

Title 9
PUBLIC PEACE, MORALS AND WELFARE
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Chapter 9.01
SUBSTANCE ABUSE

Sections:

9.01.010 Substance abuse--Violation--Penalty.

9.01.010 Substance abuse--Violation--Penalty.

In any case arising out of violation of this code where an accused has been convicted of possession of marijuana or an offense relating to the use, possession or consumption of alcohol, there shall be, in addition to any fine levied pursuant to Section 1.16.010 of this code, a penalty in the amount of one hundred dollars per offense, which shall be non-suspendable, and which shall be paid into the police department's substance abuse prevention fund. The fact that this penalty is imposed in each case shall not in any way reduce the obligation of the accused to pay the fine prescribed by the court. In no case shall the fine pursuant to Section 1.16.010 of this code and the penalty enacted above exceed the total amount of five thousand dollars. (Ord. 896 § 4, 1989)

Chapter 9.04
ASSAULT AND BATTERY

Sections:

9.04.010 Designated.

9.04.020 Violation--Penalty.

9.04.010 Designated.

Any person who is guilty of assault or assault and battery or who engages in any fight or quarrel within the limits of the city shall be guilty of a misdemeanor.
(Ord. 23 § 2, 1902)

9.04.020 Violation--Penalty.

Anyone convicted of violating any of the provisions of this chapter shall be fined in any sum not exceeding three hundred dollars, or imprisoned for any period of time not to exceed ninety days, or both fined and imprisoned as provided in this section.
(Ord. 436 § 1 (part), 1949; Ord. 23 § 4 (part), 1902)

Chapter 9.08
HOUSES OF ILL FAME

Sections:

9.08.010 Unlawful.

9.08.020 Violation--Penalty.

9.08.010 Unlawful.

It is unlawful for any person or persons to keep any house of ill fame, within the limits of the city, resorted to for the purpose of prostitution and lewdness, or to reside in such house for the purpose aforesaid.
(Ord. 17 § 1, 1912)

9.08.020 Violation--Penalty.

Any person violating any of the provisions of this chapter is deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than ten dollars and not more than one hundred dollars.

(Ord. 17 § 2, 1912)

Chapter 9.12 DISORDERLY CONDUCT

Sections:

9.12.010 Designated.

9.12.020 Violation--Penalty.

9.12.010 Designated.

Any person or persons who are guilty of any violent, riotous or disorderly conduct, or who use any profane, abusive or obscene language within the limits of the city, or who are found in a drunken or intoxicated condition are guilty of a misdemeanor.

(Ord. 23 § 1, 1902)

9.12.020 Violation--Penalty.

Anyone convicted of violating any of the provisions of this chapter shall be fined in any sum not exceeding three hundred dollars, or imprisoned for any period of time not to exceed ninety days, or both fined and imprisoned as provided in this section.

(Ord. 436 § 1 (part), 1949; Ord. 23 § 4 (part), 1902)

Chapter 9.16 EXPECTORATION

Sections:

9.16.010 Prohibited--Where.

9.16.020 Enforcement.

9.16.030 Violation--Penalty.

9.16.010 Prohibited--Where.

It is unlawful for any person to expectorate or spit upon the floor, or any other part, of any street railway car, or cars in use by steam railroads, or any other public conveyance in the city, or upon the floor or other portions of any public building, or building used for public assemblage, or upon any playground, park, public places or sidewalks and crosswalks; provided, that the prohibitions contained in this section shall not apply to those portions of the public streets of the city commonly and ordinarily used for team and vehicle traffic.

(Ord. 135 § 1, 1912)

9.16.020 Enforcement.

It is the duty of the police department and health officer of the city to enforce the provisions of this chapter.

