

ORDINANCE 3679

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO HARASSMENT.

The City Council of the City of Kirkland do ordain as follows:

Section 1. Chapter 11.36A of the Kirkland Municipal Code is hereby amended by adding a new section to be known as Section 11.36A.270 and to read as follows:


(S) 11.36A.270 -- HARASSMENT

RCW 9A.46.020 is adopted by reference.

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 2nd day of February, 1999.

Signed in authentication thereof this 2nd day of February, 1999.


MAYOR

Attest:


City Clerk

Approved as to Form:


City Attorney

9A.46.020 Definition—Penalties. (1) A person is guilty of harassment if:

(a) Without lawful authority, the person knowingly threatens:

(i) To cause bodily injury in the future to the person threatened or to any other person; or

(ii) To cause physical damage to the property of a person other than the actor; or

(iii) To subject the person threatened or any other person to physical confinement or restraint; or

(iv) Maliciously to do any other act which is intended to substantially harm the person threatened or another with respect to his or her physical or mental health or safety; and

(b) The person by words or conduct places the person threatened in reasonable fear that the threat will be carried out.

(2) A person who harasses another is guilty of a gross misdemeanor punishable under chapter 9A.20 RCW, except that the person is guilty of a class C felony if either of the following applies: (a) The person has previously been convicted in this or any other state of any crime of harassment, as defined in RCW 9A.46.060, of the same victim or members of the victim's family or household or any person specifically named in a no-contact or no-harassment order; or (b) the person harasses another person under subsection (1)(a)(i) of this section by threatening to kill the person threatened or any other person.

(3) The penalties provided in this section for harassment do not preclude the victim from seeking any other remedy otherwise available under law. [1992 c 186 § 2; 1985 c 288 § 2.]

Severability—1992 c 186: See note following RCW 9A.46.110.