

ORDINANCE NO. 3858

AN ORDINANCE OF THE CITY OF MOUNT VERNON, WASHINGTON,
AMENDING CHAPTER 9.17 CRIMES RELATING TO PERSONS OF THE MOUNT
VERNON MUNICIPAL CODE

Whereas, the City is an optional municipal code city, organized under Title 35A RCW, with all powers possible for a city or town to have under the Constitution and laws of the State; and

Whereas, in July 2022 the Washington Legislature repealed and recodified certain domestic violence and anti-harassment statutes, specifically, key provisions in RCW 26.50 and 10.14 were repealed and now codified under RCW 7.105. Additionally, the provisions under RCW 26.50 and RCW 14.14 have been adopted by reference in the City code.

THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, WASHINGTON, DOES
ORDAIN AS FOLLOWS:

SECTION 1. That a section MVMC 9.17.030 of the Mount Vernon Municipal Code is hereby amended to read as follows:

9.17.030 Domestic violence – State statutes adopted by reference.

The following statutes of the state of Washington are hereby adopted by reference as they now exist or hereafter may be amended:

- A. RCW 10.99.020, Definitions.
- B. RCW 10.99.030, Law enforcement officers – Training, powers, duties.
- C. RCW 10.99.040, Restrictions upon and duties of court.
- D. RCW 10.99.045, Appearances by defendant – Orders prohibiting contact.
- E. RCW 10.99.050, Restriction or prohibition of contact with victim – Procedures.
- F. RCW 10.99.055, Enforcement of orders against defendants.
- G. RCW 10.99.080, Penalty assessment.
- H. RCW 7.105.010, Definitions.

I. RCW 7.105.450, Enforcement and penalties-Other than antiharassment protection orders and extreme risk protection orders.

J. RCW 7.105.505-Filing of criminal charges not required.

K. RCW 26.09.300 – Restraining order – Notice – Refusal to comply – Arrest – Penalty – Defense – Peace officers, immunity.

SECTION 2. That a section MVMC 9.17.060 of the Mount Vernon Municipal Code is hereby amended to read as follows:

9.17.060 Violation of civil anti-harassment orders – State statutes adopted by reference.

The following statutes of the state of Washington are hereby adopted by reference as they now exist or hereafter may be amended:

A. RCW 7.105.010, Definitions.

B. RCW 7.105.445, Enforcement and penalties-Antiharassment protection orders.

SECTION 3. Severability.

If any of the provisions of this chapter or its application to any person or circumstances is held invalid, the remainder of this chapter or the application of the provision to other persons or circumstances is not affected, and to this end, the provisions of this chapter are declared to be severable.

SECTION 4. Effective Date.

This Chapter shall take effect five days after its publication.

PASSED AND ADOPTED this 26th day of October, 2022.

SIGNED AND APPROVED this ____ day of _____, 2022

JILL BOUDREAU, Mayor

Attest:

BECKY JENSEN, City Clerk

Approved as to form:

KEVIN ROGERSON, City Attorney

Published: November 3, 2022