ORDINANCE NO. 4195

AN ORDINANCE of the City Council of the City of Kent, Washington, amending Chapter 9.02 of the Kent City Code, entitled "Criminal Code," to: (i) adopt by reference new civil infractions and misdemeanor crimes enacted by the state Legislature during its 2015 regular session for application and enforcement in the City of Kent; and (ii) to make other housekeeping amendments to the criminal code to revise references made to the Revised Code of Washington; to adopt other misdemeanor crimes that were not previously adopted by specific reference; and to adopt Class C felony crimes that may be used as a basis to support the crime of criminal attempt or criminal conspiracy, which is punishable as a gross misdemeanor.

RECITALS

A. During its 2015 legislative session, the Washington State Legislature adopted a number of bills that added new criminal provisions to the Revised Code of Washington ("RCW").¹ The Kent City Code has adopted by reference a number of state law provisions for application and enforcement in the City of Kent. Once a state law is adopted by reference into the Kent City Code that reference is sufficient for subsequent amendments the Legislature may make to that state law provision. However, because the Legislature adopted legislation that created new

¹ These bills included a new infraction for leaving an animal in a car, and new crimes related to background checks for firearm sales and transfers, for selling powdered alcohol, and for wrongfully distributing intimate images.
crimes that did not previously exist, it is necessary to amend the Kent City Code to similarly adopt these new state law provisions by reference for application and enforcement in Kent.

B. While updating the criminal code to add these new crimes, staff conducted a comprehensive review of the RCWs and incorporated into this ordinance all other crimes punishable as a Class C felony, a gross misdemeanor, a misdemeanor, or a civil infraction. Class C felonies were incorporated as they may be the basis to support a criminal attempt charge that is punishable as a gross misdemeanor.

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

ORDINANCE

SECTION 1. - Amendment - Criminal Code, Chapter 9.02 KCC. Chapter 9.02 of the Kent City Code, entitled “Criminal Code,” is amended as follows:

Sec. 9.02.010. Preliminary article.

A. This chapter shall be known and may be cited as the “Kent criminal code.”

B. As used in this chapter, RCW shall mean the Revised Code of Washington.

C. If any section, subsection, sentence, or provision of this chapter, or its application to any person or circumstance is held invalid, the remainder of this chapter, or the application of the section, subsection, sentence, or provision to other persons or circumstances is not affected, and to this end, the sections, subsections, sentences, and provisions of this chapter are declared to be severable.
D. By adopting state statutes, the city intends to assume jurisdiction over and become the jurisdictional authority for the enforcement and prosecution of misdemeanor and gross misdemeanor crimes that are committed within the city limits of Kent. Whenever the word state shall appear in any statute adopted by reference in this chapter, the word city shall be substituted therefor; provided, however, the term city shall not be substituted for the term state in those circumstances that set forth administrative or licensing duties of the state and its subdivisions.

E. Whenever a state statute specifically adopted in this chapter refers to another state statute not specifically adopted in this chapter, the statute referred to shall be given the force and effect necessary to enforce the statute specifically adopted in this chapter.

F. Any section of this chapter that is repealed or amended by ordinance shall remain in full force and effect until the effective date of the ordinance repealing or amending the section. Any state statute that is adopted by reference which is later amended, repealed, or recodified shall remain in full force and effect until the effective date of the legislative act that repeals, recodifies, or amends the state statute. The amendment or recodification of any state statute adopted in this chapter shall be given its full force and effect upon the effective date of its amendment or recodification.

G. When issuing a citation, information, or complaint for the violation of any section of the RCW adopted by this chapter, it shall be sufficient for a commissioned officer or prosecutor to cite to and refer to the RCW section number.

H. A copy of all statutes adopted by reference for application and enforcement within the city limits of Kent are available online for public viewing through the Washington State Legislature’s website at: http://app.leg.wa.gov/rcw/. Physical copies of these statutes are also
maintained by the City Clerk and available for public inspection during the regular business hours of the City Clerk’s Office.

Sec. 9.02.020. Adoption of sections of Revised Code of Washington not specifically set forth in KCC 9.02.030 through 9.02.620170.

A. With the exception of the RCW sections set forth in subsection (C) of this section, and notwithstanding the RCW sections that are specifically adopted by reference in KCC 9.02.030 through 9.02.620170, all RCW sections that constitute misdemeanors and gross misdemeanors and the RCW sections necessary for the investigation, arrest, prosecution, adjudication, sentencing, confinement, and enforcement of misdemeanors and gross misdemeanors, or necessary for the definition or interpretation of terms used therein, are hereby adopted by reference as currently enacted or as hereafter enacted, amended, or recodified from time to time, and shall be given the same force and effect as if set forth herein in full.

B. All class C felony crimes set forth in the RCW are hereby adopted by reference for the purposes of charging a gross misdemeanor for a violation of any of the crimes set forth in Chapter 9A.28 RCW. The adoption of class C felonies shall be subject to the provisions of subsection (A) of this section and KCC 9.02.010.

C. The following RCW sections are not adopted by the city of Kent:

RCW
9.91.025 Unlawful transit conduct.
9A.76.020 Obstructing a law enforcement officer.
9A.76.130 Escape in the third degree.
9A.84.030 Disorderly conduct.
18.108.010 Massage practitioners—Definitions
18.108.030 Massage practitioners—Licensure or certification required
Sec. 9.02.03025. Session laws not yet codified. As the Washington State Legislature adopts new laws, those new laws occasionally become effective before the state's Office of the Code Reviser is able to codify those new laws into the RCW. Accordingly, the following session laws, as currently enacted or as later amended or codified, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

None. Laws of 2004, Ch. 94 § 1 Cyberstalking.

Sec. 9.02.040030. Chapter 2.48-RCW Title 2, entitled "State Bar—Act Courts of Record"—Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
2.36.010 Definitions.
2.36.165 Leave of absence from employment to be provided—Denial of promotional opportunities prohibited—Penalty—Civil action.
2.36.170 Failure of juror to appear—Penalty.

Sec. 9.02.050040. Chapter 7.21—RCW Title 7, entitled "Contempt of Court—Special Proceedings and Actions"—Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
7.21.010 Definitions.
7.21.020 Sanctions—Who may impose.
7.21.030 Remedial sanctions – Payment for losses.
7.21.070 Appellate review.

7.80.120 Monetary penalties – Restitution.
7.80.150 Notices—Record of—Cancellation prohibited, penalty—Audit.
7.80.160 Failure to exercise notice options—Failure to satisfy penalty.

7.84.060 Response to notice—Contesting determination—Mitigating circumstances—Hearing—Failure to respond or appear—Penalty.
7.84.100 Monetary penalties.
7.84.130 Failure to pay or complete community restitution—Penalty.

7.90.090 Burden of proof—Issuance of protection order—Remedies—Violations.
7.90.110 Ex parte temporary sexual assault protection orders—Issuance.

7.92.120 Ex parte temporary order for protection—Issuance.
7.92.160 Court-initiated stalking no-contact orders.

Sec. 9.02.050. Chapter 7.80 RCW, entitled “Civil Infractions”

—Adoption by reference.— The following RCW section, as currently enacted or as hereafter amended or recodified from time to time, is hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
7.80.120 Monetary penalties—Restitution.

Sec. 9.02.060. RCW Title 9, entitled “Crimes and Punishments” – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
9.01.055 Citizen immunity if aiding officer, scope — When.
9.01.110 Omission, when not punishable.
9.01.130  Sending letter, when complete.

9.02.050  Concealing birth.
9.02.120  Unauthorized abortions - Penalty.
9.02.130  Defenses to prosecution.
9.02.170  Definitions.

9.03.010  Abandoning, discarding refrigeration equipment.
9.03.020  Permitting unused equipment to remain on premises.
9.03.030  Violation of RCW 9.03.010 or 9.03.020.
9.03.040  Keeping or storing equipment for sale.

9.04.010  False advertising.
9.04.040  Advertising cures of lost sexual potency - Evidence.
9.04.050  False, misleading, deceptive advertising.
9.04.070  False, misleading, deceptive advertising - Penalty.
9.04.090  Advertising fuel prices by service stations.

9.08.030  False certificate of registration of animals - False representation as to breed.
9.08.065  Definitions.
9.08.070  Pet animals - Taking, concealing, injuring, killing, etc. - Penalty.
9.08.072  Transferring stolen pet animal to a research institution - Penalty.
9.08.074  Transferring stolen pet animal to a person who has previously sold a stolen pet animal to a research institution - Penalty.
9.08.076  Transferring stolen pet animal to a research institution by a U.S.D.A. licensed dealer - Penalty.
9.08.078  Illegal sale, receipt, or transfer of pet animals - Separate offenses.
9.08.090  Acts against animal facilities.

9.12.010  Barratry.
9.12.020  Buying, demanding, or promising reward by district judge or deputy.

9.16.005  Definitions.
9.16.010  Removing lawful brands.
9.16.020  Imitating lawful brand.
9.16.035  Counterfeiting - Penalties.
9.16.041  Counterfeit items - Seizure and forfeiture.
9.16.050  When deemed affixed.
9.16.060  Fraudulent registration of trademark.
9.16.070  Form and similitude defined.
9.16.080  Petroleum products improperly labeled or graded.
9.16.100 Use of the words “sterling silver,” etc.
9.16.110 Use of words “coin silver,” etc.
9.16.120 Use of the word “sterling” on mounting.
9.16.130 Use of the words “coin silver” on mounting.
9.16.140 Unlawfully marking article made of gold.
9.16.150 “Marked, stamped or branded” defined.

9.18.080 Offender a competent witness.
9.18.120 Suppression of competitive bidding.
9.18.130 Collusion to prevent competitive bidding—Penalty.
9.18.150 Agreements outside state.

9.24.010 Fraud in stock subscription.
9.24.040 Corporation doing business without license.

9.26A.090 Telephone company credit cards – Prohibited acts.
9.26A.100 Definitions.
9.26A.110 Fraud in obtaining telecommunications service – Penalty.
9.26A.120 Fraud in operating coin-box telephone or other receptacle.
9.26A.130 Penalty for manufacture or sale of slugs to be used for coin.
9.26A.140 Unauthorized sale or procurement of telephone records—Penalties—Definitions.

9.27.015 Interference, obstruction of any court, building, or residence – Violations.

9.35.005 Definitions.
9.35.010 Improperly obtaining financial information.
9.35.020 Identity theft.
9.35.030 Soliciting undesired mail.

9.38.010 False representation concerning credit.
9.38.015 False statement by deposit account applicant.
9.38.060 Digital signature violations.

9.40.040 Operating engine or boiler without spark arrester.
9.40.100 Tampering with fire alarm or fire fighting equipment – False alarm – Penalties.

9.41.010 Terms defined.
9.41.040 Unlawful possession of firearms – Ownership, possession by certain persons – Penalty.
9.41.050 Carrying firearms.
9.41.060 Exceptions to restrictions on carrying firearms.
9.41.070 Concealed pistol license - Application - Fee - Renewal.
9.41.080 Delivery to ineligible persons.
9.41.090 Dealer deliveries regulated – Hold on delivery.
9.41.100 Dealer licensing and registration required.
9.41.110 Dealer's licenses, by whom granted, conditions, fees – Employees, fingerprinting and background checks – Wholesale sales excepted – Permits prohibited.
9.41.113 Firearms or transfers – Background checks – Requirements – Exceptions.
9.41.120 Firearms as loan security.
9.41.140 Alteration of identifying marks – Exceptions.
9.41.173 Alien possession of firearms – Alien firearm license – Political subdivisions may not modify requirements – Penalty for false statement.
9.41.175 Alien possession of firearms – Possession without license – Conditions.
9.41.190 Unlawful firearms – Exceptions.
9.41.220 Unlawful firearms and parts contraband.
9.41.230 Aiming or discharging firearms, dangerous weapons.
9.41.240 Possession of pistol by person from eighteen to twenty-one.
9.41.250 Dangerous weapons – Penalty.
9.41.251 Dangerous weapons – Application of restrictions to law enforcement, firefighting, rescue, and military personnel.
9.41.260 Dangerous exhibitions.
9.41.270 Weapons apparently capable of producing bodily harm – Unlawful carrying or handling – Penalty – Exceptions.
9.41.280 Possessing dangerous weapons on school facilities – Penalty – Exceptions.
9.41.290 State preemption.
9.41.335 Failure to register as felony firearm offender.
9.41.800 Surrender of weapons or licenses – Prohibition on future possession or licensing.
9.41.810 Penalty.
9.44.080 Misconduct in signing a petition.
9.45.060 Encumbered, leased, or rented personal property – Construction.
9.45.070 Mock auctions.
9.45.080 Fraudulent removal of property.
9.45.090 Knowingly receiving fraudulent conveyance.
9.45.100 Fraud in assignment for benefit of creditors.
9.45.160 Fraud in liquor warehouse receipts.
9.45.170 Penalty.
9.45.210 Altering sample or certificate of assay.
9.45.220 Making false sample or assay of ore.
9.45.260 Fire protection sprinkler system contractors - Wrongful acts.
9.45.270 Fraudulent filing of vehicle report of sale.

9.46.0201 "Amusement game."
9.46.0205 "Bingo."
9.46.0209 "Bona fide charitable or nonprofit organization."
9.46.0213 "Bookmaking."
9.46.0217 "Commercial stimulant."
9.46.0221 "Commission."
9.46.0225 "Contest of chance."
9.46.0229 "Fishing derby."
9.46.0233 "Fund-raising event."
9.46.0237 "Gambling."
9.46.0241 "Gambling device."
9.46.0245 "Gambling information."
9.46.0249 "Gambling premises."
9.46.0253 "Gambling record."
9.46.0257 "Lottery."
9.46.0261 "Member," "bona fide member."
9.46.0265 "Player."
9.46.0269 "Professional gambling."
9.46.0273 "Punchboards," "pull-tabs."
9.46.0277 "Raffle."
9.46.0282 "Social card game."
9.46.0285 "Thing of value."
9.46.0289 "Whoever," "person."
9.46.170 False or misleading entries or statements, refusal to produce records.
9.46.185 Causing person to violate rule or regulation.
9.46.190 Violations relating to fraud or deceit.
9.46.195 Obstruction of public servant - Penalty.
9.46.196 Cheating - Defined.
9.46.1961 Cheating in the first degree.
9.46.1962 Cheating in the second degree.
9.46.198 Working in gambling activity without license as violation - Penalty.
9.46.215 Ownership or interest in gambling device - Penalty - Exceptions.
9.46.217 Gambling records - Penalty - Exceptions.
9.46.221 Professional gambling in the second degree.
9.46.222 Professional gambling in the third degree.
9.46.228 Gambling activities by persons under age eighteen prohibited—Penalties—Jurisdiction—In-house controlled purchase programs authorized.
9.46.240 Gambling information, transmitting or receiving.
9.47.080 Bucket shop defined.
9.47.090 Maintaining bucket shop - Penalty.
9.47.100 Written statement to be furnished - Presumption.

9.47A.010 Definition.
9.47A.030 Possession of certain substances prohibited, when.
9.47A.040 Sale of certain substances prohibited, when.
9.47A.050 Penalty.

9.51.010 Misconduct of officer drawing jury.
9.51.020 Soliciting jury duty.
9.51.030 Misconduct of officer in charge of jury.
9.51.040 Grand juror acting after challenge allowed.
9.51.050 Disclosing transaction of grand jury.
9.51.060 Disclosure of deposition returned by grand jury.

9.55.020 Witness refusing to attend legislature or committee or to testify.

9.61.190 Carrier or racing pigeons - Injury to.
9.61.200 Carrier or racing pigeons - Removal or alteration of identification.
9.61.230 Telephone harassment.
9.61.240 Telephone harassment – Permitting telephone to be used.
9.61.250 Telephone harassment – Offense, where deemed committed.
9.61.260 Cyberstalking.

9.62.010 Malicious prosecution.
9.62.020 Instituting suit in name of another.

9.66.010 Public nuisance.
9.66.020 Unequal damage.
9.66.030 Maintaining or permitting nuisance.
9.66.040 Abatement of nuisance.
9.66.050 Deposit of unwholesome substance.

9.68.015 Obscene literature, shows, etc. – Exemptions.
9.68.030 Indecent articles, etc.
9.68.050 “Erotic material” – Definitions.
9.68.080 Unlawful acts.
9.68.100 Exceptions to RCW 9.68.050 through 9.68.120.
9.68.110 Motion picture operator or projectionist exempt, when.
9.68.130 “Sexually explicit material” – Defined – Unlawful display.