(Ord. 135 § 2, 1912)

9.16.030 Violation--Penalty.

Any person found guilty of the violation of this chapter shall be fined in any sum not exceeding the sum of fifty dollars.
(Ord. 135 § 3, 1912)

Chapter 9.20 THEFT

Sections:

9.20.010 Intent.

9.20.020 Definitions.

9.20.030 Definition--Defense.

9.20.040 Offense.

9.20.050 Knowledge.

9.20.060 Complicity.

9.20.070 Violation--Penalty.

9.20.010 Intent.

A person acts with intent or intentionally when he acts with the objective or purpose to accomplish a result which constitutes a violation of this chapter.
(Ord. 731 § 1, 1978)

9.20.020 Definitions.

The following definitions are applicable unless the context otherwise requires:

- A. "Appropriate lost or misdelivered property or services" means obtaining or exerting control over the property or services of another which the actor knows to have been lost or mislaid, or to have been delivered under a mistake as to identity of the recipient or as to the nature or amount of the property.
- B. "By color or aid of deception" means that the deception operated to bring about the obtaining of the property or services; it is not necessary that deception be the sole means of obtaining the property or services.
- C. "Credit card" means any instrument or device, whether incomplete, revoked, or expired, whether known as a credit card, credit plate, charge plate, courtesy card, or by any other name, issued with or without fee for the use of the cardholder in obtaining money, goods, services, or anything else of value, including satisfaction of a debt or the payment of a check drawn by a cardholder, either on credit or in consideration of an undertaking or guarantee by the issuer.
- D. "Deception" occurs when an actor knowingly:
 - 1. Creates or confirms another's false impression which the actor knows to be false; or
 - 2. Fails to correct another's impression which the actor previously has created or confirmed; or

3. Prevents another from acquiring information material to the disposition of the property involved; or
 4. Transfers or encumbers property without disclosing a lien, adverse claim, or other legal impediment to the enjoyment of the property, whether that impediment is or is not valid, or is or is not a matter of official records; or
 5. Promises performance which the actor does not intend to perform or knows will not be performed.
- E. "Deprive" means to make unauthorized use of an unauthorized copy of records, information, data, trade secrets, or computer programs; provided, that the aforementioned are of a private proprietary nature.
- F. "Obtain control over" means:
1. In relation to property, to bring about a transfer or purported transfer to the obtainer or another of a legally recognized interest in the property; or
 2. In relation to labor or service, to secure performance thereof for the benefits of the obtainer or another.
- G. "Wrongfully obtains" or "exerts unauthorized control," means:
1. To take the property or services of another; or
 2. Having any property or services in one's possession, custody or control as bailee, factor, pledgee, servant, attorney, agent, employee, trustee, executor, administration, guardian, or officer of any person, estate, association, or corporation, or as a public officer, or person authorized by agreement or competent authority to take or hold such possession, custody, or control, to secrete, withhold, or appropriate the same to his own use or to the use of any person other than the true owner or person entitled thereto.
- H. "Owner" means a person, other than the actor, who has possession of or any other interest in the property or services involved, and without whose consent the actor has no authority to exert control over the property or services.
- I. "Receive" includes, but is not limited to, acquiring title, possession, control, or a security interest, or any other interest in the property.
- J. "Services" includes, but is not limited to, labor, professional services, transportation services, electronic computer services, the supplying of hotel accommodations, restaurant services, entertainment, the use of equipment for use, and the use supplying of commodities of a public utility nature such as gas, electricity, steam, and water.
- K. Value:
1. "Value" means the market value of the property or services at the time and in the

approximate area of the criminal act.

2. Whether or not they have been issued or delivered, written instruments, except those having a readily ascertained market value, shall be evaluated as follows:
 - a. The value of an instrument constituting an evidence of debt, such as a check, draft, or promissory note, shall be deemed the amount due or collectible thereon or thereby, that figure ordinarily being the face amount of the indebtedness less any portion thereof which has been satisfied.
 - b. The value of a ticket or equivalent instrument which evidences a right to receive transportation, entertainment, or other service shall be deemed the price stated thereon, if any; and if no price is stated thereon, the value shall be deemed the price of the ticket or equivalent instrument which the issuer charged the general public.
 - c. The value of any other instrument that creates, releases, discharges, or otherwise affects any valuable legal right, privilege, or obligation shall be deemed the greatest amount of economic loss which the owner of the instrument might reasonably suffer by virtue of the loss of the instrument.
3. Property or services having value that cannot be ascertained pursuant to the standards set forth above shall be deemed to be of a value not exceeding two hundred fifty dollars.

(Ord. 731 § 4, 1978)

9.20.030 Definition--Defense.

A. "Theft" means:

1. To wrongfully obtain or exert unauthorized control over the property or services of another or the value thereof, with intent to deprive him of such property or services; or
2. By color or aid of deception to obtain control over the property or services of another or the value thereof, with intent to deprive him of such property or services; or
3. To appropriate lost or misdelivered property or services of another, or the value thereof, with intent to deprive him of such property or services.

