

ORDINANCE NO. 1021

AN ORDINANCE AMENDING ORDINANCE NO. 917 THE ZILLAH LAW ENFORCEMENT CODE ZILLAH POLICE DEPARTMENT AND FOR OTHER AUTHORIZED LAW ENFORCEMENT OFFICERS FOR APPLICATION IN THE CORPORATE BOUNDARIES OF THE CITY OF ZILLAH, WASHINGTON.

BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF ZILLAH, WASHINGTON AS FOLLOWS:

Section 1. Statement of Purpose: The purpose of this Ordinance is to adopt and establish the applicable law enforcement code for Zillah police officers and other law enforcement officers charged with the duty and responsibility of enforcing the law within the corporate limits of the City of Zillah, Washington. This law enforcement code is necessary in order to provide as much jurisdiction to the Municipal Court of the City of Zillah as possible. By adopting a more comprehensive range and variety of law enforcement statutes, the City Council intends to alleviate circumstances where Zillah police officers are required to file misdemeanor criminal charges in Yakima County District Court due to the lack of a Zillah ordinance regulating the prohibited conduct. The City Council for the City of Zillah, Washington, believes that adopting a more complete and comprehensive law enforcement code is in the best interests of the health, welfare, safety and well being of the citizens of the City of Zillah, Washington.

Section 2. Adoption of the 'Zillah Law Enforcement Code': After the effective date of this ordinance, the Zillah Law Enforcement Code is adopted and shall become effective. The Chapters of the Zillah Law Enforcement Code are as follows:

<u>Chapter</u>	<u>Topic</u>
15.02	General Provisions and Definitions
15.04	Liability for Criminal Conduct
15.06	Offenses Against the Person
15.08	Offenses Against the Public Morals
15.10	Offenses Against Public Order
15.12	Offenses Against Property
15.14	Offenses By and Against Juveniles
15.16	Offenses Against Governmental Order
15.18	Gambling
15.20	Weapons and Explosives Control
15.22	Drugs and Other Controlled Substances
15.24	Animal Control
15.25	Crimes Relating to Brands, Marks, etc.

15.26	Mayor's Emergency Powers
15.28	Crimes as to Flags
15.30	Health and Welfare

16.02	Statutes Adopted / Model Traffic Ordinance
16.04	Definitions
16.06	Enforcement
16.08	Abandoned Vehicles
16.10	Parking
16.12	Parades, Processions and Permits
16.14	Fire Regulations
16.16	Speed
16.18	Driving Rules
16.20	Vehicles and Safety Regulations
16.22	Weight and Lead Regulations
16.26	Motorized Foot Scooters and Non-Motorized Vehicles

The full text of the Zillah Law Enforcement Code is attached hereto. There shall be two complete copies of the Law Enforcement Code available for public inspection at the Zillah City Hall, and there shall be sufficient complete copies of the full text of the Law Enforcement Code located within the Zillah Police Department or available to officers of the Zillah Police Department so as to provide officers with easy and quick access to said Code.

Section 3. Summary for Publication: A summary of the content of this Ordinance shall be published in the City's official newspaper. The summary shall note that the City of Zillah has adopted a Law Enforcement Code for application within the City of Zillah, Washington. The summary shall also provide that a full text of the Ordinance will be mailed to the requesting party at his or her request upon payment of a copy fee of .15 per page.

Section 4. Repeal of Conflicting Ordinances: The provisions of any pre-existing Ordinance, which conflicts in content and intent to the comprehensive provisions of this Ordinance regarding the Zillah Law Enforcement Code are hereby repealed. Ordinances, which have been codified and consolidated in this Law Enforcement Code, shall remain in full force and effect, the only distinction being the chapter and section number assigned to such Ordinance provisions in the Zillah Law Enforcement Code.

Section 5. Severability: If any provision of this Ordinance, or its application to any person or circumstances is held to invalid, the remainder of this Ordinance or the application of the provisions to other persons or circumstances, shall not be affected.

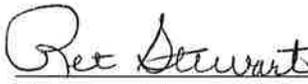
Section 6. Effect: This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

PASSED BY THE CITY COUNCIL FOR THE CITY OF ZILLAH, WASHINGTON, this
15th day of November 2004.



GARY CLARK, MAYOR

ATTEST:



RET STEWART, FINANCE DIRECTOR

APPROVED:



JAMIE CARMODY CITY ATTORNEY

Date Published: 11/17/2004

Effective Date: 11/22/2004

ZILLAH PENAL CODE

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GENERAL PROVISIONS AND DEFINITIONS

15.02

SECTIONS:

- 15.02.010 Short Title
- 15.02.015 Purposes--Principles of Construction
- 15.02.020 Definitions
- 15.02.030 Costs of Prosecution
- 15.02.040 Violation--Penalty
- 15.02.050 Alternative to a fine--Restitution
- 15.02.060 Application of General Provisions of the Penal Code
- 15.02.070 City Criminal Jurisdiction

GENERAL PROVISIONS AND DEFINITIONS
Chapter 15.02

15.02.010 Short Title

This title shall be referred to and known as the "Zillah Penal Code".

15.02.015 Purposes--Principles of Construction

- A. The general purposes of the provisions governing the definition of offenses in the penal code, Title 15 are to:
1. Forbid and prevent conduct that inflicts or threatens substantial harm to individual or public interest;
 2. Safeguard conduct that is without culpability from condemnation as criminal;
 3. Give fair warning of the nature of the conduct declared to constitute an offense;
 4. Differentiate on reasonable grounds between serious and minor offenses, and to prescribe proportionate penalties for each.
- B. The provisions of this title shall be construed according to the fair import of their terms but when the language is susceptible of differing constructions, it shall be interpreted to further the general purposes stated in this title.

15.02.020 Definitions:

In this title unless a different meaning plainly is required:

1. "Acted" includes, where relevant, omitted to act.
2. "Actor" includes, where relevant, a person failing to act.
3. "Benefit" is any gain or advantage to the beneficiary including any gain or advantage to a third person pursuant to the desire or consent of the beneficiary.
4. "Bodily injury" or "physical injury" means physical pain, illness, or an impairment of physical condition.
5. "Building", in addition to its ordinary meaning, includes any dwelling, fenced area, vehicle, railway car, cargo-container, or any other structure used for lodging of persons or for carrying on business therein, or for the use, sale or deposit of goods; each unit of a building consisting of two or more units separately secured or occupied is a separate building.
6. "Deadly weapon" means any explosive or loaded or unloaded firearm, and includes any other weapon device, instrument, article, or substance, including a vehicle as defined in this

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section, which, under the circumstances in which it is used, attempted to be used, or threatened to be used, is readily capable of causing death or serious bodily injury.

7. "Delinquent child" includes any child under eighteen years of age who violates any law of this state or ordinance of any town, city, or county law of another state defining a crime, and whose case has been referred to the juvenile court by any jurisdiction whatsoever.
8. "Dwelling" means any building or structure, though movable or temporary or a portion thereof, which is used or ordinarily used by a person for lodging.
9. "Governmental" includes any branch, subdivision, or agency of the government of this state and any federal county, city district, or other local government unit.
10. "Governmental function" includes any activity, which a public servant is legally authorized or permitted to undertake on behalf of a government.
11. "Malice" and "maliciously" means an evil intent, wish, or design of vex, annoy, or injure another person. Malice may be inferred from an act done in willful disregard of the rights of another, or an act or omission of duty betraying a willful disregard of social duty.
12. "Officer" and "public offender" means a person holding office under a city, county, or state government who performs public function and in so doing is vested with all assistants, deputies, clerks, and employees of any public officer and all persons lawfully exercising or assuming to exercise any of the powers of functions of a public officer.
13. "Omission" means a failure to act.
14. "Peace officer" means a duly appointed city, county, or state law enforcement officer.
15. "Pecuniary benefit" means any gain or advantage in the form of money, property, or commercial interest, or anything else in the primary significance of which is economic gain.
16. "Person", "he, and "actor" includes any natural person and where relevant, a corporation, joint stock association, or an unincorporated association.
17. "Prison" means any place designated by law for the keeping of persons held in custody under process of law, or under lawful arrest, including but not limited to any state correctional institution or any county of city jail.
18. "Prisoner" includes any person held in custody under process of law or under lawful arrest.

19. "Probationer" means any person who, after conviction of violation of a city ordinance, has been placed on probation in connection with suspension or deferral of sentence by either the Zillah Municipal Court or the Yakima County Court on appeal.
20. "Property" means anything of value, whether tangible or intangible, real or personal.

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Chapter 15.02

21. "Statue" means the constitution or an act of the legislature or initiative or referendum of this state.
22. "Threat" means to communicate, directly or indirectly to the intent to:
 - a. Cause bodily injury in the future to the person threatened or to any other person; or
 - b. Cause physical damage to the property of a person other than the actor; or
 - c. Subject the person threatened or any other person to physical confinement or restraint; or
 - d. Accuse any person of a crime or cause criminal charges to be instituted against any person; or
 - e. Expose a secret or publicize an asserted fact, whether true or false, tending to subject any person to hatred, contempt, or ridicule, or
 - f. Reveal any information sought to be concealed by the person threatened; or
 - g. Testify or provide information or withhold testimony or information with respect to another's legal claim or defense; or
 - h. Take wrongful action as an official against anyone or anything or wrongfully withhold official action, or cause such action or withholding; or
 - i. Bring about or continue a strike, boycott, or other similar collective action to obtain property which is not demanded or received for the benefit of the group which the actor reports to represent; or
 - j. Do any other act which is intended to harm substantially the person threatened or another with respect to his health, safety, business, financial condition, or personal relationships.
23. "Vehicle" means a motor vehicle as defined in the vehicle and traffic laws, any aircraft, or any vessel equipped of propulsion by mechanical means or by sail.

24. Words in the present tense shall include the future tense; and in the masculine shall include the feminine, and neither genders; and in the singular shall include the plural; and in the plural shall include the singular.

15.02.030 Costs of Prosecution

Whenever anyone is convicted of an offense under any section of this penal code, or section of any other city ordinance, in addition to the fine imposed he must pay the costs of prosecution. He shall be imprisoned at the current jail cost per one day.

GENERAL PROVISIONS AND DEFINITION

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15.02.040 Violation--Penalty

- A. Except as otherwise specifically provided herein, any person violating this title or any section or provision thereof is guilty of a misdemeanor and/or gross misdemeanor upon conviction shall be punished by a fine not exceeding one thousand dollars; or imprisonment not to exceed one year, or by both such fine and imprisonment.

15.02.050 Alternative to a fine--Restitution

- A. If a person has gained money or property or caused a victim to lose money or property through the commission of a crime, upon conviction thereof, the court, in lieu of imposing the fine authorized for the offense, may order the defendant to pay amount, fixed by the court, not to exceed double the amount of the defendant's gain or victim's loss from the commission of a crime. Such amount may be used to provide restitution to the victim at the order of the court. In such case, the court shall make a finding as to the amount of the defendant's gain or the victim's loss from the crime, and if the record does not contain sufficient evidence to support such finding, the court may conduct a hearing upon the issue.

For purposes of this section, "gain" or "loss" refers to the amount of money or the value of property or services gained or lost.

- B. Notwithstanding any other provisions, this section also applies to any corporation or joint stock association found guilty of any crime.

15.02.060 Application of General Provisions of the Penal Code

The Provisions of Chapters 15.02 through 15.04 of this title are applicable to offense defined by this title or another ordinance, unless this title or such other ordinances specifically provides otherwise.

15.02.070 City Criminal Jurisdiction

- A. The following persons are liable to punishment:
1. A person who commits in the city any crime, as defined by city ordinance, in whole or parts;

2. A person who commits out of the city any crime, which if committed within it, would be theft and is afterward found in the city with any of the stolen property;
3. A person who being out of the city, counsels, causes, procures, aids or abets another to commit a crime in this city;
4. A person who commits an act of the city which affects person, or property within the city, if committed within city, would be a crime.

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Chapter 15.04

SECTIONS:

- 15.04.010 People Capable of Committing Crimes--Culpability of Children
- 15.04.020 Who Amenable to Criminal Statues
- 15.04.030 General Requirements of Culpability
- 15.04.040 Liability for Conduct of Another--Complicity
- 15.04.050 Criminal Liability of Corporations and Person Acting or Under a Duty to Act in Their Behalf
- 15.04.060 Definitions
- 15.04.070 Use of Force-When Lawful
- 15.04.080 Duress
- 15.04.090 Entrapment
- 15.04.100 Action for Being Detained on Mercantile Establishment Premises Investigation-“Reasonable Grounds” as Defense
- 15.04.110 Intoxication
- 15.04.120 Insanity
- 15.04.130 Criminal Attempt
- 15.04.140 Criminal Solicitation
- 15.04.150 Criminal Conspiracy

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15.04.010 People capable of committing crimes-culpability of children

- A. Children under the age of eight years are incapable of committing crime. Children of eight and under twelve years of age are presumed to be incapable of committing crime, but this presumption may be resolved by proof that they have sufficient capacity to understand the act or neglect, and to know that it was wrong.

15.04.020 Who amenable to criminal statutes

- A. Every person, regardless of whether or not he is an inhabitant of this state, may be tried and punished under the laws of this state for an offense committed by him therein, except when such offense is recognizable exclusively in the courts of the United States. (RCW 9A.04.070)

15.04.030 General requirements of culpability

- A. Kinds of Culpability Defined.
1. Intent. A person acts with intent or intentionally when he acts with the objective or purpose to accomplish a result which constitutes a crime.
 2. Knowledge. A person knows or acts knowingly or with knowledge when:
 - a. He is aware of a fact, facts, or circumstances or result described by a statute defining an offense; or
 - b. He has information which would lead a reasonable man in the same situation to believe that facts exist which facts are described by a statute defining an offense.
 3. Reckless. A person is reckless or acts recklessly when he knows of and disregards a substantial risk that a wrongful act may occur and his disregard of such substantial risk is a gross deviation from conduct that a reasonable man would exercise in the same situation.
 4. Criminal negligence. A person is criminally negligent or acts with criminal negligence when he fails to be aware of a substantial risk constitutes a gross deviation from the standard of care that a reasonable man would exercise in the same situation.
- B. Substitutes for criminal negligence, recklessness, and knowledge. When a statute provides that criminal negligence suffices to establish an element of an offense, such element also is established if a person acts intentionally or knowingly, when acting knowingly suffices to establish an element, such element also is established if a person acts intentionally.
- C. Culpability as determinant of Grade Offense. When the grade or degree of an offense depends on whether the offense is committed intentionally, knowingly, recklessly, or with criminal negligence, its grade or degrees shall be the lowest for which the determinative kind of culpability is established with respect to any material element of the offense.

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- D. Requirements of Willfulness Satisfied by Acting Knowingly. A requirement that an offense be committed willfully is satisfied if a person acts knowingly with respect to the material elements of the offense, unless a purpose to impose further requirements plainly appears.

RCW 9A.08.010

15.04.040 Liability for Conduct of Another – Complicity

- A. A person is guilty of a crime if it is committed by the conduct of another for which he is legally accountable.
- B. A person is legally accountable for the conduct of another person when:
1. Acting with the kind of culpability that is sufficient for the commission of the crime, he causes an innocent or irresponsible person to engage in such conduct; or
 2. He is made accountable for the conduct of such other person by this title or by the law defining the crime; or
 3. He is an accomplice of such other person in the commission of a crime.
- C. A person is an accomplice of another person in the commission of a crime if:
1. With knowledge that it will promote or facilitate the commission of crime, he
 - a. Solicits, commands, encourages, or requests such other person to commit it, or
 - b. Aids or agrees to aid such other person in planning or committing it; or
 2. His conduct is expressly declared by law to establish his complicity.
- D. A person who is legally incapable of committing a particular crime himself may be guilty thereof if it is committed by the conduct of another person for which he is legally accountable, unless such liability is inconsistent with the purpose of the provision establishing his incapacity.
- E. Unless otherwise provided by this title or by the law defining the crime a person is not an accomplice in a crime committed by another person if:
1. He is a victim of the crime; or
 2. He terminates his complicity prior to the commission for the crime and either gives timely warning to the law enforcement authorities or otherwise makes a good faith effort to prevent the commission of a crime.

- F. A person legally accountable for the conduct of another person may be convicted on proof of the commission of the crime and of his complicity therein, though the person claimed to have

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committed the crime has not been prosecuted or convicted or has been convicted of a different crime or degree of crime or has an immunity to prosecution or conviction or has been acquitted.

RCW 9A.08.020

15.04.050 Criminal liability of corporation and person acting or under a duty to act in their behalf.

- A. As used in this section:
1. "Agent" means any director, officer, or employee of a corporation, or any other person who is authorized to act on behalf of the corporation.
 2. "Corporation" includes a joint stock association.
 3. "High managerial agent" means an officer or director of a corporation or any other agent in a position of comparable authority with respect to the formulation of corporate policy or the supervision in a managerial capacity of subordinate employees.
- B. A corporation is guilty of an offense when:
1. The conduct constituting the offense consists of an omission to discharge a specific duty of performance imposed on corporations by law; or
 2. The conduct constituting the offense is engaged in, authorized, solicited, requested, commanded, or tolerated by the board of directors or by a high managerial agent acting within the scope of his employment and in behalf of the corporation; or
 3. The conduct constituting the offense is engaged in by an agent of the corporation, other than a high managerial agent, while acting within the scope of his employment and in behalf of the corporation and (i) the offense is one defined by a statute which clearly indicates a legislative intent to impose such criminal liability on a corporation.
- C. A person is criminally liable for conduct constitution of an offense which he performs or causes to be performed in the name of or on behalf of a corporation to the same extent as if such conduct were performed in his own name or behalf.
- D. Whenever a duty to act is imposed by a law upon a corporation the agent of the corporation who knows he has or shares primary responsibility for the discharge of the duty is criminally liable for a

reckless, or high managerial agent, criminally negligent omission to perform the required act to the same extent as if the duty were by law imposed upon such agent

RCW 9A.08.030

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15.04.060 Definition

- A. In this chapter, unless a different meaning is plainly required "necessary" means that no reasonably effective alternative to the use of force appeared to exist and that the amount of force used was reasonable to effect the lawful purpose intended.

15.04.070 Use of Force-When Lawful

- A. The use attempt, or offer to use force upon or toward the person of another shall not be unlawful in the following cases:
1. Whenever necessarily used by a public officer in the performance of a legal duty, or a person assisting him and acting under his direction;
 2. Whenever necessarily used by a person arresting one who has committed a felony and delivering him to a public officer competent to receive him into custody;
 3. Whenever used by party about to be injured, or by another lawfully aiding him in preventing or attempting to prevent an offense against his person, or malicious trespass, or either malicious interference with real or personal property, lawfully in his possession, in case the force is not more than shall be necessary;
 4. Whenever used in a reasonable and moderate manner by a parent or his authorized agent, a guardian, master, or teacher in the exercise of lawful authority, to restrain or correct his child, ward, apprentice, or scholar;
 5. Whenever used by a carrier of passengers or his authorized agent or other person assisting them at their request in expelling from a carriage, railway car, vessel, or other vehicle a passenger who refuses to obey a lawful and reasonable regulation prescribed for the conduct of passengers; provided that such vehicle has first been stopped and the force used is not more than shall be necessary to expel the offender with reasonable regard to his personal safety;
 6. Whenever used by a person to prevent a mentally retarded person or mentally ill person from committing an act dangerous to himself or another, in enforcing necessary restraint

for the protection of his person, or his restoration to health, during such period only as shall be necessary to obtain legal authority for the restraint or custody of his person.

RCW 9A.16.020

15.04.080 Duress

A. In any prosecution for a crime, it is a defense that:

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1. The actor participated in the crime under compulsion by another who by threat or use of force created an apprehension in the mind of the actor that in case of refusal he or another would be liable to immediate grievous bodily injury;
2. Such apprehension was reasonable upon the part of the actor; and
3. The actor would not have participated in the crime except for the duress involved.

B. The defense of duress is not available if the crime charged is murder or manslaughter.

C. The defense of duress is not available if the actor intentionally or recklessly places himself in a situation in which it is probable that he will be subject to duress.

D. The defense of duress is not established solely by a showing that a married person acted on the command of his or her spouse.

RCW 9A.16.060

15.04.090 Entrapment

A. In any prosecution for a crime, it is a defense that:

1. The criminal design originated in the mind of law enforcement officials, or any person acting under their direction; and
2. The actor was lured or induced to commit a crime which the actor had not otherwise intended to commit.

B. The defense of entrapment is not established by a showing only that law enforcement officials merely afforded the actor an opportunity to commit a crime.

RCW 9A.16.070

15.04.100 Action for Being Detained on Mercantile Establishment Premises Investigation-Reasonable Grounds as Defense

- A. In any criminal action brought by reason of any person having being detained on or in the immediate vicinity of the premises of a mercantile establishment for the purpose of investigation or questioning as to the ownership of any merchandise, it shall be a defense of such action that the person was detained in a reasonable manner and not for more than a reasonable amount of time to permit such investigation or questioning by a peace officer, owner, employee, or agent had reasonable grounds to believe that the person so detained was committing or attempting to commit theft or shoplifting on such premises of such merchandise. As used in this section, "reasonable grounds" includes but is not limited to knowledge that a person has concealed possession of unpurchased merchandise of a mercantile establishment, and a "reasonable time" means the time

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necessary to permit the person detained to make a statement or to refuse to make a statement, and the time necessary to examine employees and records of the mercantile establishment relative to the ownership of the merchandise.

RCW 4.24.220

15.04.110 Intoxication

- A. No act committed by a person while in a state of voluntary intoxication shall be deemed less criminal by reason of his condition, but whenever the actual existence of any particular mental state is a necessary element to constitute a particular species or degree or crime, the fact of his intoxication may be taken into consideration in determining such mental state.

15.04.120 Insanity

- A. To establish the defense of insanity, it must be shown that:
1. At the time of the commission of the offense, as a result of mental disease or defect, the mind of the actor was affected to such an extent that;
 - a. He was unable to perceive that nature and quality of act with which he is charged, or
 - b. He was unable to tell right from wrong with reference to the particular act charged.
- B. The defense of insanity must be established by a preponderance of the evidence.

15.04.130 Criminal Attempt

- A. A person is guilty of an attempt to commit a crime if, with intent to commit a specific crime, he does any act which is a substantial step toward the commission of the crime.
- B. If the conduct in which a person engages otherwise constitutes an attempt to commit a crime, it is no defense to a prosecution of such attempted was, under the intended circumstances, factually or legally impossible of commission.
- C. An attempt to commit a crime is a misdemeanor when the crime attempted is a gross misdemeanor or misdemeanor.

RCW 9A.28.020

\$250.00

15.04.140 Criminal Solicitation

- A. A person is guilty of criminal solicitation when with intent to promote or facilitate the commission of crime, he offers to give or gives money or other things of value to another to engage in specific conduct which would constitute such crime or which would establish conduct which would

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constitute such crime or which would establish complicity of such other person in its commission or attempted commission had such crime been attempted or committed.

- B. Criminal solicitation shall be punished in the same manner as criminal attempt under Section 15.04.130.

9A.28.030

Bail: \$250.00

15.04.150 Criminal Conspiracy

- A. A person is guilty of a criminal conspiracy when, with intent that conduct constituting a crime be performed, he agrees with one or more persons to engage in or cause the performance of such conduct, and any one of them takes a substantial step in pursuance of such agreement.
- D. It shall not be a defense to criminal conspiracy that the person or persons with whom the accused is alleged to have conspired if:
 1. The person has not been prosecuted or convicted; or
 2. The person has been convicted of a different offense; or
 3. It is not amenable to justice; or
 4. The person has been acquitted; or
 5. The person lacked the capacity to commit an offense.
- E. Criminal conspiracy is a misdemeanor when an object of the conspiratorial agreement is a gross misdemeanor or misdemeanor.

RCW 9A.28.040

Bail: \$500.00

OFFENSES AGAINST THE PERSON
Chapter 15.06

SECTIONS:

- 15.06.010 Assault
- 15.06.020 Violation of No Contact Order
- 15.06.030 Coercion
- 15.06.040 Provoking Assault
- 15.06.050 Reckless Endangerment
- 15.06.060 Custodial Interference
- 15.06.070 Criminal Attempt
- 15.06.080 Criminal Solicitation
- 15.06.090 Criminal Conspiracy
- 15.06.100 Threats To Do Harm
- 15.06.110 Unlawful Harboring of a Minor

OFFENSES AGAINST THE PERSON
Chapter 15.06

15.06.010 Assault

A. A person is guilty of assault if he:

1. Intentionally causes bodily harm by unlawfully touching, striking, beating, or wounding another person; or
2. Attempts by force or violence to cause bodily harm to another person; or
3. Intentionally places or attempts to place another person into fear or apprehension of bodily harm by any act, word or threat.
4. Assault is a gross misdemeanor.

Bail: \$500.00

Ordinance #885

B. Assault (Domestic Violence):

1. Definition of a " family or household members" means: spouses, former spouses, adult person related by blood or marriage, persons who are presently residing together or who have resided together in the past, and persons who have a child in common regardless of whether they have been married or have lived together at any time.
2. "Domestic Violence" includes but is not limited to any of the following crimes when committed by one family or household member against another; Assault 1st and 2nd, Simple Assault, Reckless Endangerment, Coercion, Burglary, Criminal Trespass 1st and 2nd, Malicious Mischief 3rd.
3. "Victim" means a family or household member who has been subjected to domestic violence.

RCW 10.99.020

Ordinance #514

A. Interfering with the reporting of domestic violence:

1. A person commits the crime of interfering with the reporting of domestic violence if the person:
 - a. Commits a crime of domestic violence, as defined in RCW 10.99.020; and
 - b. Prevents or attempts to prevent the victim of or a witness to that domestic violence crime from calling a 911 emergency communication system, obtaining medical assistance, or making a report to any law enforcement official.
2. Commission of a crime of domestic violence under subsection (1) of this section is a necessary element of the crime of interfering with the reporting of domestic violence.

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3. Interference with the reporting of domestic violence is a gross misdemeanor.

Bail: \$500.00

Ordinance #514

15.06.020 Violation of Court Order

- A. A peace officer shall arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has probable cause to believe has violated an order issued under this chapter, chapter 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or a valid foreign court order as defined in RCW 26.52.020, that restrains the person or excludes the person from a residence, workplace, school, or day care, or prohibits the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, if the person restrained knows of the order.
- B. Presence of the order in the law enforcement computer-based criminal intelligence information system is not the only means of establishing the order.

RCW 26.50.110

Bail: \$500.00 GM

Ordinance #514

15.06.030 Coercion

- A. A person is guilty of coercion, if by use of a threat, he compels or induces a person to conduct which the latter has a legal right to abstain from, or to abstain from conduct which he has a legal right to engage in.
1. "Threat" as used in this section means:
- a. To communicate, directly or indirectly, the intent immediately to use force against any person who is present at the time; or
- b. Threats defined in RCW 9A.04.110 (25) (a), (b), or (c).
- B. Coercion is a gross misdemeanor.

RCW 9A.36.070

Bail: \$500.00

Ordinance #885

15.06.040 Provoking an Assault

- A. 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 is guilty of a misdemeanor.

RCW 9.11.050

Bail: \$325.00

No Ordinance Number

15.06.050 Reckless Endangerment

- A. A person is guilty of reckless endangerment when he recklessly engages in conduct which creates a substantial risk of death or serious physical injury to another person. Reckless endangerment is a gross misdemeanor.

RCW 9A.36.050

Bail: \$500.00

Ordinance #885

OFFENSES AGAINST THE PERSON

15.06

15.06.060 Custodial Interference

- A. A person is guilty of custodial interference if, knowing that he has no legal right to do so, he takes entices from lawful custody any incompetent person or other person entrusted by authority of law to the custody of another person or institution.
- B. A relative of a person is guilty of custodial interference in the second degree if, with the intent to deny access to such person by a parent, guardian, institution, agency, or other person having a lawful right to physical custody of such person, the relative takes, entices, retains, detains, or conceals the person from a parent, guardian, institution, agency, or other person having a lawful right to physical custody of such person. This subsection shall not apply to a parent's noncompliance with a court-ordered parenting plan.
- C. A parent of a child is guilty of custodial interference in the second degree if:
1. The parent takes, entices, retains, detains or conceals the child, with the intent to deny access, from the other parent having the lawful right to time with the child pursuant to a court-ordered parenting plan; or
 2. The parent has not complied with the residential provisions of a court-ordered parenting plan after a finding of contempt under RCW 26.09.160(3); or
 3. If the court finds that the parent has engaged in a pattern of willful violations of the court-ordered residential provisions.
- D. Nothing in subsection (C)(2) of this section prohibits conviction of custodial interference in the second degree under subsection (C)(1) or (2) of this section in absence of findings of contempt.
- E. The first conviction of custodial interference in the second degree is a gross misdemeanor.
- F. The second or subsequent conviction of custodial interference in the second degree is a class C felony.

RCW 9A.40.070

Bail: \$500.00 GM

15.06.070 Criminal Attempt

- A. A person is guilty of an attempt to commit crime if, with intent to commit a specific crime, he does any act which is a substantial step toward the commission of the crime.
- B. If the conduct in which a person engages otherwise constitutes an attempt to commit a crime.
 - 1. It is no defense to prosecution of such attempt that the crime charges attempted was under the intended circumstances, factually or legally impossible of commission.

OFFENSES AGAINST THE PERSON

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- C. An attempt to commit a crime is a:
 - 1. Class A felony when the crime attempted is murder in the first degree or arson in the first degree;
 - 2. Class B felony when the crime attempted is a Class A felony other than that of murder in the first degree or arson in the first degree;
 - 3. Class C felony when the crime attempted is a Class B felony;
 - 4. Gross misdemeanor when the crime attempted is a Class C felony;
 - 5. Misdemeanor when the crime attempted is a gross misdemeanor or misdemeanor.

RCW 9A.28.020

Bail: \$250.00

15.06.080 Criminal Solicitation

- A. A person is guilty of criminal solicitation when, with intent to promote or facilitate the commission of a crime, he offers to give or gives money or other things of value to another to engage in specific conduct which would constitute such crime or which would establish complicity of such other person in its commission or attempted commission had such crime been attempted or committed.
- B. Criminal solicitation shall be punished in the same manner as criminal attempt under RCW 9A.28.020.

RCW 9A.28.030

Bail: \$250.00

15.06.090 Criminal Conspiracy

- A. A person is guilty of criminal conspiracy when, with intent that conduct constituting a crime be performed, he agrees with one or more persons to engage in or cause the performance of such conduct, and any one of them takes a substantial step in pursuance of such agreement.
- B. It shall not be a defense to criminal conspiracy that the person or persons with whom the accused is alleged to have conspired:
 - 1. Has not been prosecuted or convicted, or

2. Has been convicted of a different offense, or
3. Is not amenable to justice, or
4. Has been acquitted; or
5. Lacked the capacity of commit an offense.

OFFENSES AGAINST THE PERSON

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C. Criminal conspiracy is a:

1. Class A felony when an object of the conspiratorial agreement is murder in the first degree.
2. Class B felony when an object of the conspiratorial agreement is a Class A felony other than murder in the first degree.
3. Class C felony when object of the conspiratorial agreement is a Class C felony;
4. Misdemeanor when object of the conspiratorial agreement is a gross misdemeanor or misdemeanor.

RCW 9A.28.040.3D (Gross Misdemeanor) Bail: \$500.00 ▪ RCW 9A.28.040.3E (Misdemeanor) Bail: \$ 250.00 (Felony) Bail: \$5,000.00

15.06.100 Threats to do Harm

- A. It is unlawful for any person to communicate, directly or indirectly, the intent to cause bodily injury to another person or the intent to cause physical damage to the property of another.
- B. Any person convicted of violating one of the provisions above shall be guilty of a misdemeanor. Said person may be fined in an amount up to \$500.00, imprisoned for an amount of time up to six months, or both such fine or imprisonment.

