

Repealed by 3939

ORDINANCE NO. 2559

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE CITY OF KIRKLAND VIOLATIONS BUREAU, ITS ESTABLISHMENT AUTHORITY AND RULES OF PROCEDURE, AND AMENDING CHAPTER 3.48 OF THE KIRKLAND MUNICIPAL CODE.

BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Section 3.48.010 of the Kirkland Municipal Code is hereby amended to read as follows:

"3.48.010 Established--Purpose--Hours. There is established a violations bureau for the city to assist with the clerical work of cases for the /violations/ infraction or violation of city ordinances. The bureau shall be in charge of such person or persons, and shall be open at such hours as the city manager shall designate, provided that the bureau shall not be operated nor staffed in conjunction with the Kirkland police department."

Section 2. Section 3.48.020 of the Kirkland Municipal Code is hereby amended to read as follows:

"3.48.020 Offenses processed by bureau--Designation--Bail--Court appearance. The judge or justice having competent jurisdiction to hear cases arising under ordinances of the city, shall, by written order, designate the specific infractions and offenses under city ordinances which may be processed by the violations bureau; specify the amount of bail or monetary penalty to be posted; the circumstances or conditions which will require appearance before the court, and authorize the violations bureau in all other cases to accept forfeiture of bail and payment of monetary penalties."

Section 3. Section 3.48.040 be and it hereby is amended to read as follows:

"3.48.040 Duties. The following duties are hereby imposed upon the violations bureau:
(1) It shall accept designated bail, issue receipts, and represent in court such violators as are permitted and desire to plead guilty, waive court appearance, and give power of attorney;
(2) It shall receive and issue receipts for cash bail from the persons who must or wish to be heard in court; shall arrange for the filing and docketing of all cases and shall notify the arresting officer, defendant, and witnesses, of the time to be present in court;

(3) It shall keep an easily accessible record of all violations of which each person has been guilty during the preceding twelve months;

(4) It shall transfer, daily, or otherwise as may be prescribed by court rule to the clerk of the court having competent jurisdiction to hear said cases, all bail posted for offenses where forfeiture is not authorized by court order, as well as copies of all receipts;

(5) It shall accept payment and issue receipts for monetary penalties for traffic infractions. In accordance with and when authorized by court rule, it shall transfer to the clerk of the court all monetary penalties received for traffic infractions where the defendant requests either a contested hearing or a mitigation hearing; provided, however, if, pursuant to court rule or order, the violations bureau is authorized or commissioned to conduct mitigation hearings, subject to such conditions as may be provided for by said court rule or court order, then in that event monetary penalties paid by defendants requesting a mitigation hearing shall not be transferred to the clerk of the court, but shall be subject to disposition in accordance with subsection 6 of this ordinance.

~~/(5)/~~ (6) It shall transfer, daily, or otherwise as approved by this department of municipal audits to the city treasurer for deposit in the current expense fund, or such other fund as may be prescribed by ordinance, all forfeitures and monetary penalties paid to the violations bureau for violations and infractions of city ordinances."

Section 4. Section 3.48.060 of the Kirkland Municipal Code is hereby amended to read as follows:

"3.48.060 Rules of procedure. The violations bureau of the city shall follow such procedure as may be prescribed by the ordinances of the city, or as may be required by any laws of this state, or the rules /fer-eriminal/ of procedure for courts of limited jurisdiction as promulgated by the Supreme Court for the state of Washington."

Section 5. Section 3.48.080 of the Kirkland Municipal Code is hereby repealed.

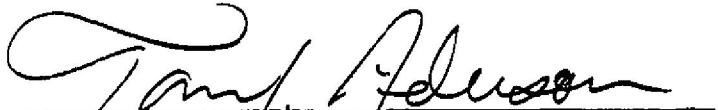
Section 6. This ordinance shall be in force and take effect five (5) days from and after is passage by the City Council and publication as required by law.

PASSED by the Kirkland City Council in regular open meeting on the 8th day of December, 1980.


SIGNED IN AUTHENTICATION THEREOF on the 8th day of
December _____, 1980.


MAYOR

ATTEST:


Director of Administration & Finance
(ex officio City Clerk)

APPROVED AS TO FORM:


City Attorney