

ORDINANCE NO. 584

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DEFINING CRIMINAL CONDUCT AND OTHER OFFENSES, THE LIABILITY THEREFOR AND THE DEFENSES THERETO, ENUMERATING SPECIFIC CRIMES AND PUNISHMENTS THEREFOR; AND PROVIDING FOR SAVINGS, SEVERABILITY AND FOR AN EFFECTIVE DATE

WHEREAS, Section 39.34.180 of the Revised Code of Washington (RCW) has, since 1996, made Washington municipalities responsible for the prosecution of misdemeanor and gross misdemeanor offenses committed by adults in their respective jurisdictions; and

WHEREAS, RCW 35.21.180 permits the City to adopt by reference sections of the RCW; and

WHEREAS, effective January 1, 2011, the City will have its own municipal court to carry out its duties under RCW 39.34.180; and

WHEREAS, enacting a simplified criminal code that incorporates RCW criminal code sections by reference rather than restating them as local code sections would benefit police officers, prosecutors and court staff and is in the public interest.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE DOES ORDAIN AS FOLLOWS:

Section 1. Adoption. Title 7 of University Place Municipal Code entitled "Criminal Code", is amended with the following new sections:

**Title 7 Criminal Code
Chapter 7
PRELIMINARY ARTICLE**

Sections:

7.00.010 Preliminary article.
7.00.020 Jurisdiction.

7.00.010 Preliminary article.

- A. This title shall be known and may be cited as the "University Place Criminal Code.
- B. As used in this title, "RCW" shall mean the Revised Code of Washington.
- C. As used in this title, "UPMC" shall mean the University Place Municipal Code.
- D. If any chapter, section, subsection, sentence, or provision of this title, or its application to any person or circumstance is held invalid, the remainder of this title, or the application of the chapter, section, subsection, sentence, or provision to other persons or circumstances is not affected, and to this end, the chapters, sections, subsections, sentences and provisions of this title are declared to be severable.
- E. By adopting Washington state statutes by reference in this title, the city intends to assume jurisdiction over and become the jurisdictional authority for the enforcement and prosecution of misdemeanor and gross misdemeanor crimes committed within the city of University Place. Whenever the word "state" shall appear in any statute adopted by reference in this title, 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.
- F. Whenever a state statute specifically adopted in this title refers to another state statute not specifically adopted in this title, the statute referred to shall be given the force and effect necessary to enforce the statute specifically adopted in this title.
- G. Any state statute that is adopted by reference in this title and 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 by

reference in this title shall retain its full force and effect as part of this title subsequent to the effective date of its amendment or recodification.

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

I. Title, chapter, section and subsection captions are for organizational purposes only and shall not be construed as part of this title.

J. The provisions of this title do not apply to or govern the construction of or punishment of any offense committed prior to the effective date of the ordinance codified in this title or to the construction and application of any defense to a prosecution for such offense. Such an offense shall be construed and punished according to the provisions of the law existing at the time of the commission of the offense in the same manner as if this title had not been enacted. The provisions of this title shall apply to any offense committed on or after its effective date unless otherwise expressly provided or unless the context otherwise requires and shall also apply to any defense to prosecution for such an offense.

K. As used in this title, words used in the present tense include the future tense; the masculine includes the feminine and neutral genders; and the singular includes the plural and vice versa.

L. The provisions of this title are intended to create a duty to the public in general and not to create any duty to individuals or to any particular class of individuals. These provisions are not for the protection of any person or class of persons.

M. Unless otherwise provided in this title, violation of any provision of this title 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 year, or by a fine in an amount fixed by the court of not more than \$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 90 days, or by a fine in an amount fixed by the court of not more than \$1,000, or by both such imprisonment and fine. A violation of the University Place Criminal Code is a misdemeanor if not otherwise designated by this Code or by the Code adopted by reference.

7.00.020 Jurisdiction.

The following persons are subject to punishment:

A. A person who commits in the city any crime as defined by ordinance, in whole or part;

B. A person who commits out of the city any act which, if committed within it, would be theft and is afterward found in the city with any of the stolen property;

C. A person who being out of the city, counsels, causes, procures, aids, or abets another to commit a crime in the city;

D. A person who commits an act out of the city which affects persons or property within the city which, if committed within the city, would be a crime.

Chapter 7.02

ADOPTION OF RCW SECTIONS NOT SPECIFICALLY SET FORTH

Sections:

7.02.010 Adoption of RCW sections not specifically set forth.

7.02.010 Adoption of RCW sections not specifically set forth.

A. With the exception of the RCW section set forth in subsection C of this section, and notwithstanding the RCW sections that are specifically adopted by reference in this title, all RCW sections that constitute misdemeanors and gross misdemeanors and the RCW sections necessary for the investigation, arrest, prosecution, sentencing, confinement, and enforcement of misdemeanors and gross misdemeanors are hereby adopted by reference as currently enacted or as hereafter 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 of Chapter 7.00 UPMC.

