

ORDINANCE NO. 1327

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO THE CITY'S CRIMINAL CODE; AMENDING SECTION 9.36.010 TO THE GIG HARBOR MUNICIPAL CODE TO ADOPT BY REFERENCE RCW 19.235.010 RELATING TO UNAUTHORIZED RECORDING OF A MOTION PICTURE; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, RCW 35A.11.020 authorizes the legislative body of code cities to adopt and enforce criminal codes related to misdemeanor and gross misdemeanor offenses; and

WHEREAS, the City of Gig Harbor desires to adopt by reference RCW 19.235.010 in order to allow the City to prosecute crimes relating to unauthorized recording of motion pictures; and

WHEREAS, the City recognizes that advances in technology since the legislature's adoption of RCW 19.235.010 have led to a proliferation of cellular phones with video recording ability among citizens, including minors, and that this ordinance is not intended to be used as a tool to regulate video taken by such users unless the user takes the video for the purpose of recording a motion picture;

WHEREAS, the Gig Harbor City Council considered the Ordinance at first reading on November 9, 2015; Now, therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. Section 9.36.010 of the Gig Harbor Municipal Code is hereby amended to read as follows:

9.36.010 Conduct Prohibited.

The following state statutes are adopted by reference:

RCW

- 9.02.050 Concealing birth.
- 9.03.010 Abandoning, discarding, refrigeration equipment.
- 9.03.020 Permitting unused equipment to remain on premises.
- 9.03.030 Violation of RCW 9.03.010 or 9.03.020.
- 9.03.040 Keeping or storing equipment for sale.
- 9.91.010 Denial of civil rights – Terms defined.

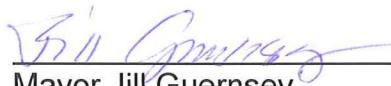
9.91.020 Operating railroad, steamboat, vehicle, etc., while intoxicated.
9.91.025 Unlawful bus conduct.
9.91.110 Meal buyers – Records of purchases –Penalty.
9.91.130 Disposal of trash in charity donation receptacle.
9.91.140 Food stamps.
9.91.150 Tree spiking.
19.235.010 Motion picture - Unauthorized recording.

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 five (5) 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 23rd day of November, 2015.

CITY OF GIG HARBOR



Mayor Jill Guernsey

ATTEST/AUTHENTICATED:



Molly M. Towslee, City Clerk

APPROVED AS TO FORM:
Office of the City Attorney



Angela G. Summerfield

FILED WITH THE CITY CLERK: 11/4/15
PASSED BY THE CITY COUNCIL: 11/23/15
PUBLISHED: 11/25/15
EFFECTIVE DATE: 11/30/15
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