

# Ordinance No. 00041

[\(Council Minutes 96/01/16\)](#)

## ORDINANCE NO. 41

AN ORDINANCE of the City Council of the City of Lakewood, Washington, creating a criminal code for the City of Lakewood to be known as Title 9 of the Lakewood Municipal Code, relating to Public Peace, Morals and Welfare

WHEREAS, among the responsibilities falling on the City of Lakewood upon incorporation would be enforcement of ordinances proscribing violations of criminal laws adopted as a part of the Lakewood Municipal Code; and,

WHEREAS, there are a number of areas of criminal conduct regulations that the City would want to address by code provisions designed to meet specific and unique needs of the City; and,

WHEREAS, in addition to those specific and unique areas of criminal conduct regulations, many of the criminal offenses that would be appropriate for inclusion in the City code are offenses already set forth in statutes of the State of Washington, with the language of those statutes adequately describing the conduct to be prohibited in a way that meets the needs of the City; and,

WHEREAS, since the City is expecting to utilize the services of the Pierce County Sheriff=s Office for law enforcement within the City, at least on an interim basis and perhaps on a longer, on-going basis, it would be advantageous for as many of the criminal code provisions that the City will be responsible for enforcing to be similar to and consistent with those criminal code provisions in the State law used by the Pierce County Sheriff=s Office to the extent that they meet they needs of the City; and,

WHEREAS, in order to include such criminal offense provisions in the City=s municipal code, it would be advantage and beneficial for the City to adopt the provisions of the State statutes by reference as a part of the criminal codes of the City, and to provide that the references to such sections likewise be consistent with those of State statute.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN as follows:

### SECTION 1. ADOPTION OF LAKEWOOD CRIMINAL CODE.

That Title 9 of the Lakewood Municipal Code, be, and the same hereby is, created to read as follows:

#### TITLE 9

#### PUBLIC PEACE, MORALS AND WELFARE

##### Chapter 9.01

##### Preliminary Article

##### Sections:

##### 9.01.010 Preliminary statement.

#### 9.01.010 Preliminary statement.

A. This Title as adopted hereby and as it may hereafter be amended, supplemented and modified shall be known as, and may be cited as, the Lakewood Criminal Code, as a part of the Lakewood Municipal Code.

B. The provisions of this Code shall apply to any offense that is a violation of the Code committed on or after the official date of incorporation of the City, February 28, 1996.

C. The provisions of this Code do not apply to, or govern, the construction of and punishment for any offense committed prior to February 28, 1996, or to the construction and application of any defense to a prosecution for such an offense. Such an offense must be construed and punished according to the provisions of law existing in the then-unincorporated area of Pierce County at the time of the commission thereof in the same manner as if this Code had not been enacted.

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

E. Section captions are for organizational purposes only and shall not be construed as part of this Code.

### Chapter 9.02

#### General Provisions

##### Sections:

9.02.010 Purposes - Principles of construction.

9.02.020 City criminal jurisdiction.

9.02.030 Classes of crimes - penalties.

9.02.040 Personal jurisdiction.

9.02.050 Limitation of action.

9.02.060 Proof beyond a reasonable doubt.

9.02.070 Non-appearance after written promise.

9.02.080 Intentional failure to comply.

9.02.090 Conviction--Judgment for fine and costs.

9.02.100 Payment of costs of prosecution.

9.02.110 Adoption of State statutes by reference.

9.02.120 Citation reference to Sections adopted by reference.

9.02.900 Statutes incorporated by reference.

#### 9.02.010 Purposes - Principles of construction.

A. The general purposes of the provisions governing the definition of offenses are:

1. To forbid and prevent conduct that inflicts or threatens substantial harm to individual or public interests;
2. To safeguard conduct that is without culpability from condemnation as criminal;
3. To give fair warning of the nature of the conduct declared to constitute an offense;
4. To 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 and when the language is susceptible of differing constructions it shall be interpreted to further the general purposes stated in this Title.

#### 9.02.020 City criminal jurisdiction.

Any person who commits within the corporate limits of the City any crime that is a violation hereof, in whole or in part, is liable to arrest and punishment.

#### 9.02.030 Classes of crimes - penalties.

A. An offense defined by this Code, for which a sentence of imprisonment is authorized, constitutes a violation of City ordinance and a crime. For purposes of this Code, the two terms shall have the same meaning and may be used interchangeably.

B. Violations of City ordinances are classified as gross misdemeanors, or misdemeanors. A violation of a City ordinance is a misdemeanor if not otherwise designated by this Code or by the Code adopted by reference, and if persons convicted thereof may be sentenced to imprisonment for a term not in excess of ninety (90) days. A violation of a City ordinance is a gross misdemeanor if so designated in this Code, and if persons convicted thereof may be sentenced to imprisonment for a term not in excess of one year.

C. Unless otherwise specifically provided, misdemeanors shall be punishable by imprisonment in jail for a term of up to ninety (90) days, or by a fine of up to one thousand dollars (\$1,000.00), or by both such imprisonment and fine. Unless otherwise specifically provided, gross misdemeanors shall be punishable by imprisonment in jail for a term of up to one year, or by a fine of up to five thousand dollars (\$5,000.00), or by both such imprisonment and fine.

#### 9.02.040 Personal jurisdiction.

Every person, regardless of whether or not an inhabitant or resident of the City, may be tried and punished under this Code for any violation of City ordinance committed by him or her within the corporate limits of the City.

#### 9.02.050 Limitation of action.

A. No violation of City ordinance which is classified as a gross misdemeanor herein or in the code adopted by reference may be prosecuted more than two (2) years after its commission. No violation of City ordinance classified as a misdemeanor herein or in the code adopted by reference may be prosecuted more than one (1) year after its commission.

B. The periods of limitation prescribed herein do not run during any time when the person charged is not usually and publicly resident within this State.

C. If, before the end of a period of limitation prescribed herein, a complaint or an information has been filed, and the complaint or information is set aside, then the period of limitation is extended by a period equal to the length of time from the filing to the setting aside.

#### 9.02.060 Proof beyond a reasonable doubt.

A. Every person charged with a violation of a City ordinance that constitutes a crime is presumed innocent unless proved guilty. No person may be convicted of such a violation unless each element of such crime is proved by competent evidence beyond a reasonable doubt.

B. When a violation of such a City ordinance has been proven against a person, and there exists a reasonable doubt as to which of two or more degrees he or she is guilty, such person shall be convicted only of the lowest degree.

#### 9.02.070 Non-appearance after written promise.

Any person who, after having been issued a citation for a criminal traffic or criminal non-traffic violation by a law enforcement officer or by any other person authorized to issue criminal citations or complaints under law and where the person so charged signed a written promise to appear in court at a specific date and time or as otherwise indicated on the citation or complaint, fails to appear in court at the date and time so indicated shall be guilty of a misdemeanor regardless of the disposition of the charge with which he or she was originally cited. Violation of this Section shall be punishable by imprisonment in jail for a period of up to ninety (90) days or a fine in the amount up to one thousand dollars (\$1,000.00) or both such jail and fine.

#### 9.02.080 Intentional failure to comply.

A court may, in its discretion, treat any intentional failure to comply with a court order in respect to fines or costs, or both, upon conviction, as civil contempt.

#### 9.02.090 Conviction--Judgment for fine and costs.

Upon judgment for fine and costs rendered on a conviction, execution may be issued against the property of a defendant and returned in the same manner as in civil actions.

#### 9.02.100 Payment of costs of prosecution.

Whenever anyone is convicted of any offense in the city, in addition to the fine imposed, he or she must pay the costs of prosecution. Costs of prosecution shall include any or all of the following: cost of docket, cost of issuing warrant, cost for mileage and processing the warrant, a fee for a personal recognizance bond, and costs for witness fees.

#### 9.02.110 Adoption of State statutes by reference.

Statutes of the State of Washington specified herein and as specified in Ordinances codified in Title 9 are adopted by

reference as and for a portion of the penal code of the City of Lakewood, as if set forth in full, including the criminal/offense classification and penalty provisions applicable thereto unless a different classification and/or penalty is specifically provided for the particular Sections of State statutes adopted by reference.

9.02.120 Citation reference to Sections adopted by reference.

In any citation, complaint, notice of violation or other pleading filed in a court of competent jurisdiction or in any other forum, reference to the Section or Sections of State statute adopted by reference as a part of the City code shall be by the same number identifying the Section in the Revised Code of Washington. Such reference shall refer to and mean the appropriate Section of the Lakewood Municipal Code adopted by reference from the Revised Code of Washington.