C. The following RCW section is not adopted by the City of University Place:
RCW 9A.16.110 Defending against violent crime – Reimbursement.

Chapter 7.03 ADOPTION OF SPECIFIC RCW SECTIONS

Sections:

- 7.03.010 Chapter 2.48 RCW, entitled “State Bar Act” – Adoption by reference.
- 7.03.020 Chapter 7.21 RCW, entitled “Contempt of Court” – Adoption by reference.
- 7.03.030 Chapter 7.80 RCW, entitled “Civil Infractions” – Adoption by reference.
- 7.03.040 RCW Title 9, entitled “Crimes and Punishments” – Adoption by reference.
- 7.03.050 RCW Title 9A, entitled “Washington Criminal Code” – Adoption by reference.
- 7.03.060 RCW Title 10, entitled “Criminal Procedure” – Adoption by reference.
- 7.03.070 Chapter 13.32A RCW, entitled “Family Reconciliation Act” – Adoption by reference.
- 7.03.080 RCW Title 16, entitled “Animals and livestock” – Adoption by reference.
- 7.03.090 RCW Title 26, entitled “Domestic Relations” – Adoption by reference.
- 7.03.100 Chapter 28A.635 RCW, entitled “Offenses Relating to School Property and Personnel” – Adoption by reference.
- 7.03.110 Chapter 46.80 RCW, entitled “Vehicle Wreckers” – Adoption by reference.
- 7.03.120 RCW Title 66, entitled “Alcoholic Beverage Control” – Adoption by reference.
- 7.03.130 RCW Title 69, entitled “Food, Drugs, Cosmetics, and Poisons” – Adoption by reference.
- 7.03.140 RCW Title 70, entitled “Public Health and Safety” – Adoption by reference.
- 7.03.150 Chapter 74.34 RCW, entitled “Abuse of Vulnerable Adults” – Adoption by reference.

7.03.010 Chapter 2.48 RCW, entitled “State Bar Act” – 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 2.48.180 Definitions – Unlawful practice a crime – Cause for discipline – Unprofessional conduct – Defense – Injunction – Remedies – Costs – Attorneys’ fees – Time limit for action.

7.03.020 Chapter 7.21 RCW, entitled “Contempt of Court” – 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.
RCW 7.21.020 Sanctions – Who may impose.
RCW 7.21.030 Remedial sanctions – Payment for losses.
RCW 7.21.040 Punitive sanctions – Fines.
RCW 7.21.050 Sanctions – Summary imposition – Procedure.
RCW 7.21.070 Appellate review.

7.03.030 Chapter 7.80 RCW, entitled “Civil Infractions” – Adoption by reference.

For purposes of offenses under this title only, 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.

7.03.040 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.
RCW 9.01.110 Omission, when not punishable.

RCW 9.01.130 Sending letter, when complete.

RCW 9.02.050 Concealing birth.

RCW 9.03.010 Abandoning, discarding refrigeration equipment.

RCW 9.03.020 Permitting unused equipment to remain on premises.

RCW 9.03.040 Keeping or storing equipment for sale.

RCW 9.04.010 False advertising.

RCW 9.04.090 Advertising fuel prices by service stations.

RCW 9.08.030 False certificate of registration of animals – False representation as to breed.

RCW 9.08.065 Definitions.

RCW 9.08.070 Pet animals – Taking, concealing, injuring, killing, etc. – Penalty.

RCW 9.12.010 Barratry.

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

RCW 9.16.005 Definitions.

RCW 9.16.010 Removing lawful brands.

RCW 9.16.020 Imitating lawful brand.

RCW 9.16.030 Counterfeit mark – Intellectual property.

RCW 9.16.035 Counterfeiting – Penalties.

RCW 9.16.041 Counterfeit items – Seizure and forfeiture.

RCW 9.16.050 When deemed affixed.

RCW 9.16.060 Fraudulent registration of trademark.

RCW 9.16.070 Form and similitude defined.

RCW 9.16.080 Petroleum products improperly labeled or graded.

RCW 9.16.100 Use of the words "sterling silver," etc.

RCW 9.16.110 Use of words "coin silver," etc.

RCW 9.16.120 Use of the word "sterling" on mounting.

RCW 9.16.130 Use of the words "coin silver" on mounting.

RCW 9.16.140 Unlawfully marking article made of gold.

RCW 9.16.150 "Marked, stamped or branded" defined.

RCW 9.18.080 Offender a competent witness.

RCW 9.18.120 Suppression of competitive bidding.

RCW 9.18.130 Collusion to prevent competitive bidding.

RCW 9.18.150 Agreements outside state.

