

## POULSBORO DISTRIBUTION SCHEDULE

**ORDINANCE NO. 2014-05**

**SUBJECT: Establishing Crimes Designated by the State as Misdemeanors and Gross Misdemeanors as Criminal Offenses under City's Municipal Code**

### CONFORM AS TO DATES & SIGNATURES

- (X) Filed with the City Clerk: 03/11/2014
- (X) Passed by the City Council: 03/19/2014
- (X) Signature of Mayor
- (X) Signature of City Clerk
- (X) Publication: 03/28/2014
- (X) Effective: 04/02/2014
- ( ) Recorded:

### DISTRIBUTED COPIES AS FOLLOWS:

- (X) NK Herald: Emailed 03/21/2014 by KP
- (X) Code Publishing
- ( ) City Attorney
- ( ) Civil Service Commission and/or Sec/Chief Examiner
- ( ) Clerk's Department:
- ( ) City Council
- ( ) Finance:
- (X) Posted to Library Drive and Website

Kylie Purves  
City Clerk

March 30, 2014  
Date

## ORDINANCE NO. 2014-05

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, ADOPTING BY REFERENCE VARIOUS SECTIONS OF TITLES 7, 9, 68, 79, and 81 OF THE REVISED CODE OF WASHINGTON AND VARIOUS SECTIONS OF CHAPTER 308 OF THE WASHINGTON ADMINISTRATIVE CODE IN ORDER TO ESTABLISH CRIMES DESIGNATED BY THE STATE AS MISDEMEANORS AND GROSS MISDEMEANORS AS CRIMINAL OFFENSES UNDER THE CITY'S MUNICIPAL CODE; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE:

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**WHEREAS**, the City Council of the City of Poulsbo is concerned about the safety and welfare of its citizens; Now, Therefore,

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF POULSBO, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1.** A new section is added to Chapter 9.70 of the Poulsbo Municipal Code to read as follows:

9.70.25 Sexual Assault Protection Order Act – statutes adopted by reference

Pursuant to the authority contained in RCW 35A.12.140, the following sections of Chapter 7.90 RCW as enacted or hereinafter amended are hereby adopted by reference as if fully set forth herein including penalties:

RCW

- |          |  |
|----------|--|
| 7.90.010 | Definitions  |
| 7.90.020 | Petition for a sexual assault protection order   |
| 7.90.030 | Petition – Who may file  |
| 7.90.040 | Petition Additional requirements   |
| 7.90.050 | Petition – Hearings prior to issuance of protection order  |
| 7.90.052 | Service by publication – When authorized   |
| 7.90.053 | Service by mail – When authorized  |
| 7.90.054 | Issuance of order following service by publication or mail   |
| 7.90.055 | Fees not permitted   |
| 7.90.060 | Sexual assault advocates   |
| 7.90.070 | Appointment of counsel   |
| 7.90.080 | Evidence   |
| 7.90.090 | Burden of proof – Issuance of protection order – Remedies-Violations                                 |
| 7.90.100 | Accountability for conduct of others   |
| 7.90.110 | Ex parte temporary sexual assault protection orders – Issuance                                       |
| 7.90.120 | Ex parte orders – Duration   |
| 7.90.121 | Renewal of ex parte order  |
| 7.90.130 | Sexual assault protection orders – Contents  |
| 7.90.140 | Sexual assault protection orders – Service to respondent   |
| 7.90.150 | Court initiated issuance of sexual assault protection orders – Terms, conditions, requirements, etc. |
| 7.90.155 | Sexual assault protection orders – Personal jurisdiction – Nonresident individuals                   |
| 7.90.160 | Law enforcement agencies – Entry of protection order data  |

- 7.90.170 Modification or termination of protection orders
- 7.90.190 Admissibility of ex parte temporary orders in civil actions

**Section 2.** A new section is added to Chapter 9.02 of the Poulsbo Municipal Code to read as follows:

9.02.014 Stalking Protection Order Act – statutes adopted by reference

Pursuant to the authority contained in RCW 35A.12.140, the following sections of Chapter 7.92 RCW as enacted or hereinafter amended are hereby adopted by reference as if fully set forth herein including penalties:

RCW

- 7.92.020 Definitions
- 7.92.030 Petition for stalking protection order – Creation – Contents
- 7.92.040 Petition – Who may file
- 7.92.050 Petition – Additional requirements
- 7.92.060 Petition – Hearings prior to issuance of protection order
- 7.92.070 Consultation with judicial information system
- 7.92.080 Fees not permitted
- 7.92.090 Victim’s advocates
- 7.92.100 Burden of proof – Issuance of protection order – Remedies
- 7.92.110 Accountability for conduct of others
- 7.92.120 Ex parte temporary order for protection – Issuance
- 7.92.125 Ex parte temporary order – Admissibility in subsequent civil actions
- 7.92.130 Protection orders – Duration
- 7.92.140 Protection order – Contents
- 7.92.150 Protection orders – Service to respondent – Service by publication
- 7.92.160 Court-initiated stalking no-contact orders
- 7.92.170 Personal jurisdiction by court over nonresident individuals
- 7.92.180 Copy of order to be forwarded to law enforcement agency – Entry of information into computer-based information systems
- 7.92.190 Modification or termination of protection orders
- 7.92.900 Construction – Filing of criminal charges not required

