

ORDINANCE 2012 - 22

AN ORDINANCE OF THE CITY OF SUNNYSIDE, WASHINGTON,
AMENDING SECTION 9.60.010 OF THE
SUNNYSIDE MUNICIPAL CODE PERTAINING TO
PUBLIC DISTURBANCE
(Disorderly Conduct)



WHEREAS, pursuant to Chapter 35A.12 of the Revised Code of Washington, the City Council is charged with the legislative authority of the City of Sunnyside; and

WHEREAS, Chapter 9.60 of the Sunnyside Municipal Code is designed to prevent public disturbances of the community, and is necessary for the immediate preservation of the public peace, morals, and welfare, or support of the City of Sunnyside and its existing public institutions; and

WHEREAS, the City Council has determined that it is in the best interest of the residents of the City of Sunnyside, and will promote the public peace and quiet of the Community, to revise Chapter 9.60 of the Sunnyside Municipal Code to clarify that Disorderly Conduct will be a civil infraction punishable by a penalty of up to \$1,000.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYSIDE DO ORDAIN AS FOLLOWS:

Section 1. Section 9.60.010 Disorder Conduct of the Sunnyside Municipal Code which reads as follows:

9.60.010 Disorderly conduct.

A. A person is guilty of disorderly conduct if he or she:

1. Fights, quarrels or encourages others to fight in any public place within the City;
2. By noisy, riotous or tumultuous conduct, disturbs the peace and quiet of the City or any meeting or assemblage therein;
3. Willfully annoys, molests, bothers, insults, or offers an affront to another person;
4. Uses abusive language and thereby intentionally creates the risk of assault;

5. Willfully breaks, impairs, injures or defaces any building, fence, awning, window, sign, signboard, tree, shrub or other thing of value being the property of another;
6. Intentionally obstructs vehicular or pedestrian traffic without lawful authority;
7. Removes, interferes with, carries away or destroys the property of another, or who tears down, destroys or mutilates any notice or handbill lawfully posted in the City;
8. Intentionally disrupts any lawful assembly or meeting of persons without lawful authority;
9. Looks into the windows of the residence of another without a lawful right to do so; or
10. Urinates or defecates in any place open to public view.

B. Disorderly conduct is a misdemeanor.

Is hereby amended to read as follows:

9.60.010 Disorderly conduct.

A. A person is guilty of disorderly conduct if he or she:

1. Fights, quarrels or encourages others to fight in any public place within the City;
2. By noisy, riotous or tumultuous conduct, disturbs the peace and quiet of the City or any meeting or assemblage therein;
3. Willfully annoys, molests, bothers, insults, or offers an affront to another person;
4. Uses abusive language and thereby intentionally creates the risk of assault;
5. Willfully breaks, impairs, injures or defaces any building, fence, awning, window, sign, signboard, tree, shrub or other thing of value being the property of another;
6. Intentionally obstructs vehicular or pedestrian traffic without lawful authority;
7. Removes, interferes with, carries away or destroys the property of another, or who tears down, destroys or mutilates any notice or handbill lawfully posted in the City;

8. Intentionally disrupts any lawful assembly or meeting of persons without lawful authority;

9. Looks into the windows of the residence of another without a lawful right to do so; or

10. Urinates or defecates in any place open to public view.

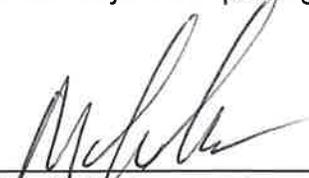
B. Disorderly conduct is a civil infraction punishable by a penalty of up to \$1,000.

The court may waive, reduce, or suspend the monetary penalty prescribed for the civil infraction. If the court determines that a person has insufficient funds to pay the monetary penalty, the court may order performance of a number of hours of community restitution in lieu of a monetary penalty, at the rate of the then state minimum wage per hour.

Section 2. Except as amended herein, Title 9 of the Sunnyside Municipal Code shall remain unchanged.

Section 4. This ordinance shall be effective five days after passage, approval and publication as required by law.

PASSED this 24th day of September, 2012.



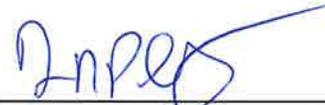
MIKE FARMER, MAYOR

ATTEST:



DELILAH SAENZ, CITY CLERK

APPROVED AS TO FORM:



MENKE JACKSON BEYER EHLIS HARPER & PLANT, LLP
Attorneys for the City of Sunnyside