ORDINANCE O-4721

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO EMERGENCY MANAGEMENT AND KNOWING VIOLATION OF THE LAWFUL ORDER OF A PUBLIC OFFICER DURING AN EMERGENCY OR DISASTER AND DECLARING AN EMERGENCY.

WHEREAS, the novel coronavirus identified as COVID-19
 has reached pandemic proportions throughout the world,
 including the United States and the state of Washington; and

5 WHEREAS, the State of Washington and King County have
6 each proclaimed an emergency to exist as a result of COVID-19;
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WHEREAS, the City Manager proclaimed an emergency to
exist in Kirkland as a result of COVID-19 on February 29, 2020,
which proclamation was ratified by the City Council through
Resolution R-5411 on March 3, 2020; and

WHEREAS, the President of the United States has declared
 an emergency to exist as a result of COVID-19 and issued a major
 disaster declaration for the state of Washington in connection
 therewith; and

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19 WHEREAS, the facts giving rise to such proclamations and 20 declarations continue to exist; and

WHEREAS, Art. XI, Sec. 11 of the Washington State Constitution grants the City broad police powers to "make and enforce within its limits all such local police, sanitary and other regulations as are not in conflict with general laws"; and

WHEREAS, in response to the COVID-19 pandemic and in anticipation of the possibility of future emergencies and disasters, the City Council finds that the public health, safety and welfare of all individuals in Kirkland will be served by making it a misdemeanor crime to knowingly violate the lawful order of a public officer in relation to the COVID-19 pandemic or any other declared or proclaimed emergency or disaster affecting Kirkland.

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NOW, THEREFORE, the City Council of the City of Kirkland do ordain as follows:

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38 Section 1. A new section 3.20.130 of the Kirkland Municipal
 39 Code is added to read as follows:

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41 3.20.130 Violation of Lawful Order of Public Officer - 42 43

The knowing violation of a lawful order of a public officer at the federal, state, county or local level in direct response to a declared or proclaimed emergency or disaster affecting the city shall constitute a misdemeanor.

49 <u>Section 2</u>. If any provision of this ordinance or its
 50 application to any person or circumstance is held invalid, the
 51 remainder of the ordinance or the application of the provision to
 52 other persons or circumstances is not affected.

54 <u>Section 3</u>. The provisions of this ordinance shall expire on
 55 April 30, 2020 and thereafter be considered null and void.

57 <u>Section 4</u>. The City Council hereby declares that an 58 emergency exists necessitating that this ordinance take effect 59 immediately upon passage.

Passed by affirmative vote of at least five (5) members of
the Kirkland City Council in a special meeting this 31st day of
March, 2020.

Signed in authentication thereof this 31st day of March, 2020.

Penny Sweet, Mayor

Attest:

Kàthi Anderson, City Clerk

Approved as to Form:

Kevin Raymond, City Attorney

Publication Date:4/6/2020