

## **Title 9**

### **PUBLIC PEACE, MORALS AND WELFARE**

#### **Chapters:**

- 9.04 Crimes and Punishment Title 9 RCW**
- 9.08 Washington Criminal Code**
- 9.12 Alcoholic Beverage Control**
- 9.16 Uniform Control Substance Act**
- 9.20 Fireworks**
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- 9.48 Boats on Greenleaf Lake**
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#### **Chapter 9.04**

### **CRIMES AND PUNISHMENT TITLE 9 RCW**

#### **Sections:**

- 9.04.010 Statutes adopted by reference.**
- 9.04.020 General provisions.**
- 9.04.030 Abortion.**
- 9.04.040 Abandoned refrigerator equipment.**
- 9.04.050 Animals--Crimes relating to.**
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- 9.04.100 Fire, crimes relating to.**
- 9.04.110 Firearms and dangerous weapons.**
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- 9.04.150 Libel and slander.**
- 9.04.160 Malicious mischief--Injury to property.**
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- 9.04.180 Obstructing justice.**
- 9.04.190 Perjury.**
- 9.04.200 Privacy, violating rights of.**
- 9.04.210 U.S. and state flags--Crimes relating to.**
- 9.04.220 Miscellaneous crimes.**

**9.04.010 Statutes adopted by reference.**

Statutes of the State of Washington Title 9 RCW defined in the following Sections 9.04.020 through 9.04.220 are adopted by reference. (Ord. 699 § 1 (part), 1993; Ord. 691 § 1 (part), 1992; Ord. 500, 1982)

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**9.04.040 Abandoned refrigerator equipment.**

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**9.04.050 Animals--Crimes relating to.**

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**9.04.100 Fire, crimes relating to.**

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- RCW 9.41.050 Carrying a pistol
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**9.04.170 Nuisance.**

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**9.04.180 Obstructing justice.**

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**9.04.190 Perjury.**

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**9.04.210 U.S. and state flags--Crimes relating to.**

RCW 9.86.010 Flag, etc. defined

RCW 9.86.020 Improper use of flag prohibited

RCW 9.86.030 Desecration of flag

RCW 9.86.050 Penalty (flag) (Ord. 699 § 1 (part), 1993: Ord. 500, 1982)

**9.04.220 Miscellaneous crimes.**

RCW 9.91.020 Operating railroad, steamboat, vehicle, while intoxicated (includes animals)

RCW 9.91.060 Leaving a child (age 12 or under) in parked vehicle while visiting a liquor establishment

RCW 9.91.120 Food stamps and food purchased with stamps--Reselling or purchasing (Ord. 699 § 1 (part), 1993: Ord. 500, 1982)

## Chapter 9.08

### WASHINGTON CRIMINAL CODE

#### Sections:

- 9.08.010 Statutes adopted by reference.**
- 9.08.020 Definitions.**
- 9.08.030 Defenses.**
- 9.08.040 Classification of crimes.**
- 9.08.050 Assault and other crimes involving physical harm.**
- 9.08.060 Kidnapping, unlawful imprisonment and custodial interference.**
- 9.08.070 Arson, reckless burning and malicious mischief.**
- 9.08.080 Burglary and trespass.**
- 9.08.090 Theft and robbery.**
- 9.08.100 Fraud.**
- 9.08.110 Perjury and interference with official proceedings.**
- 9.08.120 Obstructing governmental operation.**
- 9.08.130 Abuse of office.**
- 9.08.140 Public disturbance.**
- 9.08.150 Public indecency--Prostitution.**

#### **9.08.010 Statutes adopted by reference.**

State of Washington statutes of Title 9A Washington Criminal Code listed in the following Sections 9.08.020 through 9.08.150 and RCW 9A.04, Preliminary Article, are adopted by reference. (Ord. 699 § 1 (part), 1973; Ord. 691 § 1 (part), 1992; Ord. 500, 1982)

#### **9.08.020 Definitions.**

RCW 9A.04.110 Definitions (Ord. 699 § 1 (part), 1993; Ord. 500, 1982)

#### **9.08.030 Defenses.**

RCW 9A.16.020 Use of force--when lawful (Ord. 699 § 1 (part), 1993; Ord. 500, 1982)

#### **9.08.040 Classification of crimes.**

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#### **9.08.050 Assault and other crimes involving physical harm.**

RCW 9A.36.040 Simple Assault--Every person who shall commit an assault or an assault and battery not amounting to assault in either the first, second or third degree shall be guilty of simple assault.

