

ORDINANCE NO. 1897-16

AN ORDINANCE OF THE CITY OF MILTON, WASHINGTON, CONCERNING THE UNLAWFULNESS OF INATTENTIVE DRIVING; ADDING CHAPTER 10.18 "INATTENTIVE DRIVING-UNLAWFUL" TO THE MILTON MUNICIPAL CODE; PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE, AND FOR SUMMARY PUBLICATION BY ORDINANCE TITLE ONLY.

WHEREAS, inattentive driving includes the operation of a vehicle upon the public rights-of-way in a manner that can be described as showing no interest, careless, negligent, thoughtless, unmindful, unobservant, heedless, absentminded, distracted, unaware, lax, or slack; and

WHEREAS, inattentive driving is a serious problem and requires an enforceable remedy;

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF MILTON, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. That the following Chapter 10.18 "Inattentive Driving – Unlawful" be added to the Milton Municipal Code as follows:

10.18.010 Inattentive Driving.

(1) It is unlawful for any person to operate a motor vehicle in an inattentive manner over any public rights-of-way of the city.

(2) For purposes of this section, the phrase "inattentive driving" shall be given its common meaning, to include, without limitation, the operation of a vehicle upon the public rights-of-way

of the city in a manner that can be described as showing no interest; careless; negligent; thoughtless; unmindful; unobservant; heedless; absentminded; distracted; unaware; lax; or slack.

(3) 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 under RCW 46.61.525, and any person charged pursuant to RCW 46.61.525 may be found to have committed the lesser offense of operating a vehicle in an inattentive manner.

(4) A violation of this section shall be a traffic infraction punishable by a monetary penalty of \$250.00, not including statutory costs and assessments.

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

Section 3. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

Passed by the Milton City Council the 18 day of July, 2016, and approved by the Mayor the 18 day of July, 2016.


DEBRA PERRY, MAYOR

ATTEST/AUTHENTICATED:



KATIE BOLAM, CITY CLERK

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 

GREG A. RUBSTELLO, CITY ATTORNEY

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL: 7/18/2016
PUBLISHED: 7/21/2016
EFFECTIVE DATE: 7/25/2016
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