

ORDINANCE No. 120202

COUNCIL BILL No. 113425

AN ORDINANCE relating to the criminal code, and amending Sections 12A.06.180 of the Seattle Municipal Code.

The City

Honorable President:

Your Committee on _____

to which was referred the within report that we have considered the

12-11-00 Passed
CEXCO

COMPTROLLER FILE No. _____

Introduced: 9-1-2000	By: COMPTON
Referred: OCT 3 2000	To: Public Safety & Technology Committee
Referred:	To:
Referred:	To:
Reported: 12-11-00	Second Reading:
Third Reading: 12-11-00	Signed: 12-11-00
Presented to Mayor: 12-12-00	Approved: 12/13/00
Returned to City Clerk: 12/19/00	Published: hull 2000
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

08007

11
See Department

The City of Seattle--Legislative Department

Date Reported
and Adopted

REPORT OF COMMITTEE

City President:

Jim Compton
COMPTON

Committee on

was referred the within Council Bill No.

that we have considered the same and respectfully recommend that the same:

Computer age

Passed 7-0

(Excused: Drage, McIver)

Committee Chair

Department

ORDINANCE 120202

1 AN ORDINANCE relating to the criminal code, and amending Sections 12A.06.180 of the Seattle
2 Municipal Code.

3 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

4 **Section 1.** Subsections A, C and D of Section 12A.06.180 of the Seattle Municipal Code
5 (Ordinance 111857 § 7, as last amended by Ordinance 120059 § 4) are further amended as follows:

6 **12A.06.180 Violation-Penalty-Contempt.**

7 A. Whenever an order is granted under this chapter, RCW Chapter 10.99, 26.09, 26.10, 26.26,
8 26.50 or 74.34 or an equivalent ordinance by this court or any court of competent jurisdiction or there is
9 a valid foreign protection order as defined in RCW 26.52.020 and the respondent or person to be
10 restrained knows of the order, a violation of the restraint provisions, or of a provision excluding the
11 person from a residence, workplace, school, or daycare, or of a provision prohibiting the person from
12 knowingly coming within, or knowingly remaining within, a specified distance of a location, or of a
13 provision of a foreign protection order specifically indicating that a violation will be a crime is a gross
14 misdemeanor. Upon conviction, and in addition to any other penalties provided by law, the court may
15 require that the convicted person submit to electronic monitoring. The court shall specify who shall
16 provide the electronic monitoring services and the terms under which the monitoring shall be performed.
17 The court may require that the convicted person pay the costs of the monitoring. The court shall
18 consider the ability of the convicted person to pay for electronic monitoring.

19 * * *

20
21 C. A violation of an order issued under this chapter, RCW Chapter 10.99, 26.09, 26.10, 26.26,
22 26.50 or 74.34 or an equivalent ordinance by this court or any court of competent jurisdiction or of a
23 valid foreign protection order as defined in RCW 26.52.020 shall also constitute contempt of court, and
24 is subject to the penalties prescribed by law.



1 D. Upon the filing of an affidavit by the petitioner or any peace officer alleging that the
2 respondent has violated an order issued under this chapter, RCW Chapter 10.99, 26.09, 26.10, 26.26,
3 26.50 or 74.34 or an equivalent ordinance by this court or any court of competent jurisdiction or a valid
4 foreign protection order as defined in RCW 26.52.020, the court may issue an order to the respondent,
5 requiring the respondent to appear and show cause within fourteen (14) days why the respondent should
6 not be found in contempt of court and punished accordingly.

7 **Section 2.** This ordinance shall take effect and be in force thirty (30) days from and after its
8 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after
9 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

10 Passed by the City Council the 11th day of December, 2000, and signed by me in open
11 session in authentication of its passage this 11th day of December, 2000.

12
13 Margaret Peyer

14 President _____ of the City Council

15
16 Approved by me this 15th day of DECEMBER, 2000.

