

Ordinance No. 624

Amending the Forks Criminal Code regarding Disorderly Conduct

WHEREAS, the City adopted its disorderly conduct provisions found within the City's Municipal Code in 1976 via City Ordinance 179;

WHEREAS, on portion of said Ordinance established a separate crime based upon the intentional violation of one privacy in their residence;

WHEREAS, creating a separate crime for such acts would be in the City's best interest thereby allowing the City to define and clarify the elements of this separate crime;

BASED THEREON, THE CITY COUNCIL OF THE CITY OF FORKS DO ORDAIN AS FOLLOWS:

Section 1. Adding a new section to Forks Criminal Code provisions.

FMC 9.05.065 - Violating Privacy

- (1) It shall be unlawful for any person to enter or remain in or upon the curtilage of a building or premises of another for the purposes of observing, photographing, video taping or filming another person, other than a family or household member, under circumstances where the other person has a reasonable expectation of privacy and has not given their consent to such activities. For the purposes hereof, "curtilage" shall mean any premises located within 10 feet of the exterior wall of any building, regardless of whether the premises are enclosed.
  
- (2) Penalty. Any act which is found to be in violation of the above shall be deemed to be a gross misdemeanor with the maximum penalty being imprisonment for a maximum term fixed by the court of not more than 364 days, or by a fine in an amount fixed by the court of not more than five thousand dollars, or both such imprisonment and fine associated with a gross misdemeanor as defined by the State of Washington.

Section 3. Effective date. This ordinance shall, after publication in the City's journal of record as provided for by law, be effective on 1 November 2016.

Passed by the City Council on this 10<sup>th</sup> day of October, 2016.

  
Bryon Monohon, Mayor

Authenticated and Attested to:

Approved as to Form:

  
Audrey Grafstrom  
Clerk/Treasurer

  
William R. Fleck  
Attorney/Planner