

ORDINANCE NO. 1292

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO HARASSMENT; AMENDING SECTION 9.26.040 OF THE GIG HARBOR MUNICIPAL CODE TO INCORPORATE PROVISIONS OF STATE LAW REGARDING CYBERSTALKING; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council adopted provisions from state law relating to harassment in chapter 9.26 of the Gig Harbor Municipal Code; and

WHEREAS, the City Council desires to incorporate an additional provision of state law relating to cyberstalking into the Gig Harbor Municipal Code; Now, therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Section 9.26.040 - Amended. Section 9.26.040 of the Gig Harbor Municipal Code is amended as follows:

9.26.040 Harassment.

The following state statutes are adopted by reference:

RCW

9.61.230 Telephone harassment.

9.61.240 Telephone harassment – Permitting telephone to be used.

9.61.250 Telephone harassment – Offenses, where deemed committed.

9.61.260 Cyberstalking

9A.46.020 Definition – Penalties.

9A.46.030 Place where committed.

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

9A.46.050 Arraignment – No-contact order.

9A.46.060 Crimes included in harassment.

9A.46.070 Enforcement of orders restricting contact.

9A.46.080 Order restricting contact – Violation.

9A.46.090 Nonliability of peace officer.

9A.46.100 “Convicted,” time when.

9A.46.110 Stalking.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance shall take effect and be in full force and effect five days after passage and publication of an approved summary consisting of the title.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor, this 28th day of April, 2014.

CITY OF GIG HARBOR

Mayor Pro Tem Steven Ekberg

ATTEST/AUTHENTICATED:

Molly M. Towslee, City Clerk

APPROVED AS TO FORM:
Office of the City Attorney

Angela G. Summerfield

FILED WITH THE CITY CLERK: 04/01/14
PASSED BY THE CITY COUNCIL: 04/28/14
PUBLISHED: 04/30/14
EFFECTIVE DATE: 05-514
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