AN ORDINANCE of the City of Kent, Washington, adopting a new section referring to habitual traffic offenders; and adopting the Washington Model Traffic Ordinance (June 1986) R.C.W. Chapter 46.90 by reference, and declaring an emergency.

WHEREAS, it is the desire of the City of Kent to encourage highway safety and uniform traffic laws by providing a comprehensive compilation of sound and uniform traffic laws to serve as a guide which local authorities may adopt by reference, or any part thereof, including all future amendments or additions thereto; NOW THEREFORE

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The Washington Model Traffic Ordinance (June, 1986) and as may hereafter be amended is herewith adopted by reference, and under the provisions of R.C.W. Chapter 46.90 and R.C.W. 35A.12.140, this ordinance shall be published as required by law. The aforementioned Washington Model Traffic Ordinance adopted by reference need not be published as required by R.C.W. 35A.12.140, but shall be authenticated and recorded with the Kent City Clerk. Not less than one copy of such statute and Ordinance shall be filed and recorded in the office of the Kent City Clerk for use and examination by the public.

Section 2. If any provision of this Ordinance or the Washington Model Traffic Ordinance adopted by reference herein or its application to any person or circumstance is held invalid, the remainder of this ordinance or the application of the provisions to other persons or circumstances shall not be affected.

Section 3. A new Section 10.02.11 is added to the Kent City Code as follows:
10.02.11 UNLAWFUL OPERATION OF MOTOR VEHICLE BY HABITUAL OFFENDER.

(1) It is unlawful for any person to operate a motor vehicle in this State while an order of revocation remains in effect. Any person found to be an habitual offender under the provisions of this chapter who is convicted of operating a motor vehicle in this State while the order of revocation prohibiting such operation is in effect guilty of a gross misdemeanor. First, second, third, and subsequent violations of this subsection shall be punished in the same way as violations of R.C.W. 46.20.342(1), except that the minimum sentence of confinement required shall not be suspended or deferred.

(2) Any person convicted for a first violation of Subsection (1) of this Section who is also convicted of the offense defined in R.C.W. 46.61.502 or 46.61.504 when both convictions arise from the same event, shall be punished in the same way as provided in R.C.W. 46.20.342(1) except that the minimum sentence of confinement shall be not less than thirty days and shall not be suspended or deferred.

Section 4. Effective Date. This ordinance is a public emergency ordinance and is necessary for the immediate preservation and protection of the public peace, health and safety, and shall become effective immediately upon adoption.

Section 5. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.
ATTEST:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

BILL H. WILLIAMSON, ACTING CITY ATTORNEY

PASSED the 17th day of Febr., 1986.
APPROVED the 18th day of June, 1986.
PUBLISHED the 21st day of Nov., 1986.

I hereby certify that this is a true copy of Ordinance No. 2680, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

MARIE JENSEN, CITY CLERK

(SEAL)