

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 2055

AN ORDINANCE concerning the regulation of signs; further amending Section 2 of Ordinance No. 1875 and Sections 17.01.085 and 17.01.140 of the Bellevue City Code.

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

Section 1. Section 2 of Ordinance No. 1875 and Sub-section 17.01.085 (c) are each hereby amended to provide as follows:

(c) King County classifications M-L, C-G and M-P shall be governed by Section 17.01.050, Commercial and Manufacturing District Signs.

Section 2. Section 2 of Ordinance No. 1875 and Sub-section 17.01.140 (c) are each hereby amended to provide as follows:

C. Code violations and enforcement. The remedies provided in this section for violations of or failure to comply with provisions of this Code, whether civil, criminal, or for sign removal, shall be cumulative and shall be in addition to any other remedy provided by law. ~~It is intended that the civil penalty described herein shall be used in preference to the criminal penalty, except in cases of repeated, malicious, willfully prolonged, or flagrant violations of this Code.~~

Any sign which is not in compliance with all the provisions of this Code is ~~referred to herein as~~ 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 or the allowing of, permitting of, or the suffering of, the erection, use or display of any sign not in compliance with all of the provisions of this Code shall be and hereby is declared to be unlawful.

a. Injunction and abatement. The City of Bellevue, 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 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 of 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 a maximum civil penalty of \$250 for each week day or portion thereof that the use or display of the unlawful sign has continued, except that the owner of property on which an unlawful sign is located, who is not also the owner or user of the unlawful sign, shall be subject to the penalty only if demand for removal or alternation of the unlawful sign shall have been mailed to said owner at his last known address by registered mail, return receipt requested, and the demand has remained uncomplied with for more than 30 days.

2. Criminal penalty. The violation of or failure to comply with any of the provisions of this Code or the erection, use, or display or the allowing of, the permitting of, or the suffering of, the erection, use or display of any unlawful sign not-in-compliance-with-all-of the-provisions-of-this-Code is a misdemeanor; and, upon conviction, the violator shall be punished by a fine of not more than \$250 and shall be required to remove the unlawful sign. Each day or portion thereof upon which a violation occurs constitutes a separate offense.

3. Removal of unlawful sign. a. ~~If-an~~ Any unlawful sign which has not been removed within 30 days after conviction of violation or imposition of civil penalty, ~~the-City may cause-the-sign~~ to be removed by the City and ~~charge~~ the costs charged to the violator. If removal costs have not been paid and the sign reclaimed within 30 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 of removal shall be paid to the owner of the sign.

b. Signs which the Administrator finds upon public streets, sidewalks, right-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.

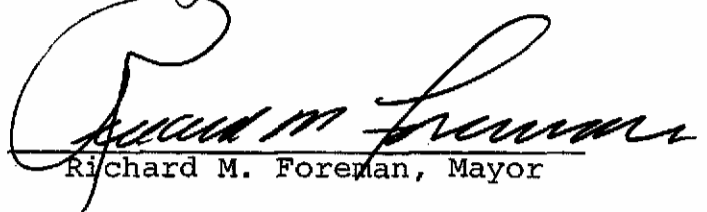
Neither the City nor any of its agents shall be liable for any damage to the sign when removed under this section.

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Section 3. This ordinance shall take effect and be in force five (5) days after its passage, approval and legal publication.

PASSED by the City Council this 15 day of April, 1974, and signed in authentication of its passage this 15 day of April, 1974.

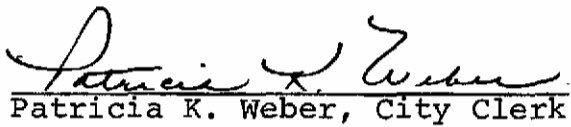
(SEAL)


Richard M. Foreman, Mayor

Approved as to Form


Lee Kraft, City Attorney

Attest:


Patricia K. Weber, City Clerk

Published April 25, 1974