9.02.900 Statutes incorporated by reference.

The following statutes are incorporated in this Chapter by reference:

RCW 9.01.555 (Citizen immunity if aiding officer - Scope - When)

RCW 9A.04.050 (People capable of committing crimes--capability of children)

RCW 9A.04.060 (Common law to supplement statute)

RCW 9A.04.110 (Definitions)

RCW 9A.08.010 (General requirements of culpability)

RCW 9A.08.020 (Liability for conduct of another - Complicity)

RCW 9A.08.030 (Criminal liability of corporations and persons acting or under a duty to act in their behalf)

RCW 9A.12.010 (Insanity)

RCW 9A.16.010 (Definitions [Defenses])

RCW 9A.16.020 (Use of force - When lawful)

RCW 9A.16.030 (Homicide - When excusable)

RCW 9A.16.040 (Justifiable homicide or use of deadly force by public officer, peace officer, person aiding)

RCW 9A.16.050 (Homicide - By other person - When justifiable)

RCW 9A.16.060 (Duress)

RCW 9A.16.070 (Entrapment)

RCW 9A.16.080 (Action for being detained on mercantile establishment premises for investigation - "Reasonable grounds" - As defense)

RCW 9A.16.090 (Intoxication)

RCW 9A.16.100 (Use of force on children - Policy - Actions presumed unreasonable)

Chapter 9.06

Anticipatory Offenses

Sections:

9.06.010 Criminal attempt.

9.06.020 Criminal conspiracy.

9.06.030 Contributing to delinquency.

9.06.900 Statutes incorporated by reference.

9.06.010 Criminal attempt.

A. A person is guilty of an attempt to commit a crime if, with intent to commit a specific crime, he/she does any act which is a substantial step toward the commission of that 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 attempt that the crime charged to have been attempted was, under the attendant 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.

9.06.020 Criminal conspiracy.

A. A person is guilty of criminal conspiracy when, with intent that conduct constituting a crime be performed, he/she 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 to commit an offense.

C. Criminal conspiracy is a misdemeanor when an object of the conspiratorial agreement is a gross misdemeanor or misdemeanor.

9.06.030 Contributing to delinquency.

In all cases where a person under the age of eighteen years engages in conduct which is prohibited by the ordinances of the city or the statutes of the State of Washington, the parent or parents, legal guardians, or persons, who, by any act or omission, encourages, causes or contributes to the commission of such violations of ordinance or statute by such person under the age of eighteen, shall be guilty of a misdemeanor.

9.06.900 Statutes incorporated by reference.

The following statute is incorporated in this Chapter by reference:

RCW 9A.28.030 (Criminal Solicitation)

## Chapter 9.10

### Crimes Relating to Animals

#### Sections:

9.10.010 Animals taken or withheld--Dog napping.

9.10.900 Statutes adopted by reference.

9.10.010 Animals taken or withheld--Dog napping.

Any person who, with intent to deprive or defraud the owner thereof, does any of the following, shall be guilty of a misdemeanor:

A. Takes, leads away, confines, secrets or converts any dog or other animal;

B. Conceals the identity of any dog or other animal or its owner by obscuring or removing from the dog or other animal any collar, tag, license, tattoo or other identification device or mark; or,

C. Willfully kills or injures any dog or other animal, unless excused by law.

D. Violation of this Section is a misdemeanor.

9.10.900 Statutes adopted by reference.

The following statute is incorporated in this Chapter by reference:

RCW 9.08.030 (False certificate of registration of animals - False representation as to breed)

RCW 9.08.065 (Definitions)

RCW 9.08.070 (Pet animals - Taking, concealing, injuring, killing, etc. - Penalty)

RCW 16.52.011 (Definitions - Principles of liability)

RCW 16.52.015 (Enforcement - Law enforcement agencies and animal care and control agencies)

RCW 16.52.080 (Transporting or confining in unsafe manner - Penalty)

RCW 16.52.085 (Removal of animals for feeding - Examination - Notice - Euthanasia)

RCW 16.52.090 (Docking horses - Misdemeanor)

RCW 16.52.095 (Cutting ears - Misdemeanor)

RCW 16.52.100 (Confining without food and water - Intervention by others)

RCW 16.52.110 (Old or diseased animals at large)

RCW 16.52.117 (Animals fighting - Owners, trainers, spectators - Exceptions)

RCW 16.52.165 (Punishment - Conviction of misdemeanor)

RCW 16.52.180 (Limitations on application of chapter)

RCW 16.52.190 (Poisoning animals)

RCW 16.52.193 (Poisoning animals - Strychnine sales - Records - Report on suspected purchases)

RCW 16.52.195 (Poisoning animals - Penalty)

RCW 16.52.200 (Sentences - Forfeiture of animals - Liability for costs - Civil penalty - Education, counseling)

RCW 16.52.207 (Animal cruelty in the second degree)

RCW 16.52.210 (Destruction of animals by law enforcement officer - Immunity from liability)

RCW 16.52.230 (Remedies not impaired)

RCW 16.52.300 (Dogs or cats used as bait - Seizure - Limitation)

## Chapter 9.14

### Assault and Other Crimes Involving Physical Harm

#### Sections:

9.14.010 Threats to do harm.

9.14.020 Provoking assault.

9.14.900 Statutes incorporated by reference.

9.14.010 Threats to do harm.

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. Every person convicted of a violation of the provisions of this Chapter shall be guilty of the misdemeanor of threats to do harm.



#### 9.14.020 Provoking assault.

It is unlawful for any person to willfully provoke or attempt to provoke, by word, sign or gesture, another person to commit an assault or breach of peace. Every person convicted of a violation of the provisions of this Section shall be guilty of the misdemeanor of provoking assault.

#### 9.14.900 Statutes incorporated by reference.

The following statutes are incorporated in this Chapter by reference:

RCW 9A.36.041 (Assault in the fourth degree)

RCW 9A.36.050 (Reckless endangerment in the second degree)

RCW 9A.36.070 (Coercion)

### Chapter 9.18

#### CHARITABLE SOLICITATIONS

Sections:

9.18.010 Definitions.

9.18.020 Exemptions.

9.18.030 Registration required.

9.18.040 Fees.

9.18.050 Unlawful solicitations.

9.18.060 Identification.

9.18.070 Misrepresentation prohibited.

9.18.010 Definitions.

When used in this Chapter, unless the context otherwise requires, the following definitions shall apply:

- A. ACharitable organization@ means any benevolent, philanthropic, patriotic, eleemosynary, religious, education, social, recreation or fraternal organization or any other person having or purporting to have a charitable nature and which solicits or solicits and collects contributions for any charitable purpose. The word Acharitable@ includes Areligious@ and shall otherwise have its common law meaning unless the context in which it is used clearly requires a narrower or broader meaning.
- B. AContribution@ means the donation, promise or grant, for consideration or otherwise, of any money or property of any kind or value, which contribution is wholly or partly induced by solicitation.
- C.

A Contribution@ means the donation, promise or grant, for consideration or otherwise, of any money or property of any kind or value, which contribution is wholly or partly induced by solicitation. C. A Direct solicitation@ means solicitation in which an individual making a solicitation is in the immediate physical presence of any individual being solicited. D. A Solicitation@ means any oral or written request for a contribution, including the solicitor's offer or attempt to sell any property, rights, services, or other thing in connection with which:

1. Any appeal is made for any charitable purpose; or,
2. The name of any charitable organization or purpose is used as an inducement for consummating the sale; or,
3. Any statement is made which implies that the whole or any part of the proceeds from the sale will be applied toward any charitable purpose or donated to any charitable organization.

#### 9.18.020 Exemptions.

Except as otherwise specifically provided in other Sections of this Chapter, this Chapter shall not apply to the following:

- A. Any organizations which are organized and operated principally for charitable purposes, other than the raising of funds, when the solicitation of contributions is confined to the bona fide membership of the organization and when the solicitation is managed and conducted solely by officers and members of such organizations who are unpaid for such services. The term Amembership@ shall not include those persons who are granted membership upon making a contribution as a result of solicitation;
- B. Any solicitation conducted exclusively within any premises owned, leased, rented, or otherwise under the lawful control of the person or organization making the solicitation.

#### 9.18.030 Registration required.

A. A charitable organization shall register with the Finance Department at least ten days prior to conducting any solicitation in the city. Such registrations shall be valid for a period of ninety days. Registration shall be on forms prescribed and provided by the Finance Department and shall require the following information:

1. The name, address, and telephone number of the charitable organization intending to solicit; the individual supervising the solicitation; and the individual completing the registration form;
2. The general statement of the purpose of the solicitation;
3. The dates and times of the solicitation.

B. This Section shall not apply to solicitations made exclusively by radio, television, publication in a newspaper or magazine of general circulation, or delivery by means of the United States mail.

#### 9.18.040 Fees.

Before a certification of registration shall be issued under this Chapter, the following fees shall be paid to the Finance Department: the sum of ten dollars as a permit fee, and twenty-five cents for each facsimile copy.

#### 9.18.050 Unlawful solicitations.

A. It is unlawful to solicit without complying with the registration requirements hereof, unless specifically exempt as provided herein.

B. It is unlawful to solicit in public streets or alleys which are open to vehicular traffic or to make a solicitation of any person who is in or upon said public streets or alleys. It is also unlawful to make a solicitation within ten feet of any marked pedestrian crosswalk, within ten feet of any entrance or exit of any building then in use by the general public, or from the area of any sidewalk within ten feet of its intersection with an alley or publicly used driveway.

C. It is unlawful to solicit within any office, theater, store, factory, or other premises where business is conducted or services are rendered without the prior approval of the person or persons in charge of the premises.

D. It is unlawful to continue with any direct solicitation of any individual after the individual being solicited has indicated, by words or action, that he has no desire to make a contribution.

E. It is unlawful to solicit on public property or in the residential area of the city between the hours of nine p.m. and seven a.m.

