

2142  
10-02-74

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 2142

AN ORDINANCE amending City of Bellevue Code Title 7, Chapter 7.08, by adding a new section making it a misdemeanor to violate a restraining order issued in action for the dissolution of a marriage, thereby adopting the state provision as found in RCW 26.09.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. There is hereby added the following section to Chapter 7.08 of the Bellevue City Code:

7.08.150 VIOLATION OF A RESTRAINING ORDER.

(1) It is unlawful for any person having actual notice of the existence of a restraining order issued by a court of competent jurisdiction in an action for the dissolution of a marriage under RCW 26.09 to refuse to comply with the provisions of such order when requested by any peace officer of the state.

(2) The notice requirements of subsection (1) may be satisfied by the peace officer giving oral or written evidence to the person subject to the order by reading from or handing to that person a copy certified to be an accurate copy of the original on file by a notary public or the clerk of the court of the court order which copy may be supplied by the court, the complainant or the complainant's attorney.

(3) The remedies provided by this section shall not apply unless restraining orders subject to this section shall bear the legend: VIOLATION OF THIS ORDER WITH ACTUAL NOTICE OF ITS TERMS IS A CRIMINAL OFFENSE UNDER CHAPTER 26.09 RCW AND IS ALSO SUBJECT TO CIVIL CONTEMPT PROCEEDINGS.

(4) It is a defense to prosecution under subsection (1) of this section that the court order was issued contrary to law or court rule: PROVIDED, That no right of action shall accrue

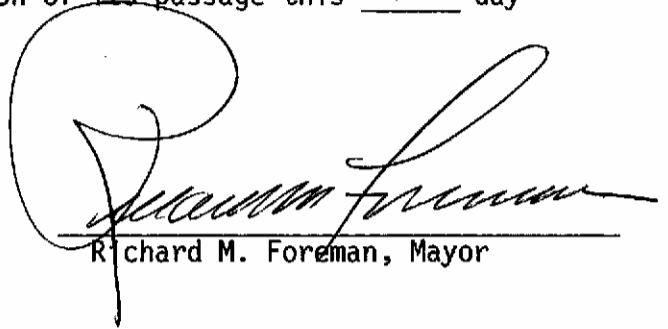
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against any peace officer acting upon a properly certified copy of a court order lawful on its face if such officer employs otherwise lawful means to effect the arrest.

Section 2. This ordinance shall take effect and be in force five days after its passage, approval and legal publication.

PASSED by the City Council this 7 day of October, 1974, and signed in authentication of its passage this 7 day of October, 1974.

(SEAL)



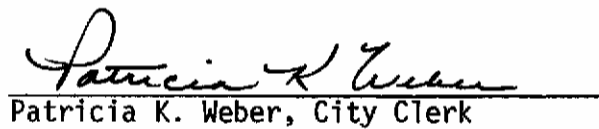
Richard M. Foreman, Mayor

Approved as to form:



Lee Kraft, City Attorney

Attest:



Patricia K. Weber, City Clerk

Published Oct 17, 1974