

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING KMC 11.60A REGARDING FRAUD AND AMENDING KMC 11.77.010 REGARDING CONTROLLED SUBSTANCES.

WHEREAS, the State Legislature had adopted certain new misdemeanor criminal provisions; and

WHEREAS, in the interest of the public health, safety, and welfare, the City Council desires to adopt by reference certain of those provisions;

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

Section 1. Kirkland Municipal Code Chapter 11.60A is hereby amended to read as follows:

**Chapter 11.60A
FRAUD**

Kirkland Municipal Code Section	Section caption	RCW Section adopted by Reference
11.60A.010	Definitions.	9A.60.010
(S)11.60A.040(1)	Criminal impersonation <u>in the first degree.</u> *	9A.60.040(1)
<u>11.60A.045</u>	<u>Criminal impersonation in the second degree</u>	<u>9A.60.045</u>
(S)11.60A.050(1)	False certification.*	9A.60.050(1)

* Serious crime (S); see Section 1.04.010.

Section 2. Kirkland Municipal Code Section 11.77.010 (Adoption by reference of sections of state statute – Uniform Controlled Substances Act) is hereby amended to read as follows:

11.77.010 Adoption by reference of sections of state statute - Uniform Controlled Substances Act.

The following sections of RCW Chapter 69.50 relating to drugs and other controlled substances, defining crimes, and prescribing penalties, as

now in effect or as may hereafter be amended, are adopted by this reference:

RCW 69.50.100	RCW 69.50.212	RCW 69.50.403
RCW 69.50.102	RCW 69.50.302	RCW 69.50.404
RCW 69.50.201	RCW 69.50.306	RCW 69.50.405
RCW 69.50.202	RCW 69.50.307	RCW 69.50.407
RCW 69.50.204	RCW 69.50.308	RCW 69.50.412
RCW 69.50.206	RCW 69.50.309	RCW 69.50.505
RCW 69.50.208	RCW 69.50.401	RCW 69.50.506
RCW 69.50.210	<u>RCW 69.50.4014</u>	RCW 69.50.509
	RCW 69.50.402	

Section 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 4. 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 open meeting this 6th day of July, 2004.

Signed in authentication thereof this 6th day of July, 2004.

Mary Alice Buleigh
MAYOR

Attest:

Jean King
City Clerk

Approved as to Form:

John J. Johnson
City Attorney
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