#### 9.18.060 Identification.

A. Any person making a solicitation shall clearly identify to any person being solicited the name of the charitable organization sponsoring the solicitation and the purpose of the solicitation.

B. Any person making a solicitation shall provide personal identification of himself or herself upon demand by any lawful enforcement officer, and, upon demand, provide and exhibit a solicitor=s permit, to be issued by the Finance Department as provided in Section 9.18.030.

#### 9.18.070 Misrepresentation prohibited.

A. No person shall for the purpose of soliciting contributions from persons in this city, use the name of any other person, except that of an officer, director or trustee of the charitable organization by or for which the contributions are solicited, without the written consent of such other persons.

B. A person shall be deemed to have used the name of another person for the purpose of soliciting contributions if such latter person=s name is listed on any stationery, advertisement, brochure or correspondence in or by which a contribution is solicited by or on behalf of a charitable organization or his name is listed or referred to in connection with a request for a contribution as one who has contributed to, sponsored or endorsed the charitable organization or its activities.

C. No person or organization for the purpose of soliciting contributions from persons in the city shall falsely represent that the contributions are for a charitable purpose. For the purpose of this Section, revocation or loss of a 501(c)(3) tax exempt determination of an organization by the Internal Revenue Service shall be prima facie evidence that the solicitation or contribution is not for a charitable purpose.

D. A violation of this Section shall be a misdemeanor.

## Chapter 9.22

### Controlled Substances

#### Sections:

9.22.010 Marijuana prohibited.

9.22.020 Drug paraphernalia prohibited.

9.22.900 Statutes incorporated by reference.

#### 9.22.010 Marijuana prohibited.

Except as authorized by the Revised Code of Washington, it is unlawful for any person to manufacture, deliver, grow, or possess marijuana.

Marijuana means all parts of the plant of the genus *cannabis* L., whether growing or not; the seeds thereof; the resins extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of, the mature stalks (except the resins extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

#### 9.22.020 Drug paraphernalia prohibited.

A. It is unlawful for any person to use drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance.

B. It is unlawful for any person to deliver, possess with intent to deliver or to manufacture with intent to deliver drug paraphernalia, knowing or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance.

C. It is unlawful to place in any newspaper, magazine, handbill or other publication any advertisement, knowing or under circumstances where one reasonably should know, that the purpose of the advertisement, in whole or in part, is to promote the sale of objects designed or intended for use as drug paraphernalia.

#### 9.22.900 Statutes incorporated by reference.

The following statutes are incorporated in this Chapter by reference:

RCW 9.47A.010 (Definitions [Inhaling toxic fumes])

RCW 9.47A.020 (Unlawful inhalation - Exceptions)

RCW 9.47A.030 (Possession of certain substances prohibited - When)

RCW 9.47A.040 (Sale of certain substances prohibited - When)

#### Chapter 9.26

Domestic Relations, Violation of Protective Orders,

Custodial Interference

Sections:

#### 9.26.900 Statutes incorporated by reference.

9.26.900 Statutes incorporated by reference.

The following statute is incorporated in this Chapter by reference:

RCW 10.99.010 (Purpose and intent)

RCW 10.99.020 (Definitions)

RCW 10.99.040 (Restrictions upon and duties of court)

RCW 10.99.045 (Appearances by defendant - No-contact order)

RCW 26.09.300 (Restraining orders - Notice - Refusal to comply - Arrest - Penalty- Defense - Peace officers, immunity)

RCW 26.50.010 (Definitions)

RCW 26.50.020 (Commencement of action - Jurisdiction - Venue)

RCW 26.50.030 (Petition for order for protection - Availability of forms and instructional brochures - Filing fee, when required - Bond not required)

RCW 26.50.040 (Application for leave to proceed in forma pauperis)

RCW 26.50.050 (Hearing - Service - Time)

RCW 26.50.060 (Relief - Realignment of designation of parties)

RCW 26.50.070 (Ex parte temporary order for protection)

RCW 26.50.080 (Issuance of order - Assistance of peace officer - Designation of appropriate law enforcement agency)

RCW 26.50.090 (Order - Service - Fees)

RCW 26.50.110 (Violation of order - Penalties)

RCW 26.50.130 (Order - Modification - Transmittal)

RCW 26.50.140 (Peace officers - Immunity)

RCW 26.50.200 (Title to real estate - Effect)

RCW 26.50.210 (Proceedings additional)

## Chapter 9.30

### False Alarms

#### Sections:

9.30.010 Defined.

9.30.020 Unlawful when--Penalty fee.

#### 9.30.030 Fee payment responsibility.

#### 9.30.010 Defined.

For the purpose of this Chapter, the term Afalse alarm@ means the activation of a burglary and/or robbery or fire alarm by other than a forced entry or attempted forced entry to the premises, or by other than a fire and at a time when no burglary or robbery is being committed or attempted on the premises, or when no fire exists on the premises.

#### 9.30.020 Unlawful when--Penalty fee.

It is unlawful for any person, business or legal entity having or conducting a private alarm system for fire, theft, burglary or other protection to have three or more false alarms within a ninety-day period. The owner of any residence, business or premises in which said alarm system exists shall pay a twenty-five dollar false alarm fee for the third false alarm in a ninety-day period and for each subsequent false alarm in a ninety-day period.

#### 9.30.030 Fee payment responsibility.

The City shall notify the party responsible for paying the fee, and if said fee is not paid to the City within ten days, a summons and complaint shall be executed by the City and the responsible party shall thereby be brought within the jurisdiction of the court of limited jurisdiction in which venue lies.

### Chapter 9.34

#### Firearms, Dangerous Weapons, Explosives

##### Sections:

#### 9.34.010 Weapons apparently capable of producing bodily harm

--Carrying, exhibiting, displaying or drawing unlawful--Exceptions.

#### 9.34.020 Weapons--Intoxicated persons--Places where liquor consumed.

#### 9.34.030 Discharge of firearm in City prohibited.

#### 9.34.900 Statutes incorporated by reference.

#### 9.34.010 Weapons apparently capable of producing bodily harm--Carrying, exhibiting, displaying or drawing unlawful--Exhibitions.

A. It is unlawful for anyone to carry, exhibit, display or draw any pistol, rifle, dagger, sword, knife or other cutting or stabbing instrument, club or any other weapon apparently capable of producing bodily harm, in a manner, under circumstances, and at a time and place that either manifests an intent to intimidate another or that warrants alarm for the safety of other persons. It is also unlawful, except as provided herein, for any person to possess or have within an area of dominion and control throwing stars and chako sticks. For the purposes of this Section, pistol and rifle shall include but are not limited to pellet guns, B-B guns, air-propelled guns and similar devices. For the purpose of this Section chako sticks are defined as an instrument

consisting of two or more sticks, clubs, bars or rods to be used as handles, connected by rope, cord, wire or chain in the design of a weapon used in connection with the practice of a system of self-defense, such as karate. In addition, for the purpose of this Section, throwing stars are defined as an instrument consisting of a metal plate having three or more radiating points with one or more sharp edges and designed in the shape of a polygon, trefoil, cross, star, diamond, or other geometric shape for use as a weapon.

B. Any person violating the provisions of subsection A shall be guilty of a misdemeanor.

C. Subsection A shall not apply to or affect the following:

1. Any act committed by a person while in his place of abode or fixed place of business in self-defense of such abode or business;
2. Any person who by virtue of his office or public employment is vested by law with a duty to preserve public safety, maintain public order, or to make arrests for offenses while in the performance of such duty;
3. Any person acting for the purpose of protecting himself against the use or presently threatened unlawful force by another, or for the purpose of protecting another against the use of such unlawful force by the third person;
4. Any person making or assisting in making a lawful arrest for the commission of a felony; or,
5. Any person engaged in military activities sponsored by the federal or state governments;
6. Provision relating to chako sticks or throwing stars shall not apply to or affect regularly enrolled members of clubs and associations organized for the practice, instruction or demonstration of self-defense arts involving chako sticks or throwing stars while such members are at, or are going to and from their place of residence, a practice session, an instruction session, a demonstration, or place of repair, or while such members are going from the place of purchase, providing that the chako sticks or throwing stars are in a carrying case in the possession of the owner.

#### 9.34.020 Weapons--Intoxicated persons--Places where liquor consumed.

A. Any person other than the owner or manager approved as such by the Liquor Control Board who has 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 customers partaking of alcoholic beverages with a meal and while seated, nor 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 A No Weapons Allowed@ or other 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.C. A Deadly weapon@ means any explosive or loaded or unloaded firearm or fixed blade cutting or stabbing instrument, and includes any other weapon, device, instrument, article, or substance as defined in this 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.

#### 9.34.030 Discharge of firearms in City prohibited.

The entire area of the City is a A no shoot@ area. It is unlawful to shoot or discharge any firearm, pistol, rifle or similar device anywhere within the corporate limits of the City other than for the purposes of exercising the rights specified in RCW 9A.16.020. For the purposes of this Section, pistol and rifle shall include but are not limited to pellet guns, B-B guns, air-propelled guns and similar devices.