17
18 Paul Sully

19 Mayor

20 Filed by me this 19th day of December, 2000.

21
22 Ciri Dowdell

23 acting City Clerk

24 (Seal)



SEATTLE CITY ATTORNEY

MARK H. SIDRAN

September 27, 2000

Honorable Margaret Pageler
President, Seattle City Council
1106 Municipal Building
Seattle, Washington 98104

Dear Councilmember Pageler:

Enclosed for the City Council's consideration is an ordinance making a technical correction to a recent ordinance concerning domestic violence. That domestic violence ordinance concerned punishment for violation of a no-contact or protection order and inadvertently omitted a reference to a state statute under which such an order may be issued.

I would be happy to provide any further information to the Public Safety Committee and the Council upon request.

Sincerely,



Mark H. Sidran
Seattle City Attorney



STATE OF WASHINGTON – KING COUNTY

--SS.

125918
City of Seattle, Clerk's Office

No. Ordinance In

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:120202/Ord In Ful

was published on

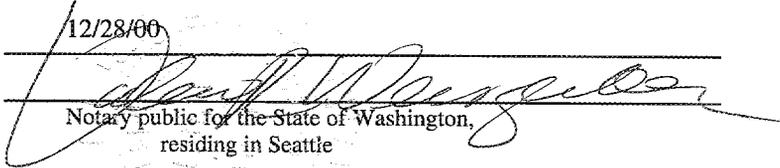
12/28/00

The amount of the fee charged for the foregoing publication is the sum of \$0.00, which amount has been paid in full.



Subscribed and sworn to before me on

12/28/00



Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

City of Seattle

ORDINANCE 120202

AN ORDINANCE relating to the criminal code, and amending Sections 12A.06.180 of the Seattle Municipal Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

SECTION 1. Subsections A, C and D of Section 12A.06.180 of the Seattle Municipal Code (Ordinance 111857 § 7, as last amended by Ordinance 120059 § 4) are further amended as follows:

12A.06.180. VIOLATION-PENALTY-CONTEMPT.

A. Whenever an order is granted under this chapter, RCW Chapter 10.99, 26.09, 26.10, 26.26, 26.50 or 74.34 or an equivalent ordinance by this court or any court of competent jurisdiction or there is a valid foreign protection order as defined in RCW 26.52.020 and the respondent or person to be restrained knows of the order, a violation of the restraint provisions, or of a provision excluding the person from a residence, workplace, school, or daycare, or of a provision prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, or of a provision of a foreign protection order specifically indicating that a violation will be a crime is a gross misdemeanor. Upon conviction, and in addition to any other penalties provided by law, the court may require that the convicted person submit to electronic monitoring. The court shall specify who shall provide the electronic monitoring services and the terms under which the monitoring shall be performed. The court may require that the convicted person pay the costs of the monitoring. The court shall consider the ability of the convicted person to pay for electronic monitoring.

C. A violation of an order issued under this chapter, RCW Chapter 10.99, 26.09, 26.10, 26.26, 26.50 or 74.34 or an equivalent ordinance by this court or any court of competent jurisdiction or of a valid foreign protection order as defined in RCW 26.52.020 shall also constitute contempt of court, and is subject to the penalties prescribed by law.

D. Upon the filing of an affidavit by the petitioner or any peace officer alleging that the respondent has violated an order issued under this chapter, RCW Chapter 10.99, 26.09, 26.10, 26.26, 26.50 or 74.34 or an equivalent ordinance by this court or any court of competent jurisdiction or a valid foreign protection order as defined in

RCW 26.52.020, the court may issue an order to the respondent, requiring the respondent to appear and show cause within fourteen (14) days why the respondent should not be found in contempt of court and punished accordingly.

SECTION 2. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 11th day of December, 2000, and signed by me in open session in authentication of its passage this 11th day of December, 2000.

MARGARET PAGELER,

President of the City Council.

Approved by me this 15th day of December, 2000.

PAUL SCHELL,

Mayor.

Filed by me this 9th day of December, 2000.

(Seal) ERNIE BORNFIELD,

Acting City Clerk.

Publication ordered by JUDITH PIPPIN,
City Clerk.

Date of official publication in Daily Journal of Commerce, Seattle, December 28, 2000.
12/28(125918C)