**Section 3.** A new section is added to Chapter 9.20 of the Poulsbo Municipal Code to read as follows:

9.20.015 Miscellaneous crimes – statutes adopted by reference

Pursuant to the authority contained in RCW 35A.12.140, the following section of Chapter 9.91 RCW as enacted or hereinafter amended is hereby adopted by reference as if fully set forth herein including penalties:

RCW

- 9.91.020 Operating railroad, steamboat, vehicle, etc. while intoxicated

**Section 4.** A new section is added to Chapter 9.02 of the Poulsbo Municipal Code to read as follows:

9.02.605 – Cemeteries, Morgues, and Human Remains – statutes adopted by reference

Pursuant to the authority contained in RCW 35A.12.140, the following section of Chapter 68.50 RCW as enacted or hereinafter amended is hereby adopted by reference as if fully set forth herein including penalties:

RCW

68.50.645 Skeletal human remains – Duty to notify – Ground disturbing activities – Coroner determination - Definitions

**Section 5.** A new section is added to Chapter 12.28 of the Poulsbo Municipal Code to read as follows:

12.28.014 Derelict vessels – statutes adopted by reference

Pursuant to the authority contained in RCW 35A.12.140, the following sections of Chapter 79.100 RCW as enacted or hereinafter amended are hereby adopted by reference as if fully set forth herein including penalties:

RCW

79.100.010 Definitions

79.100.110 Vessel abandoned or derelict upon aquatic lands – Causing a vessel to block a navigational channel – Penalty

**Section 6.** A new section is added to Chapter 9.80 of the Poulsbo Municipal Code to read as follows:

9.80.065 Solid waste collection companies – statutes adopted by reference

Pursuant to the authority contained in RCW 35A.12.140, the following sections of Chapter 81.77 RCW as enacted or hereinafter amended are hereby adopted by reference as if fully set forth herein including penalties:

RCW

81.77.010 Definitions

81.77.020 Compliance with chapter required – Exemptions for cities

81.77.040 Certificate of convenience and necessity required – Issuance – Transferability – Solid waste categories

81.77.090 Penalty

**Section 7.** A new section is added to Chapter 12.28 of the Poulsbo Municipal Code to read as follows:

12.28.053 Vessel Registration and Certificates of Title – Washington Administrative Code sections adopted by reference

Pursuant to the authority contained in RCW 35A.12.140, the following sections of Chapter 308.93 WAC as enacted or hereinafter amended are hereby adopted by reference as if fully set forth herein including penalties:

WAC

308.93.140 Registration decal placement violation

308.93.145 Fail to obtain/display boat registration number

**Section 8. Severability**

If any section, sentence, clause or phrase of the 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 or this ordinance.

**Section 9.** Effective Date: This ordinance shall take effect and be in full force five (5) days after the publication of the attached summary, which is hereby approved.

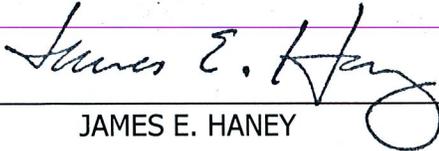
APPROVED:

  
REBECCA BRICKSON, MAYOR

ATTEST/AUTHENTICATED:

  
KYLIE PURVES, CITY CLERK

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY   
JAMES E. HANEY

FILED WITH THE CITY CLERK: 03/11/2014  
PASSED BY THE CITY COUNCIL: 03/19/2014  
PUBLISHED: 03/28/2014  
EFFECTIVE DATE: 04/02/2014  
ORDINANCE NO. 2014-05

**SUMMARY OF ORDINANCE NO. 2014-05**

of the City of Poulsbo, Washington

On the 19th day of March, 2014, the City Council of the City of Poulsbo, passed Ordinance No. 2014-05. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, ADOPTING BY REFERENCE VARIOUS SECTIONS OF TITLES 7, 9, 68, 79, and 81 OF THE REVISED CODE OF WASHINGTON AND VARIOUS SECTIONS OF CHAPTER 308 OF THE WASHINGTON ADMINISTRATIVE CODE IN ORDER TO ESTABLISH CRIMES DESIGNATED BY THE STATE AS MISDEMEANORS AND GROSS MISDEMEANORS AS CRIMINAL OFFENSES UNDER THE CITY'S MUNICIPAL CODE; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

The full text of this Ordinance will be mailed upon request.

DATED this 19th day of March, 2014.



KYLIE PURVES, CITY CLERK