Ordinance No. 3836
(Amending or Repealing Ordinances)

CFN=122 – Police/Fire Departments
Tamper or Interfere with Property

New Section 9.02.195
ORDERANCE NO. 3836

AN ORDINANCE of the city council of the city of Kent, Washington, amending Chapter 9.02 of the Kent City Code to add a new section 9.02.195, entitled "Tampering or interfering with the property of another."

RECITALS

A. Occasionally, citizens call the police to report that another person has somehow tampered with or interfered with their property by depositing garbage, yard waste, and other debris on their property without permission or taking their property and throwing it in a lake or river. Current statutes and city ordinances do not provide a sufficient tool for the city to investigate and prosecute this type of conduct. In an effort to deter this type of activity, police officers need to be able to investigate and arrest persons who tamper or interfere with the property of another, and prosecutors need to be able to request restitution for those citizens who have had to expend time, effort, and financial resources fixing the damage. This ordinance will afford police officers and prosecutors the tool necessary to address these concerns.

B. The Kent City Council has determined that it is in the interest of the public health, safety, and welfare to make it a crime to tamper or interfere with the property of another.

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

1 Tamper or Interfere With Property
Amend KCC 9.02.195
ORDINANCE

SECTION 1. - Amendment. Chapter 9.02 of the Kent City Code is amended to add a new section 9.02.195, entitled “Tampering or interfering with the property of another,” as follows:

Sec. 9.02.195. Tampering or interfering with the property of another prohibited – Penalty.

A. A person commits the offense of tampering or interfering with the property of another if, without privilege, permission, or license to do so, he or she intentionally tampers or interferes with the property of another.

B. For the purposes of this section, the terms “tampers” or “interferes” include, but are not limited to:

1. Discarding items belonging to another;
2. Withholding the property of another; or
3. Placing of a substance, such as a bodily fluid or bodily waste, food products, food waste or food containers, dying or dead vegetation, trash, or other object, upon the property of another thereby creating the need for an expenditure of effort, time, money, or other activity in order to return the property to its previous condition.

C. Tampering or interfering with the property of another is a misdemeanor.

SECTION 2. - Severability. If any one or more sections, subsections, or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

SECTION 3. - Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage as provided by law.

SUZETTE COOKE, MAYOR

2 Tamper or Interfere With Property
Amend KCC 9.02.195
I hereby certify that this is a true copy of Ordinance No. 3836 passed by the city council of the city of Kent, Washington, and approved by the mayor of the city of Kent as hereon indicated.

Mary Simmons
BRENDA JACOBER, CITY CLERK
MARY SIMMONS, DEPUTY CITY CLERK