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4-8-76

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 2305

AN ORDINANCE amending Section 10.12.150 of the Bellevue City Code, and Ordinance No. 2099, Section 1, making it a crime to invade the privacy of another person by peeping into any dwelling; and amending Section 10.16.020 of the Bellevue City Code and Ordinance 2085, Section 2 by adding sections making it a crime to injure or interfere with any dog used by the Police Department when it is engaged in police work.

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

Section 1. Ordinance No. 2099, Section 1 and Section 10.12.150 of the Bellevue City Code, are hereby amended to read as follows:

10.12.150 Criminal trespass.

- (A) Every person, not licensed or privileged to do so, who enters or remains in any building or occupied structure or separately secured or occupied portion thereof including, but not limited to, publicly owned or occupied buildings, structures or portions thereof is guilty of criminal trespass, a misdemeanor.
- (B) Every person, not licensed or privileged to do so, who enters or remains in any public or private place or on any public or private premises as to which notice against trespass thereon is given by the owner or some other authorized person, through (a) actual communication to the actor, or (b) posting in a manner prescribed by law or reasonably likely to come to the attention of intruders, or (c) fencing or other enclosure manifestly designed to exclude intruders, shall be guilty of criminal trespass, a misdemeanor.
- (C) Every person, not licensed or privileged to remain, who defies an order to leave a public or private place or public or private premises communicated to him by the owner of the place or premises or by some other authorized person, is guilty of criminal trespass, a misdemeanor.
- (D) Every person not licensed or privileged to do so, who enters or intrudes in or upon any real property of another and invades the privacy of, or disturbs, the occupants or residents of such property by looking into or peeping into

any dwelling or private premises, is guilty of criminal trespass, a misdemeanor.

- (E) It is a defense to prosecution for criminal trespass under this section that (1) any place or premises referred to in this section was at the time open to members of the public and the actor complied with all lawful conditions imposed on access to or remaining in the premises, or (2) the actor had possession of the premises originally under a landlord-tenant relationship or as mortgagor or vendee on a real estate contract and was acting in good faith pursuant thereto.

Section 2. Ordinance No. 2085, Section 2 and Section 10.16.020 of the Bellevue City Code, are hereby amended to read as follows:

10.16.020 Interfering with a public officer. A person is guilty of interfering with a public officer if he:

- A. Prevents, hinders or delays the apprehension or prosecution of a suspected violator who the person knows or has probable cause to suspect:
1. Has committed a crime, or
 2. Is being sought by law enforcement officials for the commission of a crime; or
 3. Has escaped from official detention; or
- B. Harbors or conceals a suspected violator; or
- C. Warns a suspected violator of impending discovery or apprehension; or
- D. Provides a suspected violator with money or transportation, disguise or other means of avoiding discovery or apprehension; or
- E. Conceals, alters or destroys any physical evidence that might aid in the discovery or apprehension of a suspected violator.
- F. Interferes with, hinders or delays a police dog while it is being used to track, pursue, detain, or apprehend a suspected violator as defined in subsection (A) above.

Section 3. Chapter 10.16 of the Bellevue Penal Code is hereby amended by adding the following new section:

10.16.160 Police Dogs, Injury, Tormenting, Interfering. It is

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unlawful for any person to willfully or maliciously torture, torment, beat, kick, strike, mutilate, injure, disable, shoot or kill any dog used by any police officer in discharging or attempting to discharge any legal duty or power of his office.

Section 4. This ordinance is hereby declared to be an emergency ordinance necessary for the protection of the public health, public safety, public property and public peace, and shall be effective upon passage by unanimous vote of the City Council.

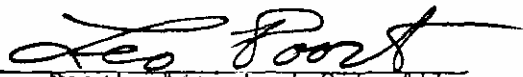
PASSED by the City Council this 12th day of April, 1976, and signed in authentication of its passage this 12th day of April, 1976.

(SEAL)



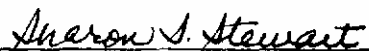
M. F. Vanik, Mayor

Approved as to form:



Leo Poort, Assistant City Attorney

Attest:



Sharon S. Stewart, Deputy City Clerk

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