

RESOLUTION NO. R2016-002

A RESOLUTION of the City Council of the City of Tumwater, Washington, adopting a policy allowing, under specific conditions, alternatives in payment of infractions on file with the Tumwater Violations Bureau including time payments and community service.

WHEREAS, a defendant's inability to pay an infraction can result in a negative spiral of additional financial penalties, collection costs, loss of their driver's license, loss of employment and jail; and

WHEREAS, the Tumwater City Council desires to reduce the impacts of compounding penalties on those people with unpaid infractions with the Tumwater Violations Bureau; and

WHEREAS, RCW 46.63.110(6)(c), allows courts to administer payment plans and community restitution programs for payment of infractions; and

WHEREAS, the Tumwater Violations Bureau was created pursuant to RCW 3.30.090 and Thurston County District Court Order No. 2013-01 ("Order"); and

WHEREAS, the Order delegates management of the Tumwater Violation Bureau to the City and authorizes the Tumwater Violations Bureau to resolve infractions which do not require a court appearance, including the assessment of penalties for failure to respond and notification to the Department of Licensing; and

WHEREAS, the City Council finds that it is the best interests of those with pending infractions to adopt a policy allowing for payment alternatives;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUMWATER AS FOLLOWS:

Section 1. PURPOSE. The purpose of this policy is to reduce the impacts of compounding penalties on people with unpaid infractions by offering payment alternatives to help break the negative spiral the inability to pay can create.

Section 2. POLICY. It is the policy of the City of Tumwater, pursuant to RCW 46.63.110, to allow the use of alternative payment options, including but not limited to payment plans and community service programs, for people with outstanding infractions on file with the Tumwater Violations Bureau (TVB). In authorizing time payments or community service, the City will not discriminate based on criminal record, race, religion, creed, color, national origin, sex, marital

status, disability, sexual orientation or gender identity, age or other basis prohibited by state or federal law.

Section 3. The Finance Director, or designee, shall have the authority to amend the policy as necessary, develop procedures, and take all actions necessary to implement and enforce the policy.

Section 4. Ratification. Any act consistent with the authority and prior to the effective date of this Resolution is hereby ratified and affirmed.

Section 5. Severability. The provisions of this Resolution are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this Resolution or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the Resolution, or the validity of its application to other persons or circumstances.

Section 6. Effective Date. This Resolution shall become effective immediately upon adoption and signature as provided by law.

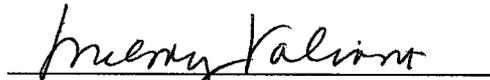
RESOLVED this 3rd day of May, 2016.

CITY OF TUMWATER

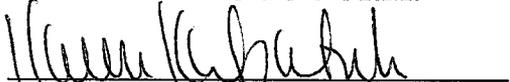


Pete Kmet, Mayor

ATTEST:


Melody Valiant, City Clerk

APPROVED AS TO FORM:


Karen Kirkpatrick, City Attorney