Bail \$500.00

Ordinance #637

15.06.110 Unlawful Harboring of a Minor

- A. A person commits the crime of unlawful harboring of a minor if the person provides shelter to a minor without the consent of a parent and after the person knows that the minor is away from the home of the parent, without the parent's permission, and if the person intentionally:
 - a) Fails to release the minor to a law enforcement officer after being requested to do so by the officer;
 - b) Fails to disclose the location of the minor to a law enforcement officer after being requested to do so by the officer, if the person knows the location of the minor and had either taken the minor to that location or had assisted the minor in reaching that location;

- c) Obstructs a law enforcement officer from taking the minor into custody; or
- d) Assist the minor in avoiding or attempting to avoid the custody of the law enforcement officer.

B. Harboring a minor is punishable as a gross misdemeanor.

RCW 13.32A.080

Bail \$250.00

OFFENSE AGAINST THE PUBLIC MORALS
Chapter 15.08

SECTION:

- 15.08.010 Definitions
- 15.08.020 Displaying Erotic Material
- 15.08.030 Lewd Act
- 15.08.040 Prostitution
- 15.08.050
- 15.08.060 Patronizing a Prostitute
- 15.08.070 Permitting Prostitution
- 15.08.080 Not a Defense
- 15.08.090 Enforcement

OFFENSES AGAINST THE PUBLIC MORALS
Chapter 15.08

15.08.010 Definitions

- A. "Commit prostitution" means to engage in sexual conduct for money but does not include sexual conduct engaged in as any stage performance, play or other entertainment open to the public.
- B. "Erotic material" means stage performances, motion pictures, photographs, pictures, printed material and other such objects depicting:
1. Human sexual intercourse;
 2. Masturbation;
 3. Sodomy (i.e., bestiality or oral anal intercourse);
 4. Direct physical stimulation of unclothed genitals;
 5. Flagellation or torture in the context of sexual relationship;
 6. Emphasizing the depiction of adult human genitals. Provided, however, that works of art or anthropological significance shall not be deemed to be within the foregoing definitions. Among circumstances which are to be considered in determining whether works of art or anthropological significance can be excluded from the definition or erotic material are whether the work, taken as a whole:
 - a. Appeals to the pertinent interest;
 - b. Depicts, describes, in a patently offensive way, sexual conduct constituting erotic material; or
 - c. Lacks serious literal, artistic, political or scientific value.
- C. "Known prostitute or panderer" means a person who, within one year to the date of arrest for violation of Section 15.08.040 has within the knowledge of the arresting officer been convicted of an offense involving prostitution.
- D. "Lewd act" means public:
1. Exposure of one's genitals or female breasts; or
 2. Touching, caressing or fondling of the genitals or female breasts; or
 3. Urinating or defecating in a place other than a washroom or toilet room; or
 4. Masturbating; or
 5. Sexual intercourse.

OFFENSES AGAINST THE PUBLIC MORALS

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E. Provided however, that artistic or dramatic performances in a theater or museum shall not be deemed to be within the foregoing definition. Among circumstances which are to be considered in determining whether a performance is artistic or dramatic and thereby excluded from the definition of a lewd act are, whether the work taken as a whole:

1. Appeals to the prurient interest; or
2. Depicts or describes in a patently offensive way, sexual conduct constituting a lewd act; or
3. Lacks serious literary, artistic, political or scientific value.

Provided further that a "theater" shall not include any premises wherein alcoholic beverages are served.

F. "Public or "public display" means easily visible from public thoroughfare or from property of others, or in a public place in a manner so obtrusive as to make it difficult for an unwilling person to avoid exposure.

G. "Sexual conduct" means:

1. Sexual intercourse within its ordinary meaning, occurring upon penetration, however slight; or
2. Any penetration of the vagina or anus, however slightly by an object, when committed by one person or another, whether such persons are of the same or opposite sex, except when such penetration is accomplished for medically recognized treatment or diagnostic purposes; or
3. Any contact between person involving the sex organs of one person and the mouth or anus of another, whether such persons are of the same or opposite sex; or
4. Masturbation, manual or instrumental, or one person by another.

15.08.020 Displaying Erotic Material

A. Every person who knowingly places erotic material upon public display or knowingly fails to take prompt action to remove such display from property in his possession after learning of its existence is guilty of a gross misdemeanor.

RCW 9.68.130

Bail: \$325.00

15.08.030 Lewd Act

A. Every person who intentionally performs any lewd act in public place and under circumstances where such an act could be observed by any member of the public is guilty of a gross misdemeanor.

OFFENSES AGAINST THE PUBLIC MORALS

15.08

- B. The owner, manager or operator of premises open to the public wherein alcoholic beverages are sold, served or consumed is guilty of a gross misdemeanor if he intentionally permits or causes any lewd on his premises.

Bail: \$325.00

15.08.040 Prostitution

- A. Every person who engages or agrees or offers to engage in sexual conduct with another person in return for a fee is guilty of a misdemeanor.
- B. This section shall not apply to sexual conduct in as part of any stage performance, play or other entertainment open to members of the public.

RCW 9A.88.030

Bail: \$500.00

Ordinance #885

15.08.060 Patronizing a Prostitute

- A. Every person who:
 - 1. Pursuant to a prior understanding pays a fee to another person as compensation for such person or third person having engaged in sexual conduct with him; or
 - 2. Pays or agrees to pay a fee to another person pursuant to an understanding that in return therefore such person will engage in sexual conduct with him; or
 - 3. Solicits or requests a known prostitute to engage in sexual conduct with him in return for a fee; is guilty of a misdemeanor.

Bail: \$250.00

Ordinance #885

15.08.070 Permitting Prostitution

- A. Every person who, having possession or control of premises which he knows are being used for prostitution purposes, fails to make reasonable effort to halt or abate such use is guilty of a misdemeanor.

RCW 9A.88.090

Bail: \$250.00

Ordinance #885

OFFENSES AGAINST THE PUBLIC ORDER
Chapter 15.10

SECTION:

- 15.10.010 Unlawful Assembly or Riots
- 15.10.020 Failure to Disperse
- 15.10.030
- 15.10.040 Disorderly Conduct
- 15.10.050 Telephone Harassment
- 15.10.060 Disruption of School Activities
- 15.10.070 Prohibiting Conduct Against School Personnel
- 15.10.080 Disturbing the Peace Prohibited
- 15.10.090 Obstruction of Sidewalks and Entryway Prohibited
- 15.10.100 Fighting and Quarreling in Public
- 15.10.110 Allowance of Water Onto Public Places
- 15.10.120 Building Fires – where Prohibited
- 15.10.130 Interference with Water Main
- 15.10.140
- 15.10.150 Fireworks
- 15.10.160 Appropriate State License
- 15.10.170 Dates and Time for Sale and Discharge
- 15.10.180 Seizure of Fireworks
- 15.10.190 Unlawful Possession of Fireworks--Penalties
- 15.10.200 Unlawful Discharge Or Use of Fireworks--Penalties
- 15.10.210 Unlawful Sales or Transfers of Common Fireworks-Penalties

OFFENSES AGAINST THE PUBLIC ORDER
Chapter 15.10

- 15.10.220 Unlawful to Permit Fire Nuisance where Fireworks Kept - Penalties
- 15.10.230 Penalty
- 15.10.240 Violation of Separate, Continuing Offense
- 15.10.250 Removal of Snow and Ice
- 15.10.260 Urinating or Defecating
- 15.10.270 Opening or Consuming Liquor in Public Place
- 15.10.280 Regulating the Sale of Keg Containing Beer
- 15.10.290 Willfully Disobeying School Administrative Personnel
- 15.10.300 Trespass on School Property
- 15.10.310 Parental Responsibility
- 15.10.320 Excessive Sound Prohibited

OFFENSES AGAINST THE PUBLIC ORDER

15.10

15.10.010 Riots

- A. Whenever three or more persons assemble with intent:
1. To commit any unlawful act by force; or
 2. To carry out any purpose in such manner as to disturb to the public peace;
 3. Being assembled, attempt or threaten any act tending toward a breach of the peace, or an injury to persons or property or any unlawful act; such an assembly is unlawful, and every person participating therein by in presence, aid or instigation is guilty of a gross misdemeanor; provided that prior to making arrests, an order to disperse is given, and a reasonable time allowed for such dispersion.

Bail: \$325.00

15.10.020 Failure to Disperse

- A. Every person who refuses or intentionally fails to disperse or refrain from activity which creates a risk or causing injury to any person or property is guilty of a misdemeanor; provided that prior to making arrests, an order to disperse was given by a law enforcement officer and a reasonable time was allowed for dispersion.
- B. No such order shall apply to news reporter or the persons observing or recording the events on behalf of the public press or other news media unless he is physically obstructing lawful efforts by such officer to disperse the parties.

Bail: \$325.00

Ordinance #885

15.10.040 Disorderly Conduct

- A. A person is guilty of disorderly conduct if he:
1. Uses abusive language and thereby intentionally creates a risk of assault; or
 2. Intentionally disrupts any lawful assembly or meeting of persons without lawful authority;
or
 3. Intentionally obstructs vehicular or pedestrian traffic without lawful authority.
- B. Disorderly conduct is a misdemeanor.

RCW 9A.84.030

Bail: \$325.00

OFFENSES AGAINST THE PUBLIC ORDER

15.10

15.10.050 Telephone Harassment

- A. Any person who by means or use of the telephone disturbs, or tends to disturb the peace, quiet, or right of privacy of any other person or family by repeated and continued anonymous or identified telephone messages intended to harass or disturb the person or family to whom the call is directed; or a single call or repeated calls, or use absence, profane, indecent or offensive language, or suggest any lewd or lascivious act over or through the telephone, or to threaten any physical violence or harm to any person or family, or to repeatedly and continuously ring the telephone of any person or family with the intent to disturb or harass them, guilty of a misdemeanor; provided, however, that normal use of the telephone for the purpose of requesting payment of debts or obligations or for other legitimate business purposes, shall not constitute a violation of this section. The foregoing act shall be deemed committed either at the place where the telephone call is made or received.

RCW 9.61.230

Bail: \$125.00

15.10.060 Disruption of School Activities

- A. A person is guilty of disruption of school activities if he comes into or remains in any school building, classroom or upon any school ground or street sidewalk or public way adjacent thereto, without lawful reason, and intentionally causes undue disruption of the activities of higher education.

RCW 28A.635.030

Bail: \$250.00

Ordinance #516

15.10.070 Prohibiting Certain Conduct Against School Administrative Personnel and Teachers

- A. It shall be unlawful for any person to insult or abuse a teacher anywhere upon school premises while such teacher is carrying out his or her official duties; provided however, this section shall not apply to students in lawful attendance at said school.
- B. It shall be unlawful for any person to refuse to leave school property, or public property immediately adjacent to school property when ordered to do so by law enforcement officer if such person is engaging in conduct which creates a substantial risk of causing injury to any person or property or when such person, or property or when such person is engaging in conduct disruptive to normal school activities, or if the law enforcement officer reasonably believes that such person ordered to leave is under the influence of alcohol or other drugs.
- C. Any person who shall violate any provision shall be guilty of a misdemeanor and on conviction thereof may be fined in an amount not more than \$500.00, or confined in jail an amount of time not to exceed six months, or both fine and imprisonment.

Bail: \$500.00

Ordinance #516

OFFENSES AGAINST THE PUBLIC ORDER

15.10

15.10.080 Disturbing the Peace Prohibited

- A. Any person who by noisy or tumultuous conduct, disturbs the quiet or the peace of the City or any meeting or assembly therein shall be guilty of a misdemeanor.

Bail: \$125.00

Ordinance #402

15.10.090 Obstruction of Sidewalks and Entryway Prohibited

- A. Any person who shall pile up before any entryway or any sidewalk or street, any boxes, casts or other things of annoyance, or mischief, or who shall willfully obstruct any sidewalk, street, or alley in the City of Zillah, shall be guilty of a misdemeanor.

Bail: \$500.00

Ordinance #898

15.10.100 Fighting and Quarreling in Public

- A. Any person fighting or quarreling in any public place in the City of Zillah shall be guilty of a misdemeanor.

Bail: \$250.00

Ordinance #402

15.10.110 Allowance of Water Onto Public Places

- A. It shall be unlawful for any person or person to allow any irrigation water, seepage, water from sewer, or any other water to flow, run or escape into, over or across any street, alley, lane, road, or other public place within the City of Zillah. Allowance of water onto public places is a misdemeanor.

Bail: \$50.00

Ordinance #68

15.10.120 Burning with City Permit

- A. Limited open burning may be permitted upon obtaining a permit from the City of Zillah, Washington. A permit may be obtained upon payment of a \$2.00 permit fee. Said permit shall allow the permittee to burn materials under the following circumstances and conditions:

1. The materials being burned are natural vegetation, leaves, lawn clippings, pruning or garden refuse from your own property of a lot size of one acre or less;
2. The burning of weeds, crop residue, fence rows, ditches and waterways accumulated upon or collected from property of a size of one acre or less;
3. The burning of orchard tree or vineyard pruning;

OFFENSES AGAINST THE PUBLIC ORDER

15.10

4. Said burning must be on days designated by the Yakima County Clean Air Authority as being days permissible for burning;
5. Said burning shall be between the hours of sunrise and sunset and must be extinguished by sunset;
6. Said burning can only be in piles no larger than four (4) feet in diameter. Furthermore, only one pile of less than four (4) feet in diameter may be burned at any one time;
7. Said burning may not be conducted within fifty (50) feet of an inhabited structure; and
8. Said burning shall not include any substance not identified herein above and under no circumstances shall the burned products include rubber products, asphalt products, paints, crank oil, petroleum waste, plastics, garbage, refuse, cardboard, dead animals, building materials or any other item that would tend to emit dense smoke or create an offensive odor when burned.

Bail: \$100.00

Ordinance #749

15.10.130 Interference with Water Main

- A. It shall be unlawful for any person or person to cut, alter, injure, remove, disconnect, tap or connect with or in any manner interfere, meddle or tamper with any water main, pipe, meter, stop cock hydrant, pump or any other water main, operated or used by the City of Zillah or by an private owner, except upon the permission in writing of the Light, Water and Sewer Committee of the Council of the City of Zillah or of such private owner.
- B. Interference with water mains is a misdemeanor.

Bail: \$125.00-1st offense

Bail: \$250.00-2nd offense

15.10.150 Fireworks

- A. "Special fireworks" means any fireworks designed primarily for exhibition display by producing visible for audible effects. The term includes (1) fireworks commonly known as skyrockets, missile-type rockets, firecrackers, salutes and chasers; and (2) fireworks not classified as common fireworks.
- B. "Common fireworks" means any fireworks designed primarily to produce visual or audible effects by combustion.
 1. The term includes ground and hand-held sparking devices, including items commonly known as dipped sticks, sparklers, cylindrical daintiness, cone fountains, illuminating torches, wheels, ground spinners and flitted sparklers;

OFFENSES AGAINST THE PUBLIC ORDER

15.10

2. Smoke devices;
3. Fireworks commonly known as helicopter, aerials, spinners and roman candles, mines, and shells;
4. Class C explosives classified on January 1, 1984, as common fireworks by the United States Department of Transportation.
5. The term does not include fireworks commonly known as firecrackers, salutes, chasers, skyrockets, and missile-type rockets.

RCW 70.77.136

15.10.160 Appropriate State License

- A. No person without an appropriate state license may
 1. Manufacture, import, possess, or sell any fireworks at wholesale or retail for any use;
 2. Make a public display of fireworks or;
 3. Transport fireworks, except as a public carrier delivering to a license.
 4. Except as authorized by a license and permit under subsection (2) of this subsection, no person may discharge special fireworks at any place.
 5. No person less than eighteen years of age may apply for or receive a license or permit under this chapter.
 6. No license or permit is required for the possession or use of common fireworks lawfully purchased at retail.

Bail: \$500.00

Ordinance #953

15.10.170 Dates and Times for Sale and Discharge

- A. Dates and times common fireworks may be sold or discharged. except as provided in RCW 70.77.311, no common fireworks shall be sold or discharged within this state except from twelve o'clock noon on the twenty-eighth of June to twelve o'clock noon on the sixth of July each year. No common fireworks may be sold or discharged between the hours of eleven o'clock p.m. and nine o'clock a.m.

Bail: \$1,000.00

Ordinance #953

OFFENSES AGAINST THE PUBLIC ORDER

15.10

15.10.180 Seizure of Fireworks

- A. Any fireworks, which are illegally sold, offered for sale, used, discharged, possessed or transported in violation of the provisions or the rules, or regulations of the state fire marshal or any deputy state fire marshal and any law enforcement officer of the City of Zillah. Any fireworks seized under this section may be disposed of by the state fire marshal by summary destruction at any time subsequent to the thirty days from such seizure or ten days from the final termination of proceedings under the provisions of RCW 70.77.440 which ever is later.

15.10.190 Unlawful possession of Fireworks - Penalties

- A. It is unlawful to possess any class or kind of fireworks in violation of this chapter:
1. A misdemeanor if involving less than one pound of fireworks, exclusive of external packaging; or
 2. A gross misdemeanor if involving one pound or more of fireworks, exclusive of external packaging. For the purposes of this section "external packaging: means any material that is not an internal part of the operative unit of fireworks.

Bail: \$1,000.00

Ordinance #953

15.10.200 Unlawful Discharge or Use of Fireworks – Penalties

- A. It is unlawful for any person to discharge or use fireworks in a reckless manner which creates a substantial risk of death or serious physical injury to another person or damage to the property of another. A violation of this section is a gross misdemeanor.

RCW 70.77.488

Bail: \$500.00

Ordinance #953

15.10.210 Unlawful Sales or Transfers of Common Fireworks – Penalties

- B. It is unlawful for any person to sell or transfer any common fireworks to a consumer or user other than at a fixed place of business of a retailer for which a license and permit have been issued. A violation of this section is a gross misdemeanor.

RCW 70.77.515

Bail: \$1,000.00

Ordinance #953

15.10.220 Unlawful to Permit Fire Nuisance where Fireworks Kept – Penalties

- C. It is unlawful for any person to allow any rubbish to accumulate on any premises in which fireworks are stored or sold, or permit a fire nuisance to exist in such a premises. A violation of this section is a misdemeanor.

RCW 70.77.520

Bail: \$500.00

Ordinance #953

OFFENSES AGAINST THE PUBLIC ORDER

15.10

15.10.230 Penalty

- D. Except as otherwise provided in this chapter, any person violating any of the provisions of this chapter or any rules issued there under is guilty of a misdemeanor.

RCW 70.77.540

Ordinance #953

15.10.240 Violation a Separate, Continuing Offense

- E. A person is guilty of separate offense for each day during which he commits, continues, or permits a violation of any provision of, or any order, rule, or regulation made pursuant to this chapter.

RCW 70.77.545

Ordinance #953

15.10.250 Removal of Snow and Ice

- A. For the safety of the citizens of the City, and people visiting during the winter months, the sidewalks within the city of Zillah shall be relatively free of snow and ice.
- B. Every owner and/or occupant of any parcel of real property located within the city of Zillah, Washington, which is adjacent to a sidewalk shall be responsible for the removal of snow and ice which may fall or accumulate on the sidewalks. Said owner or occupant shall make a reasonable effort to have the sidewalks cleared of snow and ice by 9:00 A.M. of every day after snowfall. In the event snow and ice accumulate so that it is not practical to remove, said owner or occupant shall provide for dispersal of sand or other material upon said sidewalks. Any person found guilty of this section shall be guilty of a misdemeanor.

Bail: \$25.00

15.10.260 Urinating or Defecating

- F. Every person who willfully urinates or defecates in any place open to every public view, shall be guilty of a misdemeanor.

RCW 9.66.060

Bail: \$325.00

15.10.270 Opening or Consuming Liquor in Public Place

- A. Except as permitted by this title, no person shall open the package containing liquor or consume liquor in a public place.
- B. Every person who violates any provision of this section shall be guilty of a misdemeanor, and on conviction therefore shall be fined not more than one hundred dollars.

RCW 66.44.100

Bail: \$100.00

OFFENSES AGAINST THE PUBLIC ORDER

15.10

15.10.280 Regulating the Sale of Keg Containing Beer

- A. Any person who sells or offers for sale the contents of kegs or similar containers containing six gallons or more of beer or malt liquor, or leases kegs to consumers who are not licensed under Chapter 66.24 of the Revised Code of Washington shall be required to do the following acts:
1. Require purchaser of liquor to sign a declaration and receipt for the keg or similar container,
 2. Require purchaser to provide two pieces of identification, one being DRL; or Washington, or military card;
 3. Require the purchaser to sign a sworn statement under penalty of perjury that the purchaser is of legal age to purchase, possess or consume; the purchaser will not allow any person under the age of 21 years to consume said beverage; the purchaser will not remove, obliterate, or allow to be removed the identification number affixed to the keg;
 4. Require the purchaser to state the particular address where the beer or malt liquor will be consumed and where the keg or similar container will be located;
 5. Affix each keg or similar container a numbered identification label;
 6. Retain the original copy of the declaration and receipt for a period of one (1) year for inspection by any law enforcement agency;
 7. Provide a copy of the declaration receipt to the purchaser,
 8. Require the purchaser to maintain a copy of the declaration and receipt adjacent to the keg or similar container a distance of no grater than five (5) feet completely open and visible during the period of time that the keg or similar container is being used by the purchaser.

Bail: \$500.00

**RECEIPT FOR SALE OF BEER OR MALT LIQUOR
IN KEGS OR SIMILAR CONTAINERS**

Date of Sale: _____ Keg ID NO. _____

Brand: _____ Keg Capacity: _____

No. of Kegs: _____ Total Gallons: _____

Name of Purchaser: _____

Address: _____ Phone No. _____

Address or location where keg will be located: _____

Motor Vehicle Operator's License No.: _____

Washington State Identification Card: _____

Other Identification: _____

I declare under penalty of perjury the information provided in this receipt is true and correct and that I am over the legal age to purchase, possess or use malt liquor purchased and identified by this receipt to be consumed by any person who is under the age of twenty-one (21) except as provided by RCW 66.44.270, and that I will not remove or obliterate the numbered identification label affixed to the keg or similar container.

Signature of Purchaser _____

Identity of Seller: _____

Address of Licensed Premises: _____

NOTICE

*****It is unlawful for any person under the age of twenty-one (21) years to acquire in any manner, consume or have in his or her possession, any intoxicating liquor, provided that the foregoing shall not apply in the case of liquor given or permitted to be given to such person under the age of twenty-one (21) years by his parents or guardian for beverage or medicinal purposes in the home or administered to him by his physician or dentist for medicinal purposes. A person who signs this receipt with knowledge that any information in the receipt is false commits perjury. Violation of any of the provision of Zillah City Ordinance which requires this statement and these terms is a misdemeanor punishable by a fine of not more than \$500.00, or by imprisonment not to exceed six months, or by both such fine and imprisonment.

OFFENSES AGAINST THE PUBLIC ORDER

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15.10.290 Willfully Disobeying School Administrative Personnel or Refusing to Leave Property, Violations, When

- A. It shall be unlawful for any person to willfully disobey the order of the Chief Administrative Officer of a public school district, or of authorized designee of any such administrator to leave, any motor vehicle, building, grounds or other property which is owned, operated or controlled by the school district if the person so ordered is under the influence of alcohol or drugs, or is committing threatens to imminently commit or incites another to imminently commit any act which would disturb or interfere with or obstruct any lawful task, function, process or procedure of the school district. The order of a school officer or designed acting pursuant to this subsection shall be valid if the officer or designee reasonably believes a person ordered to leave is under the influence of alcohol or drugs, is committing acts, or is creating a disturbance as provided in this subsection.
- B. It shall be unlawful for any person to refuse to leave public property immediately adjacent to a building, grounds, or property which is owned, operated or controlled by a school district when ordered to do so by a law enforcement officer if such a person is engaging in conduct which relates a substantial risk of causing injury to any person, or substantial harm to property, or such conduct amounts to disorderly conduct under. RCW 9A.84.030
- C. Nothing in this section shall be construed to prohibit or penalize activity consisting of the lawful exercise of freedom of speech, freedom of press and the right to peaceably assemble and petition the government for a redress of grievances; Provided, that such activity neither does or threatens imminently to materially disturb or interfere with or obstruct any lawful task, function, process or procedure of any student, official, employee or invitee of the school district: Provided further, that such activity is not conducted in violation of a Prohibition or limitation lawfully imposed by the school district upon entry or use of any motor vehicle, building, grounds or other property which is owned, operated or controlled by the school district.

Bail: \$250.00

Ordinance #515

15.10.300 Trespass on School Property

- A. Definitions: The following definitions shall be applicable within this article:
1. "Actual attendance at an event" means being inside school-owned property, events authorized and sanctioned by the school district administration, regardless of whether there is a charge for such admittance or not.
 2. "Recreational area" means those certain portions of school property which have been established by the Zillah school district for use by any person in non-school hours for recreational activities including, but not limited to, basketball, volleyball, baseball, softball, football, and soccer.
 3. "School property" means that property which is owned by Zillah school district.

OFFENSES AGAINST THE PUBLIC ORDER

15.10

4. "Student" means any person of school age duly enrolled in the Zillah school district and who is not currently under suspension from attendance at classes of said school district.
- B. It is unlawful for any person to trespass upon and/or remain upon school property which the Zillah school district has posted in accordance with Section 9.08.120 of this article prohibiting unauthorized entry thereupon; provided, however, this article shall not apply to any student upon the school property at which he or she is assigned one-half hour before and one-half hour after the beginning or conclusion of official school hours, and shall not apply to any person in actual attendance at an event. (Ord. 515 S2, 1984)
- C. In order that this article may be enforced, the school district authorities must post notices as follows:
1. For any school property other than recreational areas, which school district authorities wish to prohibit all unlawful entry or remaining thereupon, said school district authorities must post conspicuous notices, such notices shall provide that any person unlawfully entering upon or remaining upon this school property is in violation of this article, and upon conviction thereof, shall be guilty of a misdemeanor.
 2. For those areas of the school property designated as recreational areas, school district authorities shall post conspicuous notices which shall state that lawful recreational activities may be conducted within this recreational area between the hours of nine a.m. to sunset, and that entry upon or remaining upon the school property at any other time is prohibited and is in violation of this article and upon conviction thereof, shall be guilty of a misdemeanor.
- D. Violation – Penalty
- G. Any person who shall violate any provision of this article shall be guilty of a misdemeanor, and upon conviction thereof may be fined in an amount not to exceed five hundred dollars, or be imprisoned in jail an amount of time not to exceed six months, or both such fine and imprisonment.

Bail: \$500.00

Ordinance #515

15.10.310 Parental Responsibility

- A. No parent or custodian shall permit any child he or she is responsible for to remain in or upon the public streets, roadways, alleys, parks, play grounds, schools, or cemeteries, or in or upon private property which is unoccupied, vacant, abandoned, or is not otherwise supervised by a responsible adult between the hours of 12:00 am to 5:00 am, except as otherwise permitted under the provisions of this ordinance.

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- B. Law enforcement officers for the city of Zillah, Washington, shall have the authority to momentarily detain and question a child where said law enforcement officer suspects a violation of this ordinance, and to determine whether a specified exception to the general prohibition may apply. Should a law enforcement officer have probable cause to believe that a parent or custodian is in violation of this ordinance, said law enforcement officer shall accompany said child to his/her residence and ensure said child is safely inside.
- C. School Hour Prohibition: No parent or custodian shall permit any child he or she is responsible for to remain in or upon the public streets, roadways, alleys, park, playgrounds, or cemeteries, or in or about private property which is unoccupied, vacant, or abandoned, or in public places of amusement or entertainment, or commercial establishments, between the hours of 7:45 a.m. and 2:45 p.m., on Mondays through Fridays. This prohibition shall not apply for school district holidays, or when school is not in session for any reason. This prohibition shall also not apply to any child authorized by law or by school district officials to be absent from school, or to a child who is being educated at home. In addition, this prohibition shall not apply to any child or juvenile under the age of 18 who has previously graduated from high school, who has received a GED, or who is not legally required to be in school under any other provision of the law.
- D. Should a law enforcement officer determine that a parent or custodian has violated the provisions of this ordinance, a written notice/warning thereof shall be given to the parent or custodian. Said notice shall inform the parent or custodian of the following:
1. The location of where the child was found;
 2. The date and time the child was found;
 3. The location of the residence where the officer took the child for safety; and
 4. A warning that the parent or custodian was in violation of this ordinance, a copy of which shall be attached to said notice. The law enforcement officer will maintain a record of any such violation and the notices given as a result thereof.
- E. Upon a second violation by a parent or custodian, the law enforcement officer shall make a report of the incidents to the Child Protective Services of the State of Washington. Said action with which Child Protective Services request assistance. A second notice shall be sent to the parent or custodian by the law enforcement officer notifying them that Child Protective Services has been contacted.
- F. Upon a third violation of this ordinance, the law enforcement officer may charge a parent or custodian with a criminal act in the municipal court. Any person found by the court to be guilty of a third violation of this ordinance may be subject to a fine of up to \$500.00, or imprisonment of up to 30 days or both said fine and imprisonment.
- G. The parent or custodian of a child or children shall not be in violation of this ordinance or the general prohibition set forth herein above when:

OFFENSES AGAINST THE PUBLIC ORDER

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1. Child is engaged in lawful employment;
2. Child is acting pursuant to directions and permission of his parent or custodian for legitimate, lawful purposes;
3. Child is seeking emergency assistance, and
4. Child is returning home from activities supervised by a responsible adult.

Bail: \$500.00

Ordinance #796 & 813

15.10.320 EXCESSIVE SOUND PROHIBITED

1. It shall be unlawful for a driver of a motor vehicle within the city of Zillah, Washington, to permit excessive music or other sounds to be emanating from within a vehicle on the public streets or right-of-ways within the city of Zillah, Washington. Music or other sound shall be considered excessive when said music or sound is loud to the point to where it can be heard a distance of 50 feet from said vehicle.
2. Violation of the above section shall be considered a civil infraction punishable by conviction in the same manner as other infractions enumerated within the Zillah traffic code.

Bail: \$159.00

Ordinance #794

OFFENSES AGAINST THE PUBLIC ORDER
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CASE NUMBER: _____

DATE: _____

DEAR PARENT OF GUARDIAN OF: _____ (name of child)

This letter is to notify you that your child was contacted by the Zillah Police Department in reference to the Parental Responsibility Ordinance. A copy of the ordinance is attached to this notification.

Your child was contacted at _____ am/pm on _____ (day/date) _____ in

Zillah, Washington. Your child was at (location) _____

with the following people:

Your child was taken to _____ (location) and delivered to _____ (name) a competent adult.

VIOLATION INFORMATION

- [] **FIRST VIOLATION** This letter is a written warning that you are in violation of this ordinance.
- [] **SECOND VIOLATION** This letter is a warning that you are in violation of this ordinance and that Child Protective Services will be contacted. A copy of our police report will be forwarded to them.
- [] **THIRD OR ADDITIONAL VIOLATIONS** You are being issued a criminal citation to appear in the Zillah Municipal Court.