RCW 9.24.010 Fraud in stock subscription.

RCW 9.24.040 Corporation doing business without license.

RCW 9.26A.090 Telephone company credit cards – Prohibited acts.

RCW 9.26A.100 Definitions.

RCW 9.26A.110 Fraud in obtaining telecommunications service – Penalty.

RCW 9.26A.120 Fraud in operating coin-box telephone or other receptacle.

RCW 9.26A.130 Penalty for manufacture or sale of slugs to be used for coin.

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

RCW 9.35.005 Definitions.

RCW 9.35.030 Soliciting undesired mail.

RCW 9.38.010 False representation concerning credit.

RCW 9.38.015 False statement by deposit account applicant.

RCW 9.38.020 False representation concerning title.

RCW 9.40.040 Operating engine or boiler without spark arrester.

RCW 9.40.100 Tampering with fire alarm or fire fighting equipment – False alarm – Penalties.

RCW 9.41.010 Terms defined.

RCW 9.41.040 Unlawful possession of firearms – Ownership, possession by certain persons.

RCW 9.41.050 Carrying firearms.

RCW 9.41.060 Exceptions to restrictions on carrying firearms.

RCW 9.41.090 Dealer deliveries regulated – Hold on delivery.

RCW 9.41.098 Forfeiture of firearms – Disposition – Confiscation.

RCW 9.41.100 Dealer licensing and registration required.

RCW 9.41.110 Dealer's licenses, by whom granted, conditions, fees – Employees, fingerprinting and background checks – Wholesale sales excepted – Permits prohibited.

RCW 9.41.140 Alteration of identifying marks – Exceptions.

RCW 9.41.220 Unlawful firearms and parts contraband.
 RCW 9.41.230 Aiming or discharging firearms, dangerous weapons.
 RCW 9.41.240 Possession of pistol by person from 18 to 21.
 RCW 9.41.250 Dangerous weapons – Penalty.
 RCW 9.41.260 Dangerous exhibitions.
 RCW 9.41.270 Weapons apparently capable of producing bodily harm – Unlawful carrying or handling – Penalty – Exceptions.
 RCW 9.41.280 Possessing dangerous weapons on school facilities – Penalty – Exceptions.
 RCW 9.41.300 Weapons prohibited in certain places – Local laws and ordinances – Exceptions – Penalty.
 RCW 9.41.800 Surrender of weapons or licenses – Prohibition on future possession or licensing.
 RCW 9.41.810 Penalty.
 RCW 9.44.080 Misconduct in signing a petition.
 RCW 9.45.060 Encumbered, leased, or rented personal property – Construction.
 RCW 9.45.070 Mock auctions.
 RCW 9.45.080 Fraudulent removal of property.
 RCW 9.45.090 Knowingly receiving fraudulent conveyance.
 RCW 9.45.100 Fraud in assignment for benefit of creditors.
 RCW 9.45.270 Fraudulent filing of vehicle report of sale.
 RCW 9.46.170 False or misleading entries or statements, refusal to produce records.
 RCW 9.46.185 Causing person to violate rule or regulation
 RCW 9.46.190 Violations relating to fraud or deceit.
 RCW 9.46.195 Obstruction of public servant -- Penalty.
 RCW 9.46.196 Cheating -- Defined.
 RCW 9.46.1962 Cheating in the second degree.
 RCW 9.46.198 Working in gambling activity without license as violation -- Penalty
 RCW 9.46.217 Gambling records — Penalty — Exceptions.
 RCW 9.46.222 Professional gambling in the third degree.
 RCW 9.47A.010 Definition.
 RCW 9.47A.020 Unlawful inhalation – Exception.
 RCW 9.47A.030 Possession of certain substances prohibited, when.
 RCW 9.47A.040 Sale of certain substances prohibited, when.
 RCW 9.47A.050 Penalty.
 RCW 9.51.010 Misconduct of officer drawing jury.
 RCW 9.51.020 Soliciting jury duty.
 RCW 9.51.030 Misconduct of officer in charge of jury.
 RCW 9.61.230 Telephone harassment.
 RCW 9.61.240 Telephone harassment – Permitting telephone to be used.
 RCW 9.61.250 Telephone harassment – Offense, where deemed committed.
 RCW 9.61.260 Cyberstalking
 RCW 9.62.010 Malicious prosecution.
 RCW 9.62.020 Instituting suit in name of another.
 RCW 9.66.010 Public nuisance.
 RCW 9.66.020 Unequal damage.
 RCW 9.66.030 Maintaining or permitting nuisance.
 RCW 9.66.040 Abatement of nuisance.
 RCW 9.66.050 Deposit of unwholesome substance.
 RCW 9.68.015 Obscene literature, shows, etc. – Exemptions.
 RCW 9.68.030 Indecent articles, etc.
 RCW 9.68.050 "Erotic material" – Definitions.
 RCW 9.68.060 "Erotic material" – Determination by court – Labeling – Penalties.
 RCW 9.68.070 Prosecution for violation of RCW 9.68.060 – Defense.
 RCW 9.68.080 Unlawful acts.
 RCW 9.68.100 Exceptions to RCW 9.68.050 through 9.68.120.
 RCW 9.68.110 Motion picture operator or projectionist exempt, when.
 RCW 9.68.130 "Sexually explicit material" – Defined – Unlawful display.
 RCW 9.68A.011 Definitions.