#### 9.34.900 Statutes incorporated by reference.

The following statutes are incorporated in this Chapter by reference:

RCW 9.41.010 (Terms defined)

RCW 9.41.050 (Carrying pistol)

RCW 9.41.060 (Exception to restriction on carrying pistol)

RCW 9.41.070 (Concealed pistol license - Application - Fee - Renewal)

RCW 9.41.075 (Concealed pistol license - Revocation)

RCW 9.41.090 (Dealer deliveries regulated - Hold on delivery)

RCW 9.41.094 (Waiver of confidentiality.)

RCW 9.41.0975 (Officials and agencies - Immunity, writ of mandamus)

RCW 9.41.098 (Forfeiture of firearms, order by courts - Return to owner - Confiscation by law enforcement officer)

RCW 9.41.100 (Dealers to be licensed)

RCW 9.41.120 (Firearms as loan security)

RCW 9.41.140 (Alteration of identifying marks - Exceptions)

RCW 9.41.170 (Alien's license to carry firearms - Exceptions)

RCW 9.41.220 (Unlawful firearms and parts contraband)

RCW 9.41.230 (Aiming or discharging firearms)

RCW 9.41.240 (Possession of pistol by person from eighteen to twenty-one)

RCW 9.41.250 (Dangerous weapons - Evidence - Penalty)

RCW 9.41.260 (Dangerous exhibitions)

RCW 9.41.270 (Weapons apparently capable of producing bodily harm, carrying, exhibiting, displaying or drawing unlawful - Penalty - Exceptions)

RCW 9.41.280 (Possessing dangerous weapons on school facilities - Penalty - Exceptions)

RCW 9.41.300 (Weapons prohibited in certain places - Local laws and ordinances - Exceptions - Penalty)

RCW 9.41.800 (Surrender of weapons or licenses - Prohibition on future possession or licensing)

RCW 9.41.810 (Penalty)

RCW 70.74.010 (Definitions--Washington State Explosives Act)

RCW 70.74.290 (Keeping explosive unlawfully)

RCW 70.74.295 (Abandonment of explosives)

RCW 70.74.310 (Gas bombs, explosives, stink bombs, etc)

RCW 77.16.250 (Loaded firearms in vehicles)

RCW 77.16.260 (Shooting firearm from public highway)



## Chapter 9.38

### Frauds and Swindles

#### Sections:

9.38.010 Obtaining hotel, restaurant or lodging house accommodations by fraud

9.38.900 Statutes incorporated by reference.

9.38.010 Obtaining hotel, restaurant or lodging house accommodations by fraud.

Any person who shall willfully obtain food, money, credit, lodging or accommodation at any hotel, inn, restaurant, boarding house or lodging house, without paying therefor, with intent to defraud the proprietor, owner, operator or keeper thereof, or who obtains food, money, credit, lodging, accommodation at such hotel, inn, restaurant, boarding house or lodging house, by the use of any false pretense; or, who, after obtaining food, money, credit, lodging or accommodation at such hotel, inn, restaurant, boarding house or lodging house, removes or causes to be removed from such hotel, inn, restaurant, boarding house or lodging house, his or her baggage, without the permission or consent of the proprietor, manager or authorized employee thereof, before paying for such food, money, credit lodging or accommodation, shall be guilty of a misdemeanor, provided that the aggregate amount of food, credit, money, lodging or accommodation so obtained is less than Seventy-five dollars. Proof that food, money, credit, lodging or accommodation were obtained by false pretense or by false or fictitious show or pretense of any baggage or other property, or that the person refused or neglected to pay for such food, money, credit, lodging or accommodation on demand, or that he or she gave in payment for such food, money, credit, lodging or accommodation, negotiable paper on which payment was refused, or that he or she absconded, or departed from, or left, the premises without paying for such food, money, credit, lodging or accommodation, or that he or she removed or attempted to remove, caused to be removed, or caused to be attempted to be removed, his or her property or baggage, shall be prima facie evidence of the fraudulent intent hereinbefore mentioned.

9.38.900 Statutes incorporated by reference.

The following statutes are incorporated in this Chapter by reference:

RCW 9.45.060 (Encumbered, leased or rented personal property--Construction)

RCW 9.45.062 (Failure to deliver leased personal property--Requisites for prosecution--Construction)

RCW 9.45.070 (Mock options)

RCW 9.45.080 (Fraudulent removal of property)

RCW 9.45.090 (Knowingly receiving fraudulent conveyance)

RCW 9.45.100 (Fraud in assignment for benefit of creditors)

RCW 9A.60.010 (Definitions)

RCW 9A.60.040 (Criminal Impersonation)

RCW 9A.60.050 (False certification)

RCW 9A.61.010 (Definitions [Defrauding a public utility])

RCW 9A.61.020 (Defrauding a public utility)

RCW 9A.61.050 (Defrauding a public utility in the third degree)

RCW 9A.61.060 (Restitution and costs)

## Chapter 9.42

### Harassment, Stalking

#### Sections:

9.42.010 Telephone harassment.

9.42.020 Harassment - Definition - Penalties.

9.42.030 Stalking.

9.42.900 Statutes incorporated by reference.

#### 9.42.010 Telephone harassment.

Other than where a person has been charged with this offense under circumstances where (a) that person has previously been convicted of any crime of harassment as defined in RCW 9A.46.060 with the same victim or members of the victim=s family or household or any person specifically named in a no-contact or no-harassment order, or (b) that person harasses another person by threatening to kill the person threatened or any other person; every person who, with intent to harass, intimidate, torment or embarrass any other person shall make a telephone call to such other person: (1) using any lewd, lascivious, profane, indecent or obscene words or language, or suggesting the commission of lewd or lascivious act; or (2) anonymously or repeatedly or at extremely inconvenient hour, whether or not conversation ensues; or (3) threatening to inflict injury on the person or property of the person called or any member of his or her family or household; shall be guilty of a gross misdemeanor.

#### 9.42.020 Harassment - Definition - Penalties.

Other than where a person has been charged with this offense under circumstances where (a) the person has previously been convicted of the crime of harassment as defined in RCW 9A.46.060 of the same victim or member of the victim=s family or household or any person specifically named in a no-contact or no-harassment order, or (b) the person harasses another person under RCW 9A.46.020 (1)(a)(I) by threatening to kill the person threatened or any other person; a person is guilty of harassment if:

(a) without lawful authority, the person knowingly threatens:

(I) to cause bodily injury in the future to the person threatened or to any other person; or

(ii) to cause physical damage to the property of a person other than the actor; or

(iii) to subject the person threatened or any other person to physical confinement or restraint; or

(iv) maliciously to do any other act which is intended to substantially harm the person threatened or another with respect to his or her physical or mental health or safety; and

(b) the person by words or conduct places the person threatened in reasonable fear that the threat will be carried out.

Violation of this Section shall be a gross misdemeanor. The penalty provided for this Section does not preclude the victim from seeking any other remedy otherwise available under law.

#### 9.42.030 Stalking.

Other than where a person has been charged with this offense under circumstances where (a) the stalker has previously been convicted of any crime of harassment as defined in RCW 9A.46.060 of the same victim or members of the victim=s family or household or any person specifically named in a protective order, (b) the stalker violates any protective order protecting the person being stalked, (c) the stalker has previously been convicted of a gross misdemeanor or felony stalking offense under RCW 9A.46.110 for stalking another person, (d) the stalker was armed with a deadly weapon as defined in RCW 9.94A.125 while stalking the person, (e) the stalker=s victim is or was a law enforcement officer, judge, juror, attorney, victim advocate, legislator or community corrections officer, and the stalker stalked the victim to retaliate against the victim for an act the victim performed during the course of official duties or to influence the victim=s performance of official duties, or (f) the stalker=s victim is a current, former, or prospective witness in an adjudicative proceeding, and the stalker stalked the victim to retaliate against the victim as a result of the victim=s testimony or potential testimony; a person commits the crime of stalking if, without lawful authority and under circumstances not amounting to a felony attempt of another crime:

(a) he or she intentionally and repeatedly harasses or repeatedly follows another person; and,

(b) the person being harassed or followed is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another person. The feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances; and

(c) the stalker either:

(i) intends to frighten, intimidate or harass the person; or

(ii) knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear of intimidation or harass the person.

A person who stalks another person under this Section is guilty of a gross misdemeanor.

It is not a defense to the crime of stalking under subsection (c)(i) that a stalker was not given actual notice that person did not want the stalker to contact or follow the person. It is not a defense to the crime of stalking under subsection (c)(ii) that the stalker did not intend to frighten, intimidate or harass the person. It shall be a defense to the crime of stalking that the defendant is a licensed private detective acting within the capacity of his or her license as provided by Chapter 18.165 RCW.

#### 9.42.900 Statutes incorporated by reference.

The following statutes are incorporated in this Chapter by reference:

RCW 9.61.240 (Telephone harassment - Permitting telephone to be used)

RCW 9.61.250 (Telephone harassment - Offense, where deemed committed)

RCW 9A.46.030 (Place where committed)

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

RCW 9A.46.050 (Arrestment - No-contact order)

RCW 9A.46.060 (Crimes included in harassment)

RCW 9A.46.080 (Order restricting contact - violation)

RCW 9A.46.090 (Nonliability of peace officer)

RCW 9A.46.100 (A Convicted, @ time when)

RCW 9A.46.110(6) (Stalking [definitions])

RCW 10.14.170 (Criminal penalty [Harassment])

## Chapter 9.46

### Liquor Regulations, Enforcement

#### Sections:

9.46.900 Statutes incorporated by reference.

9.46.900 Statutes incorporated by reference.

The following statutes are incorporated in this Chapter by reference:

RCW 66.44.040 (Sufficiency of description of offenses in complaints, informations, process, etc.)