Criminal Code Amendments
2015 State Legislative Session
9.68.140 Promoting pornography - Class C felony - Penalties.

9.68A.050 Dealing in depictions of minor engaged in sexually explicit conduct.
9.68A.060 Sending, bringing into state depictions of minor engaged in sexually explicit conduct.

9.68A.070 Possession of depictions of minor engaged in sexually explicit conduct.
9.68A.075 Viewing depictions of a minor engaged in sexually explicit conduct.
9.68A.090 Communication with minor for immoral purposes - Penalties.
9.68A.102 Promoting travel for commercial sexual abuse of a minor - Penalty - Consent of minor does not constitute defense.
9.68A.103 Permitting commercial sexual abuse of a minor - Penalty - Consent of minor does not constitute defense.
9.68A.110 Certain defenses barred, permitted.
9.68A.120 Seizure and forfeiture of property.

9.69.100 Duty of witness of offense against child or any violent offense - Penalty.

9.72.090 Committal of witness - Detention of documents.

9.73.010 Divulging telegram.
9.73.020 Opening sealed letter.
9.73.030 Intercepting, recording or divulging private communication - Consent required - Exceptions.
9.73.050 Admissibility of intercepted communication in evidence.
9.73.070 Persons and activities excepted from chapter.
9.73.080 Penalties.
9.73.090 Certain emergency response personnel exempted from RCW 9.73.030 through RCW 9.73.080 - Standards - Court authorizations - Admissibility.
9.73.100 Recordings available to defense counsel.
9.73.110 Intercepting, recording, or disclosing private communications - Not unlawful for building owner - Conditions.
9.73.230 Intercepting, transmitting, or recording conversations concerning controlled substances or commercial sexual abuse of a minor - Conditions - Written reports required - Judicial review - Notice - Admissibility - Penalties.
9.73.260 Pen registers, trap and trace devices.
9.81.010   Definitions.
9.81.030   Membership in subversive organization is felony - Penalty.
9.81.110   Misstatements are punishable as perjury - Penalty.

9.86.010   "Flag," etc., defined.
9.86.020   Improper use of flag prohibited.
9.86.030   Desecration of flag.

9.91.010   Denial of civil rights - Terms defined.
9.91.020   Operating railroad, steamboat, vehicle, etc., while intoxicated.
9.91.060   Leaving children unattended in a parked automobile.
9.91.130   Disposal of trash in charity donation receptacle.
9.91.140   Food stamps—Unlawful sale.
9.91.142   Food stamps - Trafficking.
9.91.144   Food stamps - Unlawful redemption.
9.91.150   Tree spiking.
9.91.160   Personal protection spray devices.
9.91.170   Interfering with dog guide or service animal.
9.91.175   Interfering with search and rescue dog.
9.91.180   Violent video or computer games.

9.92.020   Punishment of gross misdemeanor when not fixed by statute.
9.92.030   Punishment of misdemeanor when not fixed by statute.
9.92.040   Punishment for contempt.
9.92.080   Sentence on two or more convictions or counts.

Sec. 9.02.070.   RCW Title 9A, entitled "Washington Criminal Code" - Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
9A.04.030   State criminal jurisdiction.
9A.04.040   Classes of crimes.
9A.04.050   People capable of committing crimes – Capability of children.
9A.04.060   Common law to supplement statute.
9A.04.070   Who amenable to criminal statutes.
9A.04.080   Limitation of actions.
9A.04.090   Application of general provisions of the code.
9A.04.100   Proof beyond a reasonable doubt.
9A.04.110   Definitions.
9A.08.010  General requirements of culpability.
9A.08.020  Liability for conduct of another – Complicity.
9A.08.030  Corporate and personal liability.

9A.12.010  Insanity.

9A.16.010  Definitions.
9A.16.060  Duress.
9A.16.070  Entrapment.
9A.16.080  Action for being detained on mercantile establishment premises for investigation – "Reasonable grounds" as defense.
9A.16.090  Intoxication.
9A.16.100  Use of force on children – Policy – Actions presumed unreasonable.
9A.16.120  Outdoor music festival, campground—Detention.

9A.20.010  Classification and designation of crimes.
9A.20.021  Maximum sentences for crimes committed July 1, 1984, and after.
9A.20.030  Alternative to a fine—Restitution.

9A.28.020  Criminal attempt.
9A.28.030  Criminal solicitation.
9A.28.040  Criminal conspiracy.

9A.36.031  Assault in the third degree.
9A.36.041  Assault in the fourth degree.
9A.36.050  Reckless endangerment.
9A.36.060  Promoting a suicide attempt.
9A.36.070  Coercion.
9A.36.080  Malicious harassment – Definition and criminal penalty.
9A.36.100  Custodial assault.
9A.36.140  Assault of a child in the third degree.
9A.36.150  Interfering with the reporting of domestic violence.
9A.36.160  Failing to summon assistance.
9A.36.161  Failing to summon assistance – Penalty.

9A.40.010  Definitions.
9A.40.040  Unlawful imprisonment.
9A.40.060  Custodial interference in the first degree.
9A.40.070  Custodial interference in the second degree.
9A.40.080  Custodial interference – Assessment of costs – Defense – Consent defense, restricted.
9A.40.090  Luring.
9A.40.110  Coercion of involuntary servitude.

9A.42.010  Definitions.
9A.42.030  Criminal mistreatment in the second degree.
9A.42.035  Criminal mistreatment in the third degree.
9A.42.037  Criminal mistreatment in the fourth degree.
9A.42.040  Withdrawal of life support systems.
9A.42.045  Palliative care.
9A.42.050  Defense of financial inability.
9A.42.070  Abandonment of a dependent person in the second degree – Exception.
9A.42.080  Abandonment of a dependent person in the third degree – Exception.
9A.42.090  Abandonment of a dependent person – Defense.
9A.42.110  Leaving a child in the care of a sex offender.

9A.44.010  Definitions.
9A.44.020  Testimony—Evidence—Written motion—Admissibility.
9A.44.030  Defenses to prosecution under this chapter.
9A.44.060  Rape in the third degree.
9A.44.079  Rape of a child in the third degree.
9A.44.089  Child molestation in the third degree.
9A.44.093  Sexual misconduct with a minor in the first degree.
9A.44.096  Sexual misconduct with a minor in the second degree.
9A.44.105  Sexually violating human remains.
9A.44.115  Voyeurism.
9A.44.120  Admissibility of child’s statement—Conditions.
9A.44.128  Definitions applicable to RCW 9A.44.130 through 9A.44.145, 10.01.200, 43.43.540, 70.48.470, and 72.09.330.
9A.44.130  Registration of sex offenders and kidnapping offenders – Procedures – Definition – Penalties.
9A.44.132  Failure to register as sex offender or kidnapping offender—Refusal to provide DNA.
9A.44.150  Testimony of child by closed-circuit television.
9A.44.160  Custodial sexual misconduct in the first degree.
9A.44.170  Custodial sexual misconduct in the second degree.
9A.44.180  Custodial sexual misconduct—Defense.
9A.44.190  Criminal trespass against children—Definitions.
9A.44.193  Criminal trespass against children—Covered entities.
9A.44.196  Criminal trespass against children.

9A.46.010  Legislative finding.
9A.46.020  Definition – Penalties.
9A.46.030  Place where committed.
9A.46.040  Court-ordered requirements upon person charged with crime – Violation.
9A.46.050  Arraignment – No contact order.

Criminal Code Amendments 2015 State Legislative Session
9A.46.060 Crimes included in harassment.
9A.46.070 Enforcement of orders restricting contact.
9A.46.080 Order restricting contact – Violation.
9A.46.085 Stalking no-contact orders—Appearance before magistrate required.
9A.46.090 Nonliability of peace officer.
9A.46.100 “Convicted,” time when.
9A.46.110 Stalking.
9A.46.120 Criminal gang intimidation.

9A.48.010 Definitions.
9A.48.040 Reckless burning in the first degree.
9A.48.050 Reckless burning in the second degree.
9A.48.080 Malicious mischief in the second degree.
9A.48.090 Malicious mischief in the third degree.
9A.48.100 Malicious mischief – “Physical damage” defined.
9A.48.105 Criminal street gang tagging and graffiti.
9A.48.110 Defacing a state monument.

9A.49.001 Findings.
9A.49.010 Definitions.
9A.49.020 Unlawful discharge of a laser in the first degree.
9A.49.030 Unlawful discharge of a laser in the second degree.
9A.49.040 Civil infraction, when.
9A.49.050 Exclusions.

9A.50.010 Definitions.
9A.50.020 Interference with health care facility.
9A.50.030 Penalty.
9A.50.060 Informational picketing.

9A.52.010 Definitions.
9A.52.050 Other crime in committing burglary punishable.
9A.52.060 Making or having burglar tools.
9A.52.070 Criminal trespass in the first degree.
9A.52.080 Criminal trespass in the second degree.
9A.52.090 Criminal trespass – Defenses.
9A.52.095 Vehicle prowling in the first degree.
9A.52.100 Vehicle prowling in the second degree.
9A.52.110 Computer trespass in the first degree.
9A.52.120 Computer trespass in the second degree.
9A.52.130 Computer trespass – Commission of other crime.

9A.56.010 Definitions.
9A.56.020 Theft – Definition, defense.
9A.56.040 Theft in the second degree.
9A.56.050 Theft in the third degree.
9A.56.060 Unlawful issuance of checks or drafts.
9A.56.063 Making or possessing motor vehicle theft tools.
9A.56.075 Taking motor vehicle without permission in the second degree.
9A.56.083 Theft of livestock in the second degree.
9A.56.096 Theft of rental, leased, lease-purchased, or loaned property.
9A.56.100 Theft and larceny equated.
9A.56.110 Extortion—Definition.
9A.56.130 Extortion in the second degree.
9A.56.140 Possessing stolen property – Definition – Presumption.
9A.56.160 Possessing stolen property in the second degree – Other than firearm or motor vehicle.
9A.56.170 Possessing property in the third degree.
9A.56.180 Obscuring the identity of a machine.
9A.56.220 Theft of subscription television services.
9A.56.230 Unlawful sale of subscription television services.
9A.56.240 Forfeiture and disposal of device used to commit violation.
9A.56.260 Connection of channel converter.
9A.56.262 Theft of telecommunication services.
9A.56.264 Unlawful manufacture of telecommunication device.
9A.56.266 Unlawful sale of telecommunication device.
9A.56.270 Shopping cart theft.
9A.56.280 Credit, debit cards, checks, etc.—Definitions.
9A.56.290 Credit, payment cards—Unlawful factoring of transactions.
9A.56.320 Financial fraud—Unlawful possession, production of instruments of.
9A.56.330 Possession of another's identification.
9A.56.340 Theft with the intent to resell.
9A.56.350 Organized retail theft.
9A.56.360 Retail theft with special circumstances.
9A.56.370 Mail theft.
9A.56.380 Possession of stolen mail.
9A.56.390 Mail theft—Possession of stolen mail—Commission of other crime.

9A.58.010 Definitions.
9A.58.020 Possessing, or reading or capturing, information contained on another person's identification document—Exceptions.

9A.60.010 Definitions.
9A.60.020 Forgery.
9A.60.030 Obtaining a signature by deception or duress.
9A.60.040 Criminal impersonation in the first degree.
9A.60.045 Criminal impersonation in the second degree.
9A.60.050 False certification.
9A.60.060 Fraudulent creation or revocation of a mental health advance directive.
9A.60.070 False academic credentials – Unlawful issuance or use – Definitions – Penalties.

9A.61.010 Definitions.
9A.61.020 Defrauding a public utility.
9A.61.040 Defrauding a public utility in the second degree.
9A.61.050 Defrauding a public utility in the third degree.
9A.61.060 Restitution and costs.

9A.64.010 Bigamy.
9A.64.020 Incest.
9A.64.030 Child selling—Child buying.

9A.68.020 Requesting unlawful compensation.
9A.68.030 Receiving or granting unlawful compensation.
9A.68.040 Trading in public office.
9A.68.050 Trading in special influence.

9A.72.010 Definitions.
9A.72.030 Perjury in the second degree.
9A.72.040 False swearing.
9A.72.050 Perjury and false swearing – Inconsistent statements – Degree of crime.
9A.72.060 Perjury and false swearing – Retraction.
9A.72.070 Perjury and false swearing – Irregularities no defense.
9A.72.080 Statement of what one does not know to be true.
9A.72.085 Unsworn statements, certification – Standards for subscribing to an unsworn statement.
9A.72.120 Tampering with a witness.
9A.72.140 Jury tampering.
9A.72.150 Tampering with physical evidence.

9A.76.010 Definitions.
9A.76.023 Disarming a law enforcement or corrections officer.
9A.76.025 Disarming a law enforcement or corrections officer – Commission of another crime.
9A.76.027 Law enforcement or corrections officer engaged in criminal conduct.
9A.76.030 Refusing to summon aid for a peace officer.
9A.76.040 Resisting arrest.
9A.76.050 Rendering criminal assistance – Definition of term.
9A.76.060 Relative defined.
9A.76.070 Rendering criminal assistance in the first degree.
9A.76.080 Rendering criminal assistance in the second degree.
9A.76.090 Rendering criminal assistance in the third degree.
9A.76.100 Compounding.
9A.76.150 Introducing contraband in the second degree.
9A.76.160 Introducing contraband in the third degree.
9A.76.170 Bail jumping.
9A.76.175 Making a false or misleading statement to a public servant.
9A.76.177 Amber alert – Making a false or misleading statement to a public servant.
9A.76.200 Harm ing a police dog, accelerant detection dog, or police horse—Penalty.

9A.80.010 Official misconduct.

9A.82.010 Definitions.
9A.82.045 Collection of unlawful debt.
9A.82.055 Trafficking in stolen property in the second degree.
9A.82.070 Influencing outcome of sporting event.
9A.82.080 Use of proceeds of criminal profiteering—Controlling enterprise or realty—Conspiracy or attempt.
9A.82.100 Remedies and procedures.
9A.82.120 Criminal profiteering lien—Authority, procedures.
9A.82.130 Criminal profiteering lien—Trustee of real property.
9A.82.160 Criminal profiteering lien – Trustee’s failure to comply, evasion of procedures or lien.
9A.82.170 Financial institution records—Inspection and copying—Wrongful disclosure.

9A.84.010 Criminal mischief.
9A.84.020 Failure to disperse.
9A.84.040 False reporting.

9A.86.010 Disclosing intimate images

9A.88.010 Indecent exposure.
9A.88.030 Prostitution.
9A.88.040 Prosecution for prostitution under RCW 9A.88.030—Affirmative defense.
9A.88.050 Prostitution – Sex of parties immaterial – No defense.
9A.88.060 Promoting prostitution – Definitions.9A.88.080 Promoting prostitution in the second degree.
9A.88.085 Promoting travel for prostitution.
9A.88.090 Permitting prostitution.
9A.88.110 Patronizing a prostitute.
9A.88.120 Additional fee assessments.
9A.88.130 Additional requirements.
9A.88.140 Vehicle impoundment – Fees – Fines.
9A.88.150 Seizure and forfeiture.
Sec. 9.02.080. RCW Title 10, entitled “Criminal Procedure” – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
10.01.070 Corporations—Amenable to criminal process—How.
10.01.090 Corporations—Judgment against.
10.01.100 Corporations—Penalties—Fines in lieu of other punishments.
10.01.180 Fine or costs—Default in payment—Contempt of court—Enforcement, collection procedures.
10.14.120 Disobedience of order – Penalties.
10.31.040 Officer may break and enter.
10.31.050 Officer may use force.
10.31.060 Arrest by telegraph or teletype.
10.31.100 Arrest without warrant.
10.31.110 Arrest—Individuals with mental disorders.
10.66.010 Definitions.
10.66.020 When order may be issued.
10.66.040 Ex parte temporary order—Hearing—Notice.
10.66.050 Additional relief—PADT area.
10.66.090 Penalties.
10.66.100 Additional penalties.
10.66.110 Jurisdiction.
10.66.120 Venue.
10.79.040 Search without warrant unlawful—Penalty.
10.88.290 Rights of person arrested.
10.88.300 Delivery of person in violation of RCW 10.88.290—Penalty.
10.99.010 Purpose – Intent.
10.99.040 Duties of court – No-contact order.
Sec. 9.02.090. Chapter 13.32A RCW, entitled "Family Reconciliation Act" – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
13.32A.082 Providing shelter to minor—Requirement to notify parent, law enforcement, or department.
13.32A.084 Providing shelter to minor—Immunity from liability.

