

ORDINANCE NO. 1231

AN ORDINANCE OF THE CITY OF ROSLYN, WASHINGTON, REPEALING AND REPLACING TITLE 9 OF THE ROSLYN MUNICIPAL CODE REGARDING CRIMES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Title 9 of the Roslyn Municipal Code (RMC) is where most of the City's criminal codes are contained; and

WHEREAS, many of the crimes and other provisions currently contained in Title 9 RMC are duplicative of those contained in state law and could be adopted by reference to reduce the length and complexity of the code; and

WHEREAS, Title 9 RMC currently contains several provisions that are no longer enforceable under current case law; and

WHEREAS, the City Council desires to enact the changes to Title 9 RMC as recommended by the Police Department;

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF ROSLYN, WASHINGTON, DO
ORDAIN AS FOLLOWS:


Section 1. Title 9 RMC, Repealed and Replaced. Title 9 of the Roslyn Municipal Code, Public Peace, Morals, and Welfare, is hereby repealed in its entirety and replaced with Title 9 RMC, Public Peace and Safety, as set forth in Exhibit A, which is incorporated herein by this reference.

Section 2. Severability. Should any section, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be held to be invalid or unconstitutional by a court of competent jurisdiction, or should any portion of this Ordinance be preempted by state or federal law or regulations, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE 14th DAY OF April, 2026.

CITY OF ROSLYN



Mayor Jeff Adams

ATTEST/AUTHENTICATED:



Brandi Taklo, City Clerk

APPROVED AS TO FORM:

Ann Marie Soto, City Attorney

Filed with the City Clerk: 4/7/2026
Passed by the City Council: 4/14/2026
Date of Publication: 4/23/2026
Effective Date: 4/28/2026

EXHIBIT A

TITLE 9 RMC – PUBLIC PEACE AND SAFETY

CHAPTER 9.05

OFFENSES AND PENALTIES – RCWS INCORPORATED BY REFERENCE

9.05.010 Preliminary article.

9.05.020 Incorporation by reference.

9.05.030 Classes of crimes – Misdemeanor and gross misdemeanor penalties.

9.05.040 Jurisdiction

9.05.010 Preliminary article.

A. This chapter shall be known and may be cited as the “Roslyn Criminal Code.”

B. As used in this chapter, “RCW” shall mean the Revised Code of Washington.

C. If any provision of this code, or its application to any person or circumstance, is held invalid, the remainder of the code, or the application of the provision to other persons or circumstances, is not affected, and to this end the provisions of this code are declared to be severable.

9.05.020 Incorporation by reference.

Consistent with, and in addition to, the state statutes that are specifically adopted by reference in this section, all state statutes that constitute misdemeanors and gross misdemeanors and the state statutes necessary for the investigation, arrest, prosecution, sentencing, confinement, and enforcement of misdemeanors and gross misdemeanors are hereby adopted by reference as currently enacted or as hereafter amended or recodified from time to time, and shall be given the same force and effect as if set forth in full, including the criminal or offense classification and penalty provisions applicable thereto unless a different classification or penalty is specifically provided for the particular sections of state statutes adopted by reference.

A. The city also hereby adopts by reference all crimes defined as gross misdemeanors or misdemeanors in the Revised Code of Washington, as now enacted or hereafter amended or adopted, including, but not limited to:

1. Chapter 2.48 RCW, State Bar Act.
2. Chapter 7.21 RCW, Contempt of Court.
3. Chapter 7.80 RCW, Civil Infractions.
4. RCW Title 9, Crimes and Punishments.
5. RCW Title 9A, Washington Criminal Code.
6. RCW Title 10, Criminal Procedure.
7. Chapter 13.32A RCW, Family Reconciliation Act.
8. RCW Title 26, Domestic Relations.
9. Chapter 28A.635 RCW, Offenses Relating to School Property and Personnel.
10. Chapter 46.80 RCW, Vehicle Wreckers.
11. RCW Title 66, Alcoholic Beverage Control.
12. RCW Title 69, Food, Drugs, Cosmetics, and Poisons.
13. RCW Title 70, Public Health and Safety.
14. Chapter 74.34 RCW, Abuse of Vulnerable Adults.

B. By adopting Washington State statutes by reference in this section, the city intends to assume jurisdiction over and become the jurisdictional authority for the enforcement and prosecution of misdemeanor and gross misdemeanor crimes committed within the city of Roslyn. Whenever the word "state" shall appear in any statute adopted by reference in this section, the word "city" shall be substituted therefor; provided, however, the term "city" shall not be substituted for the term "state" in those circumstances that set forth administrative or licensing duties of the state and its subdivisions.

C. Whenever a state statute specifically adopted in this section refers to another state statute not specifically adopted in this section, the statute referred to shall be given the force and effect necessary to enforce the statute specifically adopted in this section.

D. Any state statute that is adopted by reference in this section and which is later amended, repealed, or recodified shall remain in full force and effect until the effective date of the legislative act that repeals, recodifies, or amends the state statute. The amendment or recodification of any state statute adopted by reference in this section shall retain its full force and effect as part of this section subsequent to the effective date of its amendment or recodification.

E. When issuing a citation, information, or complaint for the violation of any section of the RCW adopted by this section, it shall be sufficient for a commissioned officer or prosecutor to cite to and refer to the RCW section number.

F. All class C felony crimes set forth in state statutes are hereby adopted by reference for the purposes of charging a gross misdemeanor for a violation of any of the crimes set forth in Chapter 9A.28 RCW. The adoption of class C felonies shall be subject to the provisions of this section and of this chapter. The adoption of state statutes by reference shall not be construed or interpreted to vest in the city any authority or responsibility to prosecute felony offenses, and the adoption of state statutes which include felony provisions shall be limited to those provisions falling within