RCW 66.44.050 (Description of offense in words of statutes - Proof required)

RCW 66.44.060 (Proof of unlawful sale establishes prima facie intent)

RCW 66.44.070 (Certified analysis is prima facie evidence of alcoholic content)

RCW 66.44.080 (Service of process on corporation)

RCW 66.44.090 (Acting without license)

RCW 66.44.100 (Opening or consuming liquor in public place - Penalty)

RCW 66.44.130 (Sales of liquor by drink or bottle)

RCW 66.44.140 (Unlawful sale, transportation of spirituous liquor without stamp or seal - Unlawful operation, possession of still or mash)

RCW 66.44.150 (Buying liquor illegally)

RCW 66.44.160 (Illegal possession, transportation of alcoholic beverages)

RCW 66.44.170 (Illegal possession of liquor with intent to sell - Prima facie evidence, what is)

RCW 66.44.175 (Violation of law)

RCW 66.44.200 (Sales to persons apparently under the influence of liquor)

RCW 66.44.210 (Obtaining liquor for ineligible person)

RCW 66.44.240 (Drinking in public conveyance - Penalty against carrier - Exception)

RCW 66.44.250 (Drinking in public conveyance - Penalty against individual -Restricted application)

RCW 66.44.265 (Candidates giving or purchasing liquor on election day prohibited)

RCW 66.44.270 (Furnishing liquor to minors - Possession, use - Exhibition of effects - Exceptions)

RCW 66.44.290 (Minor purchasing or attempting to purchase liquor)

RCW 66.44.291 (Minor purchasing or attempting to purchase liquor - Penalty against persons between ages of eighteen and twenty, inclusive)

RCW 66.44.300 (Treats, gifts, purchases of liquor for or from minor, or holding out minor as at least twenty-one, in place where liquor sold)

RCW 66.44.310 (Minors frequenting off-limits area - Misrepresentation of age - Penalty - Classification of licensees)

RCW 66.44.316 (Certain persons eighteen years and over permitted to enter and remain upon licensed premises during employment)

RCW 66.44.320 (Sales of liquor to minors a violation)

RCW 66.44.325 (Unlawful transfer to a minor of an identification of age)

RCW 66.44.328 (Preparation or acquisition and supply to persons under age twenty-one of facsimile of official identification card - Penalty)

RCW 66.44.340 (Employees eighteen years and over allowed to sell and handle beer and wine for class E and/or F licensed employers)

RCW 66.44.350 (Employees eighteen years and over allowed to serve and carry liquor, clean up, etc., for class A, C, D and/or H licensed employers)

Chapter 9.50.

Loitering

Sections:

9.50.010 Definitions.

9.50.020 Order to disperse.

9.50.010 Definitions.

For the purpose of this Chapter, the following definitions shall apply:

A. ALoitering@ means remaining idle in essentially one location and includes the concept of spending time idly, to be dilatory, to linger, to stay, to saunter, to delay, to stand around, and also includes the colloquial expression Ahanging around.@

ALoitering@ means remaining idle in essentially one location and includes the concept of spending time idly, to be dilatory, to linger, to stay, to saunter, to delay, to stand around, and also includes the colloquial expression Ahanging around.@B. APublic place@ means any place to which the general public has access and a right to resort for business, entertainment, or other lawful purpose but does not necessarily mean a place devoted solely to the uses of the public. It also includes the front or immediate area of any store, shop, restaurant, tavern or other place of business and also public grounds, areas or parks.

#### 9.50.020 Order to disperse.

A. It is unlawful for any person to loiter, loaf, wander, stand or remain idle either alone and/or in consort with others in a public place in such a manner so as to:

1. Obstruct any public street, public highway, public sidewalk or any other public place or building by hindering or impeding or tending to hinder or impede the free and uninterrupted passage of vehicles, traffic or pedestrians;

2. Commit in or upon any public street, public highway, public sidewalk or any other public place or building any act or thing which is an obstruction or interference to the free and uninterrupted use of property or with any business lawfully conducted by anyone in or upon or facing or fronting on any such public street, public highway, public sidewalk or any other public place or building, all of which prevent the free and uninterrupted ingress, egress and regress, therein, thereon and thereto.

B. When any person causes or commits any of the conditions enumerated in subsection A of this Section, a police officer or any law enforcement officer shall order that person to stop causing or committing such conditions and to move on or disperse. Any person who fails or refuses to obey such orders is guilty of a violation of this Chapter.

### Chapter 9.54

#### Malicious Mischief, Reckless Burning, Fire

##### Sections:

#### 9.54.010 Unguarded fires.

#### 9.54.900 Statutes incorporated by reference.

#### 9.54.010 Unguarded fires.

Any person who kindles a fire upon any street, alley, land, lot or block within the corporate limits of the city, which is not so enclosed or guarded as to prevent the same from spreading or being transmitted to any adjoining property belonging to or occupied by any other person, shall be guilty of a misdemeanor.

#### 9.54.900 Statutes incorporated by reference.

The following statutes are incorporated in this Chapter by reference:

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

RCW 9A.48.060 (Reckless burning - Defense)

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

RCW 9A.48.100 (Malicious mischief - Physical damage defined)

RCW 27.12.330 (Penalty to Injury for property [libraries])

## Chapter 9.58

Malicious Prosecution, Abuse of Process, Perjury

Sections:

9.58.010 Malicious prosecution.

9.58.900 Statutes incorporated by reference.

9.58.010 Malicious prosecution.

Every person who shall, maliciously and without probable cause therefor cause or attempt to cause another to be arrested or proceeded against for any misdemeanor or gross misdemeanor of which he is innocent shall be guilty of a misdemeanor.

9.58.900 Statutes incorporated by reference.

The following statute is incorporated in this Chapter by reference:

RCW 9.62.020 (Instituting suit in name of another)

RCW 9A.72.010 (Definitions)

RCW 9A.72.040` (False swearing)

RCW 9A.72.060 (Perjury and False Swearing - Retraction)

RCW 9A.72.070 (Perjury and False Swearing - Irregularities - No defense)

RCW 9A.72.140 (Jury tampering)

RCW 9A.72.150 (Tampering with physical evidence)

## Chapter 9.62

Miscellaneous Crimes

Sections:

9.62.010 Bridge over Steilacoom Lake on Interlaaken Drive Southwest.

9.62.900 Statutes incorporated by reference.

9.62.010 Bridge over Steilacoom Lake on Interlaaken Drive Southwest.

It shall be unlawful for anyone to swim from Bridge No. 3192-A which spans Steilacoom Lake on Interlaaken Drive Southwest in the City of Lakewood (Section 3, Township 19 North, Range 2 East, W.M.)

9.62.900 Statutes incorporated by reference.

The following statutes are incorporated in this Chapter by reference:

RCW 9.03.010 (Abandoning, discarding, refrigeration equipment)

RCW 9.03.020 (Permitting unused equipment to remain on premises)

RCW 9.03.040 (Keeping or storing equipment for sale)

RCW 9.73.010 (Divulging telegram)

RCW 9.73.020 (Opening sealed letter)

RCW 9.91.010 (Denial of civil rights--Terms defined)

RCW 9.91.025 (Unlawful bus conduct)

RCW 9.91.060 (Leaving children unattended in parked automobile)

RCW 9.91.110 (Metal buyers--Records of purchases)

## Chapter 9.66

### Nuisances

#### Sections:

9.66.010 Unlawful depositing in refuse in containers.

9.66.900 Statutes incorporated by reference.

9.66.010 Unlawful depositing in refuse in containers.

It is unlawful for any person to dump or deposit garbage in garbage or refuse containers or next to garbage or refuse containers on the property of another where the result would be to increase or add to the garbage collection service needs of the owner of the property on which the garbage or refuse container is located. Violation of this Section shall constitute a misdemeanor.

9.66.900 Statutes incorporated by reference.



The following statutes are incorporated in this Chapter by reference:

RCW 9.91.130 (Disposal of trash in charity donation receptacle)

## Chapter 9.70

### Obstructing Governmental Operation

#### Sections:

9.70.010 Unauthorized communication with prisoner.

9.70.020 Bail Jumping.

9.70.900 Statutes incorporated by reference.

9.70.010 Unauthorized communication with prisoner.

Every person who, not being authorized by law, or by an officer authorized by law, has any verbal communication with any prisoner in the city jail or brings into or conveys out of the city jail any writing, clothing, food, tobacco, or any article whatsoever, is guilty of a misdemeanor. It is also unlawful for any person to loiter in or about any city detention facility for the purpose of engaging in any conduct prohibited in this Section.

9.70.020 Bail Jumping.

Any person who has been charged with or convicted of a misdemeanor or gross misdemeanor and who has been released by court order from a court located in the City of Lakewood or admitted to bail with such court order or bail including the requirement of a subsequent personal appearance before such a court, and who knowingly fails to appear as required is guilty of bail jumping, a misdemeanor.

