

ORDINANCE NO. 1406

**ORIGINAL**

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON AMENDING TITLE 9 OF THE REDMOND MUNICIPAL CODE TO MAKE THE PROVISIONS OF SUCH TITLE CONSISTENT WITH STATE LAWS DEFINING CRIMES AND PRESCRIBING PENALTIES; REVISING AND ADDING CERTAIN OFFENSES; CONTAINING A SEVERABILITY CLAUSE AND SETTING AN EFFECTIVE DATE.

---

WHEREAS, the Redmond City Council finds that the provisions of Title 9 of the Redmond City Code should be consistent with state law, and

WHEREAS, the Redmond City Council finds that this ordinance is in the interests of the public health, safety and welfare, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON DOES ORDAIN AS FOLLOWS:

Section 1. There is hereby added a new section 9.01.060 to the Redmond Municipal Code to read as follow:

9.01.060 Amendments to State Statutes.

The amendment of any state statute adopted by reference in Title 9 of the Redmond Municipal Code shall be deemed to amend the corresponding section of this title and it shall not be necessary for the City Council to take any action with respect to such amendment.

Section 2. Section 9.02.010 of the Redmond Municipal Code is hereby amended to repeal the adoption of RCW 9.04.030 and RCW 9.04.040 relating to advertising cures of venereal diseases.

Section 3. Section 9.03.010 of the Redmond Municipal Code is hereby amended to add the adoption by reference of RCW 66.44.328 governing the unlawful transfer to a minor a forged, altered, etc. identification card.

Section 4. Section 9.04.020 of the Redmond Municipal Code is hereby amended to read as follows:

9.04.020 Furnishing Liquor to Minors -- Possession and Use.

- A. It is unlawful for any person under the age of twenty-one years to be or remain in any public place after having consumed liquor.
- B. It is unlawful for anyone under the age of twenty-one years to acquire or have in his possession or consume any liquor.

- C. It is unlawful for anyone to sell, give or otherwise supply liquor to any person under the age of twenty-one years, or permit any person under that age to consume liquor on his premises or on any premises under this control.
- D. This section shall not apply when liquor is given or permitted to be given to a person under the age of twenty-one years by his parent or guardian and consumed in the presence of the parent or guardian. This subsection shall not authorize consumption or possession of liquor by a person under the age of 21 years on any premises licensed under Chapter 66.24 RCW.
- E. This section does not apply to liquor given for medicinal purposes to a person under the age of 21 years by a parent, guardian, physician or dentist.
- F. This section does not apply to liquor given to a person under the age of 21 years when such liquor is being used in connection with religious services and the amount consumed is the minimal amount necessary for the religious service.
- G. Violation of this section is a misdemeanor.

Section 5. The title of Chapter 9.14 of the Redmond Municipal Code is hereby amended to add the word "poisons" and read as follows: "Controlled Substances, Paraphernalia, Poisons and Toxic Fumes."

Section 6. There is hereby added a new 9.14.040 to the Redmond Municipal Code to read as follows:

9.14.040 Poisons. The following state statutes are hereby adopted by reference:

RCW 69.38.010	Poison defined
RCW 69.38.020	Exceptions
RCW 69.38.030	Poison Register
RCW 69.38.040	Poison Register -- Penalty for Violations
RCW 69.38.060	License Required

Section 7. Section 9.22.010 of the Redmond Municipal Code is hereby amended to add the adoption of the following state statute by reference: RCW 9A.48.010 Definition.

Section 8. Section 9.28.010 of the Redmond Municipal Code is hereby amended to repeal the adoption by reference of RCW 9.45.040, RCW 9.45.120 and RCW 9.45.150.

Section 9. Section 9.34.040 of the Redmond Municipal Code is hereby amended to read as follows:

9.34.040 Failure to Abide by Court Order. It shall be a misdemeanor for any person subject to a court order, the violation of which is not covered by a specific provision of this chapter, to knowingly and willfully violate the terms of that order.

Section 10. There is hereby added to the Redmond Municipal Code a new section 9.34.060 to read as follows:

9.34.060 Violation of Civil Anti-Harassment Orders. It is a gross misdemeanor to willfully disobey a temporary or permanent anti-harassment order issued pursuant to RCW, Chapter 10.14.

Section 11. Section 9.10.010 of the Redmond Municipal Code is hereby amended to add the adoption by reference of the following state statutes:

F. RCW 9.68A.140 Definitions  
G. RCW 9.68A.150 Minor Access to Erotic Materials  
H. RCW 9.68A.160 Penalty

Section 12. Section 9.01.050 of the Redmond Municipal Code is hereby amended to read as follows:

9.01.050 Penalty.

A. Unless otherwise provided, any person violating any of the provisions of Title 9 shall be guilty of a misdemeanor, and upon conviction thereof, be punished by a fine not to exceed \$1,000.00 or by imprisonment in jail for a term not exceeding 90 days, or by both such fine and imprisonment.

B. Any person violating any of the provisions of Title 9 which are designated as gross misdemeanors, shall be punished upon conviction by a fine not to exceed \$5,000.00 or by imprisonment in jail for a term not exceeding 1 year, or by both such fine and imprisonment.

Section 13. Severability. If any section, sentence, clause of 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 14. The City Clerk is hereby directed to record an authenticated copy of the state statutes adopted by reference with this ordinance and to maintain not less than one (1) copy of such statutes on file in the office of the City Clerk for use and examination by the public pursuant to RCW 35A.12.140.

Section 15. 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 the attached summary which is hereby approved.

APPROVED:

*Doreen Marchione*  
MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:

*Doris A. Schaible*  
CITY CLERK, DORIS A. SCHAIBLE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY: *Jay C. Martin*

FILED WITH THE CITY CLERK: 1-14-88  
PASSED BY THE CITY COUNCIL: 1-19-88  
PUBLISHED: 1-24-88  
EFFECTIVE DATE: 1-29-88  
ORDINANCE NO. 1406