B. In any prosecution for theft, it is a sufficient defense that the property or service was appropriated openly and avowedly under a claim of title preferred in good faith, even though the claim be untenable.

(Ord. 731 § 5, 1978)

9.20.040 Offense.

A person is guilty of theft if he commits theft of property or services which does not exceed two hundred fifty dollars in value or which does not amount to a felony theft.

(Ord. 731 § 6, 1978)

9.20.050 Knowledge.

A person knows or acts knowingly or with knowledge when:

- A. He is aware of a fact, facts, or circumstances or result described by this chapter; or
- B. He has information which would lead a reasonable man in the same situation to believe that facts exist which facts are described in this chapter.

(Ord. 731 § 2, 1978)

9.20.060 Complicity.

A. A person is guilty of violation of this chapter if the acts which constitute the violation are committed by the conduct of another person for which said person is legally accountable.

B. A person is legally accountable for the conduct of another person when:

- 1. Acting with the kind of culpability that is sufficient for the commission of the offense described in this chapter, he causes an innocent or irresponsible person to engage in such conduct; or
- 2. He is an accomplice of such other person in the commission of the violation of this chapter.

C. A person is an accomplice of another person in the violation of this chapter if, with knowledge that it will promote or facilitate the commission of the violation of this chapter, he:

- 1. Solicits, commands, encourages, or requests such other person to commit it; or
- 2. Aids or agrees to aid such other person in planning or committing it.

D. Unless otherwise provided, a person is not an accomplice in the violation of this chapter committed by another person if:

- 1. He is a victim of the violation; or
- 2. He terminates the complicity prior to the commission of the violation of this chapter, and either gives timely warning to the law enforcement authorities or otherwise makes a good faith effort to prevent the commission of the violation of this chapter.

E. A person legally accountable for the conduct of another person may be convicted on proof of the commission of the violation of this chapter and of his complicity therein, though the person claimed to have committed the violation of this chapter has not been prosecuted or convicted or has been convicted of a violation of a different ordinance or has an immunity to prosecution or conviction or has been acquitted.

(Ord. 731 § 3, 1978)

9.20.070 Violation--Penalty.

Any person found guilty of theft as defined in this chapter shall be fined in an amount not to exceed five hundred dollars.
(Ord. 731 § 7, 1978)

Chapter 9.24 TRESPASS AND VEHICLE PROWLING

Sections:

9.24.010 Intent.

9.24.020 Definitions.

9.24.030 Trespass--Designated.

9.24.040 Trespass--Defenses.

9.24.050 Vehicle prowling--Defined.

9.24.060 Knowledge.

9.24.070 Complicity.

9.24.080 Penalty.

9.24.010 Intent.

A person acts with intent or intentionally when he acts with the objective or purpose to accomplish a result which constitutes a violation of this chapter.
(Ord. 738 § 1, 1978)

9.24.020 Definitions.

A. Enter. The word "enter," when constituting an element or part of a crime, includes the entrance of the person, or the insertion of any part of his body, or any instrument or weapon held in his hand and used or intended to be used to threaten or intimidate a person or to detach or remove property.

B. Enters or remains unlawfully. A person "enters or remains unlawfully" in or upon premises when he is not then licensed, invited, or otherwise privileged to so enter or remain. A license or privilege to enter or remain in a building which is only partly open to the public is not a license or privilege to enter or remain in that part of a building which is not open to the public. A person who enters or remains upon unimproved and apparently unused land, which is neither fenced nor otherwise enclosed in a manner designed to exclude intruders, does so with license and privilege unless notice against trespass is personally communicated to him by the owner of the land or some other authorized person, or unless notice is given by posting in a conspicuous manner.

D. "Premises" means and includes any building, dwelling, or any real property.
(Ord. 738 § 4, 1978)

9.24.030 Trespass--Designated.

A person is guilty of trespass if he knowingly enters or remains unlawfully in or upon premises of another.
(Ord. 738 § 5, 1978)

9.24.040 Trespass--Defenses.

In any prosecution under this chapter it is a defense that:

- A. A building involved was abandoned; or
- B. The premises were at the time open to members of the public and the actor complied with all lawful conditions imposed on access to or remaining in the premises; or
- C. The actor reasonably believed that the owner of the premises, or other person empowered to license access thereto, would have licensed him to enter or remain.