Sec. 9.02.100. Chapter—16.52—RCW Title 16, entitled "Prevention of Cruelty to Animals"—Animals and Livestock” – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
16.52.011 Definitions – Principles of liability.
16.52.015 Enforcement – Law enforcement agencies and animal care and control agencies.
16.52.080 Transporting or confining in unsafe manner – Penalty.
16.52.085 Removal of animals for feeding - Examination - Notice - Euthanasia.
16.52.090 Docking horses - Misdemeanor.
16.52.095 Cutting ears - Misdemeanor.
16.52.100 Confinement without food and water - Intervention by others.

16.52.110 Old or diseased animals at large.
16.52.117 Animal fighting - Prohibited behavior - Class C felony - Owners, trainers, spectators - Exceptions.
16.52.165 Punishment - Conviction of misdemeanor.
16.52.180 Limitations on application of chapter.
16.52.185 Exclusions from chapter.
16.52.190 Poisoning animals - Penalty.
16.52.200 Sentences - Forfeiture of animals - Liability for cost - Civil penalty - Education, counseling.
16.52.205 Animal cruelty in the first degree.
16.52.207 Animal cruelty in the second degree - Penalty.
16.52.210 Destruction of animal by law enforcement officer - Immunity from liability.
16.52.225 Nonambulatory livestock - Transporting or accepting delivery - Gross misdemeanor - Definition.
16.52.300 Dogs or cats used as bait - Seizure - Limitation.
16.52.305 Unlawful use of hook - Gross misdemeanor.
16.52.310 Dog breeding - Limit on the number of dogs - Required conditions - Penalty - Limitation of section - Definitions.
16.52.320 Maliciously killing or causing substantial bodily harm to livestock belonging to another - Penalty.
16.52.340 Leave or confine any animal in unattended motor vehicle or enclosed space - Class 2 civil infraction - Officers' authority to reasonably remove animal.

16.57.010 Definitions.
16.57.120 Removal or alteration of brand - Penalty.
16.57.260 Removal of cattle or horses from state - Inspection certificate required.
16.57.267 Failure to present animal for inspection.
16.57.270 Unlawful to refuse assistance in establishing identity and ownership of livestock.
16.57.280 Possession of cattle or horse marked with another's brand - Penalty.
16.57.405 Microchip in a horse - Removal with intent to defraud - Gross misdemeanor.
16.57.440 Unlawful transport or delivery of cattle or horses.
16.58.170  General penalties—Subsequent offenses.

16.65.440  Penalty.

16.70.050  Violations—Penalty.

Sec. 9.02.110. Chapter 17.04 RCW, entitled "Weed districts"
Adoption by reference. The following RCW section, as currently
enacted or as hereafter amended or recodified from time to time, is hereby
adopted by reference and shall be given the same force and effect as if set
forth herein in full:

RCW
17.04.280  Officials of district may enter lands—Penalty for prevention.

Sec. 9.02.120. Chapter 19.48—RCW Title 19, entitled
"Hotels, Lodging Houses, etc.—Restaurants" "Business
Regulations—Miscellaneous"—Adoption by reference. The following
RCW sections, as currently enacted or as hereafter amended or recodified
from time to time, are hereby adopted by reference and shall be given
the same force and effect as if set forth herein in full:

RCW
19.06.010  Labels—Contents—Requirements—Prohibited acts.
19.06.030  Advertising limitations.
19.06.040  Penalty.

19.25.010  Definitions.
19.25.020  Reproduction of sound without consent of owner unlawful—
          Fine and penalty.
19.25.030  Use of recording of live performance without consent of owner
          unlawful—Fine and penalty.
19.25.040  Failure to disclose origin of certain recordings unlawful—Fine
          and penalty.
19.25.050  Contraband recordings—Disposition, forfeiture, penalty.
19.25.100  Truth in music advertising.
19.25.800  Chapter not applicable to broadcast by commercial or
          educational radio or television.
19.25.810  Chapter not applicable to certain nonrecorded broadcast use.
19.25.820  Chapter not applicable to defined public record.
19.27A.080 Definitions.
19.27A.090 Portable oil-fueled heaters—Sales and use—Approval required.
19.27A.100 Portable oil-fueled heaters—Requirements for approval.
19.27A.110 Portable oil-fueled heaters—Jurisdiction over approval—Sale and use governed exclusively.
19.27A.120 Violations—Penalty.

19.48.010 Definitions.
19.48.110 Obtaining hotel, restaurant, lodging house, ski area, etc., accommodations by fraud—Penalty.

19.60.010 Definitions.
19.60.025 Duty to record information—Precious metal property.
19.60.042 Report to chief law enforcement officer—Precious metal dealers.
19.60.057 Retention of precious metal property—Inspection.
19.60.066 Prohibited acts—Penalty.
19.60.067 Secondhand precious metal dealers—Prohibited acts—Penalty.
19.60.077 Precious metal dealers—Licensure required.
19.60.085 Exemptions.
19.60.095 Precious metal sales—Hosted home parties.

19.68.010 Rebating prohibited—Disclosure—List of alternative facilities.

19.76.100 Labels on bottles, etc.—Filing—Publication.
19.76.110 Refilling bottles, etc.—Forbidden.
19.76.120 Refilling bottles, etc.—Possession as evidence.
19.76.130 Refilling bottles, etc.—Penalty.

19.83.010 License required to use or furnish trading stamps, coupons, or similar devices.
19.83.020 Issuance of license—Fee.
19.83.030 Furnishing or selling trading stamps, coupons, or similar devices geographically limited.
19.83.040 Coupons or similar devices—Exemptions.
19.83.050 Penalty.

19.84.010 Redeemable cash value to be printed on face.
19.84.020 Must redeem at cash value.
19.84.030 Distributor liable.
19.84.040 Criminal penalty.

19.192.010 Identification cards—Distinguishing official and not official proofs of identification—Penalties.
Sec. 9.02.115. Chapter 19.290 RCW, entitled "Metal Property"—Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
19.290.010 Definitions.
19.290.020 Nonferrous metal property—Records required.
19.290.030 Metal property and metallic wire—Requirements for transactions.
19.290.040 Scrap metal businesses—Record of commercial accounts.
19.290.050 Reports to law enforcement—Records exempt from public disclosure—Private civil liability.
19.290.070 Violations—Penalty.
19.290.090 Exemptions from chapter.
19.290.100 Scrap metal license—Penalties.
19.290.110 Scrap metal license—Application, renewal—Required information.
19.290.120 Scrap metal license application—Department of licensing to issue license—Display of certificate.
19.290.230 Seizure and forfeiture.

Sec. 9.02.130. Chapter 20.01 RCW, entitled "Agricultural products—Commission merchants, dealers, brokers, buyers, agents"—Adoption by reference. The following RCW section, as currently enacted or as hereafter amended or recodified from time to time, is hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
20.01.460 Prohibited acts—Penalties.
Sec. 9.02.140. Chapter 22.32 RCW, entitled "General Penalties" – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
22.32.010 Warehouse operator or carrier refusing to issue receipt.
22.32.020 Fictitious bill of lading and receipt.
22.32.030 Fraudulent tampering with or mixing goods.
22.32.040 Issuance of second receipt not marked "duplicate."
22.32.050 Delivery of goods without taking up receipt.

Sec. 9.02.150420. RCW Title 26, entitled "Domestic Relations" – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
26.04.110 Penalty for failure to deliver certificates.
26.04.250 Penalty for unlawful solemnization—1909 c 249.


26.20.030 Family abandonment—Penalty—Exception.
26.20.035 Family nonsupport—Penalty—Exception.
26.20.071 Evidence—Spouse or domestic partner as witness.


26.28.060 Child labor—Penalty.
26.28.070 Certain types of employment prohibited—Penalty.
26.28.080 Selling or giving tobacco to minor – Belief of representative capacity, no defense – Penalty.
26.28.085 Applying tattoo to a minor – Penalty.

26.33.370 Permanent care and custody of a child—Assumption, relinquishment, or transfer except by court order or statute, when prohibited—Penalty.

26.34.010 Compact enacted—Provisions.
26.34.030 "Appropriate public authorities" defined.
26.34.040 "Appropriate authority of the receiving state" defined.
26.34.070 "Executive head" defined—Compact administrator.
26.34.080 Violations—Penalty.

26.44.015 Limitations of chapter.
26.44.020 Definitions.
26.44.040 Reports – Oral, written – Contents.
26.44.060 Immunity from civil or criminal liability – Confidential communications not violated – Actions against state not affected – False report, penalty.
26.44.063 Temporary restraining order or preliminary injunction – Enforcement – Notice of modification or termination of restraining order.
26.44.067 Temporary restraining order or preliminary injunction – Contents – Notice – Noncompliance – Defense – Penalty.
26.44.080 Violation—Penalty.
26.44.150 Temporary restraining order restricting visitation for persons accused of sexually or physically abusing a child – Penalty for violating court order.
26.44.080 Violation—penalty.

26.50.010 Definitions.
26.50.110 Violation of order – Penalties.
26.50.120 Violation of order—Prosecuting attorney or attorney for municipality may be requested to assist—Costs and attorney's fee.

Criminal Code Amendments
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26.52.010 Definitions.
26.52.020 Foreign protection orders – Validity.
26.52.050 Peace officer immunity.
26.52.070 Violation of foreign orders – Penalties.

Sec. 9.02.160. RCW Title 27, entitled “Libraries, Museums, and Historical Activities” – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
27.12.010 Definitions.
27.12.330 Penalty for injury to property.

27.44.040 Protection of Indian graves—Penalty.
27.44.055 Skeletal human remains—Duty to notify—Ground disturbing activities—Coroner determination—Definitions.

27.53.030 Definitions.
27.53.040 Archaeological resources—Declaration.
27.53.045 Abandoned archaeological resources—Declaration.
27.53.060 Disturbing archaeological resource or site—Permit required—Conditions—Exceptions—Penalty.
27.53.090 Violations—Penalty.

Sec. 9.02.170430. Chapter 28A.635 RCW, entitled “Offenses Relating to School Property and Personnel” – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
28A.635.010 Abusing or insulting teachers, liability for—Penalty.
28A.635.020 Willfully disobeying school administrative personnel or refusing to leave public property, violations, when – Penalty.
28A.635.030 Disturbing school, school activities or meetings—Penalty.
28A.635.040 Examination questions – Disclosing – Penalty.
28A.635.050 Certain corrupt practices of school officials – Penalty.
28A.635.070 Property, failure of officials or employees to account for—Mutilation by—Penalties.
28A.635.090 Interference by force or violence – Penalty.
28A.635.100 Intimidating any administrator, teacher, classified employee, or student by threat of force or violence unlawful – Penalty.
28A.635.110 Violations under RCW 28A.635.090 and RCW 28A.635.100 – Disciplinary authority exception.

Sec. 9.02.180. Chapter 29A.84 RCW, entitled “Crimes and Penalties” – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
29A.84.020 Violations by officers.
29A.84.040 Political advertising, removing or defacing.
29A.84.050 Tampering with registration form, ballot declaration.
29A.84.110 Officials’ violations.
29A.84.120 Disenfranchisement or discrimination.
29A.84.130 Voter violations.
29A.84.140 Unqualified registration.
29A.84.150 Misuse, alteration of registration database.
29A.84.210 Violations by officers.
29A.84.220 Violations—Corrupt practices—Recall petitions.
29A.84.230 Violations by signers—Initiative, referendum petitions—Penalty.
29A.84.240 Violations by signers, officers—Recall petitions—Penalty.
29A.84.250 Violations—Corrupt practices—Initiative, referendum petitions.
29A.84.261 Petitions—Improperly signing.
29A.84.311 Candidacy declarations, nominating petitions.
29A.84.410 Unauthorized, printing, or distribution.
29A.84.420 Unauthorized examination of ballots, election materials—Revealing information.
29A.84.510 Acts prohibited in voting center—Prohibited practices.
29A.84.520 Electioneering at voting center or ballot drop location by election officers forbidden.
29A.84.530 Refusing to leave voting booth.
29A.84.540 Ballots—Removing from voting center or ballot drop location.
29A.84.545 Paper record from direct recording electronic voting device—Removing from voting center.
Sec. 9.02.190. RCW Title 30A, entitled “Washington Commercial Bank Act” – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
30A.04.010 Definitions.
30A.04.020 Use of words indicating bank or trust company—Penalty.
30A.04.075 Examination reports and information—Confidentiality—Disclosure—Penalty.
30A.04.260 Legal services, advertising of—Penalty.
30A.04.405 Bank acquisition or control—Notice or application—Registration statement—Violations—Penalties.
30A.12.047 Removal of a director, officer, or employee of a bank or holding company—Violation of final order—Penalty.
30A.12.110 Commission, etc., for procuring loan—Penalty.
30A.12.190 General penalty—Effect of conviction.
30A.16.010 Certification—Effect—Penalty.
30A.42.290 Compliance—Violations—Penalties.

Sec. 9.02.200. Chapter 30B.10 RCW, entitled “Director’s authority – Supervision and examination – Enforcement” – Adoption by reference. The following RCW section, as currently enacted or as hereafter amended or recodified from time to time, is hereby adopted
by reference and shall be given the same force and effect as if set forth herein in full:

RCW
30B.10.100 Effect of final orders against officers, directors, employees, and agents.

Sec. 9.02.210. RCW Title 31, entitled "Miscellaneous Loan Agencies" – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
31.04.027 Violations of chapter.
31.04.175 Violations—No penalty prescribed—Gross misdemeanor—Good faith exception.
31.12.565 Examination reports and specified other information confidential—Exceptions—Penalty.
31.45.105 Violations of chapter—Enforceability of transaction
31.45.180 Violation—Misdemeanor

Sec. 9.02.220. RCW Title 32, entitled "Washington Savings Bank Act" – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
32.04.130 General penalty.
32.04.220 Examination reports and other information—Confidential—Privileged—Penalty.
32.16.097 Penalty for violation of order issued under RCW 32.16.093.
32.32.228 Acquisition of control of a converted savings bank—State reciprocity—Definitions.
Sec. 9.02.230. RCW Title 33, entitled “Washington Savings Associations Act” – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
33.04.110 Examination reports and information—Confidential and privileged—Exceptions, limitations and procedure—Penalty.
33.08.010 Compliance required—Use of words in name or advertising—Penalty—Saving.
33.24.360 Acquisition of control of association—Unlawful, when—Application—Contents—Notice to other associations—Penalty.
33.36.010 Illegal loans or investments.
33.36.020 Purchase at discount of accounts or certificates.
33.36.030 Preference in case of insolvency.
33.36.040 Falsification of books—Exhibiting false document—Making false statement of assets or liabilities.
33.36.050 False statement affecting financial standing.
33.36.060 Suppressing, secreting, or destroying evidence or records.

Sec. 9.02.240. RCW Title 35, entitled “Cities and Towns” – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
35.17.150 Officers and employees—Passes, free services prohibited, exceptions—Penalty.
35.32A.090 Budget mandatory—Other expenditures void—Liability of public officials—Penalty.
35.33.170 Violations and penalties.
35.34.280 Violations and penalties.
35.67.350 Penalty for sewer connection without permission.
35.75.020  Use of bicycle paths for other purposes prohibited.

Sec. 9.02.250. RCW Title 35A, entitled "Optional Municipal Code" – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
35A.33.160  Violations and penalties.

35A.34.280  Violations and penalties.

Sec. 9.02.260. RCW Title 36, entitled "Counties" – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
36.13.070  County census authorized—Penalty.

36.28.060  Duplicate receipts—Penalties.

36.29.060  Warrant calls—Penalty for failure to call.

36.32.210  Inventory of county capitalized assets—County commission inventory statement—Filing and public inspection—Penalty—Prosecutions—Taxpayer's action.

36.40.240  Penalty.

36.43.040  Penalty for violation of code or regulation.

36.49.070  Penalty.

36.58.020  Rules and regulations as to use—Penalty.

36.68.080  Penalty for violations of regulations.
36.69.180  Violation of rules—Penalty.
36.71.060  Peddler's license—Penalty for peddling without license.
36.71.070  Hawkers, auctioneers, and barterers must procure license—Exceptions.
36.75.130  Approaches to county roads—Rules regarding construction—Penalty.
36.75.270  Limitation of type or weight of vehicles authorized—Penalty.
36.75.290  General penalty.
36.86.060  Restrictions on use of oil at intersections or entrances to county roads.
36.95.190  Penalty for false statement as to tax exemption.