RCW 9A.36.050 Reckless endangerment

RCW 9A.36.060 Promoting a suicide attempt

RCW 9A.36.070 Coercion (Ord. 699 § 1 (part), 1993; Ord. 500, 1982)

#### **9.08.060 Kidnapping, unlawful imprisonment and custodial interference.**

RCW 9A.40.050 Custodial interference (Ord. 699 § 1 (part), 1993; Ord. 500, 1982)

#### **9.08.070 Arson, reckless burning and malicious mischief.**

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RCW 9A.48.090 Malicious mischief in the third degree (Ord. 699 § 1 (part), 1993; Ord. 500, 1982)

#### **9.08.080 Burglary and trespass.**

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.52.100 Vehicle prowling (Ord. 699 § 1 (part), 1993: Ord. 500, 1982)

**9.08.090 Theft and robbery.**

RCW 9A.56.050 Theft in the third degree  
RCW 9A.56.060 Unlawful issuance of check or draft (subsection 5) two hundred fifty dollars (\$250.00) or less  
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RCW 9A.56.180 Obscuring identity of a machine (Ord. 699 § 1 (part), 1993: Ord. 500, 1982)

**9.08.100 Fraud.**

RCW 9A.60.040 Criminal impersonation  
RCW 9A.60.050 False certification (Ord. 699 § 1 (part), 1993: Ord. 500, 1982)

**9.08.110 Perjury and interference with official proceedings.**

RCW 9A.72.040 False swearing  
RCW 9A.72.140 Jury tampering  
RCW 9A.72.150 Tampering with physical evidence (Ord. 699 § 1 (part), 1993: Ord. 500, 1982)

**9.08.120 Obstructing governmental operation.**

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RCW 9A.76.030 Refusing to summon aid for a peace officer  
RCW 9A.76.040 Resisting arrest  
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 (subsection 2) Items D--E (Ord. 699 § 1 (part), 1993: Ord. 500, 1982)

**9.08.130 Abuse of office.**

RCW 9A.80.010 Official misconduct (Ord. 699 § 1 (part), 1993: Ord. 500, 1982)

**9.08.140 Public disturbance.**

RCW 9A.84.010 Riot (subsection 2) Item B  
RCW 9A.84.020 Failure to disperse  
RCW 9A.84.030 Disorderly conduct  
RCW 9A.84.040 False reporting (Ord. 699 § 1 (part), 1993: Ord. 500, 1982)

**9.08.150 Public indecency--Prostitution.**

RCW 9A.88.010 Public indecency  
RCW 9A.88.030 Prostitution  
RCW 9A.88.090 Permitting prostitution (Ord. 699 § 1 (part), 1993: Ord. 500, 1982)

## Chapter 9.12

### ALCOHOLIC BEVERAGE CONTROL

#### Sections:

**9.12.010** Adoption by reference.

#### **9.12.010** Adoption by reference.

Statutes of the State of Washington Title 66 RCW herein defined are adopted by reference.

RCW 66.44.100 Opening or consuming liquor in public place

RCW 66.44.110 Intoxication in public place

RCW 66.44.200 Sales to persons apparently under the influence of liquor

RCW 66.44.270 Furnishing liquor to minors--Possession-Use

RCW 66.44.290 Minor purchasing or attempting to purchase liquor

RCW 66.44.310 Minors frequenting taverns--Misrepresentation of age

RCW 66.44.320 Sales of liquor to minor (Ord. 699 § 1 (part), 1993; Ord. 500, 1982)

## Chapter 9.16

### UNIFORM CONTROL SUBSTANCE ACT

#### Sections:

**9.16.010** Adoption by reference.

#### **9.16.010** Adoption by reference.

RCW 69.41.030 Sale, delivery, or possession of legend drug without prescription or order prohibited--Exceptions, is adopted by reference.