OFFICER
ZILLAH POLICE DEPARTMENT

OFFENSES AGAINST PROPERTY
Chapter 15.12

SECTION:

- 15.12.005 Theft
- 15.12.010 Theft by Unlawful Taking or Disposition (in Third Degree)
- 15.12.020 Theft of Property Lost, Mislaid or Delivered by Mistake
- 15.12.030 Receiving Stolen Property
- 15.12.040 Possessing Stolen Property (in the third degree)
- 15.12.050 Unlawful Issuance of Bank Checks or Drafts
- 15.12.060 Obscuring Identity of Machine
- 15.12.070 Theft of Services
- 15.12.080 False Weights and Measures
- 15.12.090 Malicious Mischief
- 15.12.100 Definition for Section 15.12.090
- 15.12.110 Destruction of Notices Prohibited
- 15.12.120 Defacing or Attaching Sign to Utility Poles and Traffic Sign Poles
- 15.12.130 Shoplifting
- 15.12.140 Yard Sale Sign Prohibited
- 15.12.150 Business License Regulations
- 15.12.160 Business License Fee
- 15.12.170 False Application
- 15.12.180 Criminal Impersonation
- 15.12.190 Criminal Trespass in the First Degree
- 15.12.200 Criminal Trespass in the Second Degree
- 15.12.210 Making and Having Burglar Tools

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- 15.12.220 Reckless Burning
- 15.12.230 Defense for Reckless Burning
- 15.12.240 Vehicle Prowling
- 15.12.250 Defrauding an Innkeeper
- 15.12.260 Defying Order to Leave Premises
- 15.12.270 Failure to Obtain a Yard Sale Permit

OFFENSES AGAINST PROPERTY
Chapter 15.12

15.12.005 Theft

- A. A person is guilty of theft in the third degree if he or she commits theft of property or services which:
 - 1. Does not exceed two hundred fifty dollars (\$250.00) in value; or
 - 2. Includes ten or more merchandise pallets, or ten or more beverage crates, or a combination of two or more merchandise pallets and beverage cases.
- B. Theft in the third degree is a misdemeanor.

RCW 9A.56.050

Bail: \$500.00

Ordinance #885

15.12.020 Theft of Property lost, mislaid or delivered by mistake

- A. A person is guilty of theft if he obtains or exerts control over the property of another that he knows to have been lost, mislaid or delivered under a mistake as to the nature or amount of property or the identity of the recipient, and he fails to take reasonable measures to discover and notify the owner;
- B. As used in this section, "reasonable measures" includes but is not necessarily limited to notifying the identified owner or any peace officer. Receiving stolen property is a gross misdemeanor.

RCW 9A.56.050

Bail: \$325.00

Ordinance #885

15.12.030 Receiving Stolen Property

- A. "Receiving" means acquiring possession, control or title, or lending on the security of the property.
- B. A person is guilty of theft if he receives, possesses, retains or disposes of property of another knowing that retained or disposed of with purpose to restore it to the owner.
- C. Receiving stolen property is a Gross Misdemeanor.

RCW 9A.56.170

Bail: \$500.00

Ordinance #885

15.12.040 Possessing Stolen Property

- A. A person is guilty of possessing stolen property in the third degree if he possesses stolen property which does not exceed two hundred fifty dollars in value.
- B. Possessing stolen property in the third degree is a gross misdemeanor.

RCW 9A.56.170

Bail: \$325.00

OFFENSES AGAINST PROPERTY
Chapter 15.12

15.12.050 Unlawful Issuance of Bank Checks or Drafts

- A. A person is guilty of unlawful Issuance of bank checks or draft if:
1. He issues or passes a check or draft for the payment of money knowing that it will not be honored by the drawee. An issuer is presumed to know the check or draft would not be paid, if;
 - a. The issuer had no account with the drawee at the time the check or draft was issued;
 - b. Payment was refused by the drawee for lack of funds on a previous check or draft, and issuer had been notified of such refusal and no sufficient deposit was made thereafter by the issuer; or
 - c. The issuance or delivery of such a check, draft or order to another person, firm or corporation without such funds or credit to meet the same shall be prima facie evidence of an intent to defraud.
 2. He, with intent to defraud, makes, draws, utters or other depository for the payment of money and he issues a stop payment order directing the bank or depository on which the check or draft is drawn not to honor said check or draft or otherwise arrange a settlement agreed upon by the holder of the check within thirty days of issuing said check or draft.
 3. Unlawful Issuance of bank checks or draft in an amount of two hundred fifty dollars or less is a gross misdemeanor.

RCW 9A.56.060

Bail: \$325.00

Ordinance #885

15.12.060 Obscuring Identity of a Machine

- H. A person is guilty of obscuring the identity of a machine if he knowingly:
1. Obscures the manufacturer's serial number or any other distinguishing identification number or mark upon any vehicle, machine, engine, apparatus, appliance, or other device with intent to render it unidentifiable; or
 2. Possesses a vehicle, machine, engine, apparatus, appliance, or other device held for sale knowing that the serial number or other identification number or mark has been obscured.
 - a. "Obscure" means to remove, deface, cover, alter, destroy, or otherwise render unidentifiable.
 - b. Obscuring the identity of a machine is a gross misdemeanor.

9A.56.180

Bail: \$325.00

Ordinance #885

OFFENSES AGAINST PROPERTY
Chapter 15.12

15.12.070 Theft of Services

- A. A person is guilty of theft if he:
1. Obtains services which he knows are available only for compensation, by deception or threat, or by false token or other means to avoid payment for the service. "Services" includes but is not limited to labor, professional service, accommodation in hotels, restaurants or elsewhere, admission to exhibitions, use of vehicles or other property. Where compensation for service is ordinarily paid immediately upon the rendering of such service, as in the case of hotels and restaurants, refusal to pay on demand or absconding without payment or offer to pay gives rise to a presumption that the service was obtained by deception as to intention to pay; or
 2. Having control over the disposition of services of others, to which he is not entitled, he diverts such services to his own benefit or to the benefit of another not entitled thereto.

RCW 9A.56.050

Bail: \$325.00

Ordinance #885

15.12.080 False Weights and Measures

- A. Every person who injures or defrauds by using, with knowledge that the same is false, a false weight, measure or other apparatus for determining the quantity of any commodity or article of merchandise, or by knowledge misrepresenting the quantity thereof bought or sold; or who retains in his possession any weight or measure, knowing it to be false, unless it appears beyond a reasonable doubt that it was retained without intent to use it or permit it to be used or placed in violation of the foregoing provisions of this section, is guilty of a misdemeanor.

RCW 19.94.205

Bail: \$325.00

15.12.090 Malicious Mischief

- A. A person is guilty of malicious mischief if he or she:
1. Knowingly and maliciously causes physical damage to the property of another, under circumstances not amount to malicious mischief in the first or second degree; or
 2. Writes, paints or draws any inscription, figure, or mark of any type on any public or private building or other structure or any real or personal property owned by any other person unless the person has obtained the express permission of the owner or operator of the property, under circumstances not amounting to malicious mischief in the first or second degree.
 - a. Malicious mischief in the third degree under subsection (A)(1) of this section is a gross misdemeanor if the damage to the property is an amount exceeding fifty (50) dollars.

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Chapter 15.12

- b. Malicious mischief in the third degree under subsection (A)(1) of this section is a misdemeanor if the damage to the property is fifty dollars or less.
- c. Malicious mischief in the third degree under subsection (A)(2) of this section is a gross misdemeanor.

RCW 9A.48.090

Bail: \$500.00

Ordinance #402

15.12.100 Definition for Section 15.12.090

- A. "Physical damage" in addition to its ordinary meaning, includes the alteration damage, or erasure of records, information data, or computer, and the cutting, marring, injuring, defacing, spoiling, breaking or destroying a fence, sidewalk, house, building, tree, plant or other property of another or public property within the city, whether real or personal property, and the defacing, mutilating, tearing down or destroying of any signboard or post within the corporate limits of the city.

15.12.110 Destruction of Notices Prohibited

- A. Any person who shall willfully or wrongly tear down, destroy, or mutilate any notice or hand bill, lawfully posted upon the City shall be guilty of a misdemeanor.

Bail: \$325.00

Ordinance #402

15.12.120 Defacing or Attaching Sign to Utility Poles and Traffic Sign Poles

- A. It shall be unlawful for any person, corporation, partnership, association, or any other entity, to deface, or attach any sign to a utility pole, or a traffic sign pole, within the City of Zillah.
- B. A sign shall be defined as an item of paper, wood, or any other solid material, upon which is written, or printed, a notice, information, or direction.
- C. Any person, corporation, partnership, association or other entity shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in an amount not to exceed \$500.00 for each violation. Each day in which a violation shall occur, and continue, shall be deemed a separate offenses and a posting of a prohibited sign upon more than one utility pole by the same person shall also be considered a separate offense.

Bail: \$500.00

Ordinance #563

15.12.130 Shoplifting

- A. A person is guilty of shoplifting if he or she willfully takes possession of any goods, wares, or merchandise of the value of less than two hundred fifty dollars offered for sale by an wholesale or retail store or other mercantile establishment without the consent of the seller, with the intention of converting such goods, wares or merchandise to his or her own use without having paid the purchase price thereof.

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- B. A duly appointed city, county or state law enforcement officer may, upon allegation being made and without a warrant, arrest any person whom he or she has probable cause to believe has committed or attempted to commit the crime of shoplifting.

Bail: \$325.00

Ordinance #438

15.12.140 Yard Sale Sign Prohibited

- A. It is unlawful for any person, corporation, partnership, association or any other entity to post, erect, or attach a yard sale sign within the city.
- B. The prohibition set forth in subsection A of this section shall not apply to signs located on the premises where said sale is occurring. In addition, said prohibition shall not apply to the posting of signs on designated community bulletin boards which have been established within the city.
- C. Any person, corporation, partnership, association or any other entity who shall violate the provision of this section shall be guilty of a civil infraction, and upon conviction thereof, shall be fined in an amount not to exceed one hundred dollars for each violation.
- D. Each day in which the violation shall occur and continue shall be deemed a separate violation of the provisions of this section.

Bail: \$100.00

Ordinance #899

15.12.150 Business License Regulations

- A. Definitions: In construing the provisions of this chapter, the following definitions shall apply:

1. "Business" means any and all activities, occupations, trades, pursuits or professions located in or engaged in within the city, with the object of gain, benefit, or advantage to the person conducting the same. Each business location shall be deemed a separate business.
2. "Engaged in Business" means the commencing, conducting, or continuing in any business, and also the exercise of corporate or franchise powers, as well as liquidating a business when the liquidators hold themselves out to the public as conducting such a business.
3. "Non-consumer goods" means goods which are not intended to be used primarily for personal, family or household purposes.
4. "Person" means any individual, firm, co-partnership, company, corporation, association, receiver, assignee, trustee in bankruptcy, trust, estate, joint venture, club, joint stock company, business trust, society, or any group of individuals acting as a unit.

OFFENSES AGAINST PROPERTY

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5. "Year" means all future twelve-month periods commencing July 1st and ending on June 30th of the following calendar year.

15.12.160 Business License Fee

- A. Commencing on July 1, 1982, every person engaged in business within the city shall apply for and obtain an annual license. In addition, persons required to obtain such a license shall pay an initial fee in the sum of twenty-five dollars. Thereafter, person required to maintain a business license shall pay an annual renewal fee in the sum of ten dollars per year. Each renewal license fee herein

provided shall become due and payable on July 1st of each year thereafter. As to any new business commenced after July 1, 1982, said initial license fee shall be due and payable on the first day that said new business is first transacted or carried on, and the renewal license fee on July 1st of each year thereafter. Failure to obtain a business license and pay the license fee on the date which it is due and payable shall render the person engaged in business subject to a penalty of five dollars per month delinquent, which penalty must be paid prior to the issuance of the new license. Ord. 691 S2 (part), 1990; Ord. 589 S3, 1986) (Ord 801.S2).

A. Exemptions

1. Any person in respect to engaging in any of the following enumerated business activities: franchised electric power, telephone, gas and cable television companies.
2. Fraternal benefit societies as defined by RCW 48.36.410; non-profit corporations organized under the provisions of RCW 24.03.010 et. seq.
3. Any person, firm or corporations which the city has prohibited from taxing under the laws of the United States or the State of Washington.
4. Newspersons engaged in the sale or delivery of newspapers.
5. Any instrumentality of the United States, state of Washington, or political subdivision thereof.
6. Any farmer, gardener or other person who sells, delivers or peddles any fruits, vegetables, berries, eggs, or other farm produce or edibles raised, produced or manufactured by such person within the State of Washington, except fish, poultry or meat.
7. Any person engaged in the wholesale selling and delivery of consumer goods to licensed business within the city of Zillah, whose principal place of business is located outside the city of Zillah.
8. Any person engaged in the sale of consumer goods received by the consumer in the mail, however, this exemption shall not apply to sales of food.

Bail: \$100

Ordinance #589

OFFENSES AGAINST PROPERTY

15.12

15.12.170 False Application

- A. It shall be unlawful for any person liable for a license fee hereunder to fail or refuse, to secure the license or to pay the fee when due, or for any person to make any false or fraudulent application or any false statement or representation, in or connection with any application, or to aid or abet another in any attempt to evade payment of the license fee, or for any person to fail to appear in or testify in response to subpoena issued pursuant hereto, or to falsely testify upon any investigation of the correctness of any fee or upon the hearing of any fee, or upon the hearing of any appeal, or in any manner to hinder or delay the City or any of its officers in carrying out the provisions of this chapter.
- B. Any person who shall violate this provision shall be guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not more that \$100.00 for each violation. Each day in which any violation shall continue shall be deemed a separate offense. In addition, any violation shall be deemed to be a public nuisance, subject to prevention or abatement by injunction or other appropriate legal remedy in a court of competent jurisdiction.

Bail \$100.00

Ordinance #589

15.12.180 Criminal Impersonation

- A. A person is guilty of criminal impersonation if he:
1. Assumes a false identity and does an act in his assumed character with the intent to defraud another; or
 2. Pretends to be a representative of some person or organization and does an act in his pretended capacity with intent to defraud another; or
 3. Impersonates a police officer.

RCW 9A.60.040

Bail: \$325.00

Ordinance #885

15.12.190 Criminal Trespass in the First Degree

- A. A person is guilty of criminal trespass in the first degree if he knowingly enters or remains unlawfully in a building.
- B. Criminal trespass in the first degree is a gross misdemeanor.

RCW 9A.52.070

Bail: \$325.00

OFFENSES AGAINST PROPERTY

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15.12.200 Criminal Trespass in the Second Degree

- A. A person is guilty of criminal trespass in the second degree if he knowingly enters or remains unlawfully in or upon premises of another under circumstances not constituting criminal trespass in the first degree.
- B. Criminal trespass in the second degree is a misdemeanor.

RCW 9A.52.080

Bail: \$150.00

Ordinance #885

15.12.210 Making and Having Burglar Tools

- A. Every person who makes or mends or causes to be made or mended, or has in his possession in the day or night time, any engine, machine, tool, false key, pick lock, bit nippers or implement adapted, designed or commonly used for the commission of burglary, or other crime, under circumstances convincing an intent to use or employ, or allow the same to be used or employed in the commission of a crime, or knowing that the same is intended to be so used, is guilty of a gross misdemeanor. The possession thereof except by a mechanic, artificer or tradesman at, and in his established shop or place business, open to view, is prima facie evidence that such possession was with intent to use, or employ or allow the same to be used, or employed in the commission of a crime.

RCW 0A.52.060

Bail: \$325.00

15.12.220 Reckless Burning

- A. A person is guilty of reckless burning if he knowingly causes a fire or explosion, whether on his own property or that of another, and thereby recklessly places a building or other structure, or any vehicle, railway car, aircraft, or watercraft, or any hay, grain, crop or timber, whether cut or standing, in danger of destruction or damage.
- B. Reckless burning is a gross misdemeanor.

RCW 9A.48.050

Bail: \$325.00

Ordinance #885

15.12.230 Defense for Reckless Burning

- A. In any prosecution for the crime of reckless burning it shall be a defense if the defendant establishes by a preponderance of the evidence that:
 - 1. No person other than the defendant had possessory or pecuniary interest in the damaged or endangered property, or if other persons had such an interest, all of them consented to the defendant's conduct; and
 - 2. The defendant's sole intent was to destroy or damage the property for a lawful purpose.

RCW 9A.48.060

OFFENSES AGAINST PROPERTY

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15.12.240 Vehicle Prowling

- A. A person is guilty of vehicle prowling if, with intent to commit a crime against a person or property therein, he enters or remains unlawfully in a vehicle.
- B. Vehicle prowling is a gross misdemeanor.

Bail: \$325.00

15.12.250 Cemetery / Conduct Prohibited

- A. Planting of Trees, Plants, etc.:
 - 1. No person shall be permitted to plant a tree, flower, shrub or other living plant within the Zillah City Cemetery unless said planting is approved after written request to the Zillah City Council.
- B. Conduct Prohibited:
 - 1. No person shall permit a dog, other than service dogs, to come upon cemetery property.
 - 2. Firearms are not permitted on cemetery grounds, except for funeral ceremonies involving the firing of weapons in salute and those in possession of law enforcement personnel.
 - 3. Speeding in excess of 10 miles per hour within the cemetery grounds.
 - 4. Loud or boisterous conduct.
 - 5. A person over the age of 18 years may not allow children to play or move about the cemetery unattended, after having brought said children into the cemetery. (This prohibition is not applicable to the unused cemetery property where sports activities are permitted.)
- C. Ornament / Floral Regulations: The following regulations shall apply regarding objects, toys, flags and floral arrangements for placement on lots / grave sites:
 - 1. No boxes, shells, pinwheels, metal toys, wood toys, plastic toys, chairs, settees, glass objects of any kind, wood ornaments, or similar objects may be placed on a lot / grave site.
 - 2. No more than two flower arrangements may be placed on each lot / grave site. Said flower arrangements must be placed in a permanent vase, a temporary vase placed next to the marker / headstone, or may be laid on the marker / headstone itself.
 - 3. In addition to flower arrangements, there may be placed or adjacent to the marker / headstone no more than two flags (not to exceed three feet in height), two balloons, and one stuffed animal or doll adjacent to the headstone / marker.

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4. Artificial flowers are only permitted between November 1 and March 1.
5. No food, beverages or beverage containers may be placed on a lot / grave site.
6. No ornaments or floral arrangements may be placed upon an unused lot / gravesite.

D. Violations / Penalties:

1. Any violation of this ordinance shall constitute a civil infraction. Any person violating the provisions of this ordinance may be issued an infraction citation;
2. The Zillah Municipal Court shall have jurisdiction to enforce and to have hearings regarding said infraction citation;
3. The burden of proof regarding these infractions shall be a preponderance of the evidence;
4. Any person determined by the Municipal Court to have committed an infraction / violation of this ordinance may be assessed a civil penalty as follows:
 - a. First offense: \$100.00
 - b. Second offense: \$200.00
 - c. Third Offense: \$500.00
5. Any person found to have committed more than three infractions within a two-year period of time shall be considered a nuisance and, at the option of the City of Zillah, a civil action may be brought against any such person for the purpose of seeking a Restraining Order / Injunction preventing the violator from entering upon the cemetery property.

Civil Infraction

Ordinance #967

15.12.270 Failure to Obtain a Yard Sale Permit

- A. No person shall operate, manage, conduct, or otherwise allow a yard sale to be conducted upon his or her premises or other property under his or her control without first having obtained a permit from the City Clerk. Any person desiring to conduct a yard sale may obtain a permit from the City Clerk upon making a request for a permit and the payment of a \$5.00 fee. No person shall be allowed to obtain more than one permit during any given calendar month, and a permit for a yard sale shall be valid for a period of time of up to three consecutive days of the month. Yard sales may only be conducted during daylight hours.
- B. Any person found guilty of being in violation shall be deemed to have committed a civil infraction. Upon a finding by the Municipal Court, the person found guilty thereof may be assessed a fine of up to \$50.00 per violation.

Bail \$50.00

Ordinance #679

OFFENSES BY AND AGAINST JUVENILES
Chapter 15.14

SECTION:

- 15.14.010 Definitions
- 15.14.020 Minors Prohibited In Taverns
- 15.14.030 False Identification to Obtain Liquor
- 15.14.040 Unlawful To Allow Minors Where Intoxicants Served
- 15.14.050 Leaving Child Unattended in Vehicle
- 15.14.060 Leaving Children Unattended in Parked Vehicle
- 15.14.070 Consumption/Possession of Liquor by Minors
- 15.14.080 Treating Minor, Etc., in Public Place Where Liquor is Sold
- 15.14.090 Supplying Liquor to Minors
- 15.14.100 Minor Purchasing or Attempting to Purchase Liquor
- 15.14.110 Violation a Misdemeanor

OFFENSES BY AND AGAINST JUVENILES
Chapter 15.14

15.14.010 Definitions

The following definitions apply in this chapter:

- A. "Liquor" means liquor as defined in the Washington State Liquor Act (RCW 66.04.010) (16)
- B. "Minor" means any person less than eighteen years of age, unless otherwise specifically designated.
- C. "Parent or guardian" means the parent or legal guardian, or the person or institution that has the care, custody, or control of a minor by consent of the parent or legal guardian or by court action.
- D. "Tavern" means a place where intoxicating liquor is served.

15.14.020 Minors Prohibited in Taverns

- A. It is unlawful for any person under the age of twenty-one years to enter, to be found in, or about a tavern.

RCW 66.44.270

Bail: \$175.00

15.14.030 False Identification to Obtain Liquor

- A. It is unlawful for anyone knowingly to transfer any identification of age to person under the age of twenty-one years for the purpose of permitting such person to obtain liquor, or for such person to use such identification or make false representation as to his age for the purpose of obtaining liquor.

RCW 66.44.325

Bail: \$175.00

15.14.040 Unlawful to Allow Minor Where Intoxicants Served

- A. It is unlawful for any person having charge of a public place in the City, where intoxicating liquors are served, to admit or to allow any person under twenty-one (21) years of age to remain on the premises contrary to the laws of the state.
- B. It is unlawful for:
 - 1. Professional musicians, professional disc jockeys, or professional sound or lighting technicians actively engaged in support of professional musicians or professional disc jockeys, eighteen (18) years of age, to enter and remain in any premises licensed under the provisions of Title 66 RCW, but only during an din the course of their employment as musicians, disc jockeys or sound or lighting technicians;
 - 2. Persons eighteen (18) years of age performing janitorial services to enter and remain on premises licensed under the provisions of Title 66 RCW when the premises are closed but only during and in the course of their performance of janitorial services;

OFFENSES BY AND AGAINST JUVENILES

Chapter 15.14

3. Employees of amusement device companies, which employees are eighteen (18) years of age, to enter and remain in any premises licensed under the provisions of Title 66 RCW, but only during and in the course of their employment for the purpose of installing, maintaining, repairing or removing an amusement device. For the purposes of this section, "amusement device" means coin-operated video games, pinball machines, juke boxes or other similar devices; and
 4. Security and law enforcement officers and firefighters eighteen (18) years of age to enter and remain in an premises licensed under Title 66 RCW, but only during and in the course of their official duties, and only if they are not direct employees of the licensee. However, the application of the (this) subsection to security officers is limited to casual, isolated incidents arising in the course of their duties and does not extend to continuous or frequent entering or remaining in any licensed premises.
- C. This section shall not be construed as permitting the sale or distribution of any alcoholic beverages to any person under twenty-one (21) years of age.
- D. This section does not apply to liquor given for medicinal purposes to a person under the age of twenty-one (21) years by a parent, guardian, physician or dentist.
- D. This section does not apply to liquor given to a person under the age of twenty-one (21) years when such liquor is being used in connection with religious services and the amount consumed is the minimal amount necessary for the religious service.

RCW 66.44.270

Bail: \$125.00

15.14.050 Leaving Child Unattended in Vehicle

- A. It is unlawful for any person, while in charge of a vehicle, to park or willfully allow such vehicle to stand upon a public highway or in a public place with its motor running, leaving a minor child or children under the age of sixteen (16) years unattended in the vehicle.
- B. Any person violating this section is guilty of a misdemeanor.
1. Upon a second subsequent conviction for a violation of this section, the department shall revoke the operator's license of such person.

RCW 46.61.685

Bail: \$125.00

15.14.060 Leaving Children Unattended in Parked Vehicle

- A. It is unlawful for any person having the care and custody, whether temporary or permanent, of a minor child under the age of twelve (12) years, to leave such child in a parked vehicle unattended by an adult while such person enters a tavern or other premises where wine, or spirituous or malt liquors are dispensed for consumption on the premises.

RCW 9.91.060

Bail: \$250.00

OFFENSES BY AND AGAINST JUVENILES
Chapter 15.14

15.14.070 Consumption/Possession of Liquor by Minor

- A. It is unlawful for any person under the age of twenty-one years to acquire in any manner, consume or have in his possession any intoxicating liquor except in the case of liquor given or permitted to be given to a person under the age of twenty-one years by his parent or guardian and which shall be consumed in the presence or premises of the parent or guardian or administered to him by his physician or dentist for medicinal purposes or used in connection with religious services.

RCW 66.44.270 Section 2

Bail: \$150.00

15.14.080 Treating Minor, etc., in Public Place where Liquor Sold

- A. Any person who invites a minor into a public place where liquor is sold and treats, gives or purchases liquor for such minor, or permits a minor a treat, give or purchase liquor for him, or holds out such minor to be over the age of twenty-one years to the owner of the liquor establishment shall be guilty of a misdemeanor. (RCW 66.44.300)

RCW 66.44.300

Bail: \$500.00

15.14.090 Supplying Liquor to Minors

- A. It is unlawful for any person to give or otherwise supply intoxicating liquor to any person under the age of twenty-one (21), or to permit any person under twenty-one (21) years of age to consume liquor on or in his or her premises or on any premises under his or her control.

1. For purposes of this subsection, "premises" includes real property, houses, buildings and other structures, and motor vehicles and watercraft.

- B. A violation of this subsection is a gross misdemeanor, punishable as provided for in Chapter 9A.20 RCW.

RCW 66.44.270 Section 1

Bail: \$325.00

15.14.100 Minor Purchasing or Attempting to Purchase Liquor

- A. Every person under the age of twenty-one years who purchases or attempts to purchase liquor shall be guilty of a violation of this title.

RCW 66.44.290

Bail: \$150.00

15.14.110 Violation a Misdemeanor

- A. Any person who violates or fails to comply with any of the provisions of this chapter is guilty of a misdemeanor.

OFFENSES BY AND AGAINST JUVENILES
Chapter 15.14

15.14.120 Purchasing, Possessing or Obtaining Tobacco by Persons under the Age of Eighteen

- A. Civil Violation: It shall be a civil violation for a person under the age of eighteen (18) years of age to purchase or attempt to purchase, possess, obtain or attempt to obtain cigarettes or tobacco products within the City of Zillah.
 - 1. The provision shall not apply if a person under the age of eighteen (18) years, with parental authorization, is participating in a controlled purchase as part of a Liquor Control Board, law enforcement or local Health Department activity.
- B. Penalty for Violation: Any person found to have been in violation of this ordinance shall be punished by a fine not to exceed fifty dollars (\$50.00) or participation in up to four (4) hours of community service, or both.
 - 1. Participation in a smoking cessation program may also be required.

RCW 70.15.080

Civil Infraction

Ordinance #897

15.14.130 Selling or Giving Tobacco to Minor

- A. Every person who sells, gives, permits to be sold, or given to any person under the age of eighteen (18) years any cigar, cigarette paper or wrapper of tobacco in any form is guilty of a gross misdemeanor.
- B. It shall be no defense to a prosecution for a violation of this section that the person acted or was believed by the defendant to act, as agent or representative of another.

RCW 26.28.080

Bail: \$500.00

OFFENSES AGAINST GOVERNMENTAL ORDER
Chapter 15.16

SECTION:

- 15.16.010 Definitions
- 15.16.020 Obstructing a Public Officer
- 15.16.030 Making a False or Misleading Statement to Public Servant
- 15.16.040 Resisting a Public Officer
- 15.16.050 Refusal to Aid a Public Officer
- 15.16.060 Taking Property from an Officer
- 15.16.070 Escape
- 15.16.080 Interference, Obstruction of any Court, Building, or Residence - Violations
- 15.16.090 False Reporting
- 15.16.100 Obstruction of Extinguishment of a Fire
- 15.16.110 Private Alarm System
- 15.16.120 Malicious Prosecution
- 15.16.130 Criminal Contempt
- 15.16.140 Violation of a Restraining Order
- 15.16.150 Civil Defense - Violations
- 15.25.50 Police Dogs - Injuring, Tormenting, Interfering
- 15.16.170 Interference with Fire Alarm Equipment Prohibited
- 15.16.180 Rendering Criminal Assistance in the Third Degree
- 15.16.190 Compounding
- 15.16.200 Introducing Contraband in the Third Degree
- 15.16.210 Bail Jumping
- 15.16.220 False Swearing

OFFENSES AGAINST GOVERNMENTAL ORDER
Chapter 15.16

SECTION:

- 15.16.230 False Certification
- 15.16.240 Withholding Knowledge of Felony Involving Violence - Penalty
- 15.16.250 Tampering with Physical Evidence
- 15.16.260 Activating an Alarm without Just Cause - Penalties (False Alarm)

OFFENSES AGAINST GOVERNMENTAL ORDER

15.16

15.16.010 Definitions

- A. "Officials detention" means:
1. Restraint pursuant to a lawful arrest; or
 2. Lawful confinement in the city or county jail; or
 3. Custody for the purpose incident to the foregoing including, but not limited to;
 - a. Transportation;
 - b. Medical diagnosis or treatment;
 - c. Court appearance; or
 - d. Court order
- B. "Suspected violator" means any person who has violated or is suspected of violating the law, or who is the subject of a valid arrest warrant.

15.16.020 Obstructing

- A. A person is guilty of obstructing a law enforcement officer if the person willfully hinders, delays or obstructs any law enforcement officer in the discharge of his or her official powers or duties.
- B. "Law Enforcement Officer" means any general authority, limited authority or specially commissioned Washington peace officer or federal peace officer as those terms are defined in RCW 10.93.020, and other public officers who are responsible for enforcement of fire, building, zoning and life and safety codes.
- C. Obstructing a law enforcement officer is a gross misdemeanor.

RCW 9A.76.020

Bail: \$325.00

Ordinance #885

15.16.030 Making a False or Misleading Statement to a Public Servant

- A. A person who knowingly makes a false or misleading material statement to a public servant is guilty of a gross misdemeanor. "Material Statement" means a written or oral statement reasonably likely to be relied upon by a public servant in the discharge of his or her official powers or duties.
- B. Violation of this section is a misdemeanor.

RCW 9A.76.175

Bail: \$150.00

Ordinance #885

OFFENSES AGAINST GOVERNMENTAL ORDER

15.16

15.16.040 Resisting Public Officer

- A. It is unlawful for any person to willfully resist a public officer in discharging or attempting to discharge any legal duty of his office.
- B. Violation of this section is a misdemeanor.

RCW 9A.76.040

Bail: \$500.00

Ordinance #885

15.16.050 Refusal to Summon Aid for a Peace Officer

- A. A person is guilty of refusing to summon aid for a peace officer if, upon request by a person known to be a peace officer, he unreasonably refuses or fails to summon aid for such peace officer.
- B. Refusing to summon aid for a peace officer is a misdemeanor.

RCW 9A.76.030

Bail: \$125.00

Ordinance #885

15.16.060 Taking Property From an Officer

- A. It is unlawful for any person to take from the custody of any public officer, any personal property in his charge or entrusted to him or to willfully injure or destroy such property. Violation of this section is a misdemeanor.
- B. Violation of this section is a misdemeanor.

Bail: \$500.00

15.16.070 Escape

- A. A person is guilty of escape if, without lawful authority he intentionally removes himself from official detention or fails to return to official detention following temporary leave granted for a specified purpose of a limited period.
- B. Violation of this section is a gross misdemeanor.