9.70.900 Statutes incorporated by reference.

The following statutes are incorporated in this Chapter by reference:

RCW 9.27.015 (Interference, obstruction of any court, building, or residence - Violations)

RCW 9.31.090 (Escaped prisoner recaptured)

RCW 9A.76.010 (Definitions)

RCW 9A.76.020 (Obstructing a law enforcement officer)

RCW 9A.76.030 (Refusing to summon aid for a peace officer)

RCW 9A.76.040 (Resisting Arrest)

RCW 9A.76.050 (Rendering criminal assistance--Definition of term)

RCW 9A.76.060 (Relative--Defined)

RCW 9A.76.080 (Rendering criminal assistance in the second degree)

RCW 9A.76.090 (Rendering criminal assistance in the third degree)

RCW 9A.76.100 (Compounding)

RCW 9A.76.130 (Escape in the third degree)

RCW 9A.76.160 (Introducing contraband in the third degree)

RCW 9A.80.010 (Official Misconduct)

## Chapter 9.74

### Pawnbrokers and Secondhand Dealers

#### Sections:

9.74.900 Statutes incorporated by reference.

9.74.900 Statutes incorporated by reference.

The following statutes are incorporated in this Chapter by reference:

RCW 19.60.010 (Definitions)

RCW 19.60.020 (Duty to record information)

RCW 19.60.040 (Report to chief law enforcement officer)

RCW 19.60.045 (Duties upon notification that property is reported stolen)

RCW 19.60.050 (Retention of property by pawnbrokers - Inspection)

RCW 19.60.055 (Retention of property by second-hand dealers - Inspection)

RCW 19.60.066 (Prohibited acts - Penalty)

RCW 19.60.085 (Exemptions)

## Chapter 9.78

### Public Disturbance

#### Sections:

9.78.010 Disorderly conduct.

9.78.020 Causing unnecessary emergency response.

9.78.900 Statutes incorporated by reference.

9.78.010 Disorderly conduct.

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

1. Fights or encourages others to fight in any public place within the city;
2. Willfully annoys, molests, bothers, insults, offers an affront to another person and thereby intentionally creates the risk of assault;
3. Willfully breaks, impairs, injures or defaces any building, fence, awning, window, sign, signboard, tree, shrub, or other thing of value being the property of another;
4. Intentionally obstructs vehicular or pedestrian travel or traffic without lawful authority;
5. Removes, interferes with, carries away or destroys the property of another, or tears down, destroys or mutilates any notice or handbill lawfully posted in the city;
6. Intentionally disrupts any lawful assembly or meeting of persons without lawful authority;
7. Looks into the windows of the residence of another without a lawful right to do so; and,
9. Urinates or defecates in any place open to the public view.

B. Disorderly conduct is a misdemeanor.

9.78.020 Causing unnecessary emergency response.

It shall be unlawful for any person to intentionally and maliciously engage in any activity or take any action which causes or is likely to cause the needless or unnecessary expenditure of emergency response resources of the City or of any public or private emergency response organization. A violation of this Section shall constitute and be punishable as a misdemeanor.

9.78.900 Statutes incorporated by reference.

The following statute is incorporated in this Chapter by reference:

RCW 9A.84.020 (Failure to disperse)

RCW 9A.84.040 (False reporting)

Chapter 9.82

Public Indecency, Prostitution, Sex Crimes

Sections:

9.82.010 Indecent exposure.

9.82.020 Body studios prohibited.

9.82.030 Body studios declared a public nuisance.

9.82.040 Designation of anti-prostitution emphasis areas.

9.82.050 Violation of conditions of release, suspension or deferral as separate crime.

9.82.060 Places of prostitution activity declared public nuisances.

9.82.070 Evidence of use for prostitution purposes.

9.82.080 Conviction as prima facie evidence.

9.82.090 Penalties for maintenance of public nuisance.

9.82.900 Statutes incorporated by reference.

9.82.010 Indecent exposure.

Other than where a person has been charged with this offense under circumstances where that person has previously been convicted of indecent exposure under this Section or under RCW 9A.88.010, a person is guilty of indecent exposure if he intentionally makes any open and obscene exposure of his person or the person of another knowing that such conduct is likely to cause reasonable affront or alarm. Violation of this Section is a misdemeanor unless the person committing the offense has exposed himself to a person under the age of fourteen years, in which case it is a gross misdemeanor.

9.82.020 Body studios prohibited.

A. Definitions. As used in this Section, the following words and phrases shall have the following respective meanings ascribed to them:

(1) ABody studio@ means an premises upon which is furnished for a fee or charge or other consideration the opportunity to paint, massage, feel, handle or touch the unclothed body or unclothed portion of the body of another person, or to be so painted, massaged, felt, handled or touched by another person, or to observe, view or photograph any such activity, and shall include any such premises which is advertised or represented in any manner whatsoever as a Abody painting studio,@ Amodel studio,@ Asensitivity awareness studio@ or any other expression or characterization which conveys the same or similar meaning and leads to the reasonable belief that there will be furnished on any such premises for a fee or charge or other consideration the opportunity to paint, massage, feel, handle or touch the unclothed body or an unclothed portion of the body of another person, or to be so painted, massaged, felt, handled or touched by another person, or to observe, view or photograph any such activity.

ABody studio@ as defined in this Section shall not include massage businesses defined and regulated by Chapter 18.108 RCW, reducing salons or any studio which functions as a part of and under the direct supervision of an institution, the curriculum for which institution is approved by the Office of the State Superintendent of Public Instruction of the State of Washington. ABody studios@ shall also not include instances where individuals pay a fee to have decorations painted on their faces, hands or arms, in connection with church, civic or community celebrations and events.

(2) AModel studio@ means any premises where the primary purpose of the business is the furnishing of persons as models for a fee or charge or other consideration for the purpose of sketched, painted, drawn, sculptured, photographed or otherwise depicted in such a manner or under circumstances which constitute lewd conduct consistent with the definition and description of lewd matter and lewdness provided in Chapter 7.48 RCW dealing with moral nuisances.

A Model studio@ means any premises where the primary purpose of the business is the furnishing of persons as models for a fee or charge or other consideration for the purpose of sketched, painted, drawn, sculptured, photographed or otherwise depicted in such a manner or under circumstances which constitute lewd conduct consistent with the definition and description of lewd matter and lewdness provided in Chapter 7.48 RCW dealing with moral nuisances. A Model studio@ as defined in this Section shall not include any studio which functions as a part of and under the direct supervision of any institution, the curriculum for which institution is approved by the Office of the State Superintendent of Public Instruction of the State of Washington, or which functions to provide models who are sketched, painted, drawn, sculptured, photographed or otherwise depicted for the purpose of commercial sale or advertising.

B. Unlawful conduct.

(1) It is unlawful for any person, firm or corporation to operate, conduct or maintain a body studio or model studio as defined in subsection A. of this Section.

(2) It is unlawful for any person, on the premises of a body studio or model studio to paint, massage, feel, handle or touch the unclothed body or an unclothed portion of the body of another person, or to be so painted, massaged, felt, handled or touched by another person, or to observe, view or photograph any such activity or to engage in any such activity for the purpose of being observed, viewed or photographed.

C. Separate offenses.

(1) Each day of operating, conducting or maintaining a body studio or a model studio in violation of subsection B. (1) of this Section shall constitute a separate offense.

(2) Each incident of unlawful conduct prohibited by subsection B. (2) of this Section shall constitute a separate offense.

9.82.030 Body studios declared a public nuisance.

Any use of property within the City of Lakewood as a body studio or model studio as defined in Section 9.82.020 is a public nuisance, subject to prevention or abatement by injunction or other appropriate legal remedy in the Superior Court of the State of Washington in and for the County of Pierce.

9.82.040 Designation of anti-prostitution emphasis areas.

Certain areas of the City shall be designated as and identified to be anti-prostitution emphasis areas based on the repeat incidents of prostitution activities occurring therein, and enhanced penalties shall be applied in event of conviction of unlawful acts of prostitution, prostitution loitering, permitting prostitution or pandering, or patronizing a prostitute, within the said areas. The areas to be so designated shall be identified by the City Council in a Resolution passed after consultation with the City Manager, City Attorney and the chief law enforcement officer of the City, and the list identifying such areas shall be kept on file in the office of the City Clerk. Additional areas may also be identified by the Judge of the Municipal or District Court hearing prostitution cases arising from within the City. If a defendant is convicted of prostitution or a prostitution related case occurring from within an area designated as an anti-prostitution emphasis area, a condition or term of sentence, deferral, or suspension, shall be that such defendant shall stay out of all areas of the City designated as an anti-prostitution emphasis areas, unless there are significant and substantial extenuating circumstances in the defendant's particular case justifying avoidance of the requirement for such condition or term of sentence, deferral, or suspension. In such case, the significant and substantial extenuating circumstances shall be identified and recited in the record of the case.

9.82.050 Violation of conditions of release, suspension or deferral as separate crime.

The presence of any person within an anti-prostitution emphasis area in violation of court-imposed conditions of release or conditions of suspension or deferral of any sentence shall constitute a separate crime hereby designated a gross misdemeanor and any such person may be apprehended and arrested without the necessity for any warrant or additional court order. Upon

conviction, any person so violating the conditions of release or conditions of suspension or deferral shall be punished by imprisonment in jail for a maximum term fixed by the court of not more than one (1) year, or by a fine in an amount fixed by the court of not more than five thousand dollars (\$5,000.00), or by both such imprisonment and fine.