Sec. 9.02.270.  RCW Title 38, entitled "Militia and Military Affairs" – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
38.32.090  Penalty for physician making false certificate.
38.32.100  Buying and receiving military property.
38.32.120  Authority of commanding officer.
38.40.040  Interference with employment—Penalty.
38.40.050  Discharge from employment—Penalty.
38.40.110  Employment or membership in other organizations—Discrimination prohibited—Penalty—Civil cause of action.
38.40.120  Authorized military organizations.
38.42.050  Protection of service members and their dependents against default judgments.
38.42.150  Civil investigative demands—Standards—Limitations—Enforcement.

Sec. 9.02.280.  RCW Title 39, entitled "Public Contracts and Indebtedness" – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time,
time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
39.04.110 Penalty for false entries.
39.84.050 Public corporations—Directors—Conflicts of interest.

Sec. 9.02.290. Chapter 40.16 RCW, entitled “Penal provisions” — Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
40.16.010 Injury to public record.
40.16.030 Offering false instrument for filing or record.

Sec. 9.02.300. RCW Title 41, entitled “Public Employment, Civil Service, and Pensions” — Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
41.08.210 Penalty—Jurisdiction.
41.12.210 Penalty—Jurisdiction.
41.32.055 Falsification—Penalty.
41.35.120 False statements—Penalty.
41.37.120 False statements—Penalty.
41.40.055 Penalty for false statements.
**Sec. 9.02.310.** RCW Title 42, entitled "Public Officers and Agencies" – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW  
42.17A.750 Civil remedies and sanctions—Referral for criminal prosecution.  
42.20.020 Powers may not be delegated for profit.  
42.20.030 Intrusion into and refusal to surrender public office.  
42.20.040 False report.  
42.20.050 Public officer making false certificate.  
42.20.060 Falsely auditing and paying claims.  
42.20.080 Other violations by officers.  
42.20.090 Misappropriation, etc., by treasurer.  
42.20.100 Failure of duty by public officer a misdemeanor.  
42.20.110 Improper conduct by certain justices.  
42.24.100 Municipal corporations and political subdivisions—Certificates need not be sworn—Penalty for false claim.  
42.24.110 Municipal corporations and political subdivisions—Approving or paying false claim—Penalties.  
42.44.160 Official misconduct—Penalty.

**Sec. 9.02.320.** RCW Title 43, entitled “State Government – Executive” – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW  
43.01.100 Application forms—Employment—Licenses—Mention of race or religion prohibited—Penalty.  
43.04.090 Criminal penalty.  
43.06.220 State of emergency—Powers of governor pursuant to proclamation.
43.06.240 State of emergency—Disorderly conduct after emergency proclaimed—Penalty.
43.06.250 State of emergency—Refusing to leave public way or property when ordered—Penalty.
43.07.210 Filing false statements—Penalty.
43.12.065 Rules pertaining to public use of state lands—Enforcement—Penalty.
43.21G.100 Penalty.
43.22.300 Compelling attendance of witnesses and testimony—Penalty.
43.22.310 Access to plants—Penalty for refusal.
43.22.340 Manufactured homes, mobile homes, recreational vehicles—Safety rules—Compliance—Penalty.
43.22.433 Violations—Penalties.
43.22.490 Factory built housing and commercial structures, regulating installation of—Violation as misdemeanor—Penalty.
43.22A.170 Notice of infraction.
43.37.200 Penalty.
43.43.320 Penalty for falsification.
43.43.690 Crime laboratory analysis fee—Court imposition—Collection.
43.43.754 DNA identification system—Biological samples—Collection, use, testing—Scope and application of section.
43.43.810 Obtaining information by false pretenses—Unauthorized use of information—Falsifying records—Penalty.
43.70.185 Inspection of property where marine species located—Prohibitions on harvest or landing—Penalties.
43.88.270 Penalty for violations.
43.215.340 Operating without a license—Penalty.
43.320.090 Borrowing money by director, deputy, or employee—Penalty.
Sec. 9.02.330. Chapter 44.16 RCW, entitled "Legislative Inquiry" – Adoption by reference. The following RCW section, as currently enacted or as hereafter amended or recodified from time to time, is hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
44.16.120 Punishment of recalcitrant witness.

Sec. 9.02.340. RCW Title 46, entitled "Motor Vehicles" – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
46.12.610 Contaminated vehicles.
46.16A.050 Registration—Requirements before issuance—Penalty—Rules.
46.16A.070 Registration—Cancellation, refusal, etc.—Appeals.
46.19.010 Criteria for natural persons—Application—Identification cards, placards, and license plates.
46.20.091 Application—Penalty for false statement—Driving records from and to other jurisdictions.
46.29.610 Surrender of license—Penalty.
46.29.620 Forged proof—Penalty.
46.35.030 Confidential information—Exceptions—Penalty.
46.52.130 Abstract of driving record—Access—Fee—Violations.
46.55.300 Vehicle immobilization.
46.68.010 Refunds, overpayments, and underpayments—Penalty for false statements.
46.70.021 License required for dealers or manufacturers—Penalties.
46.70.051 Issuance of license—Private party dissemination of vehicle database.
Sec. 9.02.350. RCW Title 47, entitled “Public Highways and Transportation” – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
47.04.090 Penalty.

47.08.110 Misuse of county or city road funds—General penalty.

47.38.010 Rules governing use and control of rest areas, historic sites, viewpoints, etc.—Penalties.

47.40.080 Penalty for destroying native flora on state lands, highways, parks.

47.41.070 Violations—Penalty—Abatement as public nuisance.

47.42.080 Public nuisance—Abatement—Penalty.

47.44.060 Penalties.
47.48.040 Penalties.
47.48.050 Transportation of radioactive or hazardous cargo—Definition—Violation, penalty.
47.68.220 Operating aircraft recklessly or under influence of intoxicants or drugs.
47.68.230 Aircraft, airman, and airwoman certificates required.
47.68.240 Penalties for violations.
47.68.255 Evasive registration.

Sec. 9.02.360. RCW Title 48, entitled "Insurance"—Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
48.01.080 Penalties.

48.07.060 Corrupt practices—Penalty.
48.08.040 Illegal dividends, reductions—Penalty against directors.
48.15.180 Surplus line broker’s fiduciary capacity—Violations.
48.17.480 Reporting and accounting for premiums.
48.17.600 Separation of premium funds.
48.18.070 Alteration of application.
48.18.180 Stated premium must include all charges.
48.30.110 Contributions to candidates for insurance commissioner.
48.30.190 Illegal dealing in premiums.
48.30.210 Misrepresentation in application for insurance.
48.30.220 Destruction, injury, secretion, etc., of property.
48.30.230 False claims or proof—Penalty.

48.30A.015 Unlawful acts—Penalties.


48.36A.360 Penalties.
Sec. 9.02.370. RCW Title 49, entitled “Labor Regulations” – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
49.12.130 Witness protected—Penalty.
49.12.170 Penalty.
49.12.175 Wage discrimination due to sex prohibited—Penalty—Civil recovery.

49.17.190 Violations—Criminal penalties.
49.24.060 Penalty.
49.24.380 Penalty.

49.26.140 Asbestos projects—Enforcement—Penalties.
49.28.010 Eight hour day, 1899 act—Public works contracts—Emergency overtime—Penalty.
49.28.080 Hours of domestic employees—Exception—Penalty.
49.28.100 Hours of operators of power equipment in waterfront operations—Penalty.

49.38.060 Penalty.
49.40.030 Fraud in securing advances—Penalty.
49.44.010 Blacklisting—Penalty.
49.44.020   Bribery of labor representative.
49.44.030   Labor representative receiving bribe.
49.44.040   Obtaining employment by false letter or certificate.
49.44.050   Fraud by employment agent.
49.44.060   Corrupt influencing of agent.
49.44.080   Endangering life by refusal to labor.
49.44.100   Bringing in out-of-state persons to replace employees involved in labor dispute—Penalty.
49.44.120   Requiring lie detector tests—Penalty.
49.46.100   Prohibited acts of employer—Penalty.
49.48.020   Penalty for noncompliance with RCW 49.48.010 through 49.48.030 and 49.48.060.
49.48.040   Enforcement of wage claims—Issuance of subpoenas—Compliance.
49.52.050   Rebates of wages—False records—Penalty.
49.52.090   Rebates of wages on public works—Penalty.
49.60.310   Misdemeanor to interfere with or resist commission.
49.60.360   Refueling services for disabled drivers—Violation—Investigation—Intentional display of plate or placard invalid or not legally issued prohibited—Fine—Notice to disabled persons.

**Sec. 9.02.380. RCW Title 50, entitled “Unemployment Compensation” – Adoption by reference.** The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
50.36.010   Violations generally.
50.36.020   Violations by employers.
50.36.030   Concealing cause of discharge.
50.40.010   Waiver of rights void.

**Sec. 9.02.390. RCW Title 51, entitled “Industrial Insurance” – Adoption by reference.** The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are
hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW

51.14.100 Notice of compliance to be posted—Penalty.

51.16.140 Premium liability of worker.

51.48.020 Employer's false reporting or failure to secure payment of compensation—False information by claimants—Unlawful actions—Penalties.

51.48.040 Inspection of employer's records.

51.48.050 Liability for illegal collections for medical aid.

51.48.103 Engaging in business without certificate of coverage—Unlawful actions—Penalties.

51.48.270 Criminal liability of persons making false statements or concealing information.

51.48.280 Kickbacks, bribes, and rebates—Representation fees—Criminal liability—Exceptions.

51.52.120 Attorney's fee before department or board—Unlawful attorney's fees.

51.52.132 Unlawful attorney's fees.

Sec. 9.02.400. Chapter 52.12 RCW, entitled “Powers-Burning Permits” — Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW

52.12.105 Burning permits—Penalty.

52.12.106 Burning permits—Penalty.
Sec. 9.02.410. RCW Title 53, entitled “Port Districts” – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
53.08.220 Regulations authorized—Adoption as part of ordinance or resolution of city or county, procedure—Enforcement—Penalty for violation.

53.34.190 Bylaws, rules for management, uses, charges—Penalty for violation.

Sec. 9.02.420. Chapter 57.08 RCW, entitled “Powers” – Adoption by reference. The following RCW section, as currently enacted or as hereafter amended or recodified from time to time, is hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
57.08.180 Sewer, drainage, and water connections without district permission—Penalties.

Sec. 9.02.430. RCW Title 58, entitled “Boundaries and Plats” – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
58.04.015 Disturbing a survey monument—Penalty—Cost.

58.17.300 Violations—Penalties.

Sec. 9.02.440. RCW Title 59, entitled “Landlord and Tenant” – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are
hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW 59.12.230 Forcible entry and detainer—Penalty.

59.18.125 Inspections by local municipalities—Frequency—Number of rental properties inspected—Notice—Appeals—Penalties.

59.21.110 Violations—Penalty.

**Sec. 9.02.450.** RCW Title 61, entitled “Mortgages, Deeds of Trust, and Real Estate Contracts” – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:


61.30.150 False swearing—Penalty—Failure to comply with chapter—Liability.

**Sec. 9.02.460.** RCW Title 63, entitled “Personal Property” – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW 63.14.170 Violations—Penalties.

63.29.340 Interest and penalties.
63.29.350 Penalty for excessive fee for locating abandoned property—Consumer protection act application.
Sec. 9.02.470. RCW Title 64, entitled “Real Property and Conveyances” – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
64.36.020 Registration required before advertisement, solicitation, or offer—Requirements for registration—Exemption authorized—Penalties.
64.36.210 Unlawful acts—Penalties.
64.44.040 Orders declaring property unfit and prohibiting use—City, county action—Entrance upon property prohibited.

Sec. 9.02.480. RCW Title 65, entitled “Recording, Registration, and Legal Publication” – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
65.12.740 Perjury.
65.12.750 Fraud—False entries—Penalty.
65.20.130 General penalties.

Sec. 9.02.490. RCW Title 66, entitled “Alcoholic Beverage Control” – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
66.04.010 Definitions.
66.08.130 Inspection of books and records—Goods possessed or shipped—Refusal as violation.
66.08.140  Inspection of books and records—Financial dealings—Penalty for refusal.

66.12.010  Wine or beer manufactured for home use.

66.16.090  Record of individual purchases confidential—Penalty for disclosure.

66.20.100  Physician may prescribe or administer liquor—Penalty.
66.20.110  Dentist may administer liquor—Penalty.
66.20.120  Hospital, etc., may administer liquor—Penalty.
66.20.200  Unlawful acts relating to identification or certification card—Penalties.
66.20.340  Alcohol servers—Violation of rules—Penalties.

66.24.481  Public place or club—License or permit required—Penalty.

66.28.090  Licensed premises or banquet permit premises open to inspection—Failure to allow, violation.
66.28.200  Keg registration—Special endorsement for grocery store licensee—Requirements of seller.
66.28.210  Keg registration—Requirements of purchaser.
66.28.230  Keg registration—Furnishing to minors—Penalties.
66.28.250  Keg registration—Violation constitutes gross misdemeanor.

66.44.010  Local officers to enforce law—Authority of board—Liquor enforcement officers.
66.44.040  Sufficiency of description of offenses in complaints, informations, process, etc.
66.44.060  Proof of unlawful sale establishes prima facie intent.
66.44.070  Certified analysis is prima facie evidence of alcoholic content.
66.44.080  Service of process on corporation.
66.44.090  Acting without license.
66.44.100  Opening or consuming liquor in a public place—Penalty.
66.44.120  Unlawful use of seal.
66.44.130  Sales of liquor by drink or bottle.
66.44.140  Unlawful sale, transportation of spirituous liquor without stamp or seal—Unlawful operation, possession of still or mash.
66.44.150  Buying liquor illegally.
66.44.160  Illegal possession, transportation of alcoholic beverages.
66.44.170  Illegal possession of liquor with intent to sell—Prima facie evidence, what is.
66.44.175  Violations of law.
66.44.180  General penalties—Jurisdiction for violations.
66.44.200 Sales to persons apparently under the influence of liquor — Purchases or consumption by persons apparently under the influence of liquor on licensed premises — Penalty — Notice — Separation of actions.

66.44.210 Obtaining liquor for ineligible person.

66.44.240 Drinking in public conveyance — Penalty against carrier — Exception.

66.44.250 Drinking in public conveyance — Penalty against individual — Restricted application.\(^2\)

66.44.270 Furnishing liquor to minors — Possession, use — Penalties — Exhibition of effects — Exceptions.

66.44.280 Minor applying for permit.

66.44.290 Minor purchasing or attempting to purchase liquor — Penalty.

66.44.291 Minor purchasing or attempting to purchase liquor — Penalty against persons between ages of eighteen and twenty, inclusive.

66.44.292 Sales to minors by licensee or employee — Board notification to prosecuting attorney to formulate charges against minors.

66.44.300 Treats, gifts, purchases of liquor for or from minor, or holding out minor as at least twenty-one, in public place where liquor sold.

66.44.310 Minors frequenting off-limits area — Misrepresentation of age — Penalty — Classification of licensees.

66.44.316 Certain persons eighteen years and over permitted to enter and remain upon licensed premises during employment.

66.44.318 Employees aged eighteen to twenty-one stocking, merchandising, and handling beer and wine.

66.44.325 Unlawful transfer to a minor of age an identification-of-age.

66.44.328 Preparation or acquisition and supply to persons under age twenty-one of facsimile of official identification card — Penalty.

66.44.340 Employees eighteen years and over allowed to sell and handle beer and wine for certain licensed employers.

66.44.350 Employees eighteen years and over allowed to serve and carry liquor, clean up, etc., for certain licensed employers.

66.44.370 Resisting or opposing officers in enforcement of title.

66.44.380 Powdered alcohol.

\(^2\) RCW 66.44.240 and RCW 66.44.250 are adopted through the Model Traffic Code in Ch. 308-330 WAC, which Kent has adopted by reference through its traffic code in Ch. 9.36 KCC.
Sec. 9.02.500. RCW Title 67, entitled “Sports and Recreation – Convention Facilities” – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
67.04.010 Penalty for bribery in relation to baseball game.
67.04.020 Penalty for acceptance of bribe.
67.04.050 Corrupt baseball playing—Penalty.
67.04.150 Contract with minor—Penalty for violation.

67.08.015 Duties of department—Exemptions—Rules.
67.08.140 Penalty for conducting events without license—Penalty.
67.08.150 General penalty.