RCW 9A.76.130

Bail: \$500.00

Ordinance #885

15.16.080 Interference, Obstruction of any Court, Building or Residence – Violations

- A. Whoever interferes with, obstructs or impedes the administration of justice, pickets or parades in or near a building housing a court of the state of Washington or any political subdivision thereof, or in or near a building or residence occupied or used by such judge, juror, witness, or court officer, or uses any sound-truck or similar device or resorts to any other demonstration in or near any such building or residence, shall be guilty of a gross misdemeanor.

OFFENSES AGAINST GOVERNMENTAL ORDER

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- B. Nothing in this section shall interfere with or prevent the exercise by any court of the state of Washington or any political subdivision thereof of its power to punish for contempt.

RCW 9.27.015

Bail: \$500.00

15.16.090 False Reporting

- A. Every person who knowingly initiates or circulates a false report or warning of an alleged or impending occurrence of a fire, explosion, crime, catastrophic or other emergency, is guilty of false reporting.
- B. Violation of this section is a gross misdemeanor.

RCW 9A.84.040

Bail: \$325.00

Ordinance #885

15.16.100 Obstruction of Extinguishment of a Fire

- A. It is unlawful for any person:
 - 1. To cut, injure, destroy or obstruct any engine, hose or other fire apparatus; or
 - 2. To disobey the lawful order of a public officer at the scene of a fire; or
 - 3. To otherwise prevent or obstruct the extinguishment of any fire.
- B. Violation of this section is a gross misdemeanor.

Bail: \$325.00

Ordinance #400

15.16.110 Private Alarm System

- A. It is unlawful for any person having or conducting a privately owned police signal system or private system to establish or maintain direct electrical, mechanical or other physical connection with any facilities of the Zillah Police Department, except that any other private alarm system or signal system may be connected by telephone with the office of the Zillah Police Department, as approved by the police chief.
- B. Violation of this section is a misdemeanor.

Bail: \$125.00

15.16.120 Malicious Prosecution

- A. It is unlawful for any person to maliciously and without probable cause therefore knowingly cause another to be arrested or proceeded against for any violation of this code of which he is innocent.

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B. Violation of this section is a gross misdemeanor.

RCW 9.62.010

Bail: \$325.00

15.16.130 Criminal Contempt

A. Every person who commits a contempt of court, of city council or of the following kinds is guilty of criminal contempt.

1. Disorderly, contemptuous or indolent behavior committed during the sitting of the court or city council, in its immediate view and presence and directly tending to interrupt its proceedings or to impair the respect due to its authority;
2. Breach of the peace, noise, or other disturbance directly tending to interrupt the proceedings of a court, jury or referee, or city council meeting;
3. Contumacious and unlawful refusal to be sworn as a witness, or after being sworn, to answer any legal and proper interrogatory; or
4. Failure to respond to a lawfully served subpoena or summons,
 - a. To appear and give testimony; or
 - b. To produce documents before the court; or
 - c. To appear for jury duty; in any case arising under this code.

B. Violation of this section is a misdemeanor.

RCW 9.92.040

Bail: \$325.00

15.16.140 Violation of a Restraining Order

- A. It is unlawful for any person having actual notice of the existence of a restraining order issued by a court of competent jurisdiction in an action for the dissolution of a marriage under RCW 26.09 to refuse to comply with the provisions of such order when requested by any peace officer of the state.
- B. The notice requirements of subsection A may be satisfied by the peace officer giving oral or written evidence to the person subject to the order by reading from or handing to that person a copy certified to be accurate of the copy of the original, on file by a notary public or the clerk of the court, the complainant or the complainant attorney.
- C. The remedies provided by this section shall bear the legend:

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"VIOLATION OF THIS ORDER WITH ACTUAL NOTICE OF ITS TERMS IS A CRIMINAL OFFENSE UNDER CHAPTER 26.09 RCW AND IS ALSO SUBJECT TO CIVIL CONTEMPT PROCEEDING."

- D. It is a defense to prosecution under subsection A of this section that the court order was issued contrary to law or court rule; Provided; that no right of action shall accrue against any peace officer acting upon a properly certified copy of a court order, lawful on its face, if such officer employs otherwise lawful means to effect the arrest.
- E. Violation of this section is a gross misdemeanor.

RCW 26.09.300

Bail: \$325.00

15.16.150 Civil Defense - Violation

- A. It is a misdemeanor, punishable by a fine of, but not to exceed two hundred fifty dollars or by imprisonment for, not to exceed three months or both for any person during a disaster;
 - 1. To willfully obstruct, hinder or delay any member of the civil defense organization in the endorsement of any lawful rule or regulation issued pursuant to this section, or in the performance of any duty imposed upon him by virtue of this chapter.
 - 2. To do any act forbidden by any lawful rules or regulations issued pursuant to this chapter, if such act is of such a nature as to give or be likely to give assistance to the enemy, or to imperil the lives or property of inhabitants of this city, or to prevent, hinder or delay the defense or protection thereof;
 - 3. To wear, carry or display, without authority, any means of identification specified by the State Department of Civil Defense.

RCW 38.52.150

Bail: \$125.00

15.16.170 Interference with Fire Alarm Equipment Prohibited

- A. It is unlawful to interfere with fire equipment. Any person or persons who willfully and without cause tampers with, molests, injures or breaks any public or private fire alarm apparatus, emergency phone, radio, or other wire signal, or any fire fighting equipment shall be guilty of a misdemeanor.
- B. It is unlawful to sound false fire alarm. Any person or persons who willfully, or without reasonable grounds for believing a fire exists, sounds, or attempts to sound the fire alarm, or by shouting fire in a public place or activates a fire alarm system or signal, or by telephone is guilty of a misdemeanor.
- C. 15.16.010 shall not prohibit the testing of any fire alarm system by person authorized to do so by the Fire Department or a State Fire Marshal official.

RCW 9.40.100

Bail: \$125.00

Ordinance #400

OFFENSES AGAINST GOVERNMENTAL ORDER

15.16

15.16.180 Rendering Criminal Assistance in the Third Degree

- A. A person is guilty of rendering criminal assistance in the third degree, if he renders assistance to a person who has committed a gross misdemeanor.
- B. Rendering criminal assistance in the third degree is a misdemeanor. RCW 9A.76.090

RCW 9A.76.090

Bail: \$325.00

15.16.190 Compounding

- A. A person is guilty of compounding if:
 - 1. He requests, accepts, or agrees to accept any pecuniary benefit pursuant to an agreement or understanding that he will refrain from initiating a prosecution of a crime.
 - 2. He confers, or offers or agrees to confer, any pecuniary benefit upon another pursuant to an agreement or understanding that such other person will refrain from initiating a prosecution for a crime.
- B. In any prosecution under this section, it is a defense if, established by a preponderance of the evidence that the pecuniary benefit did not exceed an amount which the defendant reasonably believed to be due as restitution or indemnification for harm caused by the crime.
- C. Compounding is a gross misdemeanor.

RCW 9A.76.100

Bail: \$350.00

15.16.200 Introducing Contraband in the Third Degree

- A. A person is guilty of introducing contraband in the third degree if he knowingly and unlawfully provides contraband to any person confined in a detention facility.
- B. Introducing contraband in the third degree is a misdemeanor. (RCW 9A.76.160)

RCW 9A.76.160

Bail: \$325.00

Ordinance #885

15.16.210 Bail Jumping

- A. A person having been released by court order or admitted to bail with the requirement of a subsequent personal appearance before any court of this state, and who knowingly fails without lawful excuse to appear as required is guilty of bail jumping. Unless otherwise established, the failure to appear when required shall be inferred to have been without lawful excuse.
- B. Bail jumping is a gross misdemeanor if the person was held for, charged with, or convicted of a class C. felony.

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- C. Bail jumping is a misdemeanor if the person was held for, charged with or convicted of a gross misdemeanor or misdemeanor.

RCW 9A.76.170

Bail: \$500.00

15.16.220 False Swearing

- A. A person is guilty of false swearing if he makes a false statement, which, he knows to be false, under an oath required or authorized by law.
- B. False swearing is a gross misdemeanor.

RCW 9A.72.040

Bail: \$325.00

15.16.230 False Certification

- A. A person is guilty of false certification, if, being an officer authorized to take a proof or acknowledgment of an instrument which by law may be recorded, he knowingly certifies falsely that the execution of such instrument was acknowledged by any party thereto or that the execution thereof was proved.
- B. False certification is a gross misdemeanor.

RCW 9A.60.040

Bail: \$325.00

15.16.240 Withholding Knowledge of Felony

- A. Whoever, having witnessed the actual commission of a felony involving violence, or threat of violence, or having witnessed preparations for the commission of a felony involving violence, or threat of violence, does not, as soon as reasonably possible, make known his knowledge of such to the prosecuting attorney, police, or other public officials of the State of Washington having jurisdiction over the matter, shall be guilty of a gross misdemeanor; Provided, that nothing in this act shall be so construed to affect existing privileged relationships as provided by law.

RCW 9.69.100

Bail: \$500.00

15.16.250 Tampering with Physical Evidence

- A. A person is guilty of tampering with physical evidence if, having reason to believe that an official proceeding is pending or about to be instituted and acting without legal right or authority, he:
1. Destroys, mutilates, conceals, removes, or alters physical evidence with intent to impair its appearance character, or availability in such pending or prospective official proceedings; or
 2. Knowingly presents or offers any false physical evidence.

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- B. "Physical evidence" as used in this section includes any article, object, document, record, or other things of physical substance.
- C. Tampering with physical evidence is a gross misdemeanor (RCW 9A.72.150)

RCW 9A.72.150

Bail: \$500.00

15.16.260 Activating an Alarm without Just Cause - Penalties (False Alarms)

- A. Definition: For the purpose of this section, the term "false alarm" shall mean the activation of a burglary and/or robbery alarm by other than forced entry or attempted forced entry to the premises at a time when no burglary or robbery is being committed or attempted on the premises.
- B. The causing or activation of a false alarm within the City of Zillah, Washington, is hereby prohibited. Any person in violation of this shall be subject to the penalties below.
- C. Penalties for false Alarm. For a police response to any false alarm, the Chief of Police shall charge and collect from the person having or maintaining such burglary and/or robbery alarm on premises owned or occupied by him, fees as follows:
 - 1. For a response to premises at which no other false alarm has occurred within the preceding six (6) month period, hereinafter, referred to as a "first response," no fee shall be charged, but the person having or maintaining such burglary and/or robbery alarm, shall within three (3) working days after notice to do so, make a written report to the Chief of Police, or his designee, the corrective action taken, whether such alarm has been inspected by an authorized serviceman, and such other information as the Chief of Police or his designee may be reasonably require to determine the cause of such false alarm and corrective action necessary.
 - 2. For the second response, no fee shall be charged, but a written report shall be required as for a first response and the Chief of Police or his designee shall be authorized to inspect or cause to be inspected the alarm system at such premises, prescribe necessary corrective action, and shall give notice to the person having or maintaining such alarm system of the conditions and requirements of this section.
 - 3. For the third response to premises within six (6) months after a first response, a fee of twenty-five dollars (\$25) shall be charged, and written report shall be required as for a first response and the Chief of Police or his designee shall be authorized to inspect or cause to be inspected the alarm system at such premises, prescribe necessary corrective action, and shall give notice to the person having or maintaining such alarm system of the conditions and requirements of this section.
 - 4. For the fourth response to premises within six (6) months of the first response, a fee of fifty dollars (\$50) shall be charged. For each false alarm in excess of four within six (6) months of the first response, a fee of one hundred dollars (\$100) shall be charged. If such fourth false alarm or any such succeeding false alarm is as a result of failure to take necessary

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corrective action described by the Chief of Police may order the disconnection of such alarm system, and it shall be unlawful to reconnect such alarm system, until such corrective action is taken; such provided, that no disconnection shall be ordered as to any premises required by law to have an alarm system in operation.

- D. Any person who fails to pay the fees charged to him as set forth in section C, or who fails to file the written reports required in section C above shall be guilty of a misdemeanor and upon conviction shall be required to pay in addition to such fees a fine up to \$500.00.

Ordinance #504A

GAMBLING
Chapter 15.18

SECTION:

- 15.18.010 Definitions
- 15.18.020 Certain gambling devices prohibited
- 15.18.030
- 15.18.040
- 15.18.050
- 15.18.060 Nuisance defined
- 15.18.070

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Chapter 15.18

15.18.010 Definitions

- A. "Amusement game" means a game played for entertainment in which:
1. The contestant actively participates;
 2. The outcome depends in a material degree upon the skill of the contestant;
 3. Only merchandise prizes are awarded;
 4. The outcome is not in the control of the operator;
 5. The wagers are placed, the winners determined, and a distribution of prizes or property is made in the presence of all person placing wagers at such game, and;
 6. Said game is conducted by a benefit charitable or non-profit organization, no person other than a benefit member of said organization takes any part in the management or operation of said game, including the furnishing of equipment, and no part of the proceeds thereof insure to the benefit of any person other than the organization conducting such game.
- B. "Bingo" means a game in which prizes are awarded on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random in which no cards are sold except at the time and place of said game, when said game is conducted by a benefit charitable or non-profit organization which does not conduct or allow its premises to be used for conducting bingo on more that three occasions per week and which does not conduct bingo in any location which is used for conducting bingo on more than three occasions a week, and no person other than a benefit member or employee of said organization and no part in the management or operation of said game, and no person who takes part in the management or operation of said game takes any part in the management or operation of any game conducted by any organization or any other branch of the same organization and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said game.
- C. "Benefit charitable or non-profit organization" shall be given the definition as provided by RCW 9.46.010 as amended by Chapter 155, Laws of 1974 (1st EX. Sess.) or as hereafter amended.
- D. "Gambling" means a person who engages in gambling if he stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under his control or influence, upon an agreement or understanding that he or someone else will receive RCW 66.26, benefit business transactions valid under law of contracts, including, but not limited to contracts for the purchase or sale at a future date or securities or something of value in the event of a certain outcome. Gambling does not include pari-mutuel bet – as authorized by commodities, and agreements to compensate for loss caused by the happening of chance, including, but not limited to contracts for the purchase or sale at a future date of securities or commodities, and agreements to compensate for loss caused by the happening of chance, including but not limited to contracts of indemnity or guarantee and life, health or accident insurance.

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- E. Gambling device:
1. Any device or mechanism in the operation in which a right to money, credits, deposits, or other things of value may be created, in return for consideration, as a result of the operation of an element of chance.
 2. Any device or mechanism which when operated for a consideration, does not return the same value or thing of value for the same consideration upon each operation thereof.
 3. Any device, mechanism, furniture, feature or construction or installation designed primarily for use in connection with professional gambling.
 4. Any subassembly or essential part designed or intended for use in connection with any such device, mechanism furniture, fixture, a construction, or installation.
 5. In the application of this definition, a pinball machine or similar mechanical amusement device which confers only an immediate and unrecorded right of replay on players thereof, which does not contain any mechanism which varies the chance of winning free games which may be won on a mechanism or a shot for free games or the number of free games which may be won on a mechanism or a shoot for dispensing coins or a facsimile thereof, and which prohibits multiple winnings depending upon the number of coins inserted and requires the playing of game balls individually upon the insertion of a nickel or dime, as the case may be, to complete any operation thereof, shall not be deemed a gambling device.
 6. Owning, possessing, buying, selling, renting, leasing, financing, holding a security interest in, storing, repairing, and transporting such pinball machines or similar mechanical amusement devices shall not be deemed engaging in professional gambling for the purposes of this chapter and shall not be a violation of this chapter. Any fee for the purchase or rental of any such pinball machines or similar amusement devices shall have no relation to the use to which such machines are put, but be commensurate with the cost of labor and other expenses incurred in any such storing, repairing, and transporting.
- F. "Punchboard" and "pull-tabs" shall be given their usual and ordinary meaning or such definitions as provided in chapter 155, Laws of 1974 (1st Ex. Sess.)
- G. "Raffle" means a game in which tickets bearing an individual number are sold for not more than one dollar each in which a prize or prizes are awarded on the basis of a drawing from said tickets by the person or persons conducting the game, when said game is conducted by charitable benefit or non-profit organization, no person other than a benefit member of said organization takes part in the management or operation of said game, and part of proceeds thereof inure to the benefit of any person other than the organization conducting said game.
- H. "Social card game" shall be given the definition as provided by RCW 9.46.010 as amended by Chapter 155, Law of 1974 (1st Ex. Sess.), or as hereafter amended.

GAMBLING
Chapter 15.18

15.18.020 Certain Gambling Devices Prohibited

- A. It is unlawful to sell, operate or use or offer for sale, operation or use, or permit to be operated or used, any machine or device customarily used for gambling, and nothing contained in this chapter shall be construed to legalize or authorize the use of licensing or operation of or sale of slot machines or other gambling devices or games.

RCW 9.46.231

Bail: \$250.00

Ordinance #231

Ordinance #296

15.18.060 Nuisances Defined

- A. All gambling devices as defined in RCW 9.46.020 are common and shall be subject to seizure immediately upon detection by the Director of the Emergency and Safety Services Group, or his authorized deputy, and to confiscation and destruction by order of a Superior Court or District Justice Court, except when in the possession of officers enforcing this ordinance. No property right in any gambling device shall exist or be recognized in any person, except the possessory right of officers enforcing this ordinance.
- B. The conducting of any amusement game, bingo game, or raffle, as defined in this ordinance, without a license or beyond the scope of a license as required under state laws, is hereby declared a common nuisance and shall be subject to abatement by injunction or as otherwise provided by law.

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Chapter 15.20

SECTIONS:

- 15.20.010 Definitions
- 15.20.020 Being Armed Prima Facie Evidence of Intent
- 15.20.030 Carrying a Pistol
- 15.20.040 Loaded Firearm in Vehicle
- 15.20.050 Weapons - Intoxicated Persons - Places where Liquor Consumed
- 15.20.060 Exceptions to Carrying a Pistol Restriction - Section 15.20.030
- 15.20.070
- 15.20.080
- 15.20.090
- 15.20.100 Pistol Dealers to be Licensed
- 15.20.110 Exemptions
- 15.20.120 Certain Transfers to Pistols Forbidden
- 15.20.130 Alteration of Identifying Marks on Pistols Prohibited
- 15.20.140
- 15.20.150
- 15.20.160
- 15.20.170 Dangerous Weapons - Evidence
- 15.20.180 Air Gun Defined
- 15.20.190 Discharging a Firearm Prohibited
- 15.20.200 Carrying or Exhibiting Firearms and Dangerous Weapons - Exceptions
- 15.20.210 Penalty
- 15.20.220 Dangerous Exhibitions

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15.20.230

15.20.240 Delivery

15.20.250 Prohibited Transactions

15.20.260 Violations - General Penalties

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15.20.280

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15.20.300

15.20.310 Alien's License to Carry Firearms – Exception

15.20.320 Use of Firearms by Minor

15.20.330 Aiming or Discharging Firearms or Replica

WEAPONS AND EXPLOSIVES CONTROL
Chapter 15.20

15.20.010 Definitions

- A. "Short firearm" or "pistol" as used in this chapter means any firearm with a barrel less than twelve inches in length.
- B. "Crime of Violence" as used in this chapter means:
 - 1. Any of the following felonies, as not existing or hereby amended; Any felony defined under any law as a Class A felony or an attempt to commit a Class A felony criminal solicitation of or criminal conspiracy to commit a Class A felony, manslaughter in the first degree, manslaughter in the second degree, indecent liberties if committed by forcible compulsion, rape in the second degree, kidnapping in the second degree, arson in the second degree, assault in the second degree, extortion in the first degree, burglary in the second degree, and robbery in the second degree;
 - 2. Any conviction for a felony offense in effect at any time prior to July 1, 1976, which is comparable to a felony classified as a crime of violence in subsection (B) (1) of this section; and
 - 3. Any federal or out-of-state conviction for an offense comparable to a felony classified as a crime of violence under subsection (B) (1) or (2) of this section.
- C. "Firearm" as used in this chapter means a weapon or device from which a projectile may be fired by an explosive such as gunpowder.
- D. "Commercial seller" as used in this chapter means a person who has a federal firearms license.

15.20.020 Being Armed Prima Facie Evidence of Intent

- A. In the trial of a person for committing or attempting to commit a crime of violence, the fact that he was armed with a pistol or other lethal weapons and he had no license or lawful authority to carry the same shall be prima facie evidence of his intention to commit the crime of violence.

RCW 9.41.030

15.20.030 Carrying Firearms

- A. Except in the person's place of abode or fixed place of business a person shall not carry a pistol concealed on his or her person without a license to carry a concealed weapon.
 - 1. Every licensee shall have his or her concealed pistol license in his or her immediate possession at all times that he or she is required by this section to have a concealed pistol license and display the same upon demand to any police officer or to any other person when and if required by law to do so. Any violation of this subsection (A) (1) shall be a class 1 civil infraction under chapter 7.80 RCW and shall be punished accordingly pursuant to chapter 7.80 RCW and the infraction rules for courts of limited jurisdiction.

WEAPONS AND EXPLOSIVES CONTROL
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- B. A person shall not carry or place a loaded pistol in any vehicle unless the person has a license to carry concealed weapons:
 - 1. The pistol is on the licensee's person;
 - 2. The license is within the vehicle at all times that the pistol is there; or
 - 3. The license is away from the vehicle and the pistol is locked within the vehicle and concealed from view from outside the vehicle.
- C. A person at least eighteen (18) years of age who is in possession of an unloaded pistol shall not leave the unloaded pistol in a vehicle unless the unloaded pistol is locked within the vehicle and concealed from view from outside the vehicle.
- D. Violation of the prohibitions of subsections (B) and (C) of this section is a misdemeanor.
- E. Nothing in this section permits the possession of firearms illegal to possess under state or federal law.

RCW 9.41.050

Bail: \$325.00

15.20.040 Loaded Firearm in Vehicle

- A. A person is guilty of unlawful possession of a loaded firearm in a motor vehicle if:
 - 1. The person carries, transports, conveys, possesses or controls a firearm in a motor vehicle; and
 - 2. The firearm contains shells or cartridges in the magazine or chamber or is a muzzle-loading firearm that is loaded and capped or primed.
- B. A person is guilty of unlawful use of a loaded firearm if the person negligently shoots a firearm from, across or along the maintained portion of a public highway.
- C. Unlawful possession of a loaded firearm in a motor vehicle is a misdemeanor.
- D. This section does not apply if the person:
 - 1. Is a law enforcement officer who is authorized to carry a firearm and is on duty within the officer's respective jurisdiction;
 - 2. Possesses a disabled hunter's permit as provided by RCW 77.32.237 and complies with all the rules of the department concerning hunting by persons with disabilities.

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- E. For purposes of this section, a firearm shall not be considered loaded if the detachable clip or magazine is not inserted in or attached to the firearm.

RCW 77.15.460

Bail: \$325.00

15.20.050 Weapons - Intoxicated Person, Places where Liquor Consumed

- A. Any person other than the owner or manager, approved as such by the Liquor Control Board, who shall have in his possession or within his immediate physical control a deadly weapon while in an establishment where liquor or alcoholic beverages are served as a consumer thereof; or while under the influence of or affected by the use of intoxicating liquor or drugs as defined in RCW 46.61.506, shall be guilty of a misdemeanor, but this section shall not apply in the former case to a customer's partaking of alcoholic beverages with a meal and while seated, not in the latter case to a person in his own residence.
- B. The proprietor of all establishments where liquor or alcoholic beverages are consumed on the premises must advise patrons of the requirements of this section. A conspicuous sign stating "No Weapons Allowed" or the sign approved by the Chief of Police and indicating this section is sufficient notice. No notice needs to be given or posted in the dining area of an establishment with a separate lounge. "Deadly Weapon" means any explosive or unloaded firearm, and shall include any other weapon, device, instrument, article, or substance, including a "vehicle" as defined in this section, which, under the circumstance in which it is used, attempted to be used, or threatened to be used, is readily capable of causing death or serious bodily injury.

RCW 9.41.300

Bail: \$325.00

15.20.060 Exceptions to Carrying Pistol Restriction

- A. The provisions of 15.20.030 shall not apply to marshals, sheriffs, prison or jail wardens or their deputies, policemen or other law enforcement officers, or to members of the army, navy, or marine corps of the United States or of the national guard or organized reserves when on duty, or to the regularly enrolled members of any organization duly authorized to purchase or receive such weapons from the United States or from this state, or to regularly enrolled members of clubs organized for the purpose of target shooting or modern antique firearm collecting or to individual hunters; provided, such members are at, or are going to and from their places of target practice, or their collector's gun shows and exhibits, or are on a hunting, camping or fishing trip, or to officers or employees of the United States duly authorized to carry a concealed pistol, or to any person engaged in the business of manufacturing, repairing, or dealing in firearms or the agent or representative of any such person having in his possession, using, or carrying a pistol in the usual or ordinary course of such business, or to any person while carrying a pistol unloaded and in a secure wrapper from the place of business or in moving from one place of abode or business to another.

RCW 9.41.060

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15.20.100 Pistol Dealers to be Licensed

- A. No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell or otherwise transfer any pistol without being licensed as provided by law under the requirements of RCW 9.41.110.

RCW 9.41.110

Bail: \$325.00

15.20.110 Exemptions

- A. The following shall be exempt from the provisions of RCW 9.41.090 or 15.20.080 as now or hereinafter amended:
1. Sales by wholesalers to dealers; and
 2. The sale of antique pistols exempted by the provisions of RCW 9.41.150 or 15.20.130 as amended.

15.20.120 Certain Transfers of Pistols Forbidden

- A. No person other than a duly licensed dealer shall make any loan secured by a mortgage, deposit or pledge for a loan shall keep such records and make such reports as are provided by law for pawn-brokers and second hand dealers as provided by RCW 19.60. A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person.

RCW 9.41.120

Bail: \$325.00

15.20.130 Alteration of Identifying Marks on Pistol Prohibited

- A. No person shall change, alter, remove, or obliterate the name of the makers, model, manufacturer's number, or other mark of identification on any pistol. Possession of any pistol upon which any such mark shall have been changed, altered, removed or obliterated, shall be prima facie evidence that the possessor has changed, altered, removed or obliterated the same. This shall not apply to replacement barrels in old revolver, which barrels are produced by current manufacturers and therefore do not have the markings on the barrels of the original manufacturers who are no longer in business.

RCW 9.41.140

Bail: \$325.00

15.20.170 Dangerous Weapons - Evidence

- A. Every person who shall manufacture, sell, or dispose of or have in his possession any instrument or weapon of the kind usually known as sling shot, sand club, or metal knuckles, or spring blade knife, or any knife the blade of which is automatically released by a spring mechanism or other mechanical device, or any knife having a blade which opens, or

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falls, or is ejected into position by the force of gravity, or by an outward, downward, or centrifugal thrust or movement;; who shall furtively carry with intent to conceal any dagger, pistol, or other dangerous weapon; or who shall use any contrivance or device for suppressing the noise of any firearm, shall be guilty of a gross misdemeanor.(9.41.250)

RCW 9.41.250

Bail: \$175.00

15.20.180 Air Gun Defined

- A. As used in this article, the words "air gun" mean and include the following; air gun, air pistol, air rifle, BB gun and toy guns of any kind or nature when so designed, contrived, modified and used to propel, by compressed air or spring-loaded plunger, any pellet, dart, hard-tipped arrow, bean pea, BB, rock or other hard substances a distance of more than twenty-five feet with sufficient force to break windows or inflict injury upon persons or animals.

Ordinance #402

15.20.190 Aiming or Discharging Firearm, Dangerous Weapon

- A. For conduct not amounting to a violation of Chapter 9A.36 RCW, any person who:
1. Aims any firearm, whether loaded or not, at or towards any human being;
 2. Willfully discharges any firearm, air gun or other weapon, or throws any deadly missile in a public place, or in any place where any person might be endangered thereby. A public place shall not include any location at which firearms are authorized to be lawfully discharged; or
 3. Except as provided in RCW 9.41.185, sets a so-called trap, spring pistol, rifle or other dangerous weapon, although no injury results, is guilty of a gross misdemeanor, punishable under chapter 9A.20 RCW.
- B. If an injury results from a violation of subsection (A) of this section, the person violating subsection (A) of this section shall be subject to the applicable provisions of chapters 9A.32 and 9A.36 RCW.

RCW 9.41.230

Bail: \$150.00

Ordinance #402

Ordinance #231

15.20.200 Weapons Apparently Capable of Producing Bodily Harm, Carrying, Exhibiting, Displaying or Drawing Unlawful – Penalty – Exceptions

- A. It is unlawful for a person to carry onto, or to possess on, public or private elementary or secondary school premises, school-provided transportation or areas of facilities while being used exclusively by public or private schools:
1. Any firearm;

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2. Any other dangerous weapon as defined in RCW 9.41.250;
 3. Any device commonly known as “nun-chu-ka sticks” consisting of two or more lengths of wood, metal, plastic or similar substance connected with wire, rope or other means;
 4. Any device commonly known as “throwing stars” which are multi-pointed metal objects designed to embed upon impact from any aspect; or
 5. Any air gun, including any air pistol or air rifle, designed to propel a BB, pellet or other projectile by the discharge of compressed air, carbon dioxide or other gas.
- B. Any person violating the provisions of subsection (A) above shall be guilty of a gross misdemeanor. If any person is convicted of a violation of subsection (A)(1) of this section, the person shall have his or her concealed pistol license, if any, revoked for a period of three (3) years. Anyone convicted under this subsection is prohibited from applying for a concealed pistol license for a period of three (3) years. The court shall send notice of the revocation to the Department of Licensing and the city, town or country which issued the license. Any violation of subsection (A) of this section by elementary or secondary school students constitutes grounds for expulsion from the state’s public school in accordance with RCW 28A.600.010. An appropriate school authority shall promptly notify law enforcement and the student’s parent or guardian regarding any allegation or indication of such violation.
- C. Subsection (A) of this section shall not apply to or affect the following:
1. Any student or employee of a private military academy when on the property of the academy;
 2. Any person engaged in military, law enforcement or school district security activities;
 3. Any person who is involved in a convention, showing, demonstration, lecture or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed;
 4. Any person participating in a firearms or air gun competition approved by the school or school district;
 5. Any person in possession of a pistol who has been issued a license under RCW 9.41.070, or is exempt from the licensing requirement by RCW 9.41.070, while picking up or dropping off a student;
 6. Any non-student at least eighteen (18) years of age legally in possession of a firearm or dangerous weapon that is secured within an attended vehicle or concealed from view within a locked, unattended vehicle, while conducting legitimate business at the school;

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7. Any non-student at least eighteen (18) years of age who is in lawful possession of an unloaded firearm, secured in a vehicle, while conducting legitimate business at the school; or
 8. Any law enforcement officer of the federal, state, or local government agency.
- D. Subsections (A)(3) and (4) of this section do not apply to any person who possesses nun-chu-ka sticks, throwing stars or other dangerous weapons to be used in martial arts classes authorized to be conducted on the school premises.
- E. Except as provided in subsection (C)(2), (3), (6) and (8) of this section, firearms are not permitted in a public or private school building.
- F. “Gun-Free Zone” signs shall be posted around school facilities giving warning of the prohibition of the possession of firearms on school grounds.

RCW 9.41.270

Bail: \$500.00

15.20.210 Penalty

- A. Any person violating the provisions of Section 15.20.240 is guilty of a gross misdemeanor.

RCW 9.20.010

15.20.220 Dangerous Exhibitions

- A. Every proprietor, leasee or occupant of any place of amusement, or any plat of ground or building, who shall allow it to be used for the exhibition of skill in throwing any sharp instrument or in shooting any bow gun, pistol or firearm of any description, at or toward any human being, shall be guilty of a misdemeanor.

