

ORDINANCE No. 2852

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO CLASSES OF CRIME AND SENTENCING.

Be it ordained by the City Council of the City of Kirkland as follows:

Section 1. Section 1.04.010 of the Kirkland Municipal Code, entitled Classes of Crime--Penalties, is hereby repealed.

Section 2. There is hereby created a new section to be known as Section 1.04.010, entitled Classes of Crime--Penalties, and to read as follows:

1.04.010 Classes of Crime--Penalties. Any offense defined by this code and any violation of a mandatory provision of this code or ordinance of the city constitutes a crime. These crimes are either simple crimes or serious crimes.

A crime is a serious crime if it is so designated in this code. Designation may be by listings of sections which are serious crimes or by notation with (S) immediately preceding the code section. Any person convicted of a serious crime for which no punishment is specially prescribed shall be punished by imprisonment for not more than one year, or by a fine of not more than five thousand dollars, or by both such imprisonment and fine.

Every crime not designated as a serious crime is a simple crime. Any person convicted of a simple crime for which no punishment is specially prescribed shall be punished by a fine of not more than five hundred dollars.

Section 3. KMC 1.04.030 is hereby amended as follows:

1.04.030 Costs of prosecution--Payment. Whenever anyone is convicted of ~~an a crime under any city ordinance,~~ in addition to the ~~any~~ fine imposed, he must pay the costs of prosecution. In default of such payment he shall be imprisoned until ~~such fine payment is made paid or worked out on a basis of~~ twenty-five ~~three~~ dollars per each day of imprisonment.

Section 4. KMC 3.48.070 is hereby amended as follows:

3.48.070 Court of competent jurisdiction designated. The ~~Northeast north-east~~ district justice court for King County is hereby found and declared to be a court of

competent jurisdiction to hear cases involving violations of city ordinances or code provisions.

Section 5. KMC 3.54.120 is hereby amended as follows:

3.54.120 Penalty-Jurisdiction. Any person who shall wilfully violate any of the provisions of this chapter shall be deemed guilty of a simple crime misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars and by imprisonment in the county jail of not longer than thirty days, or by both such fine and imprisonment.

Section 6. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

Section 7. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and posting or publication, as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 4th day of February, 1985.

Signed in authentication thereof this 4th day of February, 1985.

Doris Cooper
MAYOR

ATTEST:

Janice Perry DEPUTY CLERK
Director of Administration & Finance
(ex officio City Clerk)

APPROVED AS TO FORM:

Ray E. [Signature]
City Attorney

CERTIFICATION OF POSTING

I hereby certify under penalty of perjury that the foregoing ordinance was posted on the 4th day of February, 1985 in accordance with the provisions of RCW 35A.12.160 and City of Kirkland Ordinance No. 2600.

Janice Perry
Clerk