67.16.060 Prohibited practices—Parimutuel system permitted—Race meet as public nuisance.

67.42.070 Penalty.

67.70.120 Sale to minor prohibited—Exception—Penalties.
67.70.150 Penalty for false or misleading statement or entry or failure to produce documents.
67.70.160 Penalty for violation of chapter—Exceptions.
67.70.170 Penalty for violation of rules—Exceptions.
67.70.180 Persons prohibited from purchasing tickets or shares or receiving prizes—Penalty.

Sec. 9.02.510. RCW Title 68, entitled “Cemeteries, Morgues, and Human Remains” – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
68.05.115 Sale or transfer of cemetery authority or creation of a new cemetery—Penalty for noncompliance.
68.05.240 Interment, certificate of authority required—Penalty.
68.05.330 Violation—Penalty—Unfair practice—Other laws applicable.
68.05.390 Permit or endorsement required for cremation—Penalty.

68.24.130 Sale for resale prohibited—Penalty.
68.24.140 Commission on sales prohibited—Penalty.
68.24.150 Unlawful employment of others to dispose of human remains.
68.24.190 Opening road through cemetery—Penalty.

68.28.060 Improper construction a nuisance—Penalty.

68.40.085 Representing fund as perpetual—Penalty.
68.40.090 Penalty.

68.44.060 Unauthorized loans—Penalty.

68.50.020 Notice to coroner—Penalty.
68.50.050 Removal or concealment of body—Penalty.
68.50.100 Dissection, when permitted—Autopsy of person under the age of three years.
68.50.108 Autopsies, postmortems—Consent to embalm or cremate body—Time limitation.
68.50.120 Holding body for debt—Penalty.
68.50.130 Unlawful disposal of remains.
68.50.140 Unlawful disturbance, removal, or sale of human remains—Penalty.
68.50.185 Individual cremation—Exception—Penalty.
68.50.645 Skeletal human remains—Duty to notify—Ground disturbing activities—Coroner determination—Definitions.

68.56.010 Unlawful damage to graves, markers, shrubs, etc.—Interfering with funeral.
68.56.040 Nonconforming cemetery a nuisance—Penalty.
68.56.050 Defendant liable for costs.

68.60.040 Protection of cemeteries—Penalties.
68.60.050 Protection of historic graves—Penalty.
68.60.055 Skeletal human remains—Duty to notify—Ground disturbing activities—Coroner determination—Definitions.

68.64.150 Illegal purchases or sales—Felony.
68.64.160 Illegal financial gain—Altering a document, amendment, or revocation of gift—Felony.

Sec. 9.02.520. RCW Title 69, entitled "Food, Drugs, Cosmetics, and Poisons"—Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified
from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
69.04.040 Prohibited acts.
69.04.060 Criminal penalty for violations.
69.04.070 Additional penalty.
69.04.933 Food fish and shellfish labeling—Identification of species—Exceptions—Penalty.
69.04.934 Salmon labeling—Identification as farm-raised or commercially caught—Exceptions—Penalty.
69.04.938 Misbranding of food fish or shellfish—Penalties.
69.06.060 Penalty.
69.07.150 Violations—Penalties.
69.22.090 Penalties.
69.25.150 Penalties—Liability of employer—Defense.
69.28.185 Penalty.
69.30.140 Penalties.
69.36.060 Penalty.
69.38.040 Inspection of poison register—Penalty for failure to maintain register.
69.38.050 False representation—Penalty.
69.38.060 Manufacturers and sellers of poisons—License required—Penalty.
69.40.055 Selling repackaged poison without labeling—Penalty.
69.41.010 Definitions.
69.41.030 Sale, delivery, or possession of legend drug without prescription or order prohibited – Exceptions – Penalty.
69.41.050 Labeling requirements – Penalty.
69.41.060 Search and seizure.
69.41.072 Violations of Chapter 69.50 RCW not to be charged under Chapter 69.41 RCW – Exception.
69.41.170 Coercion of pharmacist prohibited—Penalty.
69.41.320 Practitioners – Restricted use – Medical records.
69.41.350 Penalties.

69.43.020 Receipt of substance from source outside state – Report – Penalty.

69.43.030 Exemptions.

69.43.035 Suspicious transactions – Report – Penalty.

69.43.040 Reporting form.

69.43.043 Recordkeeping requirements – Penalty.

69.43.048 Reporting and recordkeeping requirements – Submission of computer readable data, copies of federal reports.

69.43.080 False statement in report or record – Class C felony.

69.43.090 Permit to sell, transfer, furnish, or receive substance – Exemptions – Application for permit – Fee – Renewal – Penalty.

69.43.105 Ephedrine, pseudoephedrine, phenylpropanolamine – Sales restrictions – Record of transaction – Exceptions – Penalty.

69.43.110 Ephedrine, pseudoephedrine, phenylpropanolamine – Sales restrictions – Electronic sales tracking system – Penalty.

69.43.120 Ephedrine, pseudoephedrine, phenylpropanolamine – Possession of more than fifteen grams – Penalty – Exceptions.

69.43.130 Exemptions – Pediatric products – Products exempted by the pharmacy quality assurance commission.

69.43.135 Iodine, methylsulfonylmethane – Sales restrictions—Recording of transactions—Penalties.

69.50.101 Definitions.

69.50.102 Drug paraphernalia – Definitions.

69.50.202 Nomenclature.

69.50.204 Schedule I.

69.50.206 Schedule II.

69.50.208 Schedule III.

69.50.210 Schedule IV.

69.50.212 Schedule V.

69.50.315 Medical assistance—Drug-related overdose—Prosecution for possession.

69.50.401 Prohibited acts: A – Penalties.

69.50.4011 Counterfeit substances – Penalties.

69.50.4012 Delivery of substance in lieu of controlled substance – Penalty.

69.50.4013 Possession of controlled substance – Penalty – Possession of useable marijuana, marijuana concentrates, or marijuana-infused products.

69.50.4014 Possession of forty grams or less of marijuana – Penalty.
69.50.4015 Involving a person under eighteen in unlawful controlled substance transaction – Penalty.
69.50.4016 Provisions not applicable to offenses under RCW 69.50.410.
69.50.402 Prohibited acts: B – Penalties.
69.50.403 Prohibited acts: C – Penalties.
69.50.404 Penalties under other laws.
69.50.405 Bar to prosecution.
69.50.407 Conspiracy.
69.50.408 Second or subsequent offenses.
69.50.410 Prohibited acts: D—Penalties.
69.50.412 Prohibited acts: E – Penalties.
69.50.4121 Drug paraphernalia – Selling or giving – Penalty.
69.50.416 Counterfeit substances prohibited – Penalties.
69.50.425 Misdemeanor violations—Minimum penalties.
69.50.435 Violations committed in or on certain public places or facilities—Additional penalty—Defenses—Construction— Definitions.
69.50.445 Opening package of or consuming marijuana, useable marijuana, or marijuana-infused products, or marijuana concentrates in view of general public or public place – Penalty.
69.50.450 Butane or other explosive gases.
69.50.465 Conducting or maintaining marijuana club—Penalty.
69.50.505 Seizure and forfeiture.
69.50.506 Burden of proof; liabilities.
69.50.509 Search and seizure of controlled substances.
69.50.510 Search and seizure at rental premises—Notification of landlord.
69.50.560 Controlled purchase programs—Persons under age twenty-one—Violation—Criminal penalty—Exceptions.

69.51A.005 Purpose and intent.
69.51A.010 Definitions.
69.51A.030 Acts not constituting crimes or unprofessional conduct— Health care professionals not subject to penalties or liabilities.
69.51A.040 Compliance with chapter—Qualifying patients and designated providers not subject to penalties—Law enforcement not subject to liability.
69.51A.043 Failure to register—Affirmative defense.
69.51A.045 Possession of plants, marijuana concentrates, useable marijuana, or marijuana-infused products exceeding lawful amount—Affirmative defense.
69.51A.050 Medical marijuana, lawful possession—State not liable.
69.51A.055 Limitations of chapter—Persons under supervision.
69.51A.060 Crimes—Limitations of chapter.
69.51A.085 Collective gardens.
69.51A.130 State and municipalities—Not subject to liability.
69.51A.210 Qualifying patients or designated providers—Authorization—Health care professional may include recommendations on amount of marijuana.
69.51A.240 Unlawful actions—Criminal penalty.
69.51A.260 Housing unit—No more than fifteen plants may be grown or located—Exception—Civil penalties.

69.52.010 Legislative findings.
69.52.020 Definitions.
69.52.030 Violations—Exceptions.
69.52.040 Seizure of contraband.
69.52.045 Seizure at rental premises—Notification of landlord.
69.52.070 Violations—Juvenile driving privileges.

69.53.010 Unlawful use of building for drug purposes—Liability of owner or manager—Penalty.
69.53.020 Unlawful fortification of building for drug purposes—Penalty.
69.53.030 Unlawful use of fortified building—Penalty.

69.55.010 Theft of ammonia.
69.55.020 Unlawful storage of ammonia.
69.55.030 Damages—Liability.

Effective July 1, 2015, the following statutory provisions shall apply and be enforced within the city of Kent:

69.75.010 Definitions.
69.75.020 Retail sales—Proof of age from purchaser—Unlawful acts, exceptions—Penalties.
69.75.040 Construction of chapter.
69.75.050 Preemption.

69.90.010 Definitions.
69.90.020 Sale of "kosher" and "kosher style" food products prohibited if not kosher—Representations—Penalty.
Sec. 9.02.530-160. RCW Title 70, entitled “Public Health and Safety” – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
70.02.330 Obtaining confidential records under false pretenses—Penalty.
70.05.120 Violations—Remedies—Penalties.
70.24.022 Interviews, examination, counseling, or treatment of infected persons or persons believed to be infected—Dissemination of false information—Penalty.
70.24.080 Penalty.
70.28.033 Treatment, isolation, or examination order of health officer—Violation—Penalty.
70.41.170 Operating or maintaining unlicensed hospital or unapproved tertiary health service—Penalty.
70.42.180 Operating without a license—Injunctions or other remedies—Penalty.
70.54.010 Polluting water supply—Penalty.
70.54.020 Furnishing impure water—Penalty.
70.54.030 Pollution of watershed of city in adjoining state—Penalty.
70.54.050 Exposing contagious disease—Penalty.
70.54.065 Ambulances and drivers—Penalty.
70.54.070 Door of public buildings to swing outward—Penalty.
70.54.080 Liability of person handling steamboat or steam boiler.
70.54.090 Attachment of objects to utility poles—Penalty.
70.54.160 Public restrooms—Pay facilities—Penalty.
70.54.350 Electrology and tattooing—Practitioners to comply with rules—Penalty.
70.54.400 Retail restroom access – Customers with medical conditions — Penalty/Miscellaneous health and safety provisions.
70.58.280 Penalty.
70.62.280 Violations—Penalty.
70.74.010 Definitions.
70.74.022 License required to manufacture, purchase, sell, use, possess, transport, or store explosives—Penalty—Surrender of explosives by unlicensed person—Other relief.
70.74.160 Unlawful access to explosives.
70.74.272 Malicious placement of an imitation device—Penalties.
70.74.275 Intimidation or harassment with an explosive—Class C felony.
70.74.295 Abandonment of explosives.
70.74.300 Explosive containers to be marked—Penalty.
70.74.310 Gas bombs, explosives, stink bombs, etc.
70.74.400 Seizure and forfeiture.

70.75.040 Sale of nonstandard equipment as misdemeanor—Exceptions.

70.84.010 Declaration—Policy.
70.84.060 Unauthorized use of white cane, dog guide, or service animal.
70.84.070 Penalty for violations.

70.85.010 Definitions.
70.85.020 Refusal to yield line—Penalty.
70.85.030 Request for line on pretext of emergency—Penalty.

70.86.040 Penalty.

70.87.145 Order to discontinue operation—Notice—Conditions—Contents of order—Rejection of order—Violation—Penalty—Random inspections.

70.87.180 Violations.

70.90.205 Criminal penalties.

70.94.430 Penalties.

70.95.240 Unlawful to dump or deposit solid waste without permit—Penalties—Litter cleanup restitution payment.
70.95.515 Fee on the retail sale of new replacement vehicle tires—Failure to collect, pay to department—Penalties.
70.95.560 Waste tires—Violation of RCW 70.95.555—Penalty.

70.95B.140 Penalties for violations—Injunctions.

70.95D.100 Penalties.

70.95I.040 Oil sellers—Education responsibility—Penalty.
70.951.060 Disposal of used oil—Penalty.
70.951.060 Violations—Punishment.
70.97.140 Unlicensed operation—Criminal penalty.
70.105.085 Violations—Criminal penalties.
70.107.070 Rules relating to motor vehicles—Violations—Penalty.
70.108.130 Penalty.
70.108.150 Firearms—Penalty.
70.110.040 Compliance required.
70.111.030 Unsafe cribs—Prohibition—Definition—Penalty.
70.119.130 Violations—Penalties.
70.122.090 Criminal conduct—Penalties.
70.124.070 Failure to report is gross misdemeanor.
70.127.020 Licenses required after July 1, 1990—Penalties.
70.128.055 Operating without a license—Misdemeanor.
70.138.070 Criminal penalties.
70.148.060 Disclosure of reports or information—Penalty.
70.155.050 Sampling prohibited—Penalty.
70.155.080 Purchasing, possessing, or obtaining tobacco by persons under the age of eighteen—Civil infraction—Courts of jurisdiction.
70.155.140 Shipping or transporting tobacco products ordered or purchased by mail or through the internet prohibited—Penalty.
70.158.060 Penalties—Application of consumer protection act.
70.170.070 Penalties.
70.175.090 Participants authorized to contract—Penalty—Secretary and state exempt from liability.
70.185.080  Participants authorized to contract—Penalty—Secretary and state exempt from liability.

70.230.070  Denial, suspension, or revocation of license—Investigating complaints—Penalties.

Sec. 9.02.540. RCW Title 71, entitled “Mental Illness” — Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
71.05.680  Treatment records—Access under false pretenses, penalty.

71.12.460  License to be obtained—Penalty.

Sec. 9.02.550. Chapter 72.09 RCW, entitled “Department of corrections” — Adoption by reference. The following RCW section, as currently enacted or as hereafter amended or recodified from time to time, is hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
72.09.540  Inmate name change—Limitations on use—Penalty.
Sec. 9.02.560. Chapter 73.04 RCW, entitled “General provisions” – Adoption by reference. The following RCW section, as currently enacted or as hereafter amended or recodified from time to time, is hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
73.04.020 Pension papers—Fees not to be charged—Penalty.

Sec. 9.02.570. Chapter 74.34 RCW, entitled “Abuse of Vulnerable Adults—Public Assistance” – Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
74.04.060 Records, confidential—Exceptions—Penalty.
74.04.330 Annual reports by assistance organizations—Penalty.
74.04.380 Federal and other surplus food commodities—Agreements—Personnel—Facilities—Cooperation with other agencies—Discontinuance of program.
74.04.385 Unlawful practices relating to surplus commodities—Penalty.
74.08.331 Unlawful practices—Obtaining assistance—Disposal of realty—Penalties.
74.08.582 Electronic benefit cards—Names of two or more persons.
74.09.270 Failure to maintain trust funds in separate account—Penalties.
74.15.150 Penalty for operating without license.
74.20.060 Cooperation by person having custody of child—Penalty.
74.20.260 Financial statements by parent whose absence is basis of application for public assistance.
74.34.020 Definitions.
74.34.021 Vulnerable adult – Definition.
74.34.035 Reports – Mandated and permissive – Contents – Confidentiality.
74.34.040 Reports – Contents – Identity confidential.
74.34.050  Immunity from liability.
74.34.053  Failure to report – False reports – Penalties.
74.34.145  Protection of vulnerable adults – Notice of criminal penalties for violation – Enforcement under RCW 26.50.110.

Sec. 9.02.570175. RCW Title 77, entitled “Fish and Wildlife” — Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
77.08.010 — Definitions.
77.15.160 — Infractions.
77.15.380 — Unlawful recreational fishing in the second degree—Penalty.
77.15.390 — Seaweed—Unlawful taking—Penalty.
77.15.500 — Commercial fishing without a license—Penalty.
77.15.809 — Unlawful use of invasive species in the second degree—Penalty.
77.15.811 — Unlawful use of invasive species in the first degree—Penalty.