RCW 9.41.250

Bail: \$325.00

15.20.240 Delivery

- A. It is unlawful for any merchant or second hand dealer or any clerk, agent or employee of any merchant or second hand dealer who has received a report from the Chief of Police that the purchaser is not a fugitive from justice and that the purchaser has never been convicted in this state or elsewhere of a crime of violence, or of drug addition or of habitual drunkenness and has never been confined to a mental institution; provided, that if such merchant or second hand dealer does not receive such report from the Chief of Police within seventy-two (72) hours, exclusive of Sundays and holidays, after he has mailed a copy of the record to the Chief of Police as required by Section 15.20.270, then such merchant or second hand dealer may deliver the pistol to the purchaser; provided further that this section shall not apply to sales at wholesale, or to sales to persons exhibiting a valid license to carry a pistol concealed issued pursuant to RCW 9.41.070,

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or to sales to law enforcement officers.

RCW 9.41.250

Bail: \$325.00

15.20.250 Prohibited Transactions

- A. It is unlawful for any person who is a fugitive from justice or who has been convicted in this state or elsewhere of a crime of violence, or of drug addiction or of habitual drunkenness or has been confined to a mental institution, to purchase a pistol in this city, and it is further unlawful for any such person to fail to disclose such information when applying for the purchase of a pistol.

RCW 9.41.045

Bail: \$500.00

15.20.260 Violation – General Penalties

- A. Any violation of any provision of this chapter, except as otherwise provided, shall be a misdemeanor and punishable accordingly. There shall be levied and paid into the general fund of the state treasury a penalty assessment in the minimum amount of twenty-five percent of , and which shall be in addition to, any fine, bail forfeiture, or costs on all violations of this chapter.

RCW 9.14.160

15.20.310 Alien's License to Carry Firearms – Exception

- A. It shall be unlawful for any person who is not a citizen of the United States, who has not declared his intention to become a citizen of the United States, to carry or have in his possession at any time any shotgun, rifle, or other firearm, without first having obtained a license from the director of licensing except upon the certificate of the consul domiciled in the state and representing the country of such alien, that he is a responsible person and upon the payment for license of the sum of fifteen dollars, provided, that this section shall not apply to Canadian citizens, a resident in that province which has an enactment or public policy providing substantially similar privilege to residents of the state of Washington and who are carrying or possessing weapons for the purpose of using them in the hunting of game while such person are in the act of hunting, or while on a hunting trip, or while such persons are competing in a contest where rifles, pistols, or shotguns are used as a weapon in such contests.
- B. Nothing in this section shall be construed to allow aliens to hunt or fish in this state without first having obtained a regular hunting or fishing license.
- C. Any person violating the provisions of this section shall be guilty of a misdemeanor.

RCW 9.41.170

Bail: \$500.00

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15.20.320 Use of Firearms by a Minor

- A. No minor under the age of fourteen years shall handle or have in this possession or under his control, except while accompanied by or under the immediate charge of his parent or guardian or other adult approved for the purpose of this section by the parent or guardian, or while under the supervision of a certified safety instructor at an established gun range or firearm training class, firearm of any kind for hunting or target practice or for other purposes.
- B. Every person violating any of the foregoing provisions, or aiding or knowingly permitting any such minor to violate the same, shall be guilty of a misdemeanor.

RCW 9.41.230

Bail: \$325.00

15.20.330 Aiming or Discharging Firearms or Replica

- A. Aiming or discharging firearms--Every person who shall aim any gun pistol, revolver, or other firearm, or replica thereof, whether loaded or not, at or towards any human being, or who shall willfully discharge any firearm, air gun, or other weapon, or replica thereof, or throw any deadly missile in a public place, or in any place where any person might be endangered thereby, although no injury results, shall be guilty of a misdemeanor.

RCW 9.41.230

Bail: \$500.00

**DRUGS AND OTHER CONTROLLED SUBSTANCES
CHAPTER 15.22**

SECTIONS:

- 15.22.010 Adopting by Reference of Section of State Statute Uniform Controlled Substances Act
- 15.22.020 Violation of Section 15.22.010 – Penalty
- 15.22.030 Marijuana – Possession – Penalty
- 15.22.040 Glue Sniffing
- 15.22.050 Violation of Section 15.22.060 – Penalty
- 15.22.060
- 15.22.070 Use
- 15.22.080 Under the Influence
- 15.22.090 Violation of Section 15.22.070 or 15.22.080 – Penalty
- 15.22.100 Presumption

DRUGS AND OTHER CONTROLLED SUBSTANCES

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15.22.010 Adopting by Reference of Section of State Statute Uniform Controlled Substances Act

- A. The following sections of RCW Chapter 69.50 relating to drugs and other controlled substances, defining crimes and prescribing penalties, are adopted by this reference:

RCW 69.50.101 Definitions

69.50.102 Drug Paraphernalia – Definitions

69.50.203 Schedule I Tests

69.50.204 Schedule I

69.50.205 Schedule II Tests

69.50.206 Schedule II

69.50.207 Schedule III Tests

69.50.208 Schedule III

69.50.209 Schedule IV Tests

69.50.210 Schedule IV

69.50.211 Schedule V Tests

69.50.212 Schedule V

15.25.50 Registration Requirements

69.50.306 Records of Registrants

69.50.307 Order Forms

69.50.308 Prescriptions

69.50.309 Containers

69.50.401 Prohibited Acts: A – Penalties

69.50.402 Prohibited Acts: B – Penalties

69.50.403 Prohibited Acts: C – Penalties

69.50.404 Penalties Under Other Laws

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69.50.405 Bar to Prosecution

15.25.51 Distribution to Person Under Age Eighteen

69.50.407 Conspiracy

15.25.52 Second or Subsequent Offense

69.50.410 Prohibited Acts: D – Penalties

15.25.53 Prohibited Acts: E – Penalties

15.25.54 Health Care Practitioner – Suspension of License for Violation of Chapter.

15.25.55 Powers of Enforcement Personnel

69.50.505 Seizure and Forfeiture

15.25.56 Search and Seizure of Controlled Substances

69.50.601 Pending Proceedings

15.22.020 Violation of Section 15.22.010 – Penalty

- A. Any person convicted under this chapter of a violation of any of the provisions adopted in section 15.22.010 is guilty of crime and may be punished by imprisonment for any term not exceeding six months or by a fine not exceeding \$500.00, or by both fine and imprisonment.

15.22.030 Marijuana – Possession – Penalty

- A. Any person convicted under this chapter of possession of forty grams or less of marijuana is guilty of a misdemeanor.

RCW 69.50.4014

Bail: \$500.00

15.22.040 Glue Sniffing

- A. Definition – As used in this chapter, the phrase “substance containing a solvent having the property of toxic vapors or fumes” shall mean and include any substance containing one or more of the following chemical compounds:

- 1) Acetone;
- 2) Amylacetate;
- 3) Benzol or Benzene;
- 4) Butyl Acetate

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- 5) Butyl Alcohol;
- 6) Carbon Tetrachloride;
- 7) Chloroform;
- 8) Cyclohexanone;
- 9) Ethanol or Ethyl Alcohol;
- 10) Ethyl Acetate;
- 11) Hexane;
- 12) Isopropanol or Isopropyl Alcohol;
- 13) Isopropyl Acetate;
- 14) Methyl "Cellosolve" Acetate;
- 15) Methyl Ethyl Ketone;
- 16) Methyl Isobutyl Ketone;
- 17) Toluol or Toluene;
- 18) Trichoroethylene;
- 19) Tricresyl Phosphate;
- 20) Xylol or Xylene; or
- 21) Any other solvent, material, substance, chemical, or combination thereof having the property of releasing toxic vapors or fumes.

RCW 9.47A.010

- B. Unlawful Inhalation – Exception – It is unlawful for any person to intentionally smell or inhale the fumes of any type of substance as defined in (A) above or to introduce any other person to do so, for the purpose of causing a condition of, or inducing symptoms of intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, or dulling the senses of the nervous system, for the purpose of, in any manner, changing, distorting, or disturbing the audio, visual, or mental processes.
1. This section does not apply to the inhalation of any anesthesia for medical or dental purposes.

RCW 9.47A.020

- C. Possession of Certain Substances Prohibited, When – No person may, for the purpose of violating section (B) above, use, or possess for the purpose of so using, any substance containing a solvent having the property of releasing toxic vapors or fumes.

RCW 9.47A.030

- E. Sale of Certain Substances Prohibited, When – No person may sell, offer to sell, deliver, or give to any other person any container of a substance containing a solvent having the property of releasing toxic vapors or fumes, if he has knowledge that the product sold, offered for sale, delivered, or given will be used for the purpose set forth in section (B) above.

RCW 9.47A.040

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15.22.050 Violation of Section 15.22.040 – Penalty

- A. Any person who violates the provisions of section 15.22.040, or counsels, aids or abets any such violation is guilty of a misdemeanor and, upon conviction, may be punished by a fine not exceeding three hundred fifty dollars or imprisonment not exceeding ninety days, or by both such fine and imprisonment.

Bail: \$500.00

15.22.070 Use

- A. It is unlawful to use or administer any drug or controlled substance as defined or scheduled in RCW chapter 69.90 except in the amount, for the purposes, and as prescribed by the order or prescription pursuant to which the same was acquired.

Bail: \$500.00

15.22.080 Under the Influence

- A. It is unlawful for any person to be under the influence of any drug or other controlled substance as defined or scheduled in RCW Chapter 69.50 or to be under the influence of any substance mentioned in Section 15.22.040 of this chapter in any private premises or house to the annoyance of any individual, or in a public place, in a vehicle in or on a public place, or in a place open to the public view or to which the public has access.
- B. For the purposes of this section, an individual is "under the influence" of a drug or other substance when any of his normal faculties are substantially affected or impaired as a result of the use of such drug.

Bail: \$500.00

15.22.090 Violation of Sections 15.22.070 or 15.22.080 – Penalty

- A. Any person who violates, or counsels, aids or abets a violation of Sections 15.22.070 or 15.22.080 is guilty of a misdemeanor, and upon conviction may be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding six months or by both such fine and imprisonment.

Bail: \$500.00

15.22.100 Presumption

- A. In any prosecution under this chapter, proof that a person unlawfully possessed in excess of forty grams of marijuana shall raise a rebuttable presumption that possession was with intent to sell.

**ANIMAL CONTROL
CHAPTER 15.24**

SECTIONS:

- 15.24.010 Animal Control (Definition)
- 15.24.020 Licensing Requirements and Exemptions
- 15.24.030 License – Application
- 15.24.040 Animal Control Officer's Duties and Authority
- 15.24.050 Animal Restraint
- 15.24.060 Injury to Property
- 15.24.070 Jumping and/or Barking at Pedestrians
- 15.24.080 Keeping in Nauseous Manner
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- 15.24.100 Impoundment, Violation Notice, and Redemption
- 15.24.110 Animal Behavior as Nuisance
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- 15.24.130 Keeping of Wild Animals, Fowl and Livestock
- 15.24.140 Number of Dogs Permitted
- 15.24.150 Animal Waste Removal
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- 15.24.170 Killing and/or Butchering Domestic Animals or Fowl
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- 15.24.200 Paying Owner
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15.24.230

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15.24.260 Dogs – Taking, Concealing, Injuring Killing, etc.

15.24.270 Complaint – Search Warrant – Arrest

15.24.280 Arrest without Warrant

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15.24.300

15.24.310 Cutting Ears

15.24.320 Poisoning Animals – Strychnine Sale – Records – Report on Suspected Purchases

**ANIMAL CONTROL
CHAPTER 15.24**

15.24.010 DEFINITIONS

- A. “Allow” means to grant, approve, or permit, by action or inaction;
- B. “Animal” means any living creature, domestic or wild, except man;
- C. “Animal Control Officer” means the person, association or corporation, appointed or authorized (including contractual authorization by the Mayor of the City of Zillah) to carry out the duties of the Animal Control Officer and enforcement under this ordinance; also referred to as a "Humane Officer" this definition includes Police Officers for the City of Zillah;
- D. “Animal Shelter” means any facility operated by a Humane Society, municipal agency, or other organization, or its authorized agents for the purpose of impounding of caring for animals held under the authority of this ordinance or State law;
- E. “Butchering” means the processing of animals or fowl for market and/or home use;
- F. “Domestic Animal” means any animals that are usually tamed or bred for the use of humans;
- G. “Kennel” means any person, partnership, corporation, engaged in the business of breeding, buying, selling, or boarding dogs; or any owner possessing four (4) or more like animals for more than a thirty (30) day period;
- H. “Kennel Facility” means a structure consisting primarily of fence sufficient to enclose the dogs being kenneled. Each kennel facility must have enough individual pens so as to ensure that no more than three (3) dogs will be enclosed in any one fenced facility. Each kennel must also have the facilities for water and waste disposal to ensure that the kennels are kept clean and free from undue odors and from the accumulation of garbage and waste. Finally, kennel facilities must have a cover to ensure that all dogs maintained at the kennel facility will have shelter from rain and snow.
- I. “Killing” means destroying the life of any animal or fowl.
- J. “Owner” means any person, partnership, company, or corporation owning, keeping, possessing, having custody of or harboring one or more animals in the city of Zillah. An animal shall be deemed to be harbored if it is fed or sheltered for three (3) consecutive days or more;
- K. “Person” means an individual, partnership, company, or corporation;
- L. “Pet Shop” means any person, partnership, company, or corporation, whether operated separately or in connection with another business enterprise, which buys, sells, or boards any species of animal;
- M. “Public Nuisance” means any animal or animals, or fowl which:
 - 1. Molests passerby or passing vehicles;

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2. Attacks other animals;
 3. Trespasses on school grounds or private property;
 4. Is repeatedly at large;
 5. Damages private or public property;
 6. Barks, whines, howls, or makes any noise in an excessive, continuous, or untimely fashion. (See section 21 for further description);
- N. “Restraint.” Animal shall be deemed to be under restraint if:
1. The animal is on the property of its owner or another entrusted with its care by the owner and the property is fenced or enclosed in such a manner that the animal cannot leave the property; or;
 2. The animal is on the property of its owner or another entrusted with its care by the owner and attached to an immovable object by a chain, leash, rope, or other such substance, the length of which cannot permit the animal to leave the limits of the property. The material used must be of sufficient strength to prevent the escape of the animal; or
 3. It is off the property with the owner and on a leash, cord, rope or chain no longer than eight (8) feet under the control of a person able to restrain the animal.
- O. “Veterinary Hospital” shall mean any establishment maintained and operated by a licensed veterinarian for the diagnosis and treatment of diseases and injuries of animals.
- P. “Wild Animal” means any animal that is not usually tamed or bred for the uses of humans.

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15.24.020 Licensing Requirements and Exemptions

- A. It is unlawful for any person to own any dog over the age of six (6) months within the city unless the owner has first procured a license thereof or unless no license is required by this ordinance. This provision does not apply to the keeping of cats, small cage birds, and small aquatic and/or amphibian animals as pets.
- B. The licensing provisions of this ordinance shall not apply to the following dogs:
 1. Whose owners are non-residents, temporarily within the city;
 2. Brought into the city for the purpose of participating in any dog show;

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3. Seeing Eye dogs properly trained to assist blind persons, for the purpose of aiding them in going from place to place;
4. Governmental police dogs;
5. Hearing dogs properly trained to assist hearing impaired person, when such dogs are actually being used by hearing persons, for the purpose of aiding them in going from place to place;
6. Those dogs kept and intended for sale in licensed pet stores.

RCW 15.24.020

Bail \$150.00

Ordinance # 1027

15.24.030 License - Application

- A. Applications for city dog licenses shall be made at the office of the City Police Department. Upon payment to the City of the required license fee provided in this ordinance, a license shall be issued. Upon such application being made and license fee being paid, there shall be issued a metal tag upon which shall be inscribed "Zillah (license number) Dog (year) Tag," which tag shall be worn by the dog at all times. Issuance of the dog tag shall occur following payment of the applicable fee and completion of forms provided by the City Police Department disclosing the owner's name, address, the name and type of the animal to be licensed, the age of the animal, its sex and, if female, whether the animal has been spayed, or if male, whether the animal has been neutered, together with any other information the Chief of Police deems advisable. It shall be the duty of the City Police Department to keep and maintain a public list of all owners to whom licenses are issued, together with the number of the licensing tag issued to each owner. Application for a license must be made within thirty (30) days after obtaining a dog over six (6) months old. Failure to obtain a license as required within the time period specified in this section shall constitute a violation of this ordinance.
- B. No person, partnership, company or corporation shall operate a commercial animal establishment or animal shelter without first obtaining a permit in compliance with this ordinance.
- C. The license period shall begin January 1 and end December 31 of each calendar year. Renewal application for licenses shall begin January 1 and end the last day of March of each calendar year. Application for a permit or license to establish a new commercial animal establishment under the provisions of this ordinance may be made at any time. If there is a change in ownership of a commercial establishment, the new owner must apply for a new permit.
- D. Every facility regulated by this ordinance shall be considered a separate enterprise and requires an individual license or permit.
- E. No license fee may be required of any veterinary hospital, animal shelter or government-operated zoological park.

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- F. Failure to obtain a license or permit before opening any facility covered under this ordinance shall constitute a violation of this ordinance and shall be punishable as indicated herein.
- G. Any person who has a change in the category under which a license or permit was issued shall be subject to reclassification and appropriate adjustment of the permit fee shall be made.

RCW 6.04.080

Bail: \$150.00

Ordinance # 1027

15.24.040 Animal Control Officer's Duties and Authority

- A. The animal control officer shall enforce all ordinances pertaining to the regulation, control, and licensing of dogs and other animals and fowl in the city, concurrently with the Police Department. For that purpose, the animal control officer and assistants are vested with authority to impound animals when required and are authorized to issue notices to persons whom they have reason to believe have violated such ordinances, to sign formal complaints for the issuance of warrants by the court for violations of such ordinances, to cooperate with the health officer exercising jurisdiction in the city regarding the investigation of dog bites and the quarantine of dogs for rabies examination, and, with authority, to otherwise perform duties imposed by such ordinances.
- B. The animal control may detain and impound any animal found to be in violation of any provision of city ordinances.

RCW 16.52.025

Bail: \$325.00

Ordinance # 1027

15.24.050 Animal Restraint

- A. All dogs shall be kept under restraint.
- B. No owner shall fail to exercise proper care and control of his animals to prevent them from becoming a public nuisance.
- C. Every female dog in heat shall be confined in a building or secure enclosure in such a manner that such female dog cannot come into contact with another animal except for planned breeding.
- D. It is unlawful for any person in the City of Zillah to keep or harbor any animal which, by frequent or habitual howling, yelping, barking or making of other noises, shall annoy or disturb a neighborhood. Any such animal is declared to be a nuisance and may be seized and impounded. For the purposes of this section, no action may be taken for violation hereof except upon the written complaint of one (1) or more persons residing in separate residences within the immediate neighborhood.

Bail \$100.00

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15.24.060 Injury to Property

- A. It is unlawful for any person owning or having the control of any animal to permit the same to trespass upon private or public property so as to damage or destroy any property or thing of value, and any such animal is declared to be a nuisance and may be seized and impounded.
1. Any such animal is declared to be a nuisance and may be seized and impounded as provided in this ordinance.

Bail \$100.00

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15.24.070 Jumping and/or Barking At Pedestrians

- A. It is unlawful for any person to keep or harbor any animal that frequently or habitually snarls and growls at snaps, jumps upon, or threatens person lawfully upon the public sidewalks, streets, alleys or public places of the city.
1. The same is declared to be a nuisance;
2. Any such animal may be seized or impounded as provided in this ordinance.

Bail \$100.00

Ordinance # 1027

15.24.080 Keeping in Nauseous Manner

- A. It is unlawful for any person to keep, harbor or maintain any animal in any pen, kennel, yard enclosure or building in which animals are kept, in the City of Zillah in such manner as to be nauseous, foul or offensive.
1. Any such animal or condition or manner of maintenance is declared to be a nuisance.
- B. For the purposes of this section, no action may be taken for a violation hereof except upon the written complaint of one (1) or more persons residing in separate residences within the immediate neighborhood.

Bail \$100.00

Ordinance # 1027

15.24.090 Harboring Vicious Animals

- A. It is unlawful for any person to keep, harbor or maintain on or off his premises in a manner liable to endanger the safety of persons or property lawfully upon said premises, or upon any public way or place immediately adjoining said premises, and way vicious, menacing or dangerous animals.

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- B. It is the duty of any person who keeps, harbors or maintains any vicious, menacing or dangerous animal to secure such animal which is kept, harbored or maintained, so as to prevent such animal from wandering onto private property of another, or into any street, alley, sidewalk, way, boulevard, park, public playground or school ground, or any other public place. Every vicious animal, as determined by the license authority, shall be securely muzzled or caged whenever off the premises of its owner. It is unlawful for any person who keeps, harbors or maintains any such vicious, menacing or dangerous animal to fail to perform the duty imposed by this subsection.
- C. Any vicious, menacing or dangerous animal which is kept, harbored or maintained in such a manner so as to violate section 19, or which is found on the private property of another or on any public street, alley, sidewalk way, boulevard, park, public playground, school ground, or in any other public place in violation of subsection B of this section is declared to constitute a public nuisance subject to immediate impoundment under the provisions of this ordinance. Upon the conviction of any person charged with violating this section and sections 19 through 25 and 27, if the court finds any dog or other animal to be vicious, menacing or dangerous as provided in this section, then the court may, in its discretion, order the dog or other animal to be killed or otherwise disposed of by the Yakima County Humane Society or animal control officer with the cost thereof to be taxed and collected in the same manner as other costs in the case.

Bail \$150.00

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15.24.100 Impoundment, Violation Notice, and Redemption

- A. Whenever an unlicensed dog is found within the city, it may be taken up and impounded by such officer charged with the enforcement of this ordinance. Any dog so impounded may be redeemed, sold or destroyed as provided in section 32 of this ordinance.
- B. All animals or fowl impounded under the provisions of this ordinance shall be taken up and delivered to an animal shelter.
- C. Any animal found to be in violation of any provision of city ordinances may be taken by the police or animal control officer and impounded in an animal shelter and there confined in a humane manner subject to the other provisions of this ordinance and the regulations of the agency confining such animals and/or fowl, including humanely destroying such animals and/or fowl. All sick or injured animals shall be impounded when not in the owner's possession and may be humanely destroyed at any time after impounding at the discretion of the animal control officer.
- D. Upon the impounding of any animal, the animal control officer shall give notice of such impounding in substantially the following manner:
1. If the animal is licensed and is wearing a license tag, or if the identity of the owner is known or can be readily determined by the animal control officer, then as soon as reasonably practicable after the animal is impounded, the animal control officer shall notify the owner by telephone or otherwise that his animal has been impounded and may be redeemed as herein provided.

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2. If the owner is known to the animal control officer but cannot be notified under the provisions of subsection A of this section, or if the owner is so notified and does not appear to redeem his animal within twenty-four (24) hours if the time of impounding, then the animal control officer shall send, by certified mail, return receipt requested, a notice in substantially the following form:

NOTICE IMPOUNDING

DATE :

TO WHOM IT MAY CONCERN:

I have this day impounded in the animal shelter at _____ Street, an animal described as follows:

Sex: _____ Color: _____ Breed: _____ Approximate Age: _____

Other Identification:

Name of Owner:

Notice is hereby given that unless said animal is claimed and redeemed on or before _____ am/pm on _____ (date),
The same will be sold or destroyed.

ANIMAL CONTROL OFFICER

3. If the owner is unknown to the animal control officer and cannot be readily determined by him, the animal control officer shall post, at the city police station and the city hall, a notice in substantially the form prescribed above of this section.
- E. Notwithstanding the provisions of section C. above, if an animal subject to impound is found at large and its owner can be identified and located, such animal need not be impounded but may instead be taken to the owner. The animal control officer shall serve upon the owner a citation and notice to appear for a violation of this ordinance.

15.24.110 Animal Behavior as Nuisance

- A. No owner shall fail to exercise proper care and control of his animals to prevent them from becoming a public nuisance. Excessive, continuous or untimely barking, howling, molesting passerby, viciousness, chasing vehicles, habitually attacking other domestic animals, trespassing upon school grounds, trespassing upon private property in such manner as to damage property, causing undue annoyance, or making noises, shall be deemed a public nuisance. If an animal has been impounded on more than three (3) separate occasions during a twelve (12) month period, said animal shall be deemed a public nuisance.
- B. Whenever it shall be affirmed in writing by one (1) or more persons having separate residences or regularly employed in the neighborhood that any animal is a public nuisance, the animal control officer shall serve notice upon the owner that such nuisance must be abated within twenty-four (24) hours, after which the animal control officer shall determine whether such nuisance has been abated; and, if not, the owner may be proceeded against for violation of this ordinance.

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- C. All animals not licensed under the provisions of this ordinance, or who do not exhibit the metal identification tag provided for in this ordinance, are declared to be public nuisances. Such animals may be impounded in accordance with the provisions of this ordinance and disposed of in the manner provided by this ordinance.

Bail: \$100.00

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15.24.120 Humane Care and Treatment

- A. No owner shall fail to provide animals with sufficient good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and the humane care and treatment. No person shall beat, cruelly ill-treat, torment, overload, overwork, or otherwise abuse any animal, or cause, or permit any dog fight, cockfight, or other combat between animals or between animals and humans. No owner of an animal shall abandon such animal.
- B. Any person who, as the operator of a motor vehicle, strikes an animal then renders such assistance as may be possible shall immediately report such injury or death to the animals' owner. In the event the owner cannot be ascertained and located, such operator shall at once report the accident to the appropriate law enforcement agency or to the local Humane Society.
- C. The keeping of, or allowing to be and remain in any public building, yard, enclosure, alley, street, avenue, park, public place or in any place within the limits of the city, any unsound, putrid or unwholesome bones, meat, hides, skins or the whole or any part of any dead animal or fish, or any unsound or putrid or unwholesome substance or the offal, garbage or other offensive parts of any animal is declared to be a nuisance.
- D. Any person who erects, constructs, keeps, uses or maintains within the city any pen, lot, place or premises in which animals are confined or kept in such a manner as to be nauseating, foul or offensive or to be an annoyance to the neighborhood because of being improperly cared for is declared to be a nuisance.
- E. Any animal, which bites a person, shall be quarantined for ten (10) days if ordered by the director of public health.
1. During quarantine, the animal shall be securely confined and kept from contact with any other animals.
 2. At the discretion of the director of public health, the quarantine may be on the premises of the owner. If the director of public health requires other confinement, the owner shall surrender the animal to an animal shelter for the quarantine period or shall, at his own expense, place it in a veterinary hospital.
- F. No person shall unnecessarily kill or cause to be killed any animal suspected of being rabid, except after the animal has been placed in quarantine and the diagnosis of rabies made by a licensed veterinarian.

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1. If a veterinarian diagnoses rabies in an animal in quarantine, then the animal shall be humanely killed and the head of such animal sent to a laboratory for pathological examination and confirmation of the diagnosis.
- G. During the period of any quarantine made under the provisions of this ordinance, no owner or keeper of any animal so quarantined shall allow said animal to come into contact with any other animal or person or permit such animal to run at large on any street, highway or other property in the city, or upon the premises where quarantined unless the premises are enclosed by a secure fence; nor shall such owner or keeper remove or cause such animal to be removed from the premises without the consent of the animal control officer.
1. These restrictions shall continue until the animal shall have been released from quarantine.
 2. Any animal subject to these restrictions found running at large, as defined herein, or which has been removed from the premises upon which quarantined shall be impounded and, unless claimed and redeemed by its owner within two (2) days after the expiration of the quarantine period, may be humanely disposed of by the proper authorities.
- H. Any animal known to have been bitten or otherwise exposed to a rabid animal must be destroyed or given anti-rabies (Pasteur) treatment or confined for a period of not less than six (6) months, unless such exposed animal had been vaccinated against rabies no longer than six (6) months, but not less than (30) days prior to exposure, in which case such animal shall remain under surveillance for six (6) months.
1. If anti-rabies (Pasteur) treatment is given to such exposed animal, confinement and surveillance may be reduced to three (3) months following exposure.
- I. Whenever rabies or hydrophobia is declared by the animal control officer and/or the director of public health to be a hazard to public health, it is unlawful for any owner, keeper or handler of any animal to keep or harbor the same within the city unless such animal is securely confined at all times by leash or kept in a tight enclosure form which said animal cannot escape.
1. Any animal found running at large in the city during such period shall be impounded and, unless claimed and redeemed by its owner within two (2) days after such impounding, may be humanely disposed of by the proper authorities.
- J. Whenever rabies or hydrophobia is considered by the animal control officer to be a hazard to public health, that officer shall have a notice published in the local newspaper announcing such hazard.
1. This notice shall run for three (3) consecutive days.
 2. The provisions of this ordinance pertaining to rabies shall be applicable for a period not to exceed ninety (90) days beyond the last date the notice was published;

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- a. Provided that the animal control officer be allowed authority to extend the quarantine when, in his judgment, such as an extension or renewal of the quarantine period is necessary.

Bail \$150.00

Ordinance # 1027

15.24.130 Keeping of Wild Animals, Fowl and Livestock

- A. No person shall keep or permit to be kept on his premises any wild or vicious animal for display or for exhibition purposes, whether gratuitously or for a fee.
 - 1. This section shall not be construed to apply to zoological parks, performing animal exhibitions, or circuses.
- B. No person shall keep or permit to be kept any wild animal as a pet.
- C. No person shall keep within the city any fowl of any kind, nature or description, including, but not limited to, any chickens, ducks, turkeys, geese, guineas or like fowl.
- D. No performing animal exhibition or circus shall be permitted in which animals are induced or encouraged to perform through the use of chemical, mechanical, electrical or manual devices in a manner that will cause, or is likely to cause, physical injury or suffering.
 - 1. All equipment used on a performing animal shall fit properly and be in good working condition.

Bail \$150.00

Ordinance # 1027

15.24.140 Numbers of Dogs Permitted

- A. The maximum number of dogs over the age of three (3) months permitted per household within the Zillah City limits shall be limited to three (3), unless said household has obtained a kennel license.

Bail \$100.00

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15.24.150 Animal Waste Removal

- A. The owner of every animal shall be responsible for the removal of any excreta deposited by his animals on public walks, streets, recreation areas, or private property.

Bail \$100.00

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15.24.160 Enforcement and Obstructing Peace Officer

- A. Any humane officer shall have police powers in the enforcement of this ordinance.

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- B. It is unlawful for any person to obstruct, interfere with, hinder, delay or abuse any animal control officer or law enforcement officer in the exercise of his lawful duties or in the enforcement of this ordinance.

Bail \$325.00

Ordinance # 1027

15.24.170 Killing and/or Butchering Domestic Animals or Fowl

- A. No person shall kill any animal or fowl within the city limits.
- B. Butchering of animals and/or fowl shall be conducted inside buildings and in such a manner so as to eliminate any and all potential for public viewing.
- C. No carcasses and/or parts thereof shall be in public view within the City limits of Zillah except for regulated butcher shops and/or lockers approved by the city, state and/or federal authorities.
- D. No person shall dispose of carcasses and/or parts thereof in any manner other than in a type of container which prevents any and all accessibility by other animals and/or viewing by the public.

Bail \$250.00

Ordinance # 1027

15.24.180 Certain Stock Running at Large

- A. No person shall permit or allow any horse, mule, cow, hog, sheep, goat or any other stock to run or be at large within the city.