RCW 69.41.070 Penalties, is adopted by referenced.

RCW 69.50.401 Possession of marijuana under forty grams--subsection D-E, is adopted by reference.

RCW 69.50.412 Prohibited Acts: E--Penalties, is adopted by reference.

RCW 69.50.425 Misdemeanor violations--Minimum imprisonment, is adopted by reference. (Ord. 769 § 1, 1998; Ord. 699 § 1 (part), 1993; Ord. 500, 1982)

## Chapter 9.20

### FIREWORKS

#### Sections:

**9.20.010** State fireworks law.

**9.20.020** Dates and times common fireworks may be sold or discharged.

**9.20.030** Exceptions.

**9.20.040** Penalty.

#### **9.20.010** State fireworks law.

Washington State statutes listed below, relating to fireworks, are adopted by reference.

RCW 70.77.475 Unclassified fireworks--Sales, possession, etc.--Prohibited

RCW 70.77.485 Unlawful possession of fireworks

RCW 70.77.488 Unlawful discharge or use of fireworks – Penalty (Ord. 805, 2001: Ord. 699 § 1 (part), 1993: Ord. 500, 1982)

**9.20.020 Dates and times common fireworks may be sold or discharged.**

It is illegal to sell, purchase, use, and discharge common fireworks within the City limits of North Bonneville except on June 28<sup>th</sup> twelve (12:00) noon to eleven (11:00) p.m., June 29<sup>th</sup> to July 3<sup>rd</sup> nine (9) a.m. to eleven (11:00) p.m. daily, July 4<sup>th</sup> nine (9:00) a.m. to midnight (12:00) a.m. of the subsequent day, and July 5<sup>th</sup> nine (9:00) a.m. to eleven (11:00) p.m. and December 31<sup>st</sup> from six (6:00) p.m. to one (1:00) a.m. January 1<sup>st</sup> of the subsequent year. (Ord. 953, 2009; Ord. 805, 2001: Ord. 708 § 1, 1994: Ord. 505 § 2, 1982)

**9.20.030 Exceptions.**

The Fire Chief of the City Fire Department retains the right to ban the discharge of all fireworks if dry conditions prevail. (Ord. 708 § 2, 1994: Ord. 505 § 1, 1982)

**9.20.040 Penalty.**

Any person violating any of the provisions of this chapter or any rules issued there under, is guilty of a misdemeanor and shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than ninety (90) days, or by a fine as set forth in North Bonneville Municipal Code Chapter 7.01.020 (E) or by both such imprisonment and fine. (Ord. 953, 2009; Ord. 805, 2001: Ord. 708 § 3, 1994: Ord. 505 § 3, 1982)

## Chapter 9.24

### GAME AND FISH

**Sections:**

**9.24.010 Adoption by reference.**

**9.24.010 Adoption by reference.**

Washington State statutes listed below, relating to Game and Fish, are adopted by reference.

RCW 77.16.020 Taking during closed season--Animals, fish--Excess of bag limits

RCW 77.16.250 Carrying loaded shotgun or rifle in vehicle

RCW 77.16.260 Shooting firearm on public highway (Ord. 699 § 1 (part), 1993: Ord. 500, 1982)

## Chapter 9.28

### DOMESTIC VIOLENCE PREVENTION ACT

**Sections:**

**9.28.010 Adoption by reference.**

**9.28.020 Penalty.**

**9.28.010 Adoption by reference.**

The Washington State Domestic Violence Prevention Act, RCW 26.50 is adopted by reference in its entirety. Any additions or amendments to the Domestic Violence Prevention Act hereinafter duly adopted

by the legislature of the State of Washington shall be likewise adopted without any further act of adoption by the City Council. (Ord. 547 § 1, 1984)