Sec. 9.02.580. RCW Title 78, entitled “Mines, Minerals, and Petroleum” — Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
78.04.050  Penalty for violations under RCW 78.04.040.
78.12.061  Safety cage in mining shaft—Regulations.
78.44.260  Operating without permit—Penalty.
78.52.550  Violations—Penalty.
78.60.290  Violations—Penalty.
Sec. 9.02.590. RCW Title 80, entitled “Public Utilities” –

Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
80.04.385 Penalties—Violations by officers, agents, and employees of public service companies.
80.04.390 Penalties—Violations by persons.
80.08.120 Penalty against individuals.
80.24.050 Penalty for failure to pay fees—Disposition of fines and penalties.
80.50.150 Enforcement of compliance—Penalties.

Sec. 9.02.600. RCW Title 81, entitled “Transportation” –

Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
81.04.385 Penalties—Violations by officers, agents, and employees of public service companies and persons or entities acting as public service companies.
81.04.390 Penalties—Violations by persons.
81.08.120 Penalty against individual.
81.24.080 Penalty for failure to pay fees—Disposition of fees and penalties.
81.29.040 Penalty for violations.
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Sec. 9.02.610. Chapter 88.02 RCW, entitled “Vessel Registration”—Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
88.02.350 Refunds, overpayments, and underpayments—Penalty for false statement.
88.02.360 Contaminated vessels.
88.02.380 Penalties—Disposition of moneys collected—Enforcement authority.
88.02.400 Evasive registration and excise tax evasion—Penalty.
88.02.740 Vessel dealer license required—Penalty.

Sec. 9.02.620. RCW Title 90, entitled “Water Rights—Environment”—Adoption by reference. The following RCW sections, as currently enacted or as hereafter amended or recodified from time to time, are hereby adopted by reference and shall be given the same force and effect as if set forth herein in full:

RCW
90.36.050 Penalty—1901 c 121.
90.44.120 Penalty for waste or unauthorized use of water.

90.58.220 General penalty.

Sec. 9.02.630180. Obstructing public officers.

A. A person is guilty of obstructing a public officer if, with knowledge that the person is a public officer, he or she:
   1. Intentionally and physically interferes with a public officer;
   2. Intentionally hinders or delays a public officer by disobeying an order to stop given by such officer;
   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;
   4. Intentionally destroys, conceals, or alters or attempts to destroy, conceal, or alter any material that he or she knows the public officer is attempting to obtain, secure, or preserve during an investigation, search, or arrest;
   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; or
   6. Intentionally hinders or delays a public officer in the discharge of his or her official duties by making any untrue or misleading statement, report, or identification.

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 of the Kent City Code and empowered to make arrests or issue citations for violations under the code or those individuals responsible for the enforcement of the criminal laws of the state.
D. Obstructing a public officer is a gross misdemeanor.

**Sec. 9.02.640-499. Disorderly conduct.**

A. A person is guilty of disorderly conduct if he or she:
   1. Uses abusive language and thereby intentionally creates a risk of assault;
   2. Intentionally disrupts any lawful assembly or meeting of persons without lawful authority;
   3. Intentionally obstructs pedestrian or vehicular traffic without lawful authority; or
   4. Aggressively solicits in a public place.

B. The following definitions shall apply in this section:
   1. *Aggressively solicit* means to solicit and engage in conduct that would likely intimidate a reasonable person, including touching, following, persistently soliciting after being refused, using violent or threatening language or gestures, or taking similar actions for the purpose of inducing another person into giving goods, services, money, signatures, or any other item, tangible or intangible, sought by the solicitor.
   2. *Lawful authority* includes but is not limited to oral permission, or a permit or license when issued by a person or entity with authority to issue the permission, permit, or license, or a court order or authorization issued by a court of proper jurisdiction.
   3. *Obstruct pedestrian or vehicular traffic* means to walk, stand, sit, lie, grasp a person, or place an object in such a manner as to block passage by another person or a vehicle, or to require another person or a driver of a vehicle to take evasive action to avoid physical contact, and shall also include action which is intended to prohibit or delay vehicular or pedestrian traffic from entering a public or private place; provided, that an act which is specifically authorized by a state or federal court with jurisdiction and which has been determined by the court to be a valid
exercise of one’s right to picket or legally protest shall not constitute
obstruction of pedestrian or vehicular traffic.

4. Public place means an area generally visible to public view
and includes alleys, bridges, buildings, driveways, parking lots, parks,
plazas, sidewalks, and streets open to the general public, including places
that serve food or drink or provide entertainment, and the doorways and
entrances to buildings or dwellings and the grounds enclosing them.

5. Solicit means to request, petition, or seek something from
another person, or persons, or business or businesses, by words, physical
gestures, or written or symbolic signs or displays in a public place.

C. Disorderly conduct is a misdemeanor.

Sec. 9.02.650. Prohibited conduct on transit property
and transit vehicles.

A. Definitions. As used in this section, the following definitions shall apply:

1. Public transportation services means providing, at scheduled
times and places, transit vehicles to carry members of the public from one
location to another upon public highways or other roads, or upon any
railway used for light rail or interurban passenger service provided by a
regional transit authority authorized by Chapter 81.112 RCW, as currently
enacted or hereafter amended; provided, this definition shall not include
activities related to the transporting of members of the public by other
public or private railroad entities, such as Amtrak.

2. Transit center means any location within the city of Kent,
such as bus stations and train or light rail stations, that serves as a hub or
transfer point for transit vehicles, enabling passengers to connect with
different transit routes.

3. Transit property shall mean all facilities, structures, lands,
interest in lands, air rights over lands, and rights-of-way of all kinds that
are owned, leased, held, or used within the city of Kent by a public or private agency or municipal corporation for purposes of providing or directly supporting public transportation services, including, but not limited to, park and ride lots or parking structures for passengers; transit centers; designated bus, trolley, light rail, or train stops and waiting areas; and transit vehicle maintenance or storage facilities.

4. *Transit vehicle* means every motor vehicle, bus, trolley, streetcar, train, light rail train, or other vehicle owned or operated by a public or private entity that provides public transportation services within the city of Kent; provided this definition shall not include taxicabs or "for-hire" vehicles as those vehicles are defined under the Kent City Code.

B. *Misdemeanor offenses on transit property and transit vehicles.* The following actions are prohibited in, on, or against all transit properties and transit vehicles. A person who commits one of the following acts is guilty of a misdemeanor:

1. Smoking or carrying a lighted or smoldering pipe, cigar, or cigarette while in a transit vehicle;
2. Discarding litter other than in designated receptacles;
3. Playing a radio, tape recorder, audible game device, or any other sound-producing equipment, except when the equipment is connected to earphones that limit the sound to the individual listener, with knowledge that this conduct is prohibited. However, the use of communication devices in the line of duty by city of Kent employees, transit agency or county employees, or police, fire, or other public safety officers is permitted, as is the use of private communication devices used to summon, notify, or communicate with other individuals (such as "beepers" or portable telephones);
4. Spitting, expectorating, urinating, or defecating, except in restroom facilities;
5. Carrying flammable liquids, flammable or nonflammable explosives, acid, or any other article or material of a type or in a manner
that is likely to cause harm to others. However, cigarette, cigar, or pipe lighters, firearms, weapons, and ammunition may be carried if in a form or manner that is not otherwise prohibited by law or ordinance;

6. Intentionally obstructing or impeding the flow of transit vehicle or passenger movement, intentionally hindering or preventing access to transit property, intentionally causing unreasonable delays in boarding or exiting, intentionally reclining or occupying more than one seat, or in any way intentionally interfering with the provision or use of transit services;

7. Unreasonably disturbing others by engaging in loud, raucous, unruly, harmful, abusive, or harassing behavior;

8. Drinking an alcoholic beverage or possessing an open container of an alcoholic beverage by a passenger in a transit vehicle, or in public areas of transit properties during hours when those areas are open to the public; provided, possessing and drinking an alcoholic beverage is not prohibited on transit property if authorized as part of a scheduled special event for which all required permits have been obtained and when said facilities are not in use for transit purposes; provided further, drinking by passengers is not prohibited with respect to transit vehicles that have been commercially chartered for group use and that have obtained any required permits to serve alcohol;

9. Dumping any materials whatsoever on transit property, including but not limited to chemicals and automotive fluids;

10. Throwing an object at transit property or at any person in transit property;

11. Failing to present a valid, unexpired pass, transfer, or ticket or otherwise failing to pay the appropriate fare as required;

12. Possessing an unissued transfer or tendering an unissued transfer as proof of fare payment;
13. Falsely representing oneself as eligible for a special or reduced fare or obtaining any permit or pass related to the transit system by making a false representation;

14. Falsely claiming to be a transit operator or other transit employee; or through words, actions, and/or the use of clothes, insignia, or equipment resembling department-issued uniforms and equipment, intentionally creating a false impression that he or she is a transit operator or other transit employee;

15. Engaging in gambling or any game of chance for the winning of money or anything of value; and

16. Discharging a laser-emitting device on a transit vehicle, directing such a device from a transit vehicle toward any other moving vehicle, or directing such a device toward any transit operator or passenger.

C. Infractions. The following actions are prohibited in, on, or against all transit properties and transit vehicles. A person who commits one of the following acts in, on, or in relation to transit property is guilty of a civil infraction to which Chapter 7.80 RCW applies:

1. Allowing any animal to occupy a seat on transit property, to run at large without a leash, to unreasonably disturb others, or to obstruct the flow of passenger or bus traffic; but animals may occupy a passenger’s lap while in a transit vehicle or in a transit property; provided, dogs that have been declared dangerous shall not be allowed on transit vehicles or transit property;

2. Allowing his or her animal to leave waste on transit property or in a transit vehicle;

3. Rollerskating, rollerblading, or skateboarding;

4. Riding a bicycle, motorcycle, or other vehicle except for the purpose of entering or leaving passenger facilities on roadways designed for that use. Bicycles must be walked at all times and may not be transported on escalators. However, nothing in this section shall be
construed to apply to commissioned peace officers or city employees engaged in authorized activities in the course of their employment;

5. Eating or drinking on transit vehicles, or in any area of transit property that has been posted as prohibiting eating or drinking;

6. Bringing onto a transit passenger vehicle any package or other object which blocks an aisle or stairway or occupies a seat if to do so would, in the vehicle operator's sole discretion, cause a danger to passengers or displace passengers or expected passengers;

7. Operating, stopping, standing, or parking a vehicle in any roadway or location restricted for use only by transit vehicles or otherwise restricted;

8. Riding transit vehicles for the purpose of sleeping, or using benches, floors, or other areas in transit facilities for the purpose of sleeping rather than for their intended transportation-related purposes;

9. Camping in or on transit property; storing personal property on benches, floors, or other areas of transit property;

10. Entering upon or crossing a road or rail tracks used by transit vehicles, except in marked crosswalks or at the direction of transit employees or public safety personnel;

11. Intentionally extending an object or a portion of one's body through the door or window of a transit vehicle while it is in motion;

12. Intentionally hanging or swinging on bars or stanchions, with feet off the floor, inside a transit vehicle or on other transit property; intentionally hanging onto or otherwise attaching oneself at any time to the exterior of a transit vehicle or other transit property;

13. Engaging in any sports on transit property without permission;

14. Parking a vehicle in a designated passenger parking area on transit property for more than seventy-two (72) consecutive hours;

15. Using transit property for residential parking or unauthorized commercial parking purposes;
16. Unless authorized, cleaning or performing nonemergency repairs to a vehicle parked on transit property; and
17. Conducting driver training on transit property.

Sec. 9.02.660193. Possession of graffiti tools.

A. It shall be unlawful for any person to possess graffiti tools.

B. A person possesses graffiti tools when they possess any paint, marking pen, glass-cutting tool, glass-etching tool, materials, instruments, or any other item adapted, designed, or commonly used for committing or facilitating the commission of an offense involving damaging, defacing, or destroying public or private property, and they possess the item under circumstances evincing an intent to use or employ, or allow the same to be used or employed, in the commission of such an offense, or under circumstances evincing an intent that some other person will use or employ the thing possessed in the commission of such offense.

C. "Defacing" as used in subsection (B) of this section shall include, but not be limited to, the writing, painting, inscribing, drawing, scratching, cutting, etching, or scribbling upon any wall or surface owned, operated, or maintained by any property owner or the city unless the city or the property owner grants written permission for such writing, painting, inscribing, drawing, scratching, cutting, etching, or scribbling.

D. The unlawful possession of graffiti tools is a misdemeanor.

Sec. 9.02.670195. 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, dyeing 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.

**Sec. 9.02.680200. Public disturbance.**

A. A person is guilty of public disturbance if he or she:
   1. Causes a public disturbance or is in possession or control of property on which a public disturbance occurs. A public disturbance includes the following sounds that unreasonably disturb or interfere with the peace, comfort, and repose of a reasonable person of ordinary sensitivities:
      a. The frequent, repetitive, or continuous sounding of any horn or siren attached to a motor vehicle, except when used as a warning of danger or as specifically permitted or required by law.
      b. The creation of frequent, repetitive, or continuous sounds in connection with the starting, operating, repairing, rebuilding, or testing of any motor vehicle, motorcycle, off-highway vehicle, or internal combustion engine within a residential district.
      c. Yelling, shouting, hooting, whistling, or singing on or near the public streets, between the hours of 10:00 p.m. and 7:00 a.m.
      d. The creation of frequent, repetitive, or continuous sounds which emanate from any building, structure, apartment,
condominium, or yard adjacent thereto, such as sounds from musical
instruments, audio sound systems, band sessions, or social gatherings.

e. The creating of frequent, repetitive, or continuous
sounds made by any animal, such as barking or howling, except that such
sounds made in animal shelters, commercial kennels, veterinary hospitals,
pet shops, or pet kennels licensed under and in compliance with Chapter
8.03 KCC shall be exempt from this provision.

f. Sound from portable audio equipment, such as tape
players, radios, and compact disc players, operated at a volume so as to
be audible greater than fifty (50) feet from the source, and if not operated
upon the real property of the operator. This provision shall not apply to
such sounds emitted from scheduled events or activities at parks and
recreational facilities such as public address systems for park or game
events or concerts or similar park or recreation activities.

g. The creation of frequent, repetitive, or continuous
sounds made in connection with outdoor construction or the movement of
construction related materials, including noise made by devices capable of
producing sound by either striking or cutting objects, such as hammers,
saws, or other equipment with internal combustion engines; provided,
however, such sounds shall be exempt from the provisions of this code
under the following circumstances:

i. During the hours of 7:00 a.m. through 8:00
p.m., Monday through Sunday; or

ii. In commercial areas not adjacent to residential
areas.

B. The foregoing enumeration of acts and noises shall not be construed
as excluding other acts and noises which offend the public peace.

C. Public disturbance is a misdemeanor.
Sec. 9.02.690210. Disruption of public facilities.

A. A person is guilty of disruption of a public facility if he or she enters or remains in a public facility and:

1. Intentionally interferes with the proper functioning of the public facility by causing a substantial disruption of the public facility or the activities occurring at the public facility; or

2. Intentionally interferes with the use of the public facility by other members of the public and such interference is caused while the person is using the public facility in a manner other than that for which the public facility was intended.

B. As used in this section, the term public facility shall include, but not be limited to, the facilities commonly referred to as the Kent Commons, the Kent Resource Center, the Kent Senior Activity Center, the Riverbend Golf Complex, the Kent Library, Kent City Hall, the Centennial Center, the Kent Municipal Court, the Kent Corrections Facility, the ShoWare Center located at 625 W. James Street, and any other building, structure, equipment, and adjoining grounds and appurtenances of city, county, state, and federal government offices.

C. A violation of this section is a misdemeanor.

Sec. 9.02.700220. Public events – Criminal activity.

A. Interference with public events. No person shall physically interfere with any public event activity in a manner which: (1) disrupts the activity to the extent it makes it difficult for the activity to continue; or (2) causes viewers or participants (including vendors) to be distracted to the extent the viewing of or the participation in the activity is obstructed, restrained, or inhibited. For purposes of this section, activity shall include any parade, performance, processing, race, game, exhibition, or similar activity that is conducted on a public street or public place and is an official part of a public event. The term public event shall mean any event(s) sponsored or
co-sponsored by, in conjunction with, or endorsed by any public, quasi-public, or civic entity for the benefit of the public.