Bail: \$100.00

Ordinance # 1027

15.24.190 Keeping of Stock

- A. It shall be the duty of the City Chief of Police, or any of his officers, upon finding any of the foredescribed animals running at large forthwith to take up and safely keep in a place designated by Council, and to give written notice, served personally on the owner of such animal or animals, within twenty-four (24) hours of the impounding of the same, where known, and where the owner is unknown, to publish in the official paper that does the City publishing, for one issue of said paper, and post three copies of said notice in three public places in said town; one of which, shall be posted at the place in which the said animal, or animals, are impounded.

Bail \$100.00

Ordinance # 1027

15.24.200 Paying Owner

- A. Any person owning any animal, or animals sold as aforesaid, who shall within six months after said sale show, to the satisfaction of the council, that he is such owner, and had no notice of

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impounding or selling of the same, shall have any surplus in the hands of the Treasurer arising from the sale of such animal or animals, paid over to him.

1. Such application shall be in writing, and filed with the clerk, the same as any other claim against said City, and shall be paid by the Treasurer of the City only, upon an order of the Council, by warrant drawn upon the Trust fund, signed by the Mayor, and attested by the Clerk.

15.24.240 Violation

- A. Any person violating the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) per incident, which penalty shall be in addition to any other penalties, impoundment fees, redemption fees, or other charges provided for herein.
 1. If any violation shall be continuing, each day's violation shall be deemed a separate violation.
 2. If any person shall be found guilty by a court of violation sections 34, 36, 37 or 38, his permit to own, keep, harbor or have custody of animals shall be automatically revoked.
 3. No new permit may be issued for a period of one (1) year.

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15.24.260 Dogs – Taking, Concealing, Injuring Killing, etc.

- A. Any person who, with intent to deprive or defraud the owner thereof:
 1. Takes, leads away, confines, secrets or converts any dog; or
 2. Conceals that identity of any dog or its owner by obscuring or removing from the dog an collar, tag, license, tattoo, or other identifying device or mark; or
 3. Willfully kills or injures any dog, unless excused by law, shall be guilty of a gross misdemeanor and shall be punished by imprisonment in the county jail for not more than six months or by a fine of not more than five hundred dollars, or both such fine and imprisonment.

Bail \$500.00(GM)

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15.24.270 Complaint – Search Warrant – Arrest

- A. When complaint is made on oath, to any magistrate authorized to issue warrants in criminal cases that the complainant believe that any of the provisions of law relating to or in any way affecting animals, are being or are about to be violated in any particular building or place, such magistrates shall issue and deliver immediately a warrant directed to any sheriff, constable, police officer of any incorporated society qualified as provided in RCW 16.52.030, authorizing him to enter and search such building or place, and to arrest any person or persons there present violating or attempting to violate any law relating to or in any way affecting animals, and to bring such person or persons before some court within such offense has been committed or attempted to be committed, to be dealt with according to law.

RCW 9.08.070

15.24.280 Arrest without Warrant

- A. Any judge or police officer may arrest any person found committing any of the cruelties therein before enumerated, without a warrant for such arrest, and any officer or member of any humane society, or society for the prevention of cruelty to animals, may cause the immediate arrest of any person engaged in, or who shall have committed such cruelties, upon making oral complaint to any officer may himself arrest any person found perpetrating any of the cruelties herein enumerated: provided that said person making such oral complaint or making such arrest shall file with a proper officer a written complaint stating the act or acts complained of within twenty-four hours, excluding Sundays and legal holidays, after such arrest shall have been made.

RCW 16.52.060

15.24.310 Cutting Ears

- A. It shall be unlawful for any person to cut off more than one half of the ear or ears of any domestic animal such as an ox, cow, bull, calf, sheep, goat or hog, and any such animals, shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in any sum less than one hundred dollars.

Bail: \$100.00

15.24.320 Poisoning animals – Strychnine Sale – Records – Report on Suspected Purposes

- A. No person shall expose any known poisonous substance, whether mixed with food or not, so that the same is liable to be eaten by any animal; provided that it shall not be unlawful for a person to expose on his own property common rat poisoning mixed with only vegetable substances.

RCW 16.52.193

Bail \$500.00 (GM)

Ordinance # 1027

CRIMES RELATING TO BRANDS, MARKS, ETC.
CHAPTER 15.25

SECTION:

- 15.25.020 Counterfeiting Trademarks, Brands, etc.
- 15.25.030 Displaying Goods with False Trademarks
- 15.25.040 When Deemed Affixed
- 15.25.050 Fraudulent Registration of Trademark
- 15.25.060 Form and Similitude Defined
- 15.25.070 Sales of Petroleum Improperly Labeled or by Wrong Grade
- 15.25.080 Penalty for Violations
- 15.25.090 Use of the Words, "Sterling Silver", etc.
- 15.25.100 Use of the Words, "Coin Silver", etc.
- 15.25.110 Use of the Words "Sterling" on Mounting
- 15.25.120 Use of the Words "Coin Silver" on Mounting
- 15.25.130 Unlawfully Marking Article Made of Gold
- 15.25.140 "Marked, Stamped or Branded" Defined

**CRIMES RELATING TO BRANDS, MARKS, ETC.
CHAPTER 15.25**

15.25.20 Counterfeiting Trademarks, Brands, etc.

- A. Every person who shall use or display or have in his possession with intent to use or display, the genuine label, trademark, term design, device, or form of advertisement of any person, corporation, association or union, lawfully filed for record in the office of the Secretary of State, or the exclusive right to use which is guaranteed to any person, corporation, association or union, by the laws of the United States, without the written authority of such person, corporation, association or union, or who shall willfully forge or counterfeit or use or display or have possession with intent to use or display any representation, likeness, similitude, copy or imitation of any genuine label, trademark, term, design, device, or form of advertisement, so filed or protected, or any die, plate, stamp, or other device for manufacturing the same, shall be guilty of a gross misdemeanor.

RCW 9.16.030

Bail: \$325.00

15.25.030 Displaying Goods with False Trademark, Brand, etc.

- A. Every person who shall knowingly sell, display or advertise, or have in his possession who shall with intent to sell any goods, wares, merchandise, mixture, preparation or compound having affixed thereto any label trademark, terms, design, or form of advertisement lawfully filed for record in the office of the Secretary of State by any person, corporation, association or union, or exclusive right to the use of which is guaranteed to such person, corporation, association or union under the laws of the United States, which label, trademark, term, design, device or form of advertisement shall have been used or affixed thereto without the written authority of such person, corporation, association, likeness, similitude, copy, or imitation thereof, shall be guilty of a misdemeanor.

RCW 9.16.040

Bail: \$325.00

15.25.040 When Deemed Affixed

- A. A label, trademark, term, design, device, or form of advertisement shall be deemed to be affixed to any goods, wares, merchandise, mixture, preparation or compound whenever it is in any manner placed in or upon either the article itself, or the box, bale, barrel, bottle, case, cask or other vessel or package, or the cover, wrapper, stopper, brand, label, or other thing in by or with which the goods are packed, enclosed or otherwise prepared for sale or distribution.

RCW 9.16.050

Bail: \$325.00

15.25.050 Fraudulent Registration of Trademark

- A. Every person who shall for himself, or on behalf of any other person, corporation, association or union, procure the filing of any label, trademark, term, design, or form of advertisement with the Secretary of State by any fraudulent means, shall be guilty of a misdemeanor.

CRIMES RELATING TO BRANDS, MARKS, ETC.
CHAPTER 15.25

15.25.060 Form and Similitude Defined

- A. A plate, label, trademark, term, design, device, or form of advertisement is in the form and similitude of the genuine instrument imitated if the finished parts of the engraving thereupon shall resemble or conform to the similar parts of the genuine instrument.

RCW 9.16.070

15.25.070 Sales of Petroleum Improperly or by Wrong Grade

- A. It shall be unlawful for any person firm or corporation to:
1. To use, adopt, place upon, or permit to be used, adopted or place upon any barrel, tank, drum, or other container of gasoline or lubricating oil for internal combustion engines, sold or offered for sale, or upon any pump or other device used in delivering the same, any trade name, trademark, designation or other descriptive matter, which is not the true and correct trade name, trademark, designation or other descriptive matter of the gasoline or lubricating oil so sold or offered for sale;
 2. To sell, or offer for sale, or have in his or its possession with intent to sell, any gasoline or lubricating oil, contained in, or taken from, or through any barrel, tank, drum, or other container or pump or other device, so lawfully labeled or marked, as herein above provided;
 3. To sell, or offer for sale, or have in his or its possession with intent to sell gasoline or lubricating oil for internal combustion engines and to represent to the purchaser, or prospective that such grade or standard, or the product of a particular gasoline or lubricating oil manufacturing, refining or distributing company or association other than the true quality, grade, standard, or the product of a particular gasoline or oil manufacturing, refining or distributing company or association, of the gasoline of oil so offered for sale or sold.

RCW 9.16.080

Bail: \$325.00

15.25.090 Use of the Words "Sterling Silver," etc.

- A. Every person who shall make, sell or offer to sell or dispose or, or have in his possession with intent to sell or dispose of any metal article marked, stamped, or branded with the words, "Sterling Silver" or "Solid Silver" unless nine hundred twenty-five one-thousandths of the component parts of the metal of which such article and all parts thereof is manufactured is pure silver, shall be guilty of a gross misdemeanor.

RCW 9.16.100

15.25.100 Use of Words, "Coin Silver," etc.

- A. Every person who shall make, sell or offer to sell or dispose of, or have in his possession with intent to dispose of any metal article marked, stamped or branded with the words "coin", or "Coin silver",

CRIMES RELATING TO BRANDS, MARKS, ETC.
CHAPTER 15.25

unless nine hundred one-thousandths of the component parts of the metal of which such article and all parts thereof is manufactured, is pure silver, shall be guilty of a gross misdemeanor.

RCW 9.16.110

Bail: \$325.00

15.25.110 Use of the word, "Sterling" on Mounting

- A. Every person who shall make, sell, offer to sell or dispose of, or have in his possession with intent to sell or dispose of, any article comprised of leather, shell ivory, celluloid, pearl, porcelain, pottery, steel or wood to which is applied or attached a metal mounting marked, stamped or branded with the words, "coin" or "coin silver" unless nine hundred one-thousandths of the component parts of the metal of which such metal mounting is manufactured is pure silver, shall be guilty of a gross misdemeanor.

RCW 9.16.120

Bail: \$325.00

15.25.120 Use of the words, "Coin Silver" on Mounting

- A. Every person who shall make, sell, or offer to sell or dispose of, or have in his possession with intent to sell or dispose of, any article comprised of leather, shell, or ivory, celluloid, pearl, glass, porcelain, pottery, steel or wood to which is applied or attached a metal mounting marked, stamped or branded with the words "coin" or "coin silver" unless nine hundred one thousandths of the component parts of the metal of which such metal mounting is manufactured is pure silver, shall be guilty of a gross misdemeanor.

9.16.130

Bail: \$325.00

15.25.130 Unlawfully Marking Article Made of Gold

- A. Every person who shall make, sell, offer to sell or dispose of, or have in his possession with intent to sell or dispose of, any article constructed wholly or in part of gold, or of any alloy of gold and marked, stamped or branded in such manner as to indicate that the gold or alloy of gold in such article is of a greater degree or carat of fineness, by more than one carat, than the actual carat or fineness of such gold or alloy shall be guilty of a gross misdemeanor.

9.16.140

Bail: \$325.00

15.25.140 "Marked, Stamped or Branded" Defined

- A. An article shall be deemed to be "marked, stamped or branded" whenever such article, or any box, package, cover or wrapper in which the same is enclosed, encased or prepared for sale or delivery, or any card, label, or placard with which the same may be exhibited or displayed, is so marked, stamped or branded.

RCW9.16.150

Bail: \$325.00

**MAYOR'S EMERGENCY POWERS
CHAPTER 15.26**

SECTIONS:

- 15.26.010 Proclamation of Civil Emergency – Emergency Defined
- 15.26.020 Action Which May be Taken
- 15.26.030 Delivery to News Media
- 15.26.040 Proclamation/Violation – Penalty

**MAYOR'S EMERGENCY POWERS
CHAPTER 15.26**

15.26.010 Proclamation of Civil Emergency Defined

- A. Whenever a civil emergency, or the imminent threat thereof, occurs in the city and results in, or threatens to result in the death or injury of persons or the destruction of or damage to property to such extent as to require, in the judgment of the mayor, extra ordinary measure to protect the public peace, safety and welfare, the mayor shall forthwith proclaim in writing the existence of a civil emergency. In the absence of the mayor, pro-protium by the protium mayor.

- B. For the purposes of this chapter a civil emergency shall mean:
 - 1. A riot unlawful assembly, insurrection, enemy attack, sabotage, or other hostile action; or
 - 2. A natural or human caused disaster, including fire, flood, storm, explosion, earthquake, volcanic disturbance or other natural cause.

15.26.20 Action Which May be Taken

- A. Upon the proclamation of a civil emergency by the mayor, and during the existence of such civil emergency, the mayor may make and proclaim any or all the following orders.
 - 1. An order imposing a general curfew applicable to the city as a whole, or to such geographical area or areas of the city and during such hours as he deems necessary, and from time to time to modify the house such curfew will be in effect and the area or areas to which it will apply.
 - 2. An order requiring any or all business establishments to close and remain closed until further order.
 - 3. An order requiring the closure of any or all bars, taverns, liquor stores and other business establishment where alcoholic beverages are sold or otherwise dispense; provided, that with respect to those business establishments which are not primarily devoted to the sale of alcoholic beverages and in which such alcoholic beverages may be removed or made secure from possible seizure by the public, the portions thereof utilized for the sale of items other than alcoholic beverages may, in the discretion of the mayor, be allowed to remain open.
 - 4. An order requiring the discontinuance of the sale, distribution or giving away of alcoholic beverages in any or all parts of the city.
 - 5. An order requiring the discontinuance of the sale, distribution giving away of firearms and/or ammuniton for firearms in any or all parts of the city.
 - 6. An order requiring the discontinuance of the sale, distribution or giving away of gasoline or other liquid flammable or combustibile products in any container other than a gasoline tank properly affixed to a motor vehicle.

**MAYOR'S EMERGENCY POWERS
CHAPTER 15.26**

7. An order requiring the closure of any or all business establishments where firearms are sold or otherwise dispensed; provided, that with respect to those business establishments which are not primarily devoted to the sale of firearms and/or ammunition and in which such firearms and/or ammunition may be removed or made secure from possible seizure by the public, the portions thereof utilized for sale of items other than firearms, and ammunition may, in the discretion of the mayor, be allowed to remain open;
8. An order closing to the public any or all public places, including streets, alleys, public ways, schools, parks, beaches, amusement areas and public buildings;
9. An order prohibiting the carrying or possession of firearms or any instrument which is capable of producing bodily harm and which is carried or possessed with the intent to use the same to cause such harm; provided; that any such order shall not apply to peace officers or military personnel engaged in the performance of their official duties.
10. Such other orders as are imminently necessary for the protection of life and property. Provided, however, that any such orders shall, at the earliest practical time be presented to the city council for ratification and confirmation, and if not so ratified and confirmed, shall be void.

15.26.030 Delivery to News Media

- A. The mayor shall cause any proclamation issued by him pursuant to the authority of this chapter to be delivered to all news media within the city and shall utilize such other available means, including public address systems, as shall be necessary in his judgment, to give notice of such proclamations to the public.

15.26.040 Violations – Penalty

- A. It is unlawful for anyone to fail or refuse to obey any such order proclaimed by the mayor.
- B. Anyone convicted of a violation of this chapter is punishable by a fine of not more than five hundred fifty dollars (\$550.00), or by imprisonment for not more than ninety (90) days or both such fine and imprisonment.

**CRIMES AS TO FLAGS
CHAPTER 15.28**

SECTIONS:

- 15.28.010 "Flag" etc. Defined
- 15.28.020 Improper Use of Flag Prohibited
- 15.28.030 Desecration of Flag
- 15.28.040 Application of Provisions
- 15.28.050 Penalty

CRIMES AS TO FLAGS-15
CHAPTER 15.28

15.28.010 "Flag" etc. Defined

- A. The words flag, standard, color, ensign or shield, as used in this chapter, shall include any flag, standard, color, ensign or shield, or copy, picture or representation thereof, made of any substance or represented or produced thereon, and of any size, evidently purporting to be such flag, standard, color, ensign, or shield of the United States or of this state, or a copy, picture or representation thereof.

RCW 9.86.010

15.28.020 Improper Use of Flag Prohibited

- A. No person shall, in any manner, for exhibition or display:
1. Place or caused to be placed any word, figure, mark, picture, design, drawing or advertisement of any nature upon any flag, standard, color, ensign, or shield of the United States or of this state, or authorized by any law of the United States or of this state; or
 2. Expose to public view for sale, manufacture, or otherwise, or to sell, give, or have in possession for sale, for gift or for use of any purpose, and substance, being an article of merchandise, or receptacle or thing for holding or carrying merchandise, upon or to which shall have been produced or attached any flag, standard, color, ensign, or shield, in order to advertise, call attention to, decorate, mark or distinguish such article or substance.

RCW 9.86.020

Bail: \$325.00

15.28.030 Desecration of Flag

- A. No person shall knowingly cast contempt upon any flag, standard, color, ensign or shield, as defined in 15.28.010, by publicly mutilating, defacing, defiling, burning, or trampling upon said flag, standard, color, ensign or shield.

RCW 9.86.030

Bail: \$325.00

15.28.040 Application of Provisions

- A. This chapter shall not apply to any act permitted by the statutes of the United States or of this State, or by printed or written document or production, stationery, ornament, picture or jewelry whereon shall be depicted said flag, standard, color, ensign or shield with no design or words thereon and disconnected with any advertisement. (9.86.040)

15.28.050 Penalty

- A. Any violation of this chapter shall be a gross misdemeanor.

RCW 9.86.050

**HEALTH AND WELFARE
CHAPTER 15.30**

SECTIONS:

- 15.30.010 Accumulation of Garbage Prohibited
- 15.30.020 Unhealthy Substances Prohibited
- 15.30.030 Littering Prohibited
- 15.30.040 Obstruction of Thoroughfares
- 15.30.050 Planting Trees, Shrubs, etc., Along Highway
- 15.30.060 Obstruction Prohibited
- 15.30.070 Maintaining and Permitting Nuisance
- 15.30.080 Penalty for Violation
- 15.30.090 Nuisance Abatement
- 15.30.100 Graffiti Abatement

**HEALTH AND WELFARE
CHAPTER 15.30**

15.30.010 Accumulation of Garbage Prohibited

- A. It shall be unlawful to place or expose in any street, alley, lot, or any other place, public or private, in the City of Zillah, any dead animals, putrid substances, refuse matter, garbage, slop or manure from pig pens, stables or barns, or to throw out, or leave exposed, any substance whatever, either animal or vegetable, alive or dead, solid or liquid, which is or may become offensive and nuisance to the neighborhood, or the citizens generally.

Bail: \$100

Ordinance 898

15.30.020 Unhealthy Substances Prohibited

- A. It shall be unlawful for the owner or occupier of any lot in the city, to permit, any unwholesome, unhealthy, or offensive substance or liquid, to accumulate or remain there on, or to keep or permit to be kept any privy, pig pen, stable, barn, or other buildings or place of like kind in such condition as to be offensive and dangerous to the health of the neighborhood or the citizens in general.

Bail: \$100

Ordinance 898

15.30.030 Littering Prohibited

- A. It shall be unlawful for any person or persons to throw paper, boxes, cans, rags, bottles, broken crockery, earthenware, or glassware, of any shape, object, or any other thing of like nature in the streets, alleys, or ditches, or on any sidewalk of the city.

Bail: \$100

Ordinance 898

15.30.040 Planting Trees, Shrubs, etc., on Public Rights-of-way

- A. It shall be unlawful to plant trees, shrubs or vines for ornament or use upon a public right-of-way.

Bail: \$100

Ordinance 898

15.30.050 Obstruction of Thoroughfares

- A. It shall be unlawful for any person or persons to obstruct any street, alley or avenue by fencing, or any other type of obstacle.

Bail: \$100

Ordinance 898

15.30.060 Obstruction Prohibited

- A. It shall be unlawful to permit, place or cause any obstruction, structure, device or natural or artificial thing to be on any right-of-way of any street or alley or off the right-of-way thereof in sufficiently close proximity thereto that threatens or endangers the City street or alley or portion thereof, that

**HEALTH AND WELFARE
CHAPTER 15.30**

tends to endanger persons traveling thereon, or that obstructs, tends to obstruct or constitutes a hazard to vehicles or persons traveling thereon.

- B. It shall be unlawful to permit, place or cause any obstruction, device or object to be on any right-of-way which attracts or causes persons to congregate on any street, alley or portion thereof in a manner that obstructs, hinders or interferes with lawful vehicular or pedestrian traffic. (Basketball Hoops)

Bail: \$100

Ordinance 898

15.30.070 Maintaining or Permitting Nuisance

- A. Every person who shall commit or maintain a public nuisance and every person who shall let or permit to be used any property, building, structure or boat, or portion thereof, knowing that it is intended to be used or is being used for committing or maintaining any such substance shall be guilty of a Civil Infraction.

15.30.080 Penalty for Violation

- A. Any person convicted of violating any provision of this Ordinance shall be punished by a fine not to exceed five hundred dollars (\$500.00).

Ordinance 898

15.30.090 Nuisance Abatement

- A. When the public nuisance is located on a city street, alley or right-of-way, it shall be the duty of the Chief of Police to notify such person(s) violating any provisions of this ordinance to abate such nuisances at once.
- B. If the nuisance causes or is likely to cause an immediate or eminent hazard to persons or vehicles, the Chief of Police shall cause the abatement or removal of the nuisance.
- C. The abatement or removal of such a nuisance by the Chief of Police or at his directions shall in no event constitute a breach of peace or trespass.
- D. If there is any expense attached to such abatement or removal, it shall be assessed to the violator of this ordinance and collected in a civil action.
- E. When the public nuisance is located on real property, exclusive of public property or rights-of-way, any court or magistrate before whom there may be pending any proceeding for a violation of this ordinance shall, in addition to any fine which may be imposed for such violation, order such

**HEALTH AND WELFARE
CHAPTER 15.30**

nuisance abated or removed at the cost of the defendant; provided that, if the conviction was held in a district court, the district court judge shall not issue the order and warrant of abatement but, on application therefore, shall transfer the cause to the superior court, which shall proceed to try the issue of abatement in the same manner as if the action had been originally commenced therein.

Ordinance 898

15.30.100 GRAFFITI PUBLIC NUISANCE

A. Definitions

1. “Graffiti” means the defacing, damaging or destroying by spraying of paint or marking of ink, chalk, dye, or other similar substances on public or private buildings, structures and places;
2. “Graffiti Abatement Procedure” means the abatement procedure which identifies graffiti, issues Notice to the property owner to abate the graffiti, and cures in absence of response;
3. “Owner” means any person or persons, entities, corporations, or other associations in whose name is vested legal title or who has the right to possession of residential or commercial property;
4. “Private Contractor” means any person with whom the City shall contract with to remove graffiti in the event owner fails to respond to said Notice to Abate within the required fifteen (15) days.

B. It shall be unlawful for any person to spray, write, paint, disfigure, or draw an inscription, figure or mark upon a building, fence, gate, sign, bridge, or other structure, tree, or rock, regardless of being either publicly or privately owned.

C. It shall be unlawful for the owner of any lot in the City of Zillah, Washington to permit any graffiti to remain on their property more than fifteen (15) days after receipt of a Notice to Abate, providing seasonal temperatures and weather conditions permit the painting of exterior surfaces.

1. If seasonal temperatures and weather conditions do not allow for the painting of exterior surfaces within the fifteen (15) day period, owner shall make arrangements with the Police Chief or one of his representatives to extend the fifteen (15) day period.
2. Said arrangements shall be in writing, signed by both owner and the Police Chief or one of his representatives.

D. It shall be the duty of the Police Chief or one of his representatives to notify such person or persons violating any provision of this ordinance to abate such nuisance within fifteen (15) days after receipt of a Notice to Abate Graffiti.

**HEALTH AND WELFARE
CHAPTER 15.30**

1. Said Notice to Abate Graffiti shall be sent by regular and certified mail/return receipt requested, or personally served.
 2. In the event an owner fails to remove the graffiti within the fifteen (15) day period or fails to make arrangements to extend the fifteen (15) day period if seasonal temperatures and weather conditions do not permit the painting of exterior surfaces, the Police Chief may abate any such nuisance, and if there is any expense attached to such abatement, it shall be assessed to the violator of this ordinance and collected in a civil action.
- E. Owner may, within fifteen (15) days after receipt of the Notice to Abate Graffiti, file a written Notice of Appeal with the Police Chief, or one of his representatives.
1. Filing of an appeal with stay any enforcement or actions by the City to abate the graffiti nuisance;
 2. The appeal shall be to the City Council at its next regularly scheduled session;
 3. The City Council shall determine whether:
 - a. Graffiti exists upon property within the City of Zillah in violation of this ordinance;
 - b. Whether proper notice has been given to the appropriate person; and
 - c. Whether the time for abatement is reasonable in light of seasonal temperatures and weather conditions.
- F. Any person violating the provisions of Section 3 of this Ordinance shall be guilty of a misdemeanor.
1. Upon conviction in a court of competent jurisdiction for violation of Section 3 of this Ordinance, the penalties for such violation shall be up to ninety (90) days in jail, or a fine of \$1,000.00, or both such fine and imprisonment.

Ordinance 1011 & 898

15.04 LIABILITY FOR CRIMINAL CONDUCT			
ZPC			
15.04.130	Criminal Attempt	RCW 9A.28.020	NOT COVERED
15.04.140	Criminal Solicitation	RCW 9A.28.030	NOT COVERED
15.04.150	Criminal Conspiracy	RCW 9A.28.040	NOT COVERED
ALSO COVERED IN 156.06.070, 15.06.080, 15.06.090			
15.06 OFFENSES AGAINST THE PERSON			
ZPC			
15.06.010 (A)	Assault	RCW 9A.36.041	ORD. #885
15.06.010 (B)	Assault (Domestic Violence)	RCW 9A.36.020	ORD. #514
15.06.010 (C)	Interfering with the reporting of Domestic Violence	RCW 9A.36.150	ORD. #514
15.06.020	Violation of Court Order	RCW 9A.99.050	ORD. #514
15.06.030	Coercion	RCW 9A.36.070	NOT COVERED
15.06.040	Provoking Assault	RCW 9A.11.050	NOT COVERED
15.06.050	Reckless Endangerment	RCW 9A.36.050	ORD. #885
15.06.060	Custodial Interference	RCW 9A.40.070	NOT COVERED
15.06.070	Criminal Attempt	RCW 9A.28.020	
15.06.100	Threats to do Harm	RCW none	ORD. #637
15.06.110	Unlawful Harboring of a Minor	RCW 13.32A.080	NOT COVERED
15.08 OFFENSES AGAINST THE PUBLIC MORALS			
ZPC			
15.08.020	Displaying Erotic Materials	RCW 9.68.130	NOT COVERED
15.08.030	Lewd Act	RCW 7.48.050?	NOT COVERED
15.08.040	Prostitution	RCW 9A.88.030	ORD. #885
15.08.050			
15.08.060	Patronizing Prostitution	RCW 9A.88.110	ORD. #885
15.08.070	Permitting Prostitution	RCW 9A.88.090	ORD. #885
15.08.080	Will be included in 15.08.040		
15.090			
15.10 OFFENSES AGAINST THE PUBLIC ORDER			
ZPC			
15.10.010	Riots	RCW 9A.84.010	NOT COVERED
15.10.020	Failure to Disperse	RCW 9A.84.020	NOT COVERED
15.10.030			
15.10.040	Disorderly Conduct	RCW 9A.84.030	ORD. #516
15.10.050	Telephone Harassment	RCW 9A.61.230	NOT COVERED
15.10.060	Disruption of School Activities	CW28A.635.030	ORD. #516
15.10.070	Prohibiting Certain Conduct Against School Administrative Personnel & Teachers	No RCW	ORD. #516
15.10.080	Disturbing the Peace	No RCW	ORD. #402
15.10.090	Obstruction of Sidewalks & Entry Ways	No RCW	ORD. #402
15.10.100	Fighting & Quarreling in Public	No RCW	ORD. #402

ZPC 15.10 OFFENSES AGAINST THE PUBLIC ORDER (CONTINUED)			
15.10.110	Allowance of Water onto Public Places	No RCW	ORD. #68
15.10.120	Building Fires – Where Prohibited	No RCW	ORD. #749 / 68
15.10.130	Interfering with Water Main	No RCW	ORD. #54
15.10.140	Prohibiting Certain Acts Relating to Public Water Supply	No RCW	ORD. #54
15.10.150	Fireworks (Definition)	RCW 70.77.136	ORD. #621
15.10.160	Appropriate State License	RCW 70.77.120	ORD. #621
15.10.170	Date & Time for Sale & Discharge	RCW 70.77.395	ORD. #621
15.10.180	Seizure of Fireworks	RCW 70.77.395	ORD. #621
15.10.190	Unlawful Possession of Fireworks	RCW 70.77.485	ORD. #621
15.10.200	Unlawful Discharge or Use of Fireworks	RCW 70.77.488	ORD. #621
15.10.210	Unlawful Sale or Transfer of Common Fireworks	RCW 70.77.515	ORD. #621
15.10.220	Unlawful to Permit Fire Nuisance where Fireworks Kept	RCW 70.77/520	ORD. #621
15.10.230	Penalty	RCW 70.77.540	ORD. #621
15.10.240	Violation of a Separate, Continuing Offense	RCW 70.77.545	ORD. #621
15.10.250	Removal of Snow and Ice	No RCW	ORD. #613
15.10.260	Urinating or Defecating	RCW 9.68A.011	Not Covered
15.10.270	Opening or Consuming Liquor in Public Place	RCW 66.44.100	Not Covered
15.10.280	Regulating the Sale of Keg Containing Beer	RCW 66.28.200	ORD. #601
15.10.290	Willfully Disobeying School Admin- Instructor Personnel or Refusing to Leave, Violations When	No RCW	ORD. #515
15.10.300	Trespass on School Property	No RCW	ORD. #515
15.10.310	Parental Responsibility	No RCW	ORD. #813 / 796
15.10.320	Excessive Sound Prohibited	No RCW	ORD. #749
ZPC 15.12 OFFENSES AGAINST PROPERTY			
15.12.005	Theft	RCW 9A.56.050	ORD. #885
15.12.010	Delete		
15.12.020	Theft of Property Lost, Mislaid or Delivered by Mistake	RCW 9A.56.050	ORD. #885
15.12.030	Receiving Stolen Property	RCW 9A.56.170	ORD. #885
15.12.040	Possessing Stolen Property	RCW 9A.56.170	ORD. #885
15.12.050	Unlawful Issuance of Bank Check or Draft	RCW 9A.56.060	ORD. #885
15.12.060	Obscuring Identity of Machine	RCW 9A.56.180	ORD. #885
15.12.070	Theft of Services	RCW 9A.56.050	Not Covered
15.12.080	False Weights and Measures	RCW 19.94.205	Not Covered