(Ord. 738 § 6, 1978)

9.24.050 Vehicle prowling--Defined.

A person is guilty of vehicle prowling, if, with intent to commit a crime against a person or property therein, he enters or remains unlawfully in a vehicle.

(Ord. 738 § 7, 1978)

9.24.060 Knowledge.

A person knows or acts knowingly or with knowledge when:

- A. He is aware of a fact, facts, or circumstances or result described by this chapter; or
- B. He has information which would lead a reasonable man in the same situation to believe that facts exist which facts are described by this chapter.

(Ord. 738 § 2, 1978)

9.24.070 Complicity.

A. A person is guilty of violation of this chapter if the acts which constitute the violation are committed by the conduct of another person for which the person is legally accountable.

B. A person is legally accountable for the conduct of another person when:

- 1. Acting with the kind of culpability that is sufficient for the commission of the offense described in this chapter, he causes an innocent or irresponsible person to engage in such conduct; or
- 2. He is an accomplice of such other person in the commission of the violation of this chapter.

C. A person is an accomplice of another person in the violation of this chapter if, with knowledge that it will promote or facilitate the commission of the violation of this chapter, he:

- 1. Solicits, commands, encourages, or requests such other person to commit it; and
- 2. Aids or agrees to aid such other person in planning or committing it.

D. Unless otherwise provided a person is not an accomplice in the violation of this chapter committed by another person if:

1. He is a victim of the violation; or
2. He terminates the complicity prior to the commission of the violation of this chapter, and either gives timely warning to the law enforcement authorities or otherwise makes a good faith effort to prevent the commission of the violation of this chapter.

E. A person legally accountable for the conduct of a another person may be convicted on proof of the commission of the violation of this chapter and of his complicity therein, though the person claimed to have committed the violation of this chapter has not been prosecuted or convicted or has been convicted of a violation of a different ordinance or has an immunity to prosecution or conviction or has been acquitted.

(Ord. 738 § 3, 1978)

9.24.080 Violation--Penalty.

Any person found guilty of trespass or vehicle prowling as defined in this chapter shall be fined in an amount not to exceed five hundred dollars.

(Ord. 738 § 8, 1978)

Chapter 9.28 MINORS

Sections:

9.28.010 Definitions.

9.28.020 Consumption of liquor by minors.

9.28.030 Sale to minors--Prohibited.

9.28.040 Violation--Penalty.

9.28.010 Definitions.

The terms "liquor" or "intoxicating liquor" mean alcohol, spirits, wine and beer, and all fermented, spirituous, vinous, or malt liquor, or combinations thereof, and mixed liquor, a part of which is fermented, spirituous, vinous or malt liquor, or otherwise intoxicating; and every liquor or solid or semisolid or other substance, patented or not, containing alcohol, spirits, wine or beer, and all drinks or drinkable liquids and all preparations or mixtures capable of human consumption, and any liquid, semisolid, solid or other substance, which contain more than one percent of alcohol by weight, shall be conclusively deemed to be intoxicating.

(Ord. 484 § 1, 1952)

9.28.020 Consumption of liquor by minors.

It is unlawful for any person under the age of twenty-one years to acquire in any manner, consume, or have in his possession any intoxicating liquor; provided, that the foregoing shall not apply in the case of liquor given or permitted to be given to such person under the age of twenty-one years by his parents or guardian for medicinal purposes pursuant to the written prescription of his physician or dentist, or administered to him by his physician or dentist for medicinal purposes.

(Ord. 484 § 2, 1952)

9.28.030 Sale to minors--Prohibited.

Except as provided in Section 9.36.020, it is unlawful for any person to sell, give or otherwise

supply intoxicating liquor to any person under the age of twenty-one years, or to any person apparently under the influence of liquor, or to any interdicted person (habitual drunkard), in the city; or to permit any such person to consume intoxicating liquor on his premises or on any premises under his control in the city.

(Ord. 484 § 3, 1952)

9.28.040 Violation--Penalty.

Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than ten dollars nor more than two hundred dollars or to imprisonment in the city jail for not more than sixty days, or by both such fine and imprisonment.