B. Violation/penalty. Any violation of subsection (A) of this section shall constitute a misdemeanor.

C. Criminal trespass. Any person who:

1. Violates this section of the Kent City Code;
2. Commits any offense against public peace as set forth in this chapter, including, but not limited to, indecent exposure, urinating in public, public disturbance, disorderly conduct, and failure to disperse, while attending or in conjunction with a public event;
3. Commits a crime against a person as set forth in this chapter, including, but not limited to, assault in the fourth degree and provoking assault, while attending or in conjunction with a public event; or
4. Commits a felony while attending or in conjunction with a public event; may be ordered removed from the property on which the event is held by any person(s) having lawful authority over the event or by a law enforcement officer. Such an order may prohibit the person from returning to the property on which the event is held for the duration of the event if there is cause to believe that further violations would occur if the person were allowed to return. Such order shall apply to event areas both on and off public streets and public places. Any violation of such an order lawfully issued shall constitute criminal trespass pursuant to Chapter 9A.52 RCW.


A. The city council finds that, from time to time, the right of the general public to enjoy public facilities provided by the city is infringed upon by persons who engage in disruptive, unsafe, or otherwise prohibited activity at the public facilities. This behavior is often engaged in by a
comparatively small number of repeat offenders. The city council further finds that the right of persons who engage in such activities to remain at or frequent public facilities is outweighed by the right of law-abiding citizens to use such facilities without the interference or fear of the illegal activity of others.

B. Whenever a police officer has probable cause to believe that a person has committed any act set forth in subsection (F) of this section on or at any public facility as described in subsection (G) of this section, the officer may, by written order, exclude that person from entering the public facility where the act was committed; provided, further, that if the public facility where the act was committed is part of a public facility assemblage as described in subsection (H) of this section, the officer may, by written order, exclude that person from entering all public facilities within that assemblage.

C. If the offender:

1. Has not been issued an exclusion notice within one year prior to the violation or the current violation is not a felony violation, a weapon violation, or a violation involving an act of violence or threat of violence, then the officer may exclude the offender from the public facility or public facility assemblage in which the current violation occurred for a period of forty-five (45) days from the date of the exclusion notice.

2. Has been issued an exclusion notice within the one (1) year prior to the current violation or the current violation is a felony violation, a weapon violation, or a violation involving an act of violence or threat of violence, then the officer may exclude the offender from the public facility or public facility assemblage in which the current violation occurred for a period of ninety (90) days from the date of the exclusion notice.

3. Has been issued two (2) or more exclusion notices from the same public facility or public facility assemblage in which the current violation has occurred within the one (1) year prior to the current violation,
then the officer may exclude the offender from the public facility or public facility assemblage in which the current violation occurred for a period of three hundred sixty-four (364) days from the date of the exclusion notice.

4. Has been issued two (2) or more exclusion notices within the one (1) year prior to the current violation and, in combination, the current violation and those prior violations did not occur at the same public facility or within the same public facility assemblage, or if the offender has been issued one (1) exclusion notice based on a felony violation, a weapon violation, or a violation involving an act of violence or threat of violence within the one (1) year prior to the current violation, then the officer may exclude the offender from all public facilities for a period of three hundred sixty-four (364) days from the date of the exclusion notice.

D. The exclusion notice shall be in writing and shall contain the date of issuance, shall specify the duration and location of exclusion, and shall be signed by the issuing officer. A warning of the consequences for failure to comply with the exclusion notice, as well as procedures for seeking review of the exclusion, shall be contained within the exclusion notice.

E. The person subject to the exclusion notice shall have the right to a hearing to seek the modification or rescission of the exclusion. For the purposes of exclusion modification or rescission hearings, the city’s hearing officer shall be the city of Kent’s director of parks, recreation, and community services or his/her designee, or the person acting in the position of the director or designee in his/her absence.

1. A request for hearing shall be in writing and shall be accompanied by a copy of the exclusion notice for which the hearing is sought. The request shall contain the address of the offender, and it shall be the responsibility of the offender to notify the hearing officer of any change of address. The hearing shall occur and a decision be rendered within ten (10) business days after the city’s hearing officer receives the request for hearing. Notice of the hearing shall be effective upon the third
business day after placement of the notice in the mail to the address provided by the offender.

2. The parties to the hearing shall be the city and the offender. At the hearing, the violation that forms the basis for the exclusion notice must be proved by a preponderance of the evidence in order to uphold the exclusion. The offender need not be charged with a crime or civil infraction in a court of law, and need not be convicted or found to have committed the alleged violation in a court of law for the exclusion to be upheld. The city’s hearing officer shall consider the exclusion notice and a sworn report or a declaration made under penalty of perjury as authorized by RCW 9A.72.085, written by the police officer who issued the exclusion notice, without further evidentiary foundation. Both the city and the offender may submit physical or written evidence, or call witnesses to testify. The city’s hearing officer may consider information and evidence that would not be admissible in a court of law under the evidence rules but which the hearing officer considers relevant and trustworthy. Each party shall be responsible for securing the attendance of any witnesses it intends to call to testify.

3. If the violation is proved, the exclusion notice shall be upheld; however, upon good cause shown, the city’s hearing officer may shorten the duration of the exclusion. If the violation is not proved by a preponderance of the evidence the city’s hearing officer shall rescind the exclusion. If an exclusion is rescinded, it shall not be considered a prior exclusion for the purposes of subsection (C) of this section.

4. The decision of the city’s hearing officer is final. An offender seeking judicial review of a decision of the city’s hearing officer shall file an appeal or an application for a writ of review in the King County superior court within fourteen (14) days of the date of the decision.

5. The exclusion shall remain effective during the pendency of any administrative or judicial proceeding.

6. The determination of the city’s hearing officer shall not have any collateral estoppel effect on a subsequent criminal prosecution or civil
proceeding and shall not preclude litigation of those same facts in a subsequent criminal prosecution or civil proceeding.

F. An act which may result in the issuance of a written order excluding a person from a public facility or public facility assemblage may consist of any of the following when committed on or at a public facility:

1. Any act that qualifies as a felony crime;

2. Any act that qualifies as a gross misdemeanor or misdemeanor crime, excluding all traffic offenses except for violations of RCW 46.61.500, 46.61.502, 46.61.503, 46.61.504, and 46.61.525;

3. Any act that qualifies as a violation of RCW 66.44.100 or RCW 69.50.445;

4. Any act that qualifies as a violation of:
   a. KCC 4.01.020 Same – Damaging property.
   b. KCC 4.01.030 Same – Animals.
   c. KCC 4.01.040 Same – Discharging weapons, fireworks.
   d. KCC 4.01.080 Prohibited activities – Speed limits, vehicles, and horses.
   e. KCC 4.01.100 Same – Littering.
   f. KCC 4.01.120 Same – Fires.
   g. KCC 4.01.130 Same – Alcoholic beverages.
   h. KCC 4.01.140 Same – Golf.
   i. KCC 4.01.150 Use of facilities.
   j. KCC 4.01.160 Hours.
   k. KCC 4.01.190 Sales of refreshments.
   l. KCC 4.01.210 Traffic regulations.

5. Any act that qualifies as a violation of KCC 9.02.320, Urinating in public.

G. For the purpose of this section, a public facility consists of the buildings, structures, and equipment, and the adjoining grounds,
appurtenances, and parking areas of any of the following when located within the city of Kent:

1. Any building maintained or operated by the city of Kent, King County, or the state of Washington.

2. Any park maintained by the city of Kent, King County, or the state of Washington.

3. Any recreational area maintained by the city of Kent, King County, or the state of Washington, including but not limited to any skateboard park, the Kent Commons, the Kent Senior Activity Center, the Kent Resource Center, the Riverbend Golf Complex, the Green River Trail, the Green River Natural Resources Area, and the Interurban Trail.

4. The city’s ShoWare Center, located at 625 W. James Street.

5. The bodies of water known as Lake Meridian and Lake Fenwick and associated boat ramps and areas of ingress and egress.

6. Any public school maintained by the city of Kent, the Kent School District, King County, or the state of Washington.

7. The watershed areas owned and operated by the city of Kent, including Armstrong Springs, Clark Springs, and Kent Springs.

8. Any public library or pool maintained by the city of Kent, King County, or the state of Washington.

H. For the purpose of this section, a public facility assemblage consists of a group of public facilities so related to one another geographically that exclusion from one public facility within the group would be ineffective without exclusion from the other or others in the same group. A violation occurring at any public facility within a public facility assemblage shall be deemed to have occurred within the public facility assemblage. Public facility assemblages include the following:

1. Downtown public facility assemblage, consisting of Town Square Plaza, Burlington Green/Yangzhou Park, Kalbara Park, Kherson Park, Mill Creek Canyon Earthworks Park, Rosebed Park, Titus Railroad Park, Uplands Playfield, and the Kent Library.
I. The violation of an exclusion notice is a misdemeanor.

Sec. 9.02.720240. Escape.

A. A person is guilty of escape if:

1. Without lawful authority, he or she intentionally removes himself or herself from the custody of a court, police officer, detention facility, registered location where work is performed pursuant to work release, or registered location where he or she is serving any portion of jail time on electronic home monitoring or detention; or

2. He or she fails to return himself or herself to the custody of the court, police officer, or detention facility following temporary leave lawfully granted by a court or Kent corrections.

B. For the purposes of this section, custody means:

1. Restraint by a police officer pursuant to a lawful arrest for an offense; or

2. Restraint pursuant to an order of a court, including:
   a. The detention of a person pursuant to a court issued arrest warrant;
   b. A verbal or written order to detain a person during a court appearance;
   c. The detention of a person pending and during trial;
   d. Detention of a person pending sentencing or pursuant to a sentence of a court;
   e. Detention of a person pursuant to the revocation of a period of a sentence initially suspended by a court;
   f. Detention of a person pursuant to an electronic home monitoring or electronic home detention program, regardless of the location that the person who is in custody is registered or required to be;
g. Detention of a person pursuant to a work release or work crew program, regardless of the location that the person who is in custody has listed or registered as the location of their work; or

h. Detention of a person pursuant to a day reporting program, regardless of the location that the person who is in custody has listed or registered as the location that he or she reports to.

C. A person who violates this section shall be guilty of a gross misdemeanor.

**Sec. 9.02.730250. Damage, theft, abandonment, or improper use of an electronic home detention or monitoring device.**

A. A person is guilty of damage, theft, abandonment, or improper use of an electronic home detention or monitoring device if:

1. The person intentionally causes damage to any component of the electronic home detention or monitoring device;

2. The person exerts unauthorized control over an electronic home detention or monitoring device;

3. The person abandons the electronic home detention or monitoring device; or

4. The person fails to return the electronic home detention or monitoring device to Kent corrections or its lawful owner within twenty-four (24) hours of interrupting or terminating the proper use of the device.

B. For the purposes of this section, the term *damage* shall have the same meaning as damages as that term is defined in RCW 9A.48.010.

C. For the purposes of this section, the phrase *exerts unauthorized control* shall be defined as it is in RCW 9A.56.010.

D. A person who violates this section shall be guilty of a gross misdemeanor.
Sec. 9.02.740260. Making or having vehicle prowls or vehicle theft tools.

Repealed by Ord. No. 3878.

Sec. 9.02.740265. Vehicle trespass prohibited – Penalty.

A. A person is guilty of vehicle trespass if he or she knowingly enters or remains unlawfully in a vehicle belonging to another.

B. As used in this section:
   1. The word enter shall include the entrance of the person, or the insertion of any part of his or her body, or any instrument or weapon held in his or her hand.
   2. A person enters or remains unlawfully in or upon a vehicle when he or she is not licensed, invited, or otherwise privileged to so enter or remain.

C. Vehicle trespass is a misdemeanor.

Sec. 9.02.750270. Neglect of a child or dependent person.

A. A person is guilty of the crime of neglect of a child or dependent person if the person is a parent of a child, a person entrusted with the physical custody of a child or other dependent person, or a person employed to provide to the child or dependent person any of the basic necessities of life, and with criminal negligence, the person:
   1. Withholds any of the basic necessities of life; or
   2. Maintains living conditions that place the child or dependent person at a significant risk of disease, illness, or bodily injury; or
   3. Supervises the child or dependent person and:
      a. As a result of such supervision, the child or dependent person suffers bodily injury; or
b. The supervision creates a substantial risk that the child or dependent person will suffer bodily injury; or

4. Fails to supervise the child or dependent person and:
   a. As a result of such failure, the child or dependent person suffers bodily injury; or
   b. Such failure creates a substantial risk that the child or dependent person will suffer bodily injury.

B. In any prosecution for neglect of a child or dependent person, it shall be a defense that the withholding of the basic necessities of life or the maintenance of living conditions that place the child or dependent person at a significant risk of disease, illness, or bodily injury is due to financial inability only if the person charged has made a reasonable effort to obtain adequate assistance. This defense is available to a person employed to provide the basic necessities of life only when the agreed-upon payment has not been made.

C. A person is criminally negligent or acts with criminal negligence when he or she fails to be aware of a substantial risk that a wrongful act may occur and his or her failure to be aware of such substantial risk constitutes a gross deviation from the standard of care that a reasonable person would exercise in the same situation.

D. *Child* means a person under eighteen (18) years of age.

E. *Dependent person* means a person who, because of physical or mental disability or because of advanced age, is dependent upon another person to provide the basic necessities of life. A resident of a nursing home as defined in RCW 18.51.010, a resident of an adult family home as defined in RCW 70.128.010, and a frail, elderly, or vulnerable adult as defined in RCW 74.34.020(13) is presumed to be a dependent person for purposes of this section.
F. For the purposes of this section, *bodily injury* means physical pain, injury, illness, or impairment of physical condition that is more than minor or transient.

G. Neglect of a child or dependent person is a gross misdemeanor.

**Sec. 9.02.760280. Offenses against police dogs.** No person shall willfully or maliciously torment, beat, kick, or strike any dog owned or being used by the police department in the performance of its official duties. No person shall willfully hinder, delay, or obstruct any dog used by a law enforcement officer in discharging or attempting to discharge his official duties. Any person violating the provisions of this section shall be guilty of a misdemeanor.

**Sec. 9.02.770290. Provoking assault.** Every person who shall, by word, sign, or gesture, willfully provoke or attempt to provoke another person to commit an assault or breach of the peace shall be guilty of a misdemeanor.

**Sec. 9.02.780293. Menacing.** A person is guilty of the crime of menacing when he or she intentionally follows or surveils another person and/or engages in a course of conduct that is intended to place a person in reasonable fear of "bodily injury" as that phrase is defined in RCW 9A.04.110.

A. **Follows,** as used in this section, means deliberately maintaining visual observation and/or physical proximity of a specific person or persons over a continuous period of time.

B. **Violation of this section is a misdemeanor, the maximum penalty of which is ninety (90) days in jail and a one-thousand-dollar ($1,000) fine.**
Sec. 9.02.790295. Definitions. The following words and phrases, wherever used in KCC 9.02.710296, 9.02.720297, 9.02.730300 and 9.02.740310, shall have the meanings ascribed to them in this section except where otherwise defined and unless the context shall clearly indicate to the contrary:

A. Expressive conduct means any dance, opera, musical, dramatic work, or other exhibition or performance, whether or not part of an organized or formal event that constitutes protected speech under the federal or state constitution.

B. Known prostitute, a person known to patronize prostitutes, or a person known to advance prostitution means a person who within one (1) year previous to the date of arrest for violation of this section has, within the knowledge of the arresting officer, been convicted of an offense of prostitution, patronizing a prostitute, prostitution loitering, permitting prostitution, or promoting prostitution whether or not such conviction occurs under the Revised Code of Washington or comparable laws of municipalities in the state of Washington.

C. Patronizing a prostitute shall have the same meaning as set forth in RCW 9A.88.110 as now enacted or later amended or recodified.

D. Prostitution means to engage or agree or offer to engage in sexual conduct for a fee, reward, exchange of any item or service, or promise, but does not include sexual conduct engaged in as part of any stage performance, play, or other lawful and properly licensed entertainment open to the public.

E. Public place means an area generally visible to public view including streets, sidewalks, bridges, alleys, plazas, parks, driveways, parking lots, automobiles (whether moving or not) and any place in which the general public has a right to be present or view, whether or not conditioned upon
payment of a fee, and includes, but is not limited to, buildings open to the general public, including those which serve food or drink or provide entertainment or sell product, and the windows, doorways and entrances to buildings or dwellings and the grounds enclosing them, and structures from which customers can be served through a drive-up or walk-up window, door, or other means, whether or not access is restricted according to age.

F. Public place provided or set apart for nudity means an enclosed public restroom, an enclosed functional shower or locker room facility, an enclosed sauna, a motel room or hotel room designed and intended for sleeping accommodations, the location of a bona fide private club whose membership as a whole engages in social nudism or naturalism (a nudist resort or camp), and any similar public places in which nudity is necessarily and customarily expected outside of the home.

