

ORDINANCE O-3253

AN ORDINANCE OF THE CITY OF KIRKLAND
RELATING TO CRIMES, THEIR CLASSIFICATION
AND PENALTIES, AND AMENDING SECTION
1.04.010 OF THE KIRKLAND MUNICIPAL CODE.

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

Section 1. Section 1.04.010 Classes
of crimes - penalties of the Kirkland
Municipal Code is hereby amended to read as
follows:

Section 1.04.010 Classes of
crimes - penalties.

(a) Any offense defined
by this code and any violation
of a mandatory provision of
this code or any other
ordinance of the city
constitutes a crime, unless it
is a civil violation or
traffic infraction. Civil
violations include only those
violations specifically
designated as such in this
code or in any ordinance of
the City. Traffic infraction
means an offense under the
provisions of Title 12 of this
code, for which monetary
penalty may be imposed
pursuant to RCW Chapter 46.63.
et seq. Crimes are either
misdemeanors or gross
misdemeanors. [~~Crimes are~~
~~either-simple-crimes-or~~
~~serious-crimes.~~]

(b) Gross misdemeanor.
Every crime designated in any
section of this code or any
other ordinance of the City as
a serious crime is a gross
misdemeanor. Designation as a
serious crime may be by
notation with (S) immediately
preceding the code section, or

by use of the words "serious crime" within the section which establishes the elements of the crime, or by listing in Section 1.04.011. Any person convicted of a gross misdemeanor for which no penalty is specifically 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. [A ~~crime-is-a-serious-crime-if-it-is-so-designated-in-this-code-or-other-ordinance-of-the-city--Designation-may-be-by-listings-of-sections-which-are-serious-crimes,-by-notation-with-(S)-immediately-preceding-the-code-section,-by-descriptive-language-in-the-text-of-the-provision,-or-by-specification-that-the-penalty-for-violation-of-the-provision-may-include-imprisonment.--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-~~]

(c) Misdemeanor. Every crime which is not a gross misdemeanor is a misdemeanor [~~not-designated-as-a-serious-crime-is-a-simple-crime~~]. Any crime designated as a simple crime in this code or any other ordinance is a misdemeanor. Any person convicted of a misdemeanor [~~a simple-crime~~] for which no punishment is specially prescribed shall be punished by imprisonment for not more than 90 days or by a fine of not more than one thousand

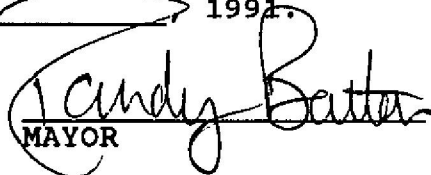
[five-hundred] dollars or both such imprisonment and fine.

(d) Notwithstanding the maximum penalties established in this section for gross misdemeanors and misdemeanors, the maximum penalty which may be imposed upon any person convicted of a criminal violation of a Kirkland ordinance, including any section of this code shall not exceed the maximum penalty which could be imposed for violation of a state criminal statute having the same elements.

Section 2. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 16th day of April, 1991.

Signed in authentication thereof this 16th day of April, 1991.


MAYOR

Attest:


City Clerk

Approved as to Form:


City Attorney

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