(Ord. 484 § 4, 1952)

Chapter 9.30 CURFEW

Sections:

9.30.010 Purpose.

9.30.020 Definitions.

9.30.030 General prohibition.

9.30.040 Exemptions.

9.30.050 Authority to enforce.

9.30.060 Violation--Penalty.

9.30.010 Purpose.

A. The city council of the city has determined that it is generally contrary to the well-being of juveniles to be outside their residences in the late night and early morning hours unsupervised and with no specific purpose.

B. In order to protect those juveniles who are not subject to adequate parental control from harm to themselves or others or the property of others and to foster better parental responsibility among the parents and guardians of juveniles found with the city, some regulation of parental control of juvenile children is appropriate.

C. Control of parents and guardians of juveniles who are in danger of harm to themselves and others based on certain proscribed conduct is to be accomplished to achieve better protection of the community and the juveniles.

D. The city council has received information from the police department that juveniles who are not adequately supervised by their parents and/or guardians have become engaged in criminal activity at certain times and within certain areas of the city. It is the intent of this chapter to impose control upon the parents and/or guardians of juveniles who are present at certain times and certain places within the city to protect those juveniles and the community.

(Ord. 1022 § 1 (part), 1995)

9.30.020 Definitions.

For the purpose of this chapter, the following words shall have the following meanings:

"Allow" includes those situations where the parent has failed to monitor or account for the child's

location between the hours of ten p.m. to five a.m. on school nights and between twelve a.m. and five a.m. other nights.

"Child" or "juvenile" means any unemancipated person, male or female, under the age of eighteen years.

"Parent" means the mother, father or both (both being referred to in singular as "parent"), guardian or other adult person having the legal care, custody or control of a child.

"Returning home" means traveling, walking, biking or otherwise moving from the point of departure to a child's home or the residence of the person having the care, custody or control of said child for that evening. Said movement shall be directly from the point of departure to the destination to be accomplished within a reasonable period of time.

"School nights" means any night or early morning hours immediately preceding a regular school day as scheduled by the Cle Elum-Roslyn School District.
(Ord. 1022 § 1 (part), 1995)

9.30.030 General prohibition.

No parent or custodian shall allow or permit any child he or she is responsible for to remain in or upon the public streets, roadways, alleys, parks, playgrounds or cemeteries, or in or upon private property, other than the child's usual place of residence, which is unoccupied, vacant, abandoned, or is not otherwise supervised by a reasonable adult between the hours of ten p.m. to five a.m. on school nights and between eleven p.m. and five a.m. on nonschool nights, except as otherwise permitted under the provisions of this chapter.
(Ord. 1046 § 1, 1996; Ord. 1022 § 1 (part), 1995)

9.30.040 Exemptions.

A parent or guardian of the following juveniles shall be exempt from the enforcement provision of this chapter:

- A. Juvenile accompanied by his or her parent or guardian;
- B. A juvenile engaged in lawful employment;
- C. A juvenile on an errand or on legitimate business pursuant to instructions for his or her parent or guardian;
- D. A juvenile involved in an emergency concerning the person or property of himself, herself or another;
- E. A juvenile returning home from school or church sponsored activities or from other activities supervised by an adult. The term "returning home" means immediately and directly after participation in such activity, without a broken chain of sequences and time between the end of such event and the time such juvenile returns to his or her residence or such other place as shall be authorized by his or her parent.

(Ord. 1022 § 1 (part), 1995)

9.30.050 Authority to enforce.

Law enforcement officers of the city shall have authority to reasonably stop and momentarily detain a juvenile to obtain his or her name, age and address, as well as the name and address of his or her parent or guardian whenever said law enforcement officer shall reasonably suspect that the parent of such juvenile is in violation of this chapter. Upon determination that the parent or guardian of such juvenile is in fact in violation of this chapter, the law enforcement officer shall direct or deliver the juvenile to the residence of his or her parent or guardian.