G. Sexual conduct shall mean "sexual intercourse" or "sexual contact" as defined in RCW 9A.44.010 as currently enacted or later amended or recodified.

H. Walking or otherwise conducting oneself in a sexual manner shall mean the swaying of hips, drawing attention to one's buttocks, legs, or breasts, grabbing oneself in the genitals or breasts, blowing kisses, or using one's body or any part thereof to simulate sexual conduct.

Sec. 9.02.800296. Lewd conduct.

A. A person is guilty of lewd conduct if, in a public place and under circumstances where such conduct is likely to be observed by a member of the public, the person intentionally:

1. Exposes any of his or her body parts without a full and opaque covering:
a. Any part of the male or female genitals, pubic hair, pubic area, perineum, anus, or bottom one-half of the anal cleft;
   b. Any part of the areola or nipple of the female breast; or
   c. More than one-half of the part of the female breast located below the top of the areola;

2. Exposes the male genitals in a discernibly turgid state, even if fully and opaquely covered;

3. Touches, caresses, or fondles the genitals or female breast, whether clothed or unclothed with the intention of sexual arousal of one's self or others;

4. Masturbates; or

5. Engages in sexual intercourse or sexual contact as those terms are defined in Chapter 9A.44 RCW.

B. Body paint, body dye, tattoos, latex, tape, or any similar substance applied to the skin surface, any substance that can be washed off the skin, or any substance designed to simulate or by which by its nature simulates the appearance of the anatomical area beneath it, is not full and opaque covering within the meaning of this section.

C. This section shall not be construed to prohibit:
   1. The act of breastfeeding or expressing breast milk;
   2. Classes, seminars, and lectures held for serious scientific or educational purposes;
   3. Expressive conduct that is not obscene, subject to the time, place, and manner restrictions contained in Chapter 5.10 KCC or other law;
   4. Conduct of licensed adult entertainers within adult entertainment dance studios operating pursuant to Chapter 5.10 KCC;
   5. Conduct of licensed employees working in adult businesses operating pursuant to Chapter 5.10 KCC, provided the conduct is not exposed to a person under 18 years of age; or
6. Conduct of a child under 10 years of age.

D. Lewd conduct is a misdemeanor.

**Sec. 9.02.810297. Facilitating lewd conduct.** The owner, lessee, manager, operator, or other person in charge of a public place is guilty of facilitating lewd conduct if the person knowingly permits, encourages, or causes to be committed lewd conduct as defined in KCC 9.02.710296. Facilitating lewd conduct is a misdemeanor.

**Sec. 9.02.820300. Prostitution loitering.**

A. A person is guilty of prostitution loitering if he or she intentionally solicits, induces, entices, or procures another to commit the crime of prostitution or patronizing a prostitute.

B. Among the circumstances which may be considered in determining whether the actor intentionally solicits, induces, entices, or procures another to commit the crime of prostitution or patronizing a prostitute are that he or she:

1. Repeatedly beckons to, stops, or attempts to stop passersby, or engages passersby in conversation;

2. Repeatedly stops or attempts to stop occupants of a motor vehicle or motorcycle by hailing, waiving, or beckoning to the occupants using words or conduct, or attempts to obtain the attention of the occupants by walking or otherwise conducting oneself in a sexual manner;

3. Circles or repeatedly returns to an area and repeatedly beckons to, contacts, or attempts to stop pedestrians;

4. Circles or repeatedly returns to an area known by the police as an area of prostitution;

5. Is a known prostitute, a person known to patronize prostitutes, or a person known to promote, permit, or advance prostitution;
6. Inquires whether another is a police officer, searches for articles that would identify a police officer, or exposes his or her genitals or her breasts, or requests the other to touch his or her genitals or her breasts to prove that the other is not a police officer; or

7. Utilizes Internet websites, publications or social media including but not limited to Backpage.com, Craigslist.com, or the Stranger to solicit, induce, entice, or procure another to commit the crime of prostitution or patronizing a prostitute.

C. The crime of prostitution loitering may be deemed to have been committed either at the physical location where the loitering occurred or at the location where the person agrees to meet someone they solicit for acts of prostitution as defined in Chapter 9A.88 RCW.

D. Prostitution loitering is a misdemeanor.

**Sec. 9.02.830310. Stay out of areas of prostitution orders.**

A. **Findings.** The high risk prostitution areas set forth in subsection (E) of this section are frequented by persons who seek out or provide prostitution services. These high risk prostitution areas attract prostitutes, persons who patronize prostitutes, and those who promote prostitution. Many of these areas extend beyond the jurisdiction of the city of Kent, and the problem is present in the surrounding cities of Federal Way, Des Moines, SeaTac, Tukwila, and Renton. These surrounding cities have enacted similar ordinances as a tool to combat the prostitution problem. Due to the volume of persons involved in the prostitution trade, adjacent private property owners suffer economic loss due to trash, human waste, and lost business. Community members suffer from traffic congestion and an increased risk to public health and safety. The high risk prostitution areas set forth in subsection (E) of this section suffer a much higher incidence of prostitution-related crimes than other areas of the city.
B. Stay out of areas of prostitution orders, hereinafter known as
"SOAP" orders, may be issued by the Kent municipal court to anyone
charged with prostitution, permitting prostitution, prostitution loitering, or
patronizing a prostitute under this chapter or Chapter 9A.88 RCW as a
condition of pre-trial release.

C. SOAP orders may be issued by the Kent municipal court to anyone
convicted of prostitution, permitting prostitution, prostitution loitering, or
patronizing a prostitute under this chapter or Chapter 9A.88 RCW as a
condition of probation.

D. Whenever a police officer shall have probable cause to believe that a
person has received a SOAP order as a condition of pre-trial release or of
probation and in the officer's presence is seen violating or failing to comply
with any requirement or restriction imposed by the court as a condition of
such pre-trial release or probation, such officer may arrest the violator
without warrant or other process for violation of the SOAP order and bring
such person before the court issuing the order.

E. The SOAP order shall warn the person named in the order to stay
out of the following "high risk prostitution areas":

1. Pacific Highway South from the south side of South 272nd
   Street to State Route 516 (also known as Kent-Des Moines Road),
   including all adjacent businesses.

2. 30th Avenue South from South 240th Street to State Route
   516 (also known as Kent-Des Moines Road), including all adjacent
   businesses.

3. South 240th Street from the 2700 block through the 3200 block,
   including all adjacent businesses.

4. Central Avenue North/84th Avenue South from Novak Lane to
   South 222nd Street, including all adjacent businesses.
5. 83rd Avenue South from South 228th Street to South 224th Street, including all adjacent businesses.

F. A person is deemed to have notice of the SOAP order when:

1. The signature of the person named in the order, or the signature of his or her attorney, is affixed to the bottom of the order, signifying that he or she has read the order and has knowledge of the contents of the order; or

2. The order recites that the person named in the order or the person’s attorney appeared in person before the court.

G. The written SOAP order shall contain the court’s directives and shall bear the legend: “Violation of this order is a criminal offense under Ch. 9.02 KCC and will subject the violator to arrest.”

H. Whenever a SOAP order is issued under this section, and the person named in the order knows of the order, a violation of the provisions of the order is a misdemeanor and shall be punishable by a fine of not more than one thousand dollars ($1,000) or imprisonment for not more than ninety (90) days, or both such fine and imprisonment.

I. Pursuant to Section 1(1)(b) of Engrossed Substitute House Bill 1362 (Laws of 2009, ch. 387 § 1), the high risk prostitution areas identified in subsection (E) of this section are the areas where vehicles are subject to impoundment for a suspected violation of patronizing a prostitute, promoting prostitution in the first degree, promoting prostitution in the second degree, promoting travel for prostitution, commercial sexual abuse of a minor, promoting commercial sexual abuse of a minor, or promoting travel for commercial sexual abuse of a minor. These high risk prostitution areas shall be identified by the placement of clear and conspicuous signs.

Sec. 9.02.840320. Urinating in public.
A. A person is guilty of urinating in public if the person intentionally urinates or defecates in a public place, other than a washroom or toilet room, under circumstances where such act could be observed by any member of the public.

B. Any violation of the provisions of this section shall be an infraction, and any person found in violation shall be subject to a penalty not to exceed two hundred fifty dollars ($250).

Sec. 9.02.850330. Possession of drug paraphernalia. It is unlawful for any person to possess drug paraphernalia, as defined in RCW 69.50.102. A person who violates this section shall be guilty of a misdemeanor.

Sec. 9.02.860335. Contaminated property – Order of Seattle-King County department of public health prohibiting use or entry – Violation.

A. Whenever an order is issued pursuant to RCW 64.44.030, as that law is now enacted or later amended or recodified, which restrains a person or the public from entering upon or using property, and that order is posted in a conspicuous place on the property, a violation of the provisions restraining use or entry shall be a gross misdemeanor punishable by imprisonment in jail for a maximum term fixed by the court of not more than one (1) year, or by a fine in an amount fixed by the court of not more than five thousand dollars ($5,000), or by both such imprisonment and fine.

B. Whenever an order is issued pursuant to RCW 64.44.030, as that law is now enacted or later amended or recodified, which restrains a person or the public from entering upon or using property, and that order is posted in a conspicuous place on the property, the removal or damage of such order shall be a gross misdemeanor punishable by imprisonment in
jail for a maximum term fixed by the court of not more than one (1) year, or by a fine in an amount fixed by the court of not more than five thousand dollars ($5,000), or by both such imprisonment and fine.

Sec. 9.02.870340. Sale, manufacture, possession of certain weapons. Any person who sells, manufactures, purchases, possesses, or carries:

1. Any device commonly known as nunchuka sticks, consisting of two (2) or more lengths of wood, metal, plastic, or similar substance connected with wire, rope, or other means; or

2. Any device commonly known as throwing stars, which are multipointed, metal objects designed to embed upon impact from any aspect in a manner, under circumstances, and at a time and place that either manifests an intent to intimidate another or that warrants alarm for the safety of other persons; is guilty of a gross misdemeanor.

Sec. 9.02.880350. Possession of firearms or dangerous weapons at Kent Commons – Unlawful.

A. Subject to the exceptions set forth in subsections (B) and (C) of this section, it shall be unlawful for any person to possess a firearm; a dagger, sword, or knife with a blade in excess of three (3) inches; or any other weapon apparently capable of producing bodily harm, inside of the premises known as the Kent Commons located at 525 North Fourth Avenue in the city of Kent.

B. The prohibition to possession of a firearm shall not apply to a person licensed to carry a concealed weapon pursuant to RCW 9.41.070 or a person exempted from the licensing requirement by RCW 9.41.060.

C. This section shall not apply during shows, demonstrations, or lectures involving the exhibition of firearms or other weapons.
D. For the purposes of this section, firearm means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder.

E. This section shall only apply to those areas of the Kent Commons that are within the Kent Commons building or that are contained to an area adjacent to the building by a temporary barrier during use for an event hosted by the Kent Commons.

F. A person who violates this section shall be guilty of a misdemeanor.

Sec. 9.02.890360. Non-incendiary devices.

A. For the purposes of this chapter, a non-incendiary device shall include, without limitation, any stink bomb, stink paint, tear bomb, tear shell, explosive, or flame-producing device, acid bomb, dry ice bomb, or any other device, material, chemical, or substance, that, when exploded, opened, used, or otherwise deployed does or will annoy, injure, endanger, or inconvenience any person or persons.

B. Any person who shall: (1) deposit, leave, place, spray, scatter, spread, throw, or otherwise deploy in any building or any place; (2) counsel, aid, assist, encourage, incite, or direct any other person or persons to deposit, leave, place, spray, scatter, spread, throw, or otherwise deploy in any building or any place; (3) have in his or her possession for the purpose of depositing, leaving, placing, spraying, scattering, spreading, throwing, or otherwise deploying in any building or any place; (4) counsels, aids, assists, encourages, incites, or directs any other person or persons to deposit, leave, place, spray, scatter, spread, throw, or otherwise deploy in any building or any place; any non-incendiary device shall be guilty of a gross misdemeanor.
C. Anyone who enhances any non-incendiary device by adding, either internally or externally, any additional material that would create greater damage by becoming fragmentation or shrapnel will be subject to a mandatory minimum penalty of ninety (90) days in jail that cannot be served on work release or electronic home monitoring.

D. This section shall not apply to persons in the military service or commissioned law enforcement officers actually engaged in the performance of his or her duty or training or in the course of any training acting pursuant to orders from competent authority, nor shall this section apply to any property owner or person acting under his or her authority in providing protection against the commission of a felony.

Sec. 9.02.00370. Hobby cannon fuse material – Sale transaction – Written record required.

A. Every gun store, gun dealer, or gun show doing business in the city shall maintain a written record of any sale or exchange of fuse material used for the purpose of detonating hobby cannons. This record shall be in English and shall be written or electronically stored in an easily obtainable manner. The following information must be documented for each sale or exchange transaction:

1. The signature of the person with whom the transaction is made;
2. The date and time of the transaction;
3. The name of the person or employee or the identification number of the person or employee conducting the transaction;
4. The name, date of birth, sex, address, and telephone number of the person with whom the transaction is made;
5. The type of identification, including identifying number, used by the person with whom the transaction was made; and
6. The amount of cannon fuse purchased.
B. The type of identification relied upon for the sale or exchange must consist of:
   1. A valid driver’s license or identification card issued by any state; or
   2. Two (2) pieces of identification issued by a governmental agency, one (1) of which shall be descriptive of the person identified.
At all times, at least one (1) piece of current governmental identification will be required.

C. This record shall at all times during the ordinary hours of business, or at reasonable times if ordinary hours of business are not kept, be open for inspection by any commissioned law enforcement officer. The person or entity who conducted the sale or exchange shall maintain these records for at least three (3) years following the date of the transaction.

Sec. 9.02.910360. Violation of no contact order also contempt. The violation of any order issued by the Kent municipal court pursuant to Chapter 10.99 RCW shall also constitute contempt of court, and is subject to the penalties prescribed by law.

Sec. 9.02.920390. Probation violations.
A. For purposes of this section, the word probationer means any person who, after conviction of violation of an ordinance of the city or a law of the state, or after entry of a deferred prosecution, has been placed on probation in connection with a suspended sentence, deferred sentence, or deferred prosecution by either a district court, municipal court, or superior court.

B. Whenever a police officer shall have probable cause to believe that a probationer, prior to the termination of his probation, is in such police officer’s presence and is violating or failing to comply with any requirement or restriction imposed by the court as a condition of such probation, the
police officer may cause the probationer to be brought before the court wherein sentence was deferred or suspended and, for such purpose, the police officer may arrest such probationer without warrant or other process.

**Sec. 9.02.930409. Court costs – Jail medical costs.**

A. In addition to the penalties set forth in KCC 9.02.410, costs in all criminal actions may be imposed as authorized by law or court rule.

B. As part of any judgment and sentence, the court may order a defendant to repay all or part of the medical costs incurred by the city or any medical care provider during confinement of the defendant. Any costs not paid by a defendant that are due and owing shall be collected by the court in the same manner that other costs are collected.

**Sec. 9.02.940410. Violations – Penalty.** Unless otherwise provided in this chapter, violation of any provision of this chapter shall be punishable by:

1. *Gross misdemeanor*. Every person convicted of a gross misdemeanor shall be punished by imprisonment in jail for a maximum term fixed by the court of not more than one (1) year, or by a fine in an amount fixed by the court of not more than five thousand dollars ($5,000), or by both such imprisonment and fine.

2. *Misdemeanor*. Every person convicted of a misdemeanor shall be punished by imprisonment in jail for a maximum term fixed by the court of not more than ninety (90) days, or by a fine in an amount fixed by the court of not more than one thousand dollars ($1,000), or by both such imprisonment and fine.

**SECTION 2. – Severability.** If any one or more section, subsection, or sentence of this ordinance is 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.** - *Corrections by City Clerk or Code Reviser.* Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; ordinance, section, or subsection numbering; or references to other local, state, or federal laws, codes, rules, or regulations.

**SECTION 4.** - *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

ATTEST:

Ronald F. Moore, MMC

Ronald F. Moore, City Clerk

APPROVED AS TO FORM:

Tom Brubaker, City Attorney
PASSED: 19th day of April, 2016.

APPROVED: 19th day of April, 2016.

PUBLISHED: 22nd day of April, 2016.

I hereby certify that this is a true copy of Ordinance No. 4195 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

RONALD F. MOORE, CITY CLERK
(SEAL)