RCW 9.68A.080	Reporting of depictions of minor engaged in sexually explicit conduct – Civil immunity.
RCW 9.68A.090	Communication with minor for immoral purposes – Penalties.
RCW 9.68A.103	Permitting commercial sexual abuse of a minor – Penalty
RCW 9.96A.105	Additional fee assessment.
RCW 9.68A.110	Certain defenses barred, permitted.
RCW 9.68A.120	Seizure and forfeiture of property.
RCW 9.68A.150	Allowing minor on premises of live erotic performance – Definitions – Penalty.
RCW 9.69.100	Duty of witness of offense against child or any violent offense – Penalty.
RCW 9.73.010	Divulging telegram.
RCW 9.73.020	Opening sealed letter.
RCW 9.73.030	Intercepting, recording or divulging private communication – Consent required – Exceptions.
RCW 9.73.050	Admissibility of intercepted communication in evidence.
RCW 9.73.070	Persons and activities excepted from chapter.
RCW 9.73.080	Penalties.
RCW 9.73.090	Certain emergency response personnel exempted from RCW 9.73.030 through 9.73.080 – Standards – Court authorizations – Admissibility.
RCW 9.73.100	Recordings available to defense counsel.
RCW 9.73.110	Intercepting, recording, or disclosing private communications – Not unlawful for building owner – Conditions.
RCW 9.86.010	“flag,” etc., defined
RCW 9.86.020	Improper use of flag prohibited.
RCW 9.86.030	Desecration of a flag.
RCW 9.86.040	Application of provisions.
RCW 9.91.010	Denial of civil rights – Terms defined.
RCW 9.91.020	Operating railroad, steamboat, vehicle, etc., while intoxicated.
RCW 9.91.025	Unlawful conduct in a transit vehicle.
RCW 9.91.060	Leaving children unattended in a parked automobile.
RCW 9.91.130	Disposal of trash in charity donation receptacle.
RCW 9.91.140	Food stamps – Unlawful sale.
RCW 9.91.142	Food stamps-- Trafficking
RCW 9.91.160	Personal protection spray devices.
RCW 9.91.170	Interfering with dog guide or service animal.
RCW 9.91.175	Interfering with search and rescue dog.

7.03.050 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.04.020	Purposes – Principles of construction.
RCW 9A.04.040	Classes of crimes.
RCW 9A.04.050	People capable of committing crimes – Capability of children.
RCW 9A.04.060	Common law to supplement statute.
RCW 9A.04.070	Who amenable to criminal statutes.
RCW 9A.04.080	Limitation of actions.
RCW 9A.04.090	Application of general provisions of the code.
RCW 9A.04.100	Proof beyond a reasonable doubt.
RCW 9A.04.110	Definitions.
RCW 9A.08.010	General requirements of culpability.
RCW 9A.08.020	Liability for conduct of another – Complicity.
RCW 9A.08.030	Corporate and personal liability.
RCW 9A.12.010	Insanity.
RCW 9A.16.010	Definitions.
RCW 9A.16.020	Use of force – When lawful.
RCW 9A.16.060	Duress.
RCW 9A.16.070	Entrapment.

RCW 9A.16.080 Action for being detained on mercantile establishment premises for investigation – “Reasonable grounds” as defense.

RCW 9A.16.090 Intoxication.

RCW 9A.16.100 Use of force on children – Policy – Actions presumed unreasonable.

RCW 9A.28.020 Criminal attempt.

RCW 9A.28.030 Criminal solicitation.

RCW 9A.28.040 Criminal conspiracy.

RCW 9A.36.041 Assault in the fourth degree.

RCW 9A.36.050 Reckless endangerment.

RCW 9A.36.070 Coercion.

RCW 9A.36.150 Interfering with the reporting of domestic violence.

RCW 9A.36.160 Failing to summons assistance.

RCW 9A.36.161 Failing to summons assistance – Penalty.

RCW 9A.40.010 Definitions.

RCW 9A.40.070 Custodial interference in the second degree.

RCW 9A.40.080 Custodial interference – Assessment of costs – Defense – Consent defense, restricted.

RCW 9A.42.010 Definitions.

RCW 9A.42.035 Criminal mistreatment in the third degree.