#### 9.82.060 Places of prostitution activity declared public nuisances.

Any building, structure or place within the City used for the purpose of prostitution or pandering as defined in this Chapter is hereby declared to be a public nuisance.

#### 9.82.070 Evidence of use for prostitution purposes.

A. Two or more criminal convictions of persons for acts of prostitution in a building, structure or place, within the one-year period preceding the commencement of an action under this Chapter shall give rise to a rebuttable presumption that the building, structure or place has been used for the purposes of prostitution and is a public nuisance. In any action under this Chapter, evidence of the common fame and general reputation of the building or place, of the inmates or occupants thereof, or of those resorting thereto, shall be admissible as evidence to prove the existence of the public nuisance but must be supported by additional evidence. Evidence of the general reputation of the building or place, or of the inmates or occupants thereof that is sufficient to establish the existence of the public nuisance, shall be prima facie evidence of knowledge thereof and acquiescence and participation therein and responsibility for the nuisance by persons or legal entities having an interest in the property. Responsibility for the nuisance shall extend to the owners, lessors, lessees and all those in interest in any form in the property, real or personal, used in conducting or maintaining the public nuisance.

B. Evidence of cooperation by owners, agents or managers of a building or place with police investigations or operations to control prostitution may be used to rebut the presumptions created in this Chapter.

#### 9.82.080 Conviction as prima facie evidence.

Any conviction of any owner, manager, operator, agent or employee for promoting prostitution, for prostitution or pandering, for prostitution loitering, or for permitting prostitution, when such offense was related to any business or commercial enterprise, shall be prima facie evidence that the building, structure or place upon or in which business or commercial enterprise is or was conducted, was used for prostitution.

#### 9.82.090 Penalties for maintenance of public nuisance.

Maintenance of a public nuisance as declared herein, in addition to any other civil or criminal penalties, shall result in a civil penalty not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00) for a first conviction of maintaining a public nuisance and by abatement by closure of such business or commercial enterprise for the period of thirty (30) days for each subsequent conviction of maintaining a public nuisance.

#### 9.82.900 Statutes incorporated by reference.

The following statutes are incorporated in this Chapter by reference:

RCW 9.68.050 (Indecent articles, etc.)

RCW 9.68.130 (Sexually explicit material - Defined - Unlawful display)

RCW 9.68A.150 (Allowing minor on premises of live erotic performance)

RCW 9.68A.160 (Penalty [Allowing minor on premises of live erotic performance])

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

RCW 9A.88.030 (Prostitution)

RCW 9A.88.050 (Prostitution--Sex of parties immaterial--No defense)

RCW 9A.88.060 (Promoting prostitution - Definitions)

RCW 9A.88.090 (Permitting prostitution)

RCW 9A.88.110 (Patronizing a prostitute)

## Chapter 9.86

### Theft

#### Sections:

9.86.010 Unlawful issuance of checks or drafts.

9.86.900 Statutes incorporated by reference.

9.86.010 Unlawful issuance of checks or drafts.

A. Any person who shall, with intent to defraud, make, or draw or utter, or deliver to another person any check or draft, on a bank or other depository for the payment of money, knowing at the time of such drawing or delivery, that he has not sufficient funds in, or credit with said bank or other depository, to meet said check or draft, in full, upon its presentation, shall be guilty of unlawful issuance of bank check. The word ABody studio@ means an premises upon which is furnished for a fee or charge or other consideration the opportunity to paint, massage, feel, handle or touch the unclothed body or unclothed portion of the body of another person, or to be so painted, massaged, felt, handled or touched by another person, or to observe, view or photograph any such activity, and shall include any such premises which is advertised or represented in any manner whatsoever as a Abody painting studio,@ Amodel studio,@ Asensitivity awareness studio@ or any other expression or characterization which conveys the same or similar meaning and leads to the reasonable belief that there will be furnished on any such premises for a fee or charge or other consideration the opportunity to paint, massage, feel, handle or touch the unclothed body or an unclothed portion of the body of another person, or to be so painted, massaged, felt, handled or touched by another person, or to observe, view or photograph any such activity.ABody studio@ as defined in this Section shall not include massage businesses defined and regulated by Chapter 18.108 RCW, reducing salons or any studio which functions as a part of and under the direct supervision of an institution, the curriculum for which institution is approved by the Office of the State Superintendent of Public Instruction of the State of Washington. ABody studios@ shall also not include instances where individuals pay a fee to have decorations painted on their faces, hands or arms, in connection with church, civic or community celebrations and events.

(2) AModel studio@ means any premises where the primary purpose of the business is the furnishing of persons as models for a fee or charge or other consideration for the purpose of sketched, painted, drawn, sculptured, photographed or otherwise depicted in such a manner or under circumstances which constitute lewd conduct consistent with the definition and description of lewd matter and lewdness provided in Chapter 7.48 RCW dealing with moral nuisances.

AModel studio@ means any premises where the primary purpose of the business is the furnishing of persons as models for a fee or charge or other consideration for the purpose of sketched, painted, drawn, sculptured, photographed or otherwise depicted in such a manner or under circumstances which constitute lewd conduct consistent with the definition and description

of lewd matter and lewdness provided in Chapter 7.48 RCW dealing with moral nuisances. A Model studio as defined in this Section shall not include any studio which functions as a part of and under the direct supervision of any institution, the curriculum for which institution is approved by the Office of the State Superintendent of Public Instruction of the State of Washington, or which functions to provide models who are sketched, painted, drawn, sculptured, photographed or otherwise depicted for the purpose of commercial sale or advertising.

B. Unlawful conduct.

(1) It is unlawful for any person, firm or corporation to operate, conduct or maintain a body studio or model studio as defined in subsection A. of this Section.

(2) It is unlawful for any person, on the premises of a body studio or model studio to paint, massage, feel, handle or touch the unclothed body or an unclothed portion of the body of another person, or to be so painted, massaged, felt, handled or touched by another person, or to observe, view or photograph any such activity or to engage in any such activity for the purpose of being observed, viewed or photographed.

C. Separate offenses.

(1) Each day of operating, conducting or maintaining a body studio or a model studio in violation of subsection B. (1) of this Section shall constitute a separate offense.

(2) Each incident of unlawful conduct prohibited by subsection B. (2) of this Section shall constitute a separate offense.

9.82.030 Body studios declared a public nuisance.

Any use of property within the City of Lakewood as a body studio or model studio as defined in Section 9.82.020 is a public nuisance, subject to prevention or abatement by injunction or other appropriate legal remedy in the Superior Court of the State of Washington in and for the County of Pierce.

9.82.040 Designation of anti-prostitution emphasis areas.

Certain areas of the City shall be designated as and identified to be anti-prostitution emphasis areas based on the repeat incidents of prostitution activities occurring therein, and enhanced penalties shall be applied in event of conviction of unlawful acts of prostitution, prostitution loitering, permitting prostitution or pandering, or patronizing a prostitute, within the said areas. The areas to be so designated shall be identified by the City Council in a Resolution passed after consultation with the City Manager, City Attorney and the chief law enforcement officer of the City, and the list identifying such areas shall be kept on file in the office of the City Clerk. Additional areas may also be identified by the Judge of the Municipal or District Court hearing prostitution cases arising from within the City. If a defendant is convicted of prostitution or a prostitution related case occurring from within an area designated as an anti-prostitution emphasis area, a condition or term of sentence, deferral, or suspension, shall be that such defendant shall stay out of all areas of the City designated as an anti-prostitution emphasis areas, unless there are significant and substantial extenuating circumstances in the defendant's particular case justifying avoidance of the requirement for such condition or term of sentence, deferral, or suspension. In such case, the significant and substantial extenuating circumstances shall be identified and recited in the record of the case.

9.82.050 Violation of conditions of release, suspension or deferral as separate crime.

The presence of any person within an anti-prostitution emphasis area in violation of court-imposed conditions of release or conditions of suspension or deferral of any sentence shall constitute a separate crime hereby designated a gross misdemeanor and any such person may be apprehended and arrested without the necessity for any warrant or additional court order. Upon conviction, any person so violating the conditions of release or conditions of suspension or deferral shall be punished by imprisonment in jail for a maximum term fixed by the court of not more than one (1) year, or by a fine in an amount fixed by the court of not more than five thousand dollars (\$5,000.00), or by both such imprisonment and fine.



#### 9.82.060 Places of prostitution activity declared public nuisances.

Any building, structure or place within the City used for the purpose of prostitution or pandering as defined in this Chapter is hereby declared to be a public nuisance.

#### 9.82.070 Evidence of use for prostitution purposes.

A. Two or more criminal convictions of persons for acts of prostitution in a building, structure or place, within the one-year period preceding the commencement of an action under this Chapter shall give rise to a rebuttable presumption that the building, structure or place has been used for the purposes of prostitution and is a public nuisance. In any action under this Chapter, evidence of the common fame and general reputation of the building or place, of the inmates or occupants thereof, or of those resorting thereto, shall be admissible as evidence to prove the existence of the public nuisance but must be supported by additional evidence. Evidence of the general reputation of the building or place, or of the inmates or occupants thereof that is sufficient to establish the existence of the public nuisance, shall be prima facie evidence of knowledge thereof and acquiescence and participation therein and responsibility for the nuisance by persons or legal entities having an interest in the property. Responsibility for the nuisance shall extend to the owners, lessors, lessees and all those in interest in any form in the property, real or personal, used in conducting or maintaining the public nuisance.