**9.28.020 Penalty.**

Unless another penalty is expressly provided by law in the statutes that are adopted by reference therein, any person who is convicted of violating or failing to comply with any of the provisions of this chapter shall be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment not to exceed ninety (90) days, or both. (Ord. 547 § 2, 1984)

**Chapter 9.32**

**MINORS--CURFEW**

**Sections:**

- 9.32.010 Definitions.**
- 9.32.020 Curfew established.**
- 9.32.030 Parent, guardian responsibility.**
- 9.32.040 Penalty.**

**9.32.010 Definitions.**

"Streets" shall mean any alley, thoroughfare, pathway, or other course of travel open to the public.

"Highway" shall include any road, lane, dock, wharf, or any terminal or continuance of a roadway open to the public.

"Unoccupied premises or grounds" shall include all areas and premises of the City of North Bonneville except those premises designed as dwellings or places of residence and presently occupied by such residents.

"Parent or guardian" shall mean the actual parent or legal guardian or a person that has the care, custody or control of such minor by consent of the parent or legal guardian or by court action.

"Masculine gender" as used in this resolution shall include the feminine gender and singular shall include plural.

"Hours" indicated in this resolution with reference to the standard time prevailing in the City of North Bonneville, Washington from period to period, whether it be what is commonly accepted as Pacific Standard Time of Pacific Daylight Saving Time. (Ord. 504 §§ 1, 5 (part), 1982)

**9.32.020 Curfew established.**

It shall be and is hereby declared to be unlawful for any person under the age of eighteen (18) years of age to congregate, loiter, or be on the streets, highways, in public places, or upon unoccupied premises or grounds in the City of North Bonneville after the hour of 10:00 p.m. unless such person shall be accompanied by his parent or legal guardian or is sent by his parent or guardian on some urgent business or errand which renders it necessary for him to be abroad after the hours herein mentioned in which case such person shall personally have with him the written consent of his parent or guardian; provided: That nothing in this section shall be interpreted as prohibiting minors from travelling over or along public streets by direct route to and from work in the regular course of employment where such occupation and employment has been approved by authorities under procedure outlined by statute and such minor has in his possession evidence of such approval. (Ord. 504 § 2, 1982)

**9.32.030 Parent, guardian responsibility.**

It shall be unlawful for any parent or guardian as defined herein to, willfully or negligently, permit a minor under the age of eighteen (18) years who is subject to his custody to violate any of the provisions

hereof, nor shall any such parent or guardian aforesaid issue a written consent as provided in Section 9.32.020 except in cases of necessity. (Ord. 504 § 3, 1982)

**9.32.040 Penalty.**

That any person found guilty of violating any provision of this Chapter shall be guilty of a misdemeanor and be dealt with according to the appropriate juvenile laws of the State of Washington. (Ord. 504 § 5, 1982)

**Chapter 9.36**

**INJURY TO PROPERTY**

**Sections:**

**9.36.010 Injury to property.**

**9.36.020 Penalty.**

**9.36.010 Injury to property.**

It shall be unlawful for any person to willfully:

- a. Cut down, girdle or otherwise injure any fruit, shade, or ornamental tree without legal authority, standing on public land, along any road or city street within the city limits of North Bonneville.
- b. Dig, take or carry away without lawful authority or consent any earth, soil or stone from any public land within the city limits of North Bonneville.
- c. Enter, damage, deface any building or part thereof, throw any stone or missile at any building, public or private, within the city limits of North Bonneville.
- d. Cut, mar, injure, deface, spoil, break or destroy any fence, sidewalk, street, bike path, building, tree, plant, sign post, street light, bike path light, paper box, mail box, publicly or privately owned within the city limits of North Bonneville. (Ord. 507 § 1, 1982)

**9.36.020 Penalty.**

Any person found guilty of violating any of the provisions of this chapter shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) and/or imprisonment up to thirty (30) days in the County jail. (Ord. 507 § 2, 1982)