RCW 9A.42.037 Criminal mistreatment in the fourth degree.

RCW 9A.42.040 Withdrawal of life support systems.

RCW 9A.42.045 Palliative care.

RCW 9A.42.050 Defense of financial inability.

RCW 9A.42.080 Abandonment of a dependent person in the third degree.

RCW 9A.42.090 Abandonment of a dependent person – Defense.

RCW 9A.42.110 Leaving a child in the care of a sex offender.

RCW 9A.44.010 Definitions.

RCW 9A.44.030 Defenses to prosecution under this chapter.

RCW 9A.44.096 Sexual misconduct with a minor in the second degree.

RCW 9A.44.130 Registration of sex offenders and kidnapping offenders – Procedures – Definition – Penalties.

RCW 9A.44.132 Failure to register as sex offender or kidnapping offender.

RCW 9A.44.170 Custodial sexual misconduct in the second degree.

RCW 9A.44.180 Custodial sexual misconduct – Defense.

RCW 9A.46.010 Legislative finding.

RCW 9A.46.020 Definition – Penalties.

RCW 9A.46.030 Place where committed.

RCW 9A.46.040 Court-ordered requirements upon person charged with crime – Violation.

RCW 9A.46.050 Arraignment – No-contact order.

RCW 9A.46.060 Crimes included in harassment.

RCW 9A.46.080 Order restricting contact – Violation.

RCW 9A.46.090 Nonliability of peace officer.

RCW 9A.46.100 “Convicted,” time when.

RCW 9A.46.110 Stalking.

RCW 9A.48.010 Definitions.

RCW 9A.48.050 Reckless burning in the second degree.

RCW 9A.48.060 Reckless burning – Defense.

RCW 9A.48.090 Malicious mischief in the third degree.

RCW 9A.48.100 Malicious mischief – “Physical damage” defined.

RCW 9A.48.105 Criminal street gang tagging and graffiti.

RCW 9A.48.110 Defacing a state monument.

RCW 9A.49.001 Findings.

RCW 9A.49.010 Definitions.

RCW 9A.49.030 Unlawful discharge of a laser in the second degree.

RCW 9A.49.050 Exclusions.

RCW 9A.50.010 Definitions.

RCW 9A.50.020 Interference with health care facility.

RCW 9A.50.030 Penalty.
 RCW 9A.52.010 Definitions.
 RCW 9A.52.050 Other crime in committing burglary punishable.
 RCW 9A.52.060 Making or having burglar tools.
 RCW 9A.52.070 Criminal trespass in the first degree.
 RCW 9A.52.080 Criminal trespass in the second degree.
 RCW 9A.52.090 Criminal trespass – Defenses.
 RCW 9A.52.100 Vehicle prowling in the second degree.
 RCW 9A.52.120 Computer trespass in the second degree.
 RCW 9A.52.130 Computer trespass – Commission of other crime.
 RCW 9A.56.010 Definitions.
 RCW 9A.56.020 Theft – Definition, defense.
 RCW 9A.56.050 Theft in the third degree.
 RCW 9A.56.060 Unlawful issuance of checks or drafts.
 RCW 9A.56.063 Making or possession motor vehicle theft tools
 RCW 9A.56.096 Theft of rental, leased, or lease-purchased property.
 RCW 9A.56.140 Possessing stolen property – Definition – Presumption.
 RCW 9A.56.170 Possessing stolen property in the third degree.
 RCW 9A.56.180 Obscuring the identity of a machine.
 RCW 9A.56.220 Theft of subscription television services.
 RCW 9A.56.240 Forfeiture and disposal of device used to commit violation.
 RCW 9A.56.260 Connection of channel converter.
 RCW 9A.56.270 Shopping cart theft.
 RCW 9A.56.280 Credit, debit cards, checks, etc. – Definitions.
 RCW 9A.56.330 Possession of another's identification.
 RCW 9A.60.010 Definitions.
 RCW 9A.60.045 Criminal impersonation in the second degree.
 RCW 9A.60.050 False certification.
 RCW 9A.60.070 False academic credentials – Unlawful issuance or use – Definitions – Penalties.
 RCW 9A.61.010 Definitions.
 RCW 9A.61.020 Defrauding a public utility.
 RCW 9A.61.050 Defrauding a public utility in the third degree.
 RCW 9A.61.060 Restitution and costs.
 RCW 9A.72.010 Definitions.
 RCW 9A.72.040 False swearing.
 RCW 9A.72.050 Perjury and false swearing – Inconsistent statements – Degree of crime.
 RCW 9A.72.060 Perjury and false swearing – Retraction.
 RCW 9A.72.070 Perjury and false swearing – Irregularities no defense.
 RCW 9A.72.080 Statement of what one does not know to be true.
 RCW 9A.72.085 Unsworn statements, certification.
 RCW 9A.72.140 Jury tampering.
 RCW 9A.72.150 Tampering with physical evidence.
 RCW 9A.76.010 Definitions.
 RCW 9A.76.020 Obstructing a law enforcement officer.
 RCW 9A.76.030 Refusing to summon aid for a peace officer.
 RCW 9A.76.040 Resisting arrest.
 RCW 9A.76.050 Rendering criminal assistance – Definition of term.
 RCW 9A.76.060 Relative defined.
 RCW 9A.76.070 Rendering criminal assistance in the first degree.
 RCW 9A.76.080 Rendering criminal assistance in the second degree.
 RCW 9A.76.090 Rendering criminal assistance in the third degree.
 RCW 9A.76.100 Compounding.
 RCW 9A.76.130 Escape in the third degree.
 RCW 9A.76.160 Introducing contraband in the third degree.
 RCW 9A.76.170 Bail jumping.
 RCW 9A.76.175 Making a false or misleading statement to a public servant.
 RCW 9A.80.010 Official misconduct.