B. Evidence of cooperation by owners, agents or managers of a building or place with police investigations or operations to control prostitution may be used to rebut the presumptions created in this Chapter.

#### 9.82.080 Conviction as prima facie evidence.

Any conviction of any owner, manager, operator, agent or employee for promoting prostitution, for prostitution or pandering, for prostitution loitering, or for permitting prostitution, when such offense was related to any business or commercial enterprise, shall be prima facie evidence that the building, structure or place upon or in which business or commercial enterprise is or was conducted, was used for prostitution.

#### 9.82.090 Penalties for maintenance of public nuisance.

Maintenance of a public nuisance as declared herein, in addition to any other civil or criminal penalties, shall result in a civil penalty not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00) for a first conviction of maintaining a public nuisance and by abatement by closure of such business or commercial enterprise for the period of thirty (30) days for each subsequent conviction of maintaining a public nuisance.

#### 9.82.900 Statutes incorporated by reference.

The following statutes are incorporated in this Chapter by reference:

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RCW 9A.88.030 (Prostitution)

RCW 9A.88.050 (Prostitution--Sex of parties immaterial--No defense)

RCW 9A.88.060 (Promoting prostitution - Definitions)

RCW 9A.88.090 (Permitting prostitution)

RCW 9A.88.110 (Patronizing a prostitute)

## Chapter 9.86

### Theft

#### Sections:

9.86.010 Unlawful issuance of checks or drafts.

9.86.900 Statutes incorporated by reference.

9.86.010 Unlawful issuance of checks or drafts.

A. Any person who shall, with intent to defraud, make, or draw or utter, or deliver to another person any check or draft, on a bank or other depository for the payment of money, knowing at the time of such drawing or delivery, that he has not sufficient funds in, or credit with said bank or other depository, to meet said check or draft, in full, upon its presentation, shall be guilty of unlawful issuance of bank check. The word Acredit@, as used in this Section, shall mean an arrangement or understanding with the bank or other depository for the payment of such check or draft, and the uttering or deliver or such check or draft to another person without such fund or credit to meet the same shall be prima facie evidence of an intent to defraud.

B. Any person who shall, with intent to defraud, make, or draw or utter, or deliver to another person, any check or draft on a bank or other depository for the payment of money, and who issues a stop-payment order directing the bank or depository on which the check is drawn not to honor said check, and who fails to make payment of money in the amount of the check or draft or otherwise arrange a settlement agreed upon by the holder of the check within twenty days of issuing said check or draft, shall be guilty of unlawful issuance of bank check.

C. Unlawful issuance of a bank check in an amount of two hundred fifty dollars or less is a misdemeanor.

9.86.900 Statutes incorporated by reference.

The following statutes are incorporated in this Chapter by reference:

RCW 9A.56.010 (Definitions.)

RCW 9A.56.020 (Theft - Definition - Defense.)

RCW 9A.56.050 (Theft in the third degree.)

RCW 9A.56.100 (Theft and larceny equated.)

RCW 9A.56.140 (Possession stolen property - Definition - Access devices, presumption.)

RCW 9A.56.170 (Possessing stolen property in the third degree.)

RCW 9A.56.180 (Obscuring identity of a machine.)

RCW 9A.56.220 (Theft of cable television services)

RCW 9A.56.230 (Unlawful sale of cable television services)

RCW 9A.56.240 (Forfeiture and disposal of device used to commit violation)

RCW 9A.56.260 (Connection of channel converter)

RCW 9A.56.270 (Shopping cart theft)

## Chapter 9.90

### Trespass and Burglary Tools

#### Sections:

9.90.010 Defying order to leave premises.

9.90.900 Statutes incorporated by reference.

9.90.010 Defying order to leave premises.

Every person, knowing that he is not licensed or privileged to remain, who defies an order to leave public or private places, or public or private premises, communicated to him by the owner of said place or premises or by some other authorized person, within the city, is guilty of a misdemeanor.

9.90.900 Statutes incorporated by reference.

The following statutes are incorporated in this Chapter by reference:

RCW 9A.52.010 (Definitions.)

RCW 9A.52.060 (Making or having burglar tools.)

RCW 9A.52.070 (Criminal trespass in the first degree.)

RCW 9A.52.080 (Criminal trespass in the second degree.)

RCW 9A.52.090 (Criminal trespass - Defenses.)

RCW 9A.52.100 (Vehicle prowling in the second degree)

RCW 9A.52.120 (Computer trespass in the second degree)

## Chapter 9.94

### Trespassing on School Property

#### Sections:

9.94.010 Designated.

9.94.020 Definitions.

9.94.030 Lawful purpose or authorization.

9.94.040 Posting of notices.

9.94.050 Recreational area excepted.

9.94.060 Statutory authority.

9.94.010 Designated.

A person shall be guilty of the crime of trespassing on school property if said person is on school property located within the City, where said property is posted as per Section 9.94.040 without lawful purpose or authorization as defined in Section 9.94.030.

9.94.020 Definitions.

For the purpose of this Chapter, the words set out in this Section shall have the following meanings:

A. AActual attendance at an event@ means inside the school-owned area for which admittance fees are required, or if attendance fees are not required, that area inside which a fee would have been required had the school district or administration determined to charge for admittance.

B. ASchool property@ means that property which is owned by the Clover Park School District or any other school located within the city.C.

ASchool property@ means that property which is owned by the Clover Park School District or any other school located within the city.C. AStudent@ means a person of school age who is duly enrolled in a school in the Clover Park School District, and who is not currently under suspension from attendance at classes of said school and/or district.

D. AREcreational area@ means those areas established by the Clover Park School District, and by the administration of any other school located within the city, for use during non-school hours for recreational activities, including, but not limited to, basketball, tennis, baseball, football and soccer.E.

AREcreational area@ means those areas established by the Clover Park School District, and by the administration of any other school located within the city, for use during non-school hours for recreational activities, including, but not limited to, basketball, tennis, baseball, football and soccer.E. AAuthorized individual@ means any administrator or employee of the school, or other person delegated with the responsibility of supervision for school property.

9.94.030 Lawful purpose or authorization.

ALawful purpose or authorization@ shall be defined as follows:

A. Those persons who are on school property for the purpose of conducting lawful business;

B. A student assigned to the school at which he or she is found within one-half hour before and one-half hour after the

beginning or the conclusion of official school hours as set by the school district or administration.

C. If said student is engaged in athletic or other extracurricular events sponsored by the school, then said student shall have sixty minutes after the close of such event to leave the premises;

D. If a non-student, other than the parent of a student, is on the premises for the purpose of delivering a student or picking up a student from school or from an event as described in subsection C of this Section, said non-student, must have the permission of the parent or guardian of said student to pick up said student; the time period for this non-student to be on the school property is fifteen minutes prior to and fifteen minutes after school hours and/or extracurricular activities; in addition, a non-student, other than a parent or guardian of a student, shall not be present on school property during lunch or recess periods;

E. In the event that the extracurricular activity, such as sporting events, concerts, meetings, presentations, instructional programs, dances, and the like, permits non-students to attend, then the non-student may remain on the premises involved only, and must depart within sixty minutes after the end of such event;

F. To be included in the interpretation of lawful purpose or authorization for extracurricular events, the non-student must be in actual attendance of the event; actual attendance does not permit gathering in parking lots or other school area adjacent to buildings or stadiums during the activity; persons not in actual attendance of an event but on school property will be deemed to be trespassing;

G. In all cases a non-student will be guilty of trespassing if said person fails to leave the school property after being ordered to do so by an authorized individual.

#### 9.94.040 Posting of notices.

The school authorities must post notices on their property which shall read as follows:

ANY PERSON ON THESE PREMISES WITHOUT LAWFUL PURPOSE OR AUTHORIZATION SHALL BE GUILTY OF TRESPASSING.

#### LAKWOOD MUNICIPAL CODE CHAPTER 9.94

#### 9.94.050 Recreational area excepted.

Those students and non-students who are making recreational use of the areas designated by the Clover Park School District or the administration of any other schools located within the city, as recreational areas outside school hours whose conduct is otherwise lawful, will not be deemed to be trespassing.

#### 9.94.060 Statutory authority.

The provisions of Section 28A.87.010 and Section 28A.87.055 of the Revised Code of Washington are adopted by reference, in this Section, as if fully set forth, and as may be hereinafter amended.

#### SECTION 2. GENERAL SEVERABILITY.

That if any provision of this Ordinance or the application thereof to any person or circumstance is held to be invalid, the remainder of such code, ordinance or regulation or the application thereof to other person or circumstances shall not be affected.

SECTION 3. EFFECTIVE DATE.

That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary and on February 28, 1996.

ADOPTED by the City Council this 16th day of January, 1996.

CITY OF LAKEWOOD

/S/

Attest: Bill Harrison, Mayor

/S/

Alice M. Bush, City Clerk

Approved as to Form:

/S/

Daniel B. Heid, City Attorney

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