

ORDINANCE NO. 2016-11-039

AN ORDINANCE OF THE CITY OF BELLINGHAM, WASHINGTON AMENDING VARIOUS SECTIONS OF THE BELLINGHAM MUNICIPAL CODE IN ORDER TO ADOPT BY REFERENCE SEVERAL CRIMINAL CODES OF THE REVISED CODE OF WASHINGTON.

WHEREAS, the City of Bellingham prosecutes, under its own laws and within its own municipal court, all misdemeanor and gross misdemeanor offenses occurring within the City of Bellingham; and

WHEREAS, in order to prosecute state laws found in the Revised Code of Washington ("RCW"), the City must first adopt the specific state code by reference into the City's municipal code; and

WHEREAS, to protect the public health, safety, and welfare, the City desires to be current and up to date in its criminal code; and

WHEREAS, several offenses have been added to the RCWs in recent years which the City desires to enforce in its municipal court;

NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1: BMC 10.10.005 is hereby amended as follows:

10.10.005 Adoption by Reference.

The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

RCW	
9.61.230	Telephone harassment.
9.61.260	Cyberstalking.
9A.36.041	Assault in the fourth degree.
9A.36.050	Reckless endangerment.
9A.36.070	Coercion.
9A.46.070	Harassment.
9A.46.040	Court ordered requirements upon person charged with crime - Violation
9A.46.080	Order restricting contact - Violation
9A.46.110	Stalking
<u>9A.86.010</u>	<u>Disclosing intimate images</u>
10.14.170	Criminal penalty (violation of civil anti-harassment order).

Section 2: BMC 10.14.005 is hereby amended as follows:

10.14.005 - Adoption By Reference

The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

RCW	
10.99.020	Definitions
10.99.040	Restrictions upon and duties of court
10.99.045	Appearances by defendant - No-contact order
10.99.050	Victim contact - Restriction, prohibition - Violation, penalties - Written order - Procedures
10.99.055	Enforcement of orders
10.99.070	Liability of peace officers
26.50.010	Definitions
26.50.110	Violation of [protection] order - Penalties
26.50.140	Peace officers - Immunity
9.41.040	Unlawful possession of firearms - Ownership, possession by certain persons
9A.36.150	Interfering with the reporting of domestic violence
9A.40.070	Custodial interference in the second degree
26.09.300	Restraining orders-Notice-Refusal to Comply-Arrest-Penalty-Defense
9A.40.080	Custodial interference-Assessment of costs-Defense-Consent defense, restricted
<u>9.41.800</u>	<u>Surrender of Weapons or Licenses - Prohibition on Future Possession or Licensing</u>
<u>9.41.810</u>	<u>Violation - Penalty</u>

Section 3: BMC 10.20.005 is hereby amended as follows:

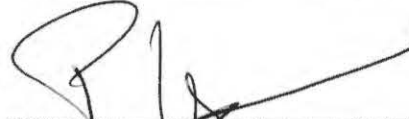
10.20.005 Adoption by Reference.

The following provision of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

RCW	
9A.42.035	Criminal mistreatment third degree.
9A.42.037	Criminal mistreatment fourth degree.
9A.42.080	Abandonment of a dependent person.
9A.42.090	Defense to abandonment of a dependent person.
9A.44.130	Registration of sex offender.
<u>9A.44.132</u>	<u>Failure to register as a sex offender or kidnapping offender - Refusal to provide DNA</u>

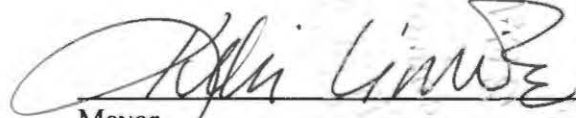
- 9A.88.030 Prostitution.
- 9A.88.090 Permitting prostitution.
- 9A.88.110 Patronizing a prostitute.
- 9A.88.010 Indecent exposure.

PASSED by the Council this 14th day of November, 2016.

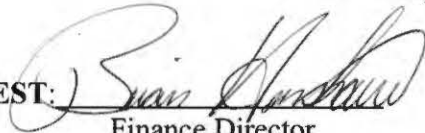


Council President

APPROVED by me this 22nd day of November, 2016.

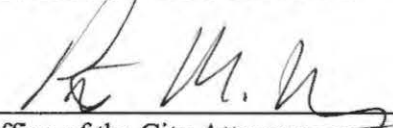


Mayor

ATTEST: 

Finance Director

APPROVED AS TO FORM:



Office of the City Attorney

Published:

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