RCW 9A.84.010	Riot.
RCW 9A.84.020	Failure to disperse.
RCW 9A.84.030	Disorderly conduct
RCW 9A.84.040	False reporting.
RCW 9A.88.010	Indecent exposure
RCW 9A.88.030	Prostitution.
RCW 9A.88.050	Prostitution – Sex of parties immaterial – No defense.
RCW 9A.88.090	Permitting prostitution.
RCW 9A.88.110	Patronizing a prostitute.
RCW 9A.88.120	Additional fee assessments.
RCW 9A.88.130	Additional requirements.
RCW 9A.88.140	Vehicle impoundment.

7.03.060 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 10.14.120	Disobedience of order – Penalties.
RCW 10.14.170	Criminal penalty.
RCW 10.99.010	Purpose – Intent.
RCW 10.99.020	Definitions.
RCW 10.99.040	Duties of court – No-contact order.
RCW 10.99.050	Victim contact – Restriction, prohibition – Violation, penalties – Written order – Procedures – Notice of change.
RCW 10.99.070	Liability of peace officers.
RCW 10.99.080	Penalty assessment.

7.03.070 Chapter 13.32A RCW, entitled “Family Reconciliation Act” – 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 13.32A.080	Unlawful harboring of a minor – Penalty – Defense – Prosecution of adult for involving child in commission of offense.
----------------	--

7.03.080 RCW Title 16, entitled “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 16.08.030	Marauding dog — Duty of owner to kill.
RCW 16.08.100	Dangerous dogs — Confiscation — Conditions — Duties of animal control authority — Penalties and affirmative defenses for owners of dogs that attack — Dog fights, penalty.
RCW 16.52.011	Definitions — Principles of liability
RCW 16.52.015	Enforcement — Law enforcement agencies and animal care and control agencies.
RCW 16.52.080	Transporting or confining in unsafe manner — Penalty.
RCW 16.52.090	Docking horses — Misdemeanor.
RCW 16.52.095	Cutting ears — Misdemeanor.
RCW 16.52.110	Old or diseased animals at large.
RCW 16.52.165	Punishment — Conviction of misdemeanor.
RCW 16.52.190	Poisoning animals — Penalty.
RCW 16.52.193	Poisoning animals — Strychnine sales — Records — Report on suspected purchases.
RCW 16.52.200	Sentences — Forfeiture of animals — Liability for costs — Civil penalty — Education, counseling.
RCW 16.52.207	Animal cruelty in the second degree.
RCW 16.52.300	Dogs or cats used as bait — Seizure — Limitation.
RCW 16.52.305	Unlawful use of hook — Gross misdemeanor.

RCW 16.52.310 Dog breeding — Limit on the number of dogs — Required conditions — Penalty — Limitation of section — Definitions.

7.03.090 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 26.09.300 Restraining orders – Notice – Refusal to comply – Arrest – Penalty – Defense – Peace officers, immunity.
RCW 26.10.220 Restraining orders – Notice – Refusal to comply – Arrest – Penalty – Defense – Peace officers, immunity.
RCW 26.26.138 Restraining order – Knowing violation – Penalty – Law enforcement immunity.
RCW 26.28.080 Selling or giving tobacco to minor – Belief of representative capacity, no defense – Penalty.
RCW 26.28.085 Applying tattoo to a minor – Penalty.
RCW 26.44.020 Definitions.
RCW 26.44.030 Reports – Duty and authority to make – Duty of receiving agency – Duty to notify – Case planning and consultation – Penalty for unauthorized exchange of information – Filing dependency petitions – Interviews of children – Records – Risk assessment process – Reports to legislature.
RCW 26.44.040 Reports – Oral, written – Contents.
RCW 26.44.060 Immunity from civil or criminal liability – Confidential communications not violated – Actions against state not affected – False report, penalty.
RCW 26.44.063 Temporary restraining order or preliminary injunction – Enforcement – Notice of modification or termination of restraining order.
RCW 26.44.067 Temporary restraining order or preliminary injunction – Contents – Notice – Noncompliance – Defense – Penalty.
RCW 26.44.080 Violation – Penalty.
RCW 26.44.150 Temporary restraining order restricting visitation for persons accused of sexually or physically abusing a child – Penalty for violating court order.
RCW 26.50.010 Definitions.
RCW 26.50.110 Violation of order – Penalties.
RCW 26.50.140 Peace officers – Immunity.
RCW 26.52.010 Definitions.
RCW 26.52.050 Peace officer immunity.
RCW 26.52.070 Violation of foreign orders – Penalties.

