



**AN ORDINANCE OF THE CITY OF SUNNYSIDE, WASHINGTON,
AMENDING SUNNYSIDE MUNICIPAL CODE SECTION 9.60.010
"DISORDERLY CONDUCT"**

WHEREAS, the City of Sunnyside has found that its current Ordinance for disorderly conduct with a civil penalty is lacking provisions to make disorderly conduct a criminal offense and cannot penalize a statutory crime with a lower penalty than that provided by statute.

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

Section 1. Section 9.60.010 "Disorderly Conduct" of the Sunnyside Municipal Code is hereby amended to read as follows:

9.60.010 Disorderly Conduct.

- A. A person is guilty of disorderly conduct if he or she:
1. Fights, quarrels or encourages others to fight in any public place within the City;
 2. By noisy, riotous or tumultuous conduct, disturbs the peace and quiet of the City or any meeting or assemblage therein;
 3. Willfully annoys, molests, bothers, insults, or offers an affront to another person;
 4. Uses abusive language and thereby intentionally creates the risk of assault;
 5. Willfully breaks, impairs, injures or defaces any building, fence, awning, window, sign, signboard, tree, shrub or other thing of value being the property of another;
 6. Intentionally obstructs vehicular or pedestrian traffic without lawful authority;

7. Removes, interferes with, carries away or destroys the property of another, or who tears down, destroys or mutilates any notice or handbill lawfully posted in the City;
8. Intentionally disrupts any lawful assembly or meeting of persons without lawful authority;
9. Looks into the windows of the residence of another without a lawful right to do so; or
10. Urinates or defecates in any place open to public view.

B. ~~Disorderly conduct is a civil infraction punishable by a penalty of up to \$1,000. A violation of this section is a misdemeanor and may be punished by a fine not to exceed One Thousand Dollars (1,000.00) and/or jail confinement of nor more than ninety (90) days.~~

~~The court may waive, reduce, or suspend the monetary penalty prescribed for the civil infraction. If the court determines that a person has insufficient funds to pay the monetary penalty, the court may order performance of a number of hours of community restitution in lieu of a monetary penalty, at the rate of the then state minimum wage per hour. [Ord. 2012-22 § 1, 2012; Ord. 1519 § 1, 1985; Ord. 1450 § 1, 1984; Ord. 1330 § 1, 1981; Ord. 1235 § 3, 1979; RCW 9A.84.030.]~~

Section 2. This Ordinance shall take full force and effect five (5) days after its approval, passage, and publication as required by law.

PASSED this 14th day of August, 2017.



JAMES RESTUCCI, MAYOR

ATTEST:



DEBORAH ESTRADA, CC, CITY CLERK

APPROVED AS TO FORM:



KERR LAW GROUP
Attorneys for the City of Sunnyside

ORDINANCE 2017 - 09

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Approved: August 14, 2017
Signatories: James Restucci, Mayor
Deborah Estrada, City Clerk
Eric Ferguson, City Attorney
Publish: August 17, 2017 ***Daily Sun News***

A complete copy of the full text of this Ordinance is available online at
www.sunnyside-wa.gov/ordinances