(Ord. 1022 § 1 (part), 1995)

9.30.060 Violation--Penalty.

A. Upon a parent or guardian's first violation per child, notice thereof shall be given to the parent or guardian and a record of the violation shall be recorded with the police department. Upon the second violation involving the same child, a notice of infraction shall be served on the parent or guardian requiring the parent or guardian to appear for a hearing to be held in the municipal court, at which time the parent shall appear and answer to the charge of violating this chapter. Upon determination by the court that a second violation has occurred involving the same child, a fifty dollar penalty shall be imposed upon the parent with all required surcharges and assessments. Upon a third violation involving the same child, the parent or guardian shall be subject to a one hundred dollar penalty together with all required surcharges and assessments. Upon a fourth or subsequent violation involving the same child, the parent or guardian shall be subject to a two hundred fifty dollar penalty together with all required surcharges and assessments.

Enrollment in, and successful completion of a parenting improvement course, and or family counseling course approved by the municipal court may be imposed by the court in lieu of one penalty for violation per child. The costs of said course shall be the responsibility of the parent or guardian electing for this alternative. A certificate of successful completion of said course shall be provided to the court on completion of said course and the time limit for said course shall be set by the court upon recommendation of the counselor or instructor for the course.

B. The police department shall maintain a record of all juveniles found in those locations and at those times prohibited by this chapter. Such a record shall be conclusive proof that a juvenile has previously been the subject of inquiry pursuant to this chapter.

The police department shall maintain a record of all parents or custodians contacted and determined to have violated this chapter. Such list shall be made available to any juvenile court or child welfare or child-protective agency upon request.

C. Any parent or guardian unable to control the whereabouts and activities of a juvenile in their care, custody or control shall contact the police department and report such juvenile as possibly appearing in locations and at times that violate this chapter. In such case, the parent or guardian shall not be responsible for actions of the juvenile for the purposes of this chapter, but the police department may consider reporting such juvenile to the Department of Social and Health Services as a dependent or runaway child.

D. At the time the police department issues a warning or notice of infraction to any parent or guardian for violation of this chapter, the police department may consider reporting the circumstances of such juvenile as needing the intervention of child protective services.

(Ord. 1022 § 1 (part), 1995)

Chapter 9.32
DANGEROUS WEAPONS

Sections:

9.32.010 Unauthorized use of firearms--Prohibited.

9.32.020 Violation--Penalty.

9.32.010 Unauthorized use of firearms--Prohibited.

Any person who draws, displays or exhibits in a rude, angry or vicious manner, any deadly or dangerous weapon in the presence of two or more persons, or who draws any deadly or dangerous weapon upon the person of another within the limits of the city, or who wilfully discharges or shoots off any pistol, revolver or gun within the limits, shall be deemed guilty of a misdemeanor.

(Ord. 23 § 3, 1902)

9.32.020 Violation--Penalty.

Anyone convicted of violating any of the provisions of this chapter shall be fined in any sum not exceeding three hundred dollars or imprisoned for any period of time not to exceed ninety days, or both fined and imprisoned as provided in this chapter.

(Ord. 436 § 1 (part), 1949: Ord. 23 § 4 (part), 1902)

Chapter 9.36
DISCHARGE OF GUNS

Sections:

9.36.010 Gun defined.

9.36.020 Prohibited.

9.36.030 Violation--Penalty.

9.36.010 Gun defined.

"Gun," as used in this chapter, means any rifle, pistol, firearm, airgun, air pistol, B.B. gun; or any other rifle, pistol or weapon forcibly propelling a hard or metallic missile of any type of size.

(Ord. 448 § 1, 1949)

9.36.020 Prohibited.

The discharge of any gun within the city, and the discharge of any gun without the limits of the city in such manner that the missile from the gun falls within the limits of the city, is declared to be unlawful.

(Ord. 448 § 2, 1949)

9.36.030 Violation--Penalty.

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and on conviction thereof shall be fined in any sum not exceeding one hundred dollars or imprisoned not to exceed thirty days, or both fined and imprisoned as provided in this section.

(Ord. 448 § 3, 1949)

Chapter 9.40
CARRYING OF FIREARMS--EXEMPTION FROM STATE PROHIBITION

Sections:

9.40.010 Exemption from state prohibition--Details.

9.40.010 Exemption from state prohibition--Details.

A. The Washington State Legislature in its First Extraordinary Session enacted Chapter 7, Section 405 (4) which establishes new restrictions with respect to the carrying of firearms. The city council has reviewed the prohibitions of Chapter 7, Section 405 (4) First Extraordinary Session and chooses to exempt itself from the prohibition of the subsection.

