AN ORDINANCE of the City of Kent, Washington, relating to the crime of lewd conduct, further defining the crime of lewd conduct, amending Kent City Code 9.02.34.

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

Section 1. Kent City Code 9.02.34 amended as follows:

9.02.34 LEWD CONDUCT

A. A person is guilty of lewd conduct if the person intentionally performs any lewd act in a public place, or at a place and under circumstances where such act could be observed by any member of the public, knowing that such conduct is likely to cause reasonable affront or alarm.

B. For purposes of this Section 9.02.34, or as otherwise referenced, the following definitions shall apply:
   1. "Lewd act" means:
      a. An exposure of one’s genitals or female breasts; or
      b. The touching, caressing or fondling of the genitals or female breasts; or
      c. Sexual intercourse. For purposes of this section, sexual intercourse has its ordinary meaning, and occurs upon any penetration, however slight; it also means any act of sexual conduct between persons involving the sex organs of one person and the mouth or anus of another.
      d. Masturbation.

   2. "Public place" is an area generally visible to public view and includes streets, sidewalks, bridges, alleys, plazas, parks, driveways, parking lots, motor vehicles (whether
moving or not), and buildings open to the general public, including those which serve food or drink or provide entertainment, and the doorways and entrances to buildings or dwellings and the grounds enclosing them.

C. This Section 9.02.34 shall not be applied to artistic or dramatic performances in a theater or a museum.

D. Any person who commits an act of lewd conduct shall be guilty of a misdemeanor pursuant to KCC 9.02.108.

Section 2. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 3. Effective Date. This ordinance shall take effect and be in force thirty (30) days from the time of its final passage as provided by law.

DAN KELLEHER, MAYOR

ATTEST:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

SANDRA DRISCOLL, CITY ATTORNEY
PASSED the 5th day of June, 1990.
APPROVED the 7th day of June, 1990.
PUBLISHED the 8th day of June, 1990.

I hereby certify that this is a true copy of Ordinance No. 9-90, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

[Signature]
MARIE JENSEN, CITY CLERK