ORDINANCE NO. 2973

AN ORDINANCE of the City of Kent, Washington, amending Ordinance 1960 Section 4, codified as 9.02.16 relating to obstructing public officers.

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

Section 1. Kent City Penal Code 9.02.16 is amended as follows:

9.02.16. OBSTRUCTING PUBLIC OFFICERS. Any person who:
   ((A) without lawful excuse shall refuse or knowingly fail to make or furnish any statement, report, or information lawfully required of him by a public officer; or
   B) in any such statement or report shall make any knowingly untrue statement to a public officer; or
   C) shall knowingly hinder, delay or obstruct any public officer in the discharge of his official powers or duties; shall be guilty of a misdemeanor));

   A. a person is guilty of obstructing a public officer if, with knowledge that the person obstructed a public officer, he or she:

   (1) intentionally and physically interferes with a public officer; or
(2) intentionally hinders or delays a public officer by disobeying an order to stop given by such officer; or
(3) intentionally refuses to cease an activity or behavior that creates a risk of injury to any person when ordered to do so by a public officer; or
(4) intentionally destroys, conceals or alters or attempts to destroy, conceal or alter any material which he or she knows the public officer is attempting to obtain, secure, or preserve during an investigation, search or arrest; or
(5) intentionally refuses to leave the scene of an investigation of a crime while an investigation is in progress after being requested to leave by a public officer.

B. no person shall be convicted of violating this section if the judge determines with respect to the person charged with violating this section that the public officer is not acting lawfully in a governmental function.

C. for purposes of this section a public officer means those individuals responsible for the enforcement of the provisions in the Kent City Code and empowered to make arrest for offenses under the Kent City Code or those individuals responsible for the enforcement of the criminal laws of the state.

D. obstructing a public officer is a misdemeanor.

Section 2. Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication as provided by law.

DAN KELLEHER, MAYOR
ATTEST:

Brenda Jacober
BRENDA JACOBER, ACTING CITY CLERK

APPROVED AS TO FORM:

Roger A. Lubovich, City Attorney

PASSED the 19 day of March, 1991.
APPROVED the 20 day of March, 1991.
PUBLISHED the 22 day of March, 1991.

I hereby certify that this is a true copy of Ordinance No. 2973, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

Brenda Jacober
BRENDA JACOBER, ACTING CITY CLERK

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