B. Pursuant to the authority granted in Chapter 7, Section 405 (6) the city is and shall be exempt from the prohibitions set forth in Chapter 7, Section 405 (4) Laws of the State of Washington 1994 First Extraordinary Session which shall be codified as RCW 9.41.050 (4).
(Ord. 1009, 1994)

Chapter 9.44 VIOLATION OF DOMESTIC VIOLENCE ORDERS

Sections:

9.44.010 Violation of domestic violence orders.

9.44.010 Violation of domestic violence orders.

A. Every person who shall violate a lawful order of any court issued pursuant to RCW Chapter 10.99 or RCW Chapter 26.50 pertaining to domestic violence shall be guilty of a misdemeanor.

B. Any person convicted of violating any provisions of this chapter shall be fined in an amount not to exceed one thousand dollars, or may be imprisoned for a term not to exceed ninety days, or both.
(Ord. 1092, 2000)

Chapter 9.48 VIOLATION OF NO-HARASSMENT ORDERS

Sections:

9.48.010 Violation of no-harassment orders.

9.48.010 Violation of no-harassment orders.

A. Every person who shall violate a lawful order of any court issued pursuant to RCW Section 9A.46.040 pertaining to no-harassment orders shall be guilty of a misdemeanor.

B. Any person convicted of violating any provisions of this chapter shall be fined in an amount not to exceed one thousand dollars, or may be imprisoned for a term not to exceed ninety days, or both.
(Ord. 1093, 2000)

Chapter 9.52 VIOLATION OF CIVIL ANTI-HARASSMENT PROTECTION ORDERS

Sections:

9.52.010 Violation of civil anti-harassment protection orders.

9.52.010 Violation of civil anti-harassment protection orders.

A. Every person who shall violate a lawful order of any court issued pursuant to RCW Section 10.14.080 pertaining to civil anti-harassment protection orders shall be guilty of a misdemeanor.

B. Any person convicted of violating any provisions of this chapter shall be fined in an amount not to exceed one thousand dollars, or may be imprisoned for a term not to exceed ninety days, or both.

(Ord. 1094, 2000)

Chapter 9.56 **VIOLATION OF NO-CONTACT ORDERS**

Sections:

9.56.010 Violation of no-contact orders.

9.56.010 Violation of no-contact orders.

A. Every person who shall violate a lawful order of any court issued pursuant to RCW Section 10.99.040 pertaining to no-contact orders shall be guilty of a misdemeanor.

B. Any person convicted of violating any provisions of this chapter shall be fined in an amount not to exceed one thousand dollars, or may be imprisoned for a term not to exceed ninety days, or both.

(Ord. 1095, 2000)

Chapter 9.60 **INTERFERENCE WITH REPORTING DOMESTIC VIOLENCE**

Sections:

9.60.010 Interference with reporting domestic violence.

9.60.010 Interference with reporting domestic violence.

A. Every person who interferes with the reporting of domestic violence by: (a) committing a crime of domestic violence, as defined in RCW Section 10.99.020; and (b) preventing or attempting to prevent the victim of, or a witness to, that domestic violence crime from calling a 911 emergency communication system, obtaining medical assistance or making a report to any law enforcement official, shall be guilty of a misdemeanor.

B. Commission of the crime of domestic violence pursuant to subsection (A) of this section is a necessary element of the crime of interfering with the reporting of domestic violence.

C. Any person convicted of violating the provisions of this chapter shall be fined in an amount not to exceed one thousand dollars, or may be imprisoned for a term not to exceed ninety days, or both.

(Ord. 1096, 2000)

Chapter 9.64
POSSESSION OF MARIJUANA

Sections:

9.64.010 Possession of marijuana.

9.64.010 Possession of marijuana.

A. It is unlawful for any person to be in possession of forty grams or less of marijuana. "Marijuana" means all parts of the plant of the genus *Cannabis* L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