7.03.100 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.635.020 Willfully disobeying school administrative personnel or refusing to leave public property, violations, when – Penalty.
RCW 28A.635.030 Disturbing school, school activities or meetings – Penalty.
RCW 28A.635.090 Interference by force or violence – Penalty.
RCW 28A.635.100 Intimidating any administrator, teacher, classified employee, or student by threat of force or violence unlawful.
RCW 28A.635.110 Violations under RCW 28A.635.090 and 28A.635.100 – Disciplinary authority exception.

7.03.110 Chapter 46.80 RCW, entitled “Vehicle Wreckers” – 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 46.80.010 Definitions.
RCW 46.80.080 Records – Penalty.

7.03.120 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.
RCW 66.20.200	Unlawful acts relating to card of identification and certification card – Penalties.
RCW 66.20.340	Alcohol servers — Violation of rules — Penalties
RCW 66.24.481	Public place or club — License or permit required — Penalty.
RCW 66.28.200	Keg registration – Special endorsement for grocery store licensee – Requirements of seller.
RCW 66.28.210	Keg registration – Requirements of purchaser.
RCW 66.28.220	Keg registration – Identification of containers – Rules – Fees – Sale in violation of rules unlawful.
RCW 66.28.230	Keg registration – Furnishing to minors – Penalties.
RCW 66.44.010	Local officers to enforce law – Authority of board – Liquor enforcement officers.
RCW 66.44.040	Sufficiency of description of offenses in complaints, information, process, etc.
RCW 66.44.060	Proof of unlawful sale establishes prima facie intent.
RCW 66.44.070	Certified analysis is prima facie evidence of alcoholic content.
RCW 66.44.080	Service of process on corporation.
RCW 66.44.090	Acting without license.
RCW 66.44.100	Opening or consuming liquor in a public place – Penalty.
RCW 66.44.120	Unlawful use of seal.
RCW 66.44.130	Sales of liquor by drink or bottle.
RCW 66.44.140	Unlawful sale, transportation of spirituous liquor without stamp or seal – Unlawful operation, possession of still or mash.
RCW 66.44.150	Buying liquor illegally.
RCW 66.44.160	Illegal possession, transportation of alcoholic beverages.
RCW 66.44.170	Illegal possession of liquor with intent to sell – Prima facie evidence, what is.
RCW 66.44.175	Violations of law.
RCW 66.44.180	General penalties – Jurisdiction for violations.
RCW 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.
RCW 66.44.210	Obtaining liquor for ineligible person.
RCW 66.44.240	Drinking in public conveyance – Penalty against carrier – Exception.
RCW 66.44.250	Drinking in public conveyance – Penalty against individual – Restricted application.
RCW 66.44.270	Furnishing liquor to minors – Possession, use – Exhibition of effects – Exceptions.
RCW 66.44.280	Minor applying for permit.
RCW 66.44.290	Minor purchasing or attempting to purchase liquor.
RCW 66.44.300	Treats, gifts, purchases of liquor for or from minor, or holding out minor as at least 21, in public place where liquor sold.
RCW 66.44.310	Minors frequenting off-limits area – Misrepresentation of age – Penalty – Classification of licensees.
RCW 66.44.316	Certain persons 18 years and over permitted to enter and remain upon licensed premises during employment.
RCW 66.44.318	Employees aged 18 to 21 stocking, merchandising, and handling beer and wine.
RCW 66.44.325	Unlawful transfer to a minor of an identification of age.
RCW 66.44.328	Preparation or acquisition and supply to persons under age 21 of facsimile of official identification card – Penalty.
RCW 66.44.340	Employees 18 years and over allowed to sell and handle beer and wine for certain licensed employers.
RCW 66.44.350	Employees 18 years and over allowed to serve and carry liquor, clean up, etc., for certain licensed employers.
RCW 66.44.370	Resisting or opposing officers in enforcement of title.