ZPC 15.12 OFFENSES AGAINST PROPERTY (CONTINUED)			
15.12.090	Malicious Mischief	RCW 9A.48.090	ORD. #885
15.12.100	Definition for Section 15.12.090	RCW 9A.48.100	Not Covered
15.12.110	Destruction of Notices Prohibited	No RCW	ORD. #402
15.12.120	Defacing or Attaching Sign to Utility Poles & Traffic Sign Poles	No RCW	ORD. #563
15.12.130	Shoplifting	RCW 9.78.010	ORD. #438
15.12.140	Yard Sale Sign Prohibited	No RCW	ORD. #679
15.12.150	Business License Regulation	No RCW	ORD. #589
15.12.160	Business License Fee	No RCW	ORD. #589
15.12.170	False Application	No RCW	ORD. #589
15.12.180	Criminal Impersonation	RCW 9A.60.040	ORD. #885
15.12.190	Criminal Trespass 1 st Degree	RCW 9A.52.070	ORD. #885
15.12.200	Criminal Trespass 2 nd Degree	RCW 9A.52.080	ORD. #885
15.12.210	Making & Having Burglar Tools	RCW 9A.52.060	Not Covered
15.12.220	Reckless Burning	RCW 9A.48.050	ORD. #885
15.12.230	Defense for Reckless Burning	RCW 9A.48.060	Not Covered
15.12.240	Vehicle Prowling	9A.52.100	ORD. #885
15.12.250	Defrauding an Innkeeper	RCW Repealed	Not Covered
15.12.260	Defying Order to Leave Premises	RCW 9A.52.080 (use Trespass)	Not Covered
15.12.270	Failure to Obtain a Yard Sale Permit	No RCW	ORD. #679
ZPC 15.14 OFFENSES BY AND AGAINST JUVENILES			
15.14.020	Minors Prohibited in Taverns	RCW 66.44.270	Not Covered
15.14.030	False Identification to Obtain Liquor	RCW 66.44.325	Not Covered
15.14.040	Unlawful to Allow Minor Where Intoxicants Served	RCW 66.44.270	Not Covered
15.14.050	Leaving Child Unattended in Vehicle	RCW 9.91.060	Not Covered
15.14.060	Leaving Children Unattended in Parked Vehicle	RCW 9.91.060	Not Covered
15.14.070	Consumption of Liquor by Minor	(Section 2) RCW 66.44.270	Not Covered
15.14.080	Treating Minor, Etc., in Public Place where liquor Sold	RCW 66.44.300	Not Covered
15.14.090	Supplying Liquor to Minors	(Section 1) RCW 66.44.270	Not Covered
15.14.100	Minor Purchasing or Attempting to Purchase Liquor	RCW 66.44.290	Not Covered
ZPC OFFENSES AGAINST GOVERNMENT ORDER			
15.16.020	Obstructing a Law Enforcement Officer	RCW 9A.76.020	Ord. #885

ZPC OFFENSES AGAINST GOVERNMENT ORDER (CONTINUED)			
15.16.030	Making a False or Misleading Statement to a Public Servant	RCW 9A.76.175	Not Covered
15.16.040	Resisting Arrest	RCW 9A.76.040	Ord. #885
15.16.050	Refusal to Aid an Officer	RCW 9A.76.030	Ord. #885
15.16.060	Taking Property from an Officer	No RCW	Not Covered
15.16.070	Escape	RCW 9A.76.130	Ord. #885
15.16.090	False Reporting	RCW 9A.84.040	Ord. #885
15.16.100	Obstruction of Extinguishment of a Fire	RCW 9A.48.070 Mal Misch. 1 st Sec. B	Ord. #400
15.16.110	Private Alarm System	No RCW	Not Covered
15.16.120	Malicious Prosecution	RCW 9.62.010	Not Covered
15.16.130	Criminal Contempt	RCW 9.92.040	Not Covered
15.16.140	Violation of a Restraining Order	RCW 26.09.300	Not Covered
15.16.150	Civil Defense – Violation	RCW 38.52	Not Covered
15.16.170	Interfering with Fire Alarm, Equipment – Prohibited	RCW 9.40.100	Ord. #400
15.16.180	Rendering Criminal Assistance 3	RCW 9A.76.090	Not Covered
15.16.190	Compounding	RCW 9A.76.100	Not Covered
15.16.200	Introducing Contraband 3 rd Degree	RCW 9A.76.160	Ord. #885
15.16.210	Bail Jumping	RCW 9A.76.170	Not Covered
15.16.220	False Swearing	RCW 9A.72.040	Not Covered
15.16.230	False Certification	RCW 9A.60.040	Not Covered
15.16.240	Withholding Knowledge of Felony	RCW 9.69.100	Not Covered
15.16.250	Tampering with Physical Evidence	RCW 9A.72.150	Not Covered
15.16.260	Activating an Alarm without Just Cause – Penalties (False Alarm)	None	Ord. #504A
ZPC 15.18 GAMBLING			
15.18.010	Definitions		
15.18.020	Certain Gambling Devices Prohibited	RCW 9.46.231	Ord. #231 / 296
15.18.060	Nuisances Defined	RCW 9.46.231	None
ZPC 15.20 WEAPONS & EXPLOSIVE CONTROL			
15.20.010	Definitions		
15.20.020	Being Armed Prima Facie Evidence of Intent	RCW 9.41.030	Not Covered
15.20.030	Carrying a Pistol	RCW 9.41.040	Not Covered
15.20.040	Carrying a Loaded Shotgun or Rifle in Vehicle (Prohibited)	RCW 77.15.460	Not Covered
15.20.050	Weapons – Intoxicated Persons, Places where Liquor Consumed	RCW 9.41.300	Not Covered
15.20.060	Exceptions to Carrying Pistol Restriction	RCW 9.41.060	Not Covered

15.20.070	Issue of License to Carry	RCW 9.41.070	Not Covered
ZPC 15.20 WEAPONS & EXPLOSIVE CONTROL (CONTINUED)			
15.20.100	Pistol Dealers to be Licensed	RCW 9.41.110	Not Covered
15.20.110	Exemptions	RCW 9.41.130	Not Covered
15.20.120	Certain Transfers of Pistol Forbidden	RCW 9.41.120	Not Covered
15.20.130	Alteration of Identifying Marks on Pistol Prohibited	RCW 9.41.140	Not Covered
15.20.170	Dangerous Weapons – Evidence	RCW 9.41.250	Not Covered
15.20.180	Air Gun Defined	No RCW	Ord. #402
15.20.190	Discharging of Air Rifle / Pistol Prohibited	RCW 9.41.230	Ord. #402 / 231
15.20.200	Weapons Apparently Capable of Producing Bodily Harm, Carrying, Exhibiting, Displaying or Drawing Unlawful – Penalty – Exceptions	RCW 9.41.270	Not Covered
15.20.210	Penalty	RCW 9A.20.010	Not Covered
15.20.220	Dangerous Exhibitions	RCW 9.41.250	Not Covered
15.20.240	Delivery	RCW 9.41.250	Not Covered
15.20.250	Prohibited Transaction	RCW 9.41.045	Not Covered
15.20.260	Violation – General Penalties	RCW 9.41.810	Not Covered
15.20.310	Aliens License to Carry Firearms – Exceptions	RCW 9.41.070	Not Covered
15.20.320	Use of Firearm by Minor	RCW 9.41.042	
15.20.330	Aiming/Discharging Firearm/Repl.	RCW 9.41.230	
ZPC 15.22 DRUGS AND OTHER CONTROLLED SUBSTANCES			
15.22.010	Adoption by Reference of Section of State Statute – Uniform Controlled Substances Act		
15.22.020	Violation of Section 15.22.010		Not Covered
15.22.030	Marijuana Possession – Guilty		Ord. #637
15.22.040	Glue Sniffing	RCW 9.46A.020	None
15.22.050	Violation of Section 15.22.040 (Penalty)	RCW 9.47A.050	None
15.22.070	Use		
15.22.080	Under the Influence		
15.22.090	Violation of 15.22.070 or 15.22.080 (Penalty)		
15.22.100	Presumption 0 Drug Paraphernalia Definition	RCW 69.50.102	
ZPC 15.24 ANIMAL CONTROL			
15.24.010	Animal Control (Definition)		Ord. ##910, Sec. 2
15.24.020	Licensing Requirements & Exemptions		Ord. #910 Sec. 3, 4

15.24.030	License – Application		Ord. #910, Sec. 5
ZPC 15.24 ANIMAL CONTROL (CONTINUED)			
15.24.040	Animal Control Officer’s Duties & Authority	RCW 16.52.025	Ord. #910, Sec. 16, 17
15.24.050	Animal Restraint		Ord. #910, Sec. 18, 19, 20, 21
15.24.060	Injury to Property		Ord. #910, Sec. 22
15.24.070	Jumping &/or Barking at Pedestrians		Ord. #910, Sec. 23
15.24.080	Keeping in Nauseous Manner		Ord. #910, Sec. 24
15.24.090	Harboring Vicious Animal		Ord. #910, Sec. 25
15.24.100	Impoundment, Violation Notice & Redemption		Ord. #
15.24.110	Animal Behavior as Nuisance		Ord. #910, Sec. 33
15.24.120	Humane Care & Treatment		Ord. #910, Sec. 34, 35, 37, 38, 39, 40, 41, 42, 43, 44
15.24.130	Keeping of Wild Animals, Fowl & Livestock		Ord. #910, Sec. 45, 46, 49
15.24.140	Numbers of Dogs Permitted		Ord. #910, Sec. 48
15.24.150	Animal Waste Removal		Ord. #910, Sec. 52
15.24.160	Enforcement & Obstructing Peace Officer		Ord. #910, Sec. 55
15.24.170	Killing &/or Butchering Domestic Animals or Fowl		Ord. #910, Sec. 53
15.24.180	Certain Stock Running at Large		Ord. #910, Sec. 47
15.24.190	Keeping of Stock	No RCW	Ord. #910
15.24.200	Paying Owner	No RCW	No Ordinance
15.24.210			
15.24.220			
15.24.230			
15.24.240	Violation	No RCW	Ord. #910, Sec. 56
15.24.250			
15.24.260	Dogs – Taking, Concealing, Injuring, Killing, etc.	RCW 9.09.070	Not Covered
15.24.270	Complaint – Search Warrant – Arrest	RCW 16.52.060	Not Covered
15.24.280	Arrest without Warrant	RCW 16.52.060	Not Covered
15.24.290			
15.24.300			
15.24.310	Cutting Ears	RCW 16.52.095	Not Covered
15.24.320	Poisoning Animals – Strychnine Sale – Records – Reports on Suspected Purpose	RCW 16.52.193	Ord. #910, Sec. 36
ZPC 15.26 MAYOR’S EMERGENCY POWERS			
15.26.010	Proclamation of Civil Emergency – Emergency Defined	No RCW	No Ordinance
15.26.020	Action which May be Taken	No RCW	No Ordinance
15.26.030	Delivery to News Media	No RCW	No Ordinance

15.26.040	Violation – Penalty	No RCW	No Ordinance
ZPC 15.28 CRIMES AS TO FLAGS			
15.28.010	“Flags,” etc., Defined	RCW 9.86.010	No Ordinance
15.28.020	Improper Use of Flags Prohibited	RCW 9.86.020	No Ordinance
15.28.030	Desecration of Flag	RCW 9.86.030	No Ordinance
15.28.040	Application of Provisions	RCW 9.86.040	No Ordinance
15.28.050	Penalty	RCW 9.86.050	No Ordinance
ZPC 15.30 HEALTH AND WELFARE			
15.30.010	Accumulation of Garbage Prohibited	No RCW	Ord. #636
15.30.020	Unhealthy Substance Prohibited	No RCW	Ord. #636
15.30.030	Littering Prohibited	RCW 70.93.060	Ord. #636
15.30.040	Obstruction of Thoroughfares Prohibited	No RCW	Ord. #636
15.30.050	Planting Trees, Shrubs, etc., Along Highways	No RCW	Ord. #636
15.30.060	Nuisance Abatement	No RCW	Ord. #636
15.30.070	Penalty for Violation	No RCW	Ord. #636

VEHICLE AND TRAFFIC
Title 16

CHAPTERS:

- 16.02 Statutes Adopted
- 16.04 Definitions
- 16.06 Enforcement
- 16.08 Abandoned Vehicles
- 16.10 Parking
- 16.12 Parades, Processions and Permits
- 16.14 Fire Regulations
- 16.16 Speed
- 16.18
- 16.20 Vehicles and Safety Regulations
- 16.22 Weight and Lead Regulations
- 16.24
- 16.26 Motorized Foot Scooters and Non-Motorized Vehicles

VEHICLES AND TRAFFIC
Chapter 16.02

SECTIONS:

- 16.02.010 Adopted
- 16.02.020 Sections Deleted
- 16.02.030 RCW Chapter 46.63 Adopted
- 16.02.040 Violation – Penalty

VEHICLES AND TRAFFIC

STATUTES ADOPTED

Chapter 16.02

16.02.010 Adopted

- A. The Washington Model Traffic Ordinance, RCW Chapter 46.90, hereinafter referred to as “MTO,” is adopted by reference as, and for, part of the traffic ordinance of the City of Zillah, codified as Title 16 of the Zillah City Code, as set forth in full herein except as provided in Section 16.02.020.

16.02.020 Sections Deleted

- A. The following sections, or portions of sections, of the MTO are not adopted by reference and are expressly deleted:

46.90.142	46.90.500	46.90.600
46.90.145	46.90.505	46.90.610
46.90.148	46.90.510	46.90.620
46.90.172	46.90.515	46.90.630
46.90.225	46.90.520	46.90.640
46.90.250	46.90.525	46.90.650
46.90.255	46.90.530	46.90.660
46.90.400	46.90.535	46.90.710
46.90.418	46.90.540	
46.90.469	46.90.560	

- B. That portion of RCW 46.90.427 adopting RCW 46.61.502, RCW 46.61.504, RCW 46.61.506 and RCW 46.61.515 by reference.

16.02.030 RCW Chapter 46.63 Adopted

- A. RCW Chapter 46.63, Disposition of Traffic Infractions, Is adopted by reference as if set forth herein in full.

16.02.040 Violation – Penalty

- A. Unless another penalty is expressly provided by law in the MTO, in the statutes that are adopted by reference therein, by RCW Chapter 46.63 or by City ordinance, any person who is convicted of violating or failing to comply with any of the provisions of Title 16 of the Zillah City Code is guilty of a misdemeanor.

DEFINITIONS
Chapter 16.04

SECTIONS:

- 16.04.010 Definitions – Generally
- 16.04.020 Channelization Island
- 16.04.030 Driveway
- 16.04.040 Fire Line
- 16.04.050 Railroad Train
- 16.04.060 Way Open to the Public

DEFINITIONS
Chapter 16.04

16.04.010 Definitions – Generally

- A. The following words and phrases, when used in this title, shall, for the purpose of this title, have the meaning respectively ascribed to them in this chapter unless where used the context thereof clearly indicates to the contrary.

16.04.020 Channelization Island

- A. “Channelization” means that area in a street set aside from vehicular travel either by curbing, paint lines or other markers for the purpose of facilitating vehicular movements or safeguarding pedestrians.

16.04.030 Driveway

- A. “Driveway” means that portion of street area which provides access to an off-street vehicular curb, or when there is no constructed curb, that area in front of such vehicle facility as is well defined or as is designated by authorized signs or markings.

16.04.040 Fire Line

- A. “Fire Line” means a line established at the direction of the fire chief during any emergency requiring the services of the fire department.

16.04.050 Railroad Train

- A. “Railroad Train” means a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except street cars.

16.04.060 Way Open to Public

- A. “Way Open to Public” means any road, alley, lane, parking area or any place, private or otherwise, adapted to and fitted for travel that is commonly used by the public with the constant, expressed or implied, of the owners and further, and public playgrounds, school grounds, recreation grounds, parks, parkways, park drives, park paths, wharves, station grounds and rights-of-way open to the use of the public.

ENFORCEMENT
Chapter 16.06

SECTIONS:

- 16.06.010 Authority of Police, Fire Department Officials and Flagger
- 16.06.020 When Complaint to be Issued – Failure to Respond to Notice – Misdemeanor
- 16.06.030 Exceptions to Code

ENFORCEMENT
Chapter 16.06

16.06.010 Authority of Police, Fire Department and Flagman

- A. Officers of the Zillah Police Department or such officers as are assigned by the Chief of Police are authorized to direct all traffic by voice.
- B. Officers of the Zillah Fire Department, when at the scene of a fire, may direct or assist the police in directing traffic threat or in the immediate vicinity.
- C. Employees of the Zillah Public Works Department, when authorized by the street division and attired with a hard hat and a high visibility vest, may direct or assist the police in directing traffic at the scene of construction or so near the roadway as to create a hazardous traffic condition.

16.06.020 When Complaint to be Issued – Failure to Respond to Notice – Misdemeanor

- A. In the event any person fails to comply with a notice given to such person or attached to a vehicle fails to make appearance pursuant to a summons directing an appearance in the Municipal Court, or if any person fails or refuses to deposit bail or pay monetary penalties as required and within the time permitted by ordinance, the City attorney may file a complaint against such person and secure a warrant for his arrest. Failure to respond to a notice to appear or to contact the Municipal Court is a misdemeanor. A warrant service fee of one hundred dollars (\$100.00) is to be assessed.

16.06.030 Exceptions to Code

- A. The provisions of Zillah City Title 16, Vehicles and Traffic, shall apply to acts taking place over and along the streets of this city or ways open to the public except:
 - 1. Where a different place is specifically referred to in a given section; and
 - 2. The provisions of RCW 46.52.010, 46.52.020, 46.52.030, 46.52.070, 46.52.080, 46.52.090 and 46.61.500 through 46.61.515 or their equivalent under City ordinance shall apply upon streets, ways open to the public and elsewhere throughout the City.

ABANDONED VEHICLES
Chapter 16.08

SECTIONS:

- 16.08.010 Definitions – RCW 46.55.010
- 16.08.020 Prohibition of Abandoned / Junked, Dangerous and Public Nuisance Vehicles
- 16.08.030 Administrative Hearing
- 16.08.040 Removal and / or Impounding of Vehicle
- 16.08.050 Vehicle Impound and Inventories
- 16.08.060 Antique Vehicle Restoration Waiver
- 16.08.70 Waiver
- 16.08.080 Violation - Penalties

ABANDONED VEHICLES
Chapter 16.08

16.08.010 Definitions

- A. The definitions set forth in this section apply throughout this ordinance, unless the context indicates otherwise:
1. “Abandoned / Junk Vehicle” means a motor vehicle that meets all the following requirements as defined by RCW 46.79.010:
 - a. Is three (3) years or older;
 - b. Is extensively damaged, such damage including but not limited to any of the following:
 1. Broken window or windshield;
 2. Missing wheels, tires, motor or transmission.
 - c. Is apparently inoperable;
 - d. Is without market value equal only to the value of the scrap in it;
 - e. Has a fair market value equal only to the value of the scrap in it.
 2. “Dangerous Vehicle” means a motor vehicle that meets all the following requirements:
 - a. The vehicle has been placed on blocks or any other device for the purpose of removing any wheel or wheels, or keeping a wheel or wheels off the ground;
 - b. The vehicle has been left on a public roadway or public right-of-way for more than twelve (12) hours;
 - c. The vehicle is deemed to be unsafe and a public hazard by the Chief of Police or his designee.
 3. “Public Nuisance Vehicle” means a motor vehicle, other than a motor home, camper or O.R.V., as defined by the department of Licensing, that meets all the following requirements:
 - a. Is located on public or private property within the City limits of the City of Zillah;
 - b. Is wrecked, junked, partially dismantled, inoperative or damaged to any degree which results in the vehicle not being capable of being operated, whether attended or not, or the vehicle is not currently licensed in any state and has not been so licensed for four (4) or more months. If the vehicle does not have

ABANDONED VEHICLES
Chapter 16.08

license plates attached and a check of the Department of Licensing through the computerized state system (ACCESS) is unable to locate a license record using the VIN, the vehicle is deemed to be unlicensed;

- c. Is not fully enclosed within a building;
- d. Is not kept, stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler or licensed vehicle dealer and is fenced according to RCW 46.80.131; and
- e. For which the property owner / vehicle owner has not requested and received a waiver from the Chief of Police or his designee authorizing the location of the vehicle for restoration as set forth in this ordinance.

16.08.020 Prohibition of Abandoned / Junked, Dangerous and Public Nuisance Vehicles

- A. It shall be unlawful for any person to permit, allow or maintain an abandoned / junked vehicle, a dangerous vehicle or a public nuisance vehicle after receiving notice from the City of Zillah to abate the condition or remove the vehicle in the manner described herein below:
 - 1. For any vehicle meeting the definition of an “abandoned / junked vehicle: or “public nuisance vehicle:”
 - a. If the City of Zillah is able to determine the identity of the registered owner of said vehicle, notice shall be given by attaching to the vehicle, in a conspicuous manner, a notice as described in Section 5 herein below. Said notice shall also be mailed by certified mail, return receipt requested, advising said registered owner of the thirty (30) day period of time within which to abate the problem and/or remove the vehicle.
 - b. In the event the abandoned / junk vehicle or public nuisance vehicle is unlicensed, and the City of Zillah is unable to locate a license record or determine the owner of the vehicle by other means, the notice shall be conspicuously attached to the vehicle for a period of twenty (20) calendar days.
 - 1. The notice to abate the condition or remove the vehicle shall be published in a local newspaper of general circulation.
 - a. Provided, that if the vehicle is located on private property, the notice may be mailed to the owner of said property, return receipt requested and publication in a newspaper shall not be required.
 - 2. After the twenty (20) day time period has expired, and if the registered owner or some person on his/her behalf has not responded to the notice or requested action, the vehicle may be impounded and/or removed.

ABANDONED VEHICLES

Chapter 16.08

3. For any vehicle meeting the definitions of dangerous vehicle, the City of Zillah shall not be required to send or conspicuously attach written notice for any period of time.
 - a. The Chief of Police or his designee shall make a reasonable attempt and effort to locate the owner or custodian of the dangerous vehicle.
 1. Should the owner or custodian of the vehicle be located, the City of Zillah shall give oral notice that the dangerous vehicle must be removed or condition abated within twenty four (24) hours of the time of the verbal notice.
 2. After twenty four (24) hours, or should the City of Zillah not be able to locate the owner or custodian of the dangerous vehicle, the vehicle may be removed or impounded in a manner consistent with this ordinance.
4. The notice attached to the vehicle and/or mailed to the registered owner of the vehicle or of the owner of real private property shall include the following:
 - a. Location of the vehicle;
 - b. Description of the vehicle and its condition;
 - c. Description/reason for the violation of this ordinance;
 - d. Notice that the vehicle will be impounded or removed if the owner or custodian fails to abate or remedy the problem;
 - e. Notice that a hearing may be requested;
 - f. Notice that the owner of the land on which the vehicle is located may appear in person at the hearing or present a written statement in time for consideration at the hearing and deny responsibility for the presence of the vehicle on the land, with his reasons for the denial;
 - g. Notice that costs of removal may be assessed against the registered owner of the vehicle, if the identity of the owner can be determined, unless the owner has complied with RCW 46.12.101, or the costs may be assessed against the owner of the property on which the vehicle is stored.

**ABANDONED VEHICLES
LICENSED AND/OR UNLICENSED**

CITY OF ZILLAH,

vs.

Name

Date of Mailing

Address

City, State, Zip

NOTICE IS HEREBY GIVEN THAT THE KEEPING OR STORING OF:

Description of Vehicle

at _____
Location of Vehicle

In its wrecked, junked, partially dismantled, damaged or inoperative condition neither completely enclosed within a building, nor in connection with a properly licensed business activity is in violation of the City of Zillah's Ordinances.

You must remove the vehicle from the City of Zillah, repair it or place it within a completely enclosed building. If you take no action within fifteen (15) days from the date of this notice, the City of Zillah will cause said vehicle to be towed and impounded.

YOU ARE FURTHER NOTIFIED that you are responsible for the costs of the towing and impounding.

CITY OF ZILLAH

By: _____
Chief of Police

Case Number: _____

ABANDONED VEHICLES
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16.08.030 Administrative Hearing

- A. An administrative hearing shall be held by the City of Zillah if a registered owner or real property owner requests such a hearing within fifteen (15) days of the date an Abandoned/Junked, Dangerous Vehicle Public Nuisance Notice is sent, certified mail, return receipt requested. All such requests for an Administrative Hearing will be made through the Chief of Police or his designee.
1. The hearing shall be held by an Administrative Hearing Officer appointed by the Mayor.
 2. Notice of the date, time and location for the hearing shall be mailed by certified mail with a five-day return receipt requested.
 3. Notice shall be mailed to the owner of the land as shown of the last equalized assessment roll and to the last registered and legal owner of record unless the vehicle is in such condition the identification numbers are not available to determine ownership.
 4. If the owner of the land on which the vehicle is located requests a hearing, he/she may appear in person or present a written statement in time for consideration at the hearing and deny responsibility for the presence of the vehicle on the land, with his/her reasons for denial. If it is determined at the hearing that the vehicle was placed on the land without the consent of the land owner and that he/she has not subsequently acquiesced in its presence, then the City of Zillah shall not assess costs of administration or removal of the vehicle against the property upon which the vehicle is located or otherwise attempt to collect the cost from the owner.
 5. The Administrative Hearing Officer shall determine the following:
 - a. If requesting party is present for the hearing:
 1. If the person who requests the hearing either fails to appear the real property owner fails to submit a written statement, the hearing shall be waived and an order for removal of the vehicle shall be entered.
 - b. If the vehicle meets the definitions of an Abandoned, Junked or Dangerous Vehicle, as defined in this ordinance;
 - c. If the registered owner, legal owner or owner of real property has received proper notice as set forth in this ordinance;
 - d. If the vehicle was placed on the property owners land without his or her consent and whether the property owner has acquiesced in the vehicle's presence;

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- e. If the registered owner, legal owner or owner of real property has applied for and received a waiver for an antique vehicle registration.
- 6. If, after a hearing, the Administrative Hearing Officer finds, based on a preponderance of evidence, the vehicle is in violation of this ordinance, the Hearing Officer shall issue a written order for the Chief of Police or his designee to have the vehicle removed and stored by a properly licensed towing and storage company.
- 7. If, after the hearing, the Administrative Hearing Officer shall find, based on a preponderance of the evidence, the vehicle does not violate this ordinance, the Hearing Officer shall issue a written order to the Chief of Police that the vehicle does not violate this ordinance and the vehicle shall not be removed.

16.08.040 Removal and/or Impounding Vehicle

- A. The Chief of police, or a police officer authorized by him, is hereby authorized to cause the vehicle removal and/or impoundment of any abandoned/junk, dangerous or nuisance vehicle.
 - 1. Provided, notice has been given as provided in this ordinance to the registered or legal owner or to the owner of the property on which the vehicle is located.
- B. If a hearing has been requested, no action shall be taken until a hearing has been held and written order from the Administrative Hearing Officer has been received.
- C. Whenever the Chief of Police or his designee removes a vehicle as authorized by this ordinance or by order of the Administrative Hearing Officer, he shall report or cause to be reported the impoundment of the vehicle to the Chief of the Washington State Patrol or his authorized representative.
- D. The Chief of Police or his designee shall order the removal of the vehicle by a properly licensed towing company using a standard "Vehicle Impound" form from the Department of Licensing.
- E. The vehicle may not be removed by the owner until the costs of impoundment, towing and storage is paid.
- F. In the event the owner fails to claim the abandoned/junk, dangerous or nuisance vehicle within fifteen (15) days, the vehicle may be auctioned and/or sold by the persons impounding it in a manner provided by law.

16.08.050 Vehicle Impounds and Inventories

- A. Impounds of vehicles may be ordered by officers of the Zillah Police Department when it is necessary and conforms to State Law and applicable case law.
- B. When any officer orders or authorizes a vehicle to be impounded, the officer will complete a "Vehicle Impound/Inventory" report.

ABANDONED VEHICLES
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1. This report will note the condition of the interior/exterior of the vehicle and property contained within.
 2. All obviously damaged areas will be noted, including any cracked or broken glass, observable dents and scratches, obviously missing parts or any other information necessary to determine the condition of the vehicle at the time of impound.
- C. It shall be the policy of the Zillah Police Department that all vehicles impounded by order of a police officer shall be fully inventoried, prior to release to a tow operator or impound company.
1. If the keys are to be released to the tow operator, an inventory of all the passenger areas, including locked compartments and the vehicle trunk, will be made.
 - a. This inventory shall be done for the protection of the vehicle owner, the City of Zillah and the Zillah Police Department.
 2. If the keys are not being released to the tow operator, no locked compartment will be inventoried.
 3. In all cases, the officer will note on his/her report if the keys were released to the tow operator.
 4. Prior to release of the vehicle to the tow operator, the officer shall have the operator sign the Vehicle Impound/Inventory report, accepting responsibility for the vehicle/property in the listed conditions.
- D. In the event that illegal contraband or evidence is located during an inventory of any locked compartment and/or the vehicle trunk, the officer should attempt to obtain a search warrant prior to seizing the illegal contraband or evidence, if possible.
1. Not all cases will allow for the officer to obtain a search warrant.
- E. When any vehicle is impounded, a notation on the Vehicle Impound Log shall be made, showing the date/time of the impound location of the impound, vehicle license number, driver's name and where the vehicle was impounded to.
- F. When the Zillah Police Department recovers a stolen vehicle for an outside agency, as much information as possible will be forwarded to the outside agency, including conditions and location of the vehicle.
1. The determination for disposition of the vehicle shall be the responsibility of the outside agency.
 2. If an impound is requested by the outside agency, all necessary reports, including the Vehicle Impound/Inventory report shall be completed.

ZILLAH POLICE DEPARTMENT

NOTICE OF ABANDONED/JUNK, DANGEROUS OR NUISANCE VEHICLE

Name

Date of Mailing

Address: (Street/PO Box, City, State, Zip)

Description of Vehicle – Year, Make, License Number and Color

Location of the above-listed vehicle

Notice is hereby given that the keeping or storing of the above-listed vehicle violates the Zillah Penal Code, as indicated below:

- ZPC 16.08.010 (1) Abandoned/Junk Vehicle:** (a) is three (3) years old or older; and (b) is extensively damaged, such damage including, but not limited to, any of the following: broken window or windshield or missing wheels, tires, motor or transmission; and (c) is apparently inoperable; and (d) is without market value equal only to the scrap in it; (e) has fair marked value equal only to the scrap in it.
- ZPC 16.08.010 (2) Dangerous Vehicle:** (a) the vehicle has been placed on blocks or any other device for the purpose of: removing any wheel or wheels, or keeping a wheel or wheels off the ground; and (b) the vehicle has been left on a public roadway or public right-of-way for more than twelve (12) hours; and (c) the vehicle is deemed to be unsafe and a public hazard by the Chief of Police or his designee.
- ZPC 16.08.010 (3) Public Nuisance Vehicle:** (a) is located on public or private property within the city limits of the City of Zillah; and (b) is wrecked, junked, partially dismantled, inoperative or damaged to any degree which results in the vehicle not being capable of being operated where attended, or not, or the vehicle is not currently licensed in any state and has not been so licensed for four (4) or more months; and (c) is not fully enclosed within a building; and (d) is not kept, stored or parked in a lawful manner on private property in connection with the business of licensed dismantler or licensed vehicle dealer; and (e) **for which the property owner/vehicle owner has not requested and received a waiver from the Chief of Police or his designee authorizing the location of the vehicle for restoration as set forth in this ordinance.**

You are notified that, if no action is taken within thirty (30) days from the date of this notice, and the vehicle continues to be kept or stored in the above manner, the listed vehicle will be impounded or removed. The cost of removal may be assessed against the registered owner of the vehicle, if the identity of the owner can be determined, unless the owner has complied with RCW 46.12.101, or the costs may be assessed against the owner of the property on which the vehicle is stored..

You are notified that you may request an Administrative Hearing, by an Administrative Hearing Officer of the City of Zillah. You must request a hearing within thirty (30) days of the date of this notice. If a hearing is requested, you will be notified by certified mail of the hearing date, time and location.