B. Any person found guilty of violating any provisions of this chapter shall be guilty of a misdemeanor.

C. Any person who is convicted of a misdemeanor violation of any provision of this chapter shall be punished by imprisonment for not less than twenty-four consecutive hours, and by a fine of not less than two hundred fifty dollars. On a second or subsequent conviction, the fine shall not be less than five hundred dollars. These fines shall be in addition to any other fine or penalty imposed. Unless the court finds that the imposition of the minimum imprisonment will pose a substantial risk to the defendant's physical or mental well-being or that local jail facilities are in an overcrowded condition, the minimum term of imprisonment shall not be suspended or deferred. If the court finds such risk or overcrowding exists, it shall sentence the defendant to a minimum of forty hours of community service. If a minimum term of imprisonment is suspended or deferred, the court shall state in writing the reason for granting the suspension or deferral and the facts upon which the suspension or deferral is based. Unless the court finds the person to be indigent, the minimum fine shall not be suspended or deferred. (Ord. 1097, 2000)

Chapter 9.68
POSSESSION OF DRUG PARAPHERNALIA

Sections:

9.68.010 Possession of drug paraphernalia.

9.68.010 Possession of drug paraphernalia.

A. Every person who uses drug paraphernalia as defined in RCW Section 69.50.412, as now provided by law or hereinafter amended, shall be guilty of a misdemeanor.

B. Any person convicted of violating any provisions of this chapter shall be fined in an amount not to exceed one thousand dollars, or may be imprisoned for a term not to exceed ninety days, or both.

C. A copy of the text of the sections of the Revised Code of Washington adopted by this chapter is placed on file in the office of the city clerk for use and examination by the public. (Ord. 1098, 2000)

Chapter 9.72
CARRYING PISTOL WITHOUT PERMIT

Sections:

9.72.010 Carrying pistol without permit.

9.72.010 Carrying pistol without permit.

- A. 1. Except in the person's place of abode or fixed place of business, a person shall not carry a pistol concealed on his or her person without a license to carry a concealed pistol.
2. Every licensee shall have his or her concealed pistol license in his or her immediate possession at all times that he or she is required by this section to have a concealed pistol license and shall display the same upon demand to any police officer or to any other person when and if required by law to do so. Any violation of this subsection (A)(2) shall be a class 1 civil infraction under RCW Chapter 7.80 and shall be punished accordingly pursuant to RCW Chapter 7.90 and the infraction rules for courts of limited jurisdiction.
- B. A person shall not carry or place a loaded pistol in any vehicle unless the person has a license to carry a concealed pistol and:
1. The pistol is on the licensee's person;
2. The licensee is within the vehicle at all times that the pistol is there; or
3. The licensee is away from the vehicle and the pistol is locked within the vehicle and concealed from view from outside the vehicle.
- C. A person at least eighteen years of age who is in possession of an unloaded pistol shall not leave the unloaded pistol in a vehicle unless the unloaded pistol is locked within the vehicle and concealed from view from outside the vehicle.
- D. Violation of any of the prohibitions of subsections (B) and (C) of this chapter is a misdemeanor.
- E. Any person convicted of violating provisions of subsections (B) and (C) of this chapter shall be fined in an amount not to exceed one thousand dollars, or may be imprisoned for a term not to exceed ninety days, or both.
- F. Nothing in this section permits the possession of firearms illegal to possess under state or federal law.
(Ord. 1099, 2000)

Chapter 9.80
RECKLESS ENDANGERMENT

Sections:

9.80.010 Reckless endangerment.

9.80.010 Reckless endangerment.

- A. A person is guilty of reckless endangerment when he or she recklessly engages in

conduct not amounting to drive-by shooting but that creates a substantial risk of death or serious physical injury to another person.

B. Any person convicted of reckless endangerment under the provisions of this chapter shall be guilty of a misdemeanor.

C. Any person convicted of reckless endangerment under the provisions of this chapter shall be fined in an amount not to exceed one thousand dollars, or may be imprisoned for a term not to exceed ninety days, or both.
(Ord. 1100, 2000)

Chapter 9.84 MINORS IN POSSESSION OF LIQUOR

Sections:

9.84.010 Minors in possession of liquor.

9.84.010 Minors in possession of liquor.

A. It is unlawful for any person under the age of twenty-one years to possess, consume, or otherwise acquire any liquor.

B. Any person convicted of being a person under the age of twenty-one in possession of liquor under the provisions of this chapter shall be guilty of a misdemeanor.

C. Any person convicted of being a person under the age of twenty-one in possession of liquor under the provisions of this chapter shall be fined in an amount not to exceed one thousand dollars, or may be imprisoned for a term not to exceed ninety days, or both.
(Ord. 1101, 2000)