7.03.130 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 69.41.010 Definitions.
- RCW 69.41.030 Sale, delivery, or possession of legend drug without prescription or order prohibited – Exceptions.
- RCW 69.41.050 Labeling requirements.
- RCW 69.41.300 Definitions.
- RCW 69.41.320 Practitioners – Restricted use – Medical records.
- RCW 69.41.350 Penalties.
- RCW 69.43.010 Report to state board of pharmacy – List of substances – Modification of list – Identification of purchasers – Report of transactions – Penalties.
- RCW 69.43.110 Ephedrine, pseudoephedrine, phenylpropanolamine – Sales restrictions – Penalty.
- RCW 69.43.120 Ephedrine, pseudoephedrine, phenylpropanolamine – Possession of more than 15 grams – Penalty – Exceptions.
- RCW 69.43.130 Exemptions – Pediatric products – Products exempted by the state board of pharmacy.
- RCW 69.50.101 Definitions.
- RCW 69.50.102 Drug paraphernalia – Definitions.
- RCW 69.50.202 Nomenclature.
- RCW 69.50.4014 Possession of 40 grams or less of marihuana – Penalty.
- RCW 69.50.4016 Provisions not applicable to offenses under RCW 69.50.410.
- RCW 69.50.404 Penalties under other laws.
- RCW 69.50.407 Conspiracy.
- RCW 69.50.412 Prohibited acts: E – Penalties.
- RCW 69.50.4121 Drug paraphernalia – Selling or giving – Penalty.
- RCW 69.50.425 Misdemeanor violations – Minimum imprisonment.
- RCW 69.51A.010 Definitions.
- RCW 69.51A.030 Physicians excepted from state's criminal laws
- RCW 69.51A.040 Failure to seize marijuana, qualifying patients' affirmative defense.
- RCW 69.51A.060 Crimes — Limitations of chapter.
- RCW 69.51A.080 Adoption of rules by the department of health — Sixty-day supply for qualifying patients.

7.03.140 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 70.74.010 Definitions.
- RCW 70.74.160 Unlawful access to explosives.
- RCW 70.74.295 Abandonment of explosives.
- RCW 70.74.300 Explosive containers to be marked – Penalty.
- RCW 70.74.310 Gas bombs, explosives, stink bombs, etc.
- RCW 70.74.400 Seizure and forfeiture.
- RCW 70.155.010 Definitions.
- RCW 70.155.080 Purchasing, possessing, or obtaining tobacco by persons under the age of 18 – Civil infraction – Courts of jurisdiction.
- RCW 70.155.105 Delivery sale of cigarettes – Requirements, unlawful practices – Penalties – Enforcement.

7.03.150 Chapter 74.34 RCW, entitled “Abuse of Vulnerable Adults” – 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 74.34.020 Definitions.
- RCW 74.34.021 Vulnerable adult – Definition.

RCW 74.34.053 Failure to report – False reports – Penalties.
RCW 74.34.145 Protection of vulnerable adults – Notice of criminal penalties for violation – Enforcement under RCW 26.50.110.

Section 2. Amended. University Place Municipal Code Chapter 7.05 - County Provisions Adopted is hereby amended as follows:

Chapter 7.05
COUNTY STATE PROVISIONS ADOPTED

Sections:

7.05.010 Authority to adopt ~~Pierce County Code~~ Revised Code of Washington.

7.05.010 Authority to adopt ~~Pierce County Code~~ Revised Code of Washington. Pursuant to RCW 35A.12.140 and 35A.13.180 the city adopts by reference Chapters ~~9.16 and 9.20 PCC~~, as presently constituted or hereinafter amended, as regulations of the city the above-mentioned provisions of the Revised Code of Washington, 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 fully set forth herein.

Section 3. Amended. University Place Municipal Code Chapter 7.10 – Disorderly Conduct is hereby amended as follows:

Chapter 7.10
DISORDERLY CONDUCT AT CITY MEETINGS

Section 4. Severability. If any one or more chapters, sections, subsections or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

Section 5. Effective date. This ordinance shall take effect January 1, 2011.

PASSED BY THE CITY COUNCIL ON DECEMBER 13, 2010.

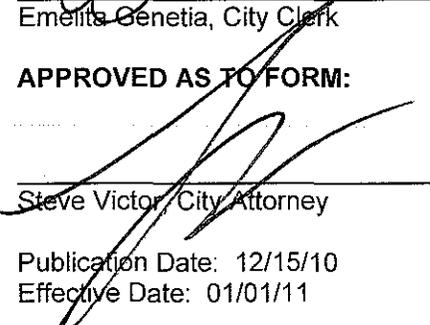

Debbie Klosowski, Mayor

ATTEST:



Emerita Genetia, City Clerk

APPROVED AS TO FORM:



Steve Victor, City Attorney

Publication Date: 12/15/10
Effective Date: 01/01/11