ZILLAH POLICE DEPARTMENT

NOTICE OF ABANDONED/JUNK, DANGEROUS OR NUISANCE VEHICLE

The owner of the land on which the vehicle is located may appear in person at the hearing or present a written statement in time for consideration at the hearing and deny responsibility for the presence of the vehicle on the land, with his reasons for the denial.

Antique Vehicle Restoration waivers may be obtained at the Zillah Police Department at no cost to the person applying. Antique Vehicle Restoration waivers must meet the following requirements:

1. The vehicle must be thirty (30) or more years old.
2. The vehicle must be kept on private property.
3. The vehicle must be in restorable condition and substantially intact with the body, frame, fenders, doors, wheels and motor.
4. The written waiver shall be attached to the vehicle in a conspicuous place.

Antique Vehicle Restoration Waivers will be valid for six (6) months and any owner may receive two (2) such waivers for the same vehicle.

CITY OF ZILLAH
POLICE DEPARTMENT,

Police Officer
David L. Simmons
Chief of Police

ABANDONED VEHICLES
Chapter 16.08

16.08.060 Antique Vehicle Restoration Waiver

- A. A vehicle may be considered antique, for the purpose of this ordinance, if it is more than thirty (30) years old and in restorable condition.
 - 1. Restorable condition shall be when the vehicle is substantially intact with the body, frame, fenders, doors, wheels and motor.
- B. The owner of an antique vehicle, as defined in this section, may notify the Chief of Police of his/her intent to restore the antique vehicle.
- C. When the Chief of Police, or his designee, is so notified, and the condition of the vehicle is verified, the owner shall be issued a written waiver of this ordinance.
 - 1. Provided, the vehicle meets the definition of an antique vehicle in restorable condition and the vehicle is placed or parked on private property.
- D. The waiver shall be valid for six (6) months and any owner may receive two (2) such waivers for the same vehicle.
- E. The written waiver shall be attached to the vehicle in a conspicuous place.
- F. There shall be no fee or cost for the waiver.

16.08.070 Waiver

- A. The written notice of waiver shall be substantially the following form:

ANTIQUÉ VEHICLE RESTORATION WAIVER

Date of Issue

Date of Expiration

Issued to: _____
Name

Address

Telephone: Home

Work

Vehicle Information:

Make: _____ Model: _____ Year: _____

Color: _____

License Number: _____

Location of Vehicle: _____

I, _____, request a waiver of the “Abandoned Vehicle Ordinance” from the City of Zillah. I am keeping the above-described vehicle for the purpose of restoration. I understand and agree to keep the vehicle on private property. I understand this waiver expires six (6) months from the date of issuance.

Owner of vehicle/property

Chief of Police

ABANDONED VEHICLES
Chapter 16.08

16.08.080 Violation – Penalties

- A. Any person who shall violate any provisions of this chapter, particularly any person who fails to remove an abandoned / junk vehicle, a dangerous vehicle or a public nuisance vehicle from property located within the corporate limits of the city of Zillah, Washington shall be guilty of a civil infraction.

- B. The Chief of Police, or any other police officer of the city of Zillah shall be authorized to issue a notice of infraction to a responsible party.
 - 1. The infraction shall be processed through the municipal court of the city of Zillah in the same fashion as traffic infractions.
 - 2. The party receiving an infraction notice shall have the right to contest or mitigate the infraction in the Zillah Municipal Court.

- C. The fine or penalty to be imposed upon any person committing an infraction shall be:
 - 1. An amount up to two hundred fifty dollars (\$250.00) for a first violation;
 - 2. Up to five hundred dollars (\$500.00) for a subsequent violation committed within twenty-four months of the time of the first violation.

- D. The party receiving the infraction shall be entitled to a hearing before the Zillah Municipal Court.
 - 1. In any such hearing, the city of Zillah shall be required to establish that this chapter has been violated by a preponderance of the evidence.

- E. The party receiving an infraction shall not be entitled to the appointment of an attorney without cost because this matter is an infraction and jail time is not remedy to the city for violations of this chapter.

Civil Infraction

Ordinance #814

PARKING
Chapter 16.10

SECTIONS:

- 16.10.010 Parking Prohibited – Generally
- 16.10.020 Regulating On-Street Parking
- 16.10.030
- 16.10.040
- 16.10.050
- 16.10.060
- 16.10.070 Obstruction of Mail Receptacles

PARKING
Chapter 16.10

16.10.010 Parking Prohibited – Generally

- A. The City Council may, from time to time, establish parking restrictions on portions of certain specified streets. A copy of such parking restrictions adopted and suitably marked to indicate amendments, additions, deletions or exceptions shall be authenticated and filed in the office of the City Clerk.
- B. In addition, copies thereof shall be available for use and examination by the public during regular business hours.

16.10.020 Regulating On-street Parking

- A. No person, firm or company shall park any motor vehicle on First Avenue and Second Avenue between Fifth Street and Eighth Street, and on Fifth, Sixth, Seventh and Eighth Streets between First Avenue and Second Avenue on all Fridays between the hours of 4:00 a.m. to 7:00 p.m.
- B. Any person who shall park a car on the public streets described in Section 2 herein above in violation of this ordinance shall be guilty of a civil infraction and, upon conviction thereof, may be fined in the amount of \$20.00 for the first violation, \$50.00 for the second violation thereafter.
- C. The collection of fines assessed against violators of this ordinance shall be accomplished in the same fashion as the collection of traffic infractions by the Municipal Court.

Ordinance #638

16.10.040 When a Vehicle May be Impounded

- A. Any vehicle, parked angle-parked so as to endanger any user or potential user of any street or way open to the public or used in violation of the traffic code is declared to be nuisance which may be summarily abated by the impounding and removal of the vehicle as herein provided.
- B. Any vehicle which is stolen or which is required by the police department for evidence of investigation, which is unoccupied or unattended and, in the judgment of any police officer, in danger of being stripped or stolen, or any wrecked and unattended vehicle may be impounded and removed as hereinafter provided.

16.10.070 Obstruction of Mail Delivery Receptacle

- A. No person shall park a vehicle or otherwise cause an obstruction to be placed in the public streets or rights-of-way of the City of Zillah, Washington, which interferes with or otherwise blocks a United States mail receptacle from vehicle delivery by employees of the United States Postal Service.
- B. Any person who shall violate the provisions of this ordinance shall be deemed guilty of a civil infraction.

PARKING
Chapter 16.10

1. Upon finding of guilt, said person may be fined in an amount of up to fifty dollars (\$50.00) per violation.
2. Each day the obstruction remains in front of a mail receptacle shall constitute a separate violation.

No RCW

Bail: \$50.00

Ordinance #729

PARADES, PROCESSIONS AND PERMITS
Chapter 16.12

SECTIONS:

16.12.010

16.12.020

16.12.030

16.12.040

16.12.050

16.12.060 Authority to Issue Street Closure Permits – Signing, Penalty

16.12.070 Permits for Curb Loading Zones

PARADES, PROCESSIONS AND PERMITS
Chapter 16.12

16.12.060 Authority to Issue Street Closure Permits – Signing, Penalty

- A. The City Superintendent is authorized to issue special permits for the purpose of closing any city street or traffic lane to vehicle traffic subject to the terms and conditions for such permit.
 - 1. No permit granted under the authority of this section shall be valid for more than seven (7) consecutive days.
 - 2. No permit shall be required for City employees acting in the normal course of business.
- B. The City Superintendent shall have the authority to place appropriate signs or devices in the roadway indicating that the street or part thereof is closed.
 - 1. Whenever such signs or devices are in place, no person shall drive a vehicle upon any such street or portion thereof except operators of vehicles having business whose residences are within such closed area, and then the operator shall exercise the greatest care in driving upon such street or portion thereof.
- C. It is unlawful for any permittee or other person to violate any of the special terms or conditions of such permit.

16.12.070 Permits for Curb Loading Zones

- A. The City Superintendent is authorized to issue special permits for the purpose of allowing a vehicle to load or unload merchandise at a curb loading zone used exclusively for that purpose or at other locations where parking, stopping or standing is prohibited, subject to terms and conditions of such permit.
 - 1. Such permits may be issued either to the owner of the vehicle and shall grant such person the privilege as therein stated and authorized by this section.
 - 2. It is unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.

FIRE REGULATIONS
Chapter 16.14

SECTIONS:

- 16.14.010
- 16.14.020 Fire Zone Existence
- 16.14.030 Removal of Obstruction
- 16.14.040 Traffic Operation
- 16.14.050 Fire Zone Entry
- 16.14.060 Fire Lines Established
- 16.14.070 Commandeering Private Vehicles
- 16.14.080 Barricading Hazardous Area

FIRE REGULATIONS
Chapter 16.14

16.14.020 Fire Zone Existence

- A. A fire zone shall remain in existence about the scene of every fire until such time as the Chief of the Fire Department or his authorized agent shall declare the emergency past.

16.14.030 Removal of Obstructions

- A. All traffic including stages, locomotives, railroad cars, vehicles and pedestrians within a fire zone shall stop in a safe place.
- B. It is unlawful for any person to move, operate or start to move or operate any vehicle upon orders of the Chief of the Fire Department or his authorized agents.

Bail: \$47.00

16.14.040 Traffic Operation

- A. All traffic, including stages, locomotives, railroad cars, vehicles and pedestrians within a fire zone shall stop in a safe place, operate or start to move or operate* * any vehicle except upon orders of the Chief of the Fire Department or his authorized agents.

Bail: \$47.00

16.04.050 Fire Zone Entry

- A. It is unlawful to enter a fire zone or to stop, stand or park in such a manner as to hinder the apparatus of the Fire Department in entering or leaving any fire zone.

Bail: \$47.00

16.04.060 Emergency Fire Lines Established

- A. During any emergency requiring the services of the Fire Department, the Fire Chief or his authorized agent is authorized to establish fire lines on a public street or private property by roping off the same or by stationing a fireman in uniform or a police officer to direct traffic.
- B. It is unlawful for any person to disregard or fail to obey the orders of said fireman or police officer or run over said rope or to operate any vehicle inside fire lines.

Bail: \$125.00

16.14.070 Commandeering Private Vehicles

- A. It is unlawful for the Chief of the Fire Department and his authorized agents to require the aid of the operator of any vehicle in drawing or conveying any apparatus, equipment or tools of the Fire Department to a fire.

FIRE REGULATIONS
Chapter 16.14

16.14.080 Barricading Hazardous Area

- A. The Chief of the Fire Department or his authorized agent shall, when the walls of a burned building are unsafe or are in such condition as to endanger traffic on public streets, or when any pole, chimney, spire, steeple, electric wire or other thing or object endangers human life or property in the public streets and fence or wall off parts of public streets and private property adjacent thereto and place suitable signs marked "Danger" about same, or red lights at night.

- B. It is unlawful for any person to remove, mutilate, tear down or otherwise damage any sign, fence, wall or rope, or to walk, drive, operate or move any vehicle inside said lines, fence or walls.

Bail: \$125.00

VEHICLE AND SAFETY REGULATIONS
Chapter 16.20

SECTIONS:

16.20.010

16.20.020 Moving Vehicle of Another – Authorized under Special Conditions

VEHICLE AND SAFETY REGULATIONS
Chapter 16.20

16.20.020 Moving Vehicle of Another – Authorized Under Special Condition

- A. Any vehicle otherwise legally parked by obstructing access to a public utility manhole or pole, obstructing passage of an over-sized vehicular load may be moved under emergency conditions at the direction of a peace officer by means of towing or otherwise to a location not to exceed three hundred (300) feet away from such interference.
- B. The peace officer authorizing such parked vehicle to be moved shall affix notice in writing to the vehicle on which shall be noted the location from which the vehicle has been moved, the location to which the vehicle has been moved and the reason for the removal.
- C. Such tow shall be at the expense and liability of the person or utility making the request.
- D. The police department shall maintain a record of this information.

WEIGHT AND LOAD REGULATIONS
Chapter 16.22

SECTIONS:

16.22.010 Weight of Motor Trucks and Other Vehicles

WEIGHT AND LOAD REGULATIONS
Chapter 16.22

16.22.010 Weight of Motor Trucks and Other Vehicles

- A. There is imposed a limit to weight of motor vehicles and other vehicles on all non-arterial streets and highways within areas of Zillah zoned R-1 or R-2. This weight shall not exceed 30,000 pounds.
 - 1. The Chief of Police or his designee shall erect signs designating with limit for any street or highway.
 - 2. Excepted is any street or highway which forms a part of any route of any primary state highway as determined by the Department of Transportation of the State of Washington.
- B. A special permit may be submitted to the City Administrator/Clerk for consideration by the City Council.
- C. Trucks, trailers or any combination of truck/trailer and truck tractors whether connected or not and/or 30,000 lbs. gross vehicle licensed whether loaded or unloaded shall not drive in such traffic except by special permit and shall in no case be parked on any public right-of-way for longer than one (1) hour, regardless of zone.

Bail: \$500.00

Ordinance #592

MOTORIZED FOOT SCOOTERS AND NON-MOTORIZED VEHICLES

Chapter 16.26

- 16.26.010 Definitions
- 16.26.020 Purpose and Policy Declared
- 16.26.030 Duty to Obey Rules of the Road and Traffic Signals
- 16.26.040 Motorized Foot Scooters and Bicycle Operation
- 16.26.050 Motorized Foot Scooters and Bicycle Operation Prohibited
- 16.26.060 Motorized Foot Scooters and Bicycle Helmet Required
- 16.26.070 Use of Skateboards, Coasters, Roller Skates and Similar Devices Restricted
- 15.26.080 Parent or Guardian Responsibility
- 15.26.090 Violation – Enforcement Authority and Penalties
- 15.26.100 Seizure and Forfeiture

MOTORIZED FOOT SCOOTERS AND NON-MOTORIZED VEHICLES

Chapter 16.26

16.26.010 Definitions

- A. The following words and phrases when used in this chapter shall, for the purposes of this chapter, have the meanings respectively ascribed to them in this section:
1. “Motorized Foot Scooter” means a device with no more than two ten-inch or smaller diameter wheels that has handlebars, is described to be stood or sat upon by the operator, and is powered by an internal combustion engine or electric motor that is capable of propelling the device with or without human propulsion;
 2. “Bicycle” means every device propelled solely by human power upon which a person or persons may ride, having two tandem wheels either of which is sixteen inches or more in diameter, or three wheels, any one of which is more than twenty inches in diameter;
 - a. Within this chapter, the term “bicycle” shall include any attached trailers, sidecars, and/or other device being towed by a bicycle.
 3. “Helmet” means a head covering that meets or exceeds safety standards adopted by Standard Z-90.4 set by the American National Standards Institute (ANSI), or the Snell Foundation, or such subsequent nationally recognized standard for bicycle helmet performance as the city council may adopt;
 4. “Parent or Guardian” means a parent, legal guardian, an adult with custody, or temporary guardian, who maintains responsibility, whether voluntary or otherwise, for the safety and welfare of a person under the age of eighteen years;
 5. “Skateboard” has the ordinary meaning and means a footboard mounted upon four or more wheels and is usually propelled by the user who sometimes stands, sits, kneels or lays upon the device while it is in motion;
 6. “Roller skates” has its ordinary meaning and means a pair of shoes, mounted upon two sets of wheels, and is propelled solely by human power and is usually operated by the user in an upright, standing position or kneeling;
 7. “Coasters” has its ordinary meaning and means a footboard mounted upon two or more wheels and controlled by an upright steering handle;
 - a. This device is propelled solely by human power and is usually operated by the user in an upright, kneeling or sitting position.
 8. “In-line skates” has its ordinary meaning and means a pair of shoes or boots, mounted upon three or more sets of wheels located one behind the other under the attached shoe or boot, and is propelled solely by human power and is usually operated by the user in an upright, standing position or kneeling;

MOTORIZED FOOT SCOOTERS AND NON-MOTORIZED VEHICLES

Chapter 16.26

9. "Other similar device" means any other device solely human powered that has wheels, is propelled by the user and is designed to be stood upon, sat upon or rode in any manner that does not meet any other definition outlined in this ordinance.

Ordinance #1016

16.26.020 Purpose and Policy Declared

- A. This chapter is enacted as an exercise of the police power of the City of Zillah to protect and preserve the public safety, health and welfare. Its provisions shall be liberally construed for the accomplishment of these purposes.
 1. It is the express purpose of this chapter to provide for, and to promote the safety, health and welfare of, the general public and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this chapter.
 2. It is the specific intent of this chapter to place the obligation of complying with its requirements upon any person falling within this scope and no provision of nor term used in this chapter is intended to or shall impose any duty whatsoever upon the City of Zillah or any of its officers or employees for whom the implementation or enforcement of this chapter shall be discretionary and not mandatory.
 3. Nothing contained in this chapter is intended to be, nor shall be construed or create or the form the basis for, any liability on the part of the City of Zillah or its officers, employees or agents for any injury or damage resulting from the failure of any person subject to this chapter to comply with this chapter or by reason or in consequence of any act or omission in connection with the implementation or enforcement of this chapter on the part of the City of Zillah by its officers, employees or agents.

Ordinance #1016

16.26.030 Duty to Obey Rules of the Road and Traffic Signals

- A. Any person operating a skateboard, roller skates, coaster, in-line skates, motorized foot scooter, or similar device within the City of Zillah shall obey all rules of the road applicable to vehicle or pedestrian traffic, as well as the instructions of official traffic-control signals, signs or other control devices applicable to vehicles, unless otherwise directed by a police officer.

Ordinance #1016

16.26.040 Motorized Foot Scooter and Bicycle Operation

- A. Any person operating a motorized foot scooter or bicycle within the City of Zillah shall be granted all the rights and shall be subject to all the duties and laws applicable to motor vehicle

MOTORIZED FOOT SCOOTERS AND NON-MOTORIZED VEHICLES

Chapter 16.26

operators except as provided for in this chapter.

1. Whenever authorized signs are erected indicating that no right or left or U turn is permitted, no person operating a bicycle or motorized foot scooter shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.
2. Any person operating a motorized foot scooter or bicycle shall signal their intent to turn, slow, stop or change lanes or direction prior to making the direction or lane change. The following hand signals shall be required: (RCW 46.61.758)
 - a. Left turn. Left hand and arm extended horizontally beyond the side of the bicycle or motorized foot scooter;
 - b. Right turn. Left hand and arm extended upward beyond the side of the bicycle or right hand and arm extended horizontally to the right side of the bicycle or motorized foot scooter;
 - c. Stop or decrease speed. Left hand and arm extended downward beyond the side of the bicycle or motorized foot scooter;
3. No bicycle or motorized foot scooter shall carry more passengers than the number for which it is designated and equipped. (RCW 46.61.760)
4. Every person operating a bicycle or motorized foot scooter upon a roadway at the rate of speed less than the normal flow of traffic at the particular time and place shall ride as near to the right side of the right through lane as is safe except as may be appropriate while preparing to make or while making turning movements, or while overtaking and passing another bicycle or vehicle proceeding in the same direction.
 - a. A person operating a bicycle or motorized foot scooter upon a roadway or highway other than a limited-access highway, which roadway or highway carries traffic in one direction only and has two or more marked traffic lanes, may ride as near to the left side of the left through lane as is safe.
 - b. A person operating a bicycle or motorized foot scooter upon a roadway may use the shoulder of the roadway or any specially designated bicycle lane, if such exists. (RCW 46.61.770)
5. Persons riding bicycles or motorized foot scooters upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. (RCW 46.61.770)

Ordinance #1016

MOTORIZED FOOT SCOOTERS AND NON-MOTORIZED VEHICLES

Chapter 16.26

6. No person operating a bicycle shall carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handlebars.
7. Every bicycle or motorized foot scooter, when in use during the hours of darkness as defined in RCW 46.37.020, shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet to the front and with a red reflector on the rear of a type approved by the State Patrol which shall be visible from all distances up to six hundred feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle.
 - a. A lamp emitting a red light visible from a distance of five hundred feet to the rear may be used in addition to the red reflector.
 - b. A light-emitting diode flashing taillight visible from a distance of five hundred feet to the rear may also be used in addition to the red reflector. (RCW 46.61.780)
8. Every bicycle or motorized foot scooter shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement. (RCW 46.61.780)
9. Persons operating a motorized foot scooter on a public roadway or on public property must be at least sixteen (16) years of age.

Ordinance #1610

16.26.050 Motorized Foot Scooters and Bicycle Operation Prohibited

- A. Motorized foot scooters and bicycles shall not be operated in a negligent manner upon any roadway, sidewalk or city right-of-way within the City of Zillah.
 1. For the purpose of this section, “to operate in a negligent manner” means to operate a motorized foot scooter or bicycle in such a manner as to endanger or be likely to endanger any person or property or to obstruct, hinder or impede the lawful course of travel of any motor vehicle or the lawful use by any pedestrian of public streets, sidewalks, alleys, parking areas, trails or public parks within the City of Zillah.
- B. No person shall park a bicycle or motorized foot scooter upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such a manner as to afford the least obstruction to pedestrian traffic.
- C. No person shall ride a motorized foot scooter or bicycle on a sidewalk in a business district.
 1. For the purpose of this section, “business district” means the area within the City of Zillah, between 5th Street and 8th Street and 1st Avenue and 2nd Avenue.

MOTORIZED FOOT SCOOTERS AND NON-MOTORIZED VEHICLES

Chapter 16.26

2. The sidewalks on both sides of the street and any sidewalks within the area are included.
 3. Whenever a person is riding a bicycle or motorized foot scooter on any other sidewalk, such person shall yield the right-of-way to any pedestrian on that sidewalk.
- D. No person shall ride a bicycle or motorized foot scooter in any park or city-owned property, including parking lots, unless it is designated as a bicycle path and is posted as such.
- E. No person shall operate a motorized foot scooter on a public street or road with a speed limit in excess of twenty-five miles per hour, unless the motorized foot scooter is operated within a designated bicycle lane.
- F. No person shall operate a motorized foot scooter within the City of Zillah without a muffling device in good working order and in constant operation to prevent excessive noise or with a modified muffling device.

Ordinance #1610

16.26.060 Bicycle and Motorized Foot Scooter – Helmet Required

- A. A person riding a bicycle or motorized foot scooter upon any public area in the City of Zillah shall wear an approved bicycle helmet designed for safety that meets or exceeds the standards adopted in ZLEC 16.26.010(3), and shall have either the neck or chin strap of the helmet fastened securely while the bicycle or scooter is in motion.
1. No person shall transport another person on or in tow of a bicycle or motorized foot scooter upon any public area in the City of Zillah unless the passenger is wearing a helmet that meets the requirements of this chapter.
 2. A parent or guardian is responsible for requiring that a child under the age of eighteen (18) years wears an approved bicycle helmet while bicycling or riding as a passenger on a bicycle in any public area in the City of Zillah and has the neck or chin strap of the helmet fastened securely.
 3. Any person violating any of the provisions of section 16.26.060 shall have committed a traffic infraction and shall be liable for monetary penalties as set forth in Chapter 46.63 RCW, not to exceed \$25.00.
 4. The court may waive, reduce or suspend the penalty and clear the notice of violation as a warning for an individual who has not received a notice of violation of this chapter within one year and provides proof that he or she has acquired an approved bicycle helmet at the time of appearance in court.

MOTORIZED FOOT SCOOTERS AND NON-MOTORIZED VEHICLES

Chapter 16.26

5. Information about the need for bicycle helmets, safe helmet use, safe bicycle operation and existing bicycle safety programs is available at the City of Zillah police and fire departments.
 - a. The City of Zillah encourages any person engaging in the business of selling bicycles to include information on bicycle safety and the bicycle helmet requirements of this chapter with each bicycle sold.
 - b. The City of Zillah encourages any person engaging in the business of selling bicycle helmets to include information on safe helmet usage with each helmet sold.

Ordinance #1016

16.26.070 Use of Skateboards, Coasters, Roller Skates and Similar Devices Restricted

- A. No skateboard, roller skates, coaster, in-line skates or similar device shall be ridden or operated in a negligent manner but shall be operated with reasonable regard for the safety of the operator and other persons.
 1. For the purpose of this section, “to operate in a negligent manner” means to operate in such a manner as to endanger or be likely to endanger any person or property or to obstruct, hinder or impede the lawful course of travel of any motor vehicle or the lawful use by any pedestrian of public streets, sidewalks, alleys, parking areas, trails or public parks within the City of Zillah.
 2. Any person operating a skateboard, roller skates, coaster, in-line skates or similar device shall obey the instructions of official traffic-control signals, signs and other control devices applicable to vehicles, unless otherwise directed by a police officer.
 3. No person shall ride a skateboard, roller skates, coaster, in-line skates or similar device on a sidewalk in a business district.
 - a. For the purpose of this section, “business district” means the area within the City of Zillah between 5th Street and 8th Street, 1st Avenue and 2nd Avenue.
 - b. The sidewalks on both sides of the street and any sidewalks within the area are included.
 - c. Whenever any person is riding a skateboard, roller skates, coaster, in-line skates or similar device on any other sidewalk, such person shall yield the right-of-way to any pedestrian on that sidewalk.

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4. No person shall ride a skateboard, roller skates, coaster, in-line skates or similar device in any park or city owned property, including parking lots, except in approved locations, which are appropriately signed.

Ordinance #1016

16.26.080 Parent or Guardian Responsibility

- A. It is unlawful for any parent, guardian or other person having control or custody of a minor child to authorize or knowingly allow the minor to operate a bicycle, motorized foot scooter, skateboard, coaster, roller skates, in-line skates or other similar device in violation of this chapter.

Ordinance #1016

16.26.090 Violation – Enforcement Authority and Penalties

- A. The City of Zillah Police Department personnel shall have the authority to enforce the provisions of this chapter.
- B. Unless otherwise set forth in this chapter, upon determining a violation of this chapter has occurred, law enforcement officers may, at their discretion, issue a civil infraction in the following amounts to any person, including a parent or guardian, violating any of the provisions of this chapter, provided that the amount shall not exceed \$250.00:
 1. First Offense: \$40.00
 2. Second Offense: \$80.00
 3. Third Offense: \$250.00
- C. In addition to issuing an infraction, law enforcement officers may impound a bicycle, motorized foot scooter, skateboard, coaster or other similar device, excluding roller skates or in-line skates, in accordance with ZLEC 16.26.100 and may sell or destroy the seized property upon order of the court in accordance with ZLEC 16.26.100.

Ordinance #1016

16.26.100 Impoundment

- A. All bicycles, motorized foot scooters, skateboards, coasters or other similar devices, excluding roller skates or in-line skates operated in violation of this chapter are subject to impoundment.

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1. Law enforcement officers may impound the motorized foot scooters, bicycles or other items listed in this chapter that are operated in violation of this chapter, except for violations of 16.26.060 for failure to wear an approved helmet.
2. Property impounded under this ordinance will be released to the owner if he or she is 18 years of age or a parent or guardian of the person from whom the property was impounded upon request and without cost.
 - a. Release of the property shall be during normal business hours of the Zillah Police Department.
3. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other sections, sentence, clause or phrase of this ordinance.

Ordinance #1016

ZPC 16.02 VEHICLE AND TRAFFIC			
16.02.010	Adoption	No RCW	Ord. #482
16.02.020	Sections Deleted	No RCW	Ord. #482
16.02.030	RCW Chapter 46.63 Adopted	No RCW	Ord. #482
16.02.040	Violations – Penalty	No RCW	Ord. #482
ZPC 16.04 DEFINITIONS			
16.04.010	Definitions – Generally	No RCW	Ord. #482
16.04.020	Channelization Island	RCW 97.24.020	Ord. #482
16.04.030	Driveway	RCW 36.75.010	Ord. #482
16.04.040	Fire Line	No RCW	Ord. #482
16.04.050	Railroad Train	No RCW	Ord. #482
16.04.060	Way Open to Public	No RCW	Ord. #482
ZPC 16.06 ENFORCEMENT			
16.06.010	Authority of Police & Fire Department Officials & Flagmen	No RCW	Ord. #482
16.06.020	When Complaint to be Issued – Fail to Respond to Notice – Misdemeanor	No RCW	Ord. #482
16.06.030	Exception to Code	No RCW	Ord. #482
ZPC 16.08 ABANDONED VEHICLES			
16.08.010	Definition	RCW 46.55.010	Ord. #814
16.08.020	Prohibition of Abandoned/Junked, Dangerous & Public Nuisance Vehicles	No RCW	Ord. #814
16.08.030	Administrative Hearing	No RCW	Ord. #814
16.08.040	Removal and/or Impounding of Vehicle	No RCW	Ord. #814
16.08.050	Vehicle Impound and Inventories	No RCW	Ord. #814
16.08.060	Antique Vehicle Restoration Waiver	No RCW	Ord. #814
16.08.070	Waiver	No RCW	Ord. #814
16.08.080	Violation	No RCW	Ord. #814
ZPC 16.10 PARKING			
16.10.010	Parking Prohibited – Generally	No RCW	Ord. #482
16.10.020	Regulated On-street Parking	No RCW	Ord. #638
16.10.030			
16.10.040	When Vehicle may be Impounded	No RCW	Ord. #482
16.10.050			
16.10.060	Parking in Alleys	No RCW	No Ordinance
16.10.070	Prohibiting the Obstruction of Mail Delivery Receptacles	No RCW	Ord. #729
16.10.080			
ZPC 16.12 PARADES, PROCESSIONS AND PERMITS			
16.12.010			
16.12.020			

ZPC 16.12 PARADES, PROCESSIONS AND PERMITS (Continued)			
16.12.030			
16.12.040			
16.12.050			
16.12.060	Authority to Issue Street Closure Permits – Signing – Penalty	No RCW	Ord. #482
16.12.070	Permits for Curb Loading Zones	No RCW	Ord. #482
ZPC 16.14 FIRE REGULATIONS			
16.14.010			
16.14.020	Fire Zone Existence	No RCW	Ord. #482
16.14.030	Removal of Obstruction	No RCW	Ord. #482
16.14.040	Traffic Operation	No RCW	Ord. #482
16.14.050	Fire Zone Entry	No RCW	Ord. #482
16.14.060	Fire Lines Established	No RCW	Ord. #482
16.14.070	Commandeering Private Vehicles	No RCW	Ord. #482
16.14.080	Barricading Hazardous Areas	No RCW	Ord. #482
16.14.090	Fire Line Authorization	No RCW	Ord. #482
ZPC 16.16 SPEEDS			
16.16.010	Speed Limits Established – Generally	RCW 46.61.400	Ord. #482
ZPC 16.20 VEHICLE AND SAFETY REGULATIONS			
16.20.010			
16.20.020	Moving Vehicle of Another Authorized under Special Conditions	No RCW	Ord. #482
ZPC 16.22 WEIGHT AND LOAD RESTRICTIONS			
16.22.010	Weight of Motor Trucks & Other Vehicles	No RCW	Ord. #597
ZPC 16.26 MOTORIZED FOOT SCOOTERS AND NON-MOTORIZED VEHICLES			
16.26.010	Definitions		Ord. #1016
16.26.020	Purpose and Policy Declared		Ord. #1016
16.26.030	Duty to Obey Rules of the Road and Traffic Signals		Ord. #1016
16.26.040	Motorized Foot Scooters and Bicycle Operation		Ord. #1016
16.26.050	Motorized Foot Scooters and Bicycle Operation Prohibited		Ord. #1016
16.26.060	Motorized Foot Scooters and Bicycle Helmet Required		Ord. #1016
16.26.070	Use of Skateboards, Coasters, Roller Skates and Similar Devices Restricted		Ord. #1016
16.26.080	Parent or Guardian Responsibility		Ord. #1016
16.26.090	Violation – Enforcement Authority and Penalties		Ord. #1016
16.26.100	Seizure and Forfeiture		Ord. #1016