBER
DEPUTY CITY CLERK