**Chapter 9.42**

**DISCHARGE OF FIREARMS**

**Sections:**

**9.42.010 Firearms defined.**

**9.42.020 Discharge prohibited.**

**9.42.030 Penalty.**

**9.42.010 Firearms defined.**

That firearms shall be defined as anything discharging a projectile by use of gun powder, compressed air, or CO2. (Ord. 420 § 1, 1979)

**9.42.020 Discharge prohibited.**

That due to the health, safety and welfare of the general public, the discharging of firearms within the city limits of North Bonneville shall be unlawful, with the exception of police officers performing in the line of duty. (Ord. 420 § 2, 1979)

**9.42.030 Penalty.**

That any person found guilty of violating the terms of this chapter shall be punished by a fine of not less than ten dollars (\$10.00) and no more than five hundred dollars (\$500.00) or by imprisonment for up to thirty (30) days in the County jail or by both fine and imprisonment. (Ord. 420 § 3, 1979)

**Chapter 9.44**

**LITTER CONTROL**

**Sections:**

**9.44.010 Statute adopted by reference.**

**9.44.010 Statute adopted by reference.**

RCW 70.93.060 Littering prohibited is adopted by reference. (Ord. 699 § 1 (part), 1993)

**Chapter 9.48**

**BOATS ON GREENLEAF LAKE**

**Sections:**

**9.48.010 Definitions.**

**9.48.020 Limitations.**

**9.48.030 Exemptions.**

**9.48.040 Violation--Penalty.**

**9.48.010 Definitions.**

As used in this chapter, the following terms are defined:

"Motor" means any motor designed/used for propelling a boat. (Ord. 883 (part), 2005: Ord. 657 § 1, 1990)

**9.48.020 Limitations.**

It is unlawful to operate any watercraft powered by a motor or motors upon the waters of Greenleaf Lake. (Ord. 883 (part), 2005: Ord. 657 § 2, 1990)

**9.48.030 Exemptions.**

The provisions of this chapter shall not apply to:

A. Watercraft powered by a single electric trolling motor;

B. Authorized law enforcement watercraft;

C. Emergency vessels or watercraft;

D. Watercraft authorized by federal, state, or local governmental entity used for maintenance, scientific study, or protection of waterways or wetlands. (Ord. 883 (part), 2005: Ord. 657 § 3, 1990)

**9.48.040 Violation--Penalty.**

Any person found guilty of violating this chapter shall be punished by a fine in accordance with Section 7.01.020(D) of this code. (Ord. 883 (part), 2005: Ord. 657 § 4, 1990)

**Chapter 9.52**

**GARAGE SALES**

**Sections:**

**9.52.010 Definitions.**

**9.52.020 Requirements.**

**9.52.040 Violation--Penalty.**

(Ord. 1019, 2013 deleted Sec. 9.52.030)

**9.52.010 Definitions.**

As used in this chapter, the following terms are defined:

"Garage sale" means and includes all general sales of ten (10) or more items, open to the public, conducted from or on residential premises other than sales activities operated in conjunction with a regularly licensed commercial or retail operation. Included in the definition of garage sales are yard sales, patio sales, rummage sales and other similar sales. (Ord. 658 § 1, 1990)

**9.52.020 Requirements.**

A. No person shall operate, conduct, manage or permit a yard sale upon his premises or other property under his control more often than twice each month, and the sale shall not be continued for a period of more than three (3) consecutive days and shall be conducted during daylight hours.

B. Any person desiring to hold a garage sale shall register at City Hall at least two (2) days prior to the sale. There shall be no fee required for a garage sale registration. (Ord. 658 § 2, 1990)

**9.52.040 Violation--Penalty.**

Any violation of this chapter shall be punishable as follows:

A. On the first offense a warning shall be given with no penalty attached.

B. Upon conviction of second and subsequent offenses by a fine not exceeding one hundred dollars (\$100.00). (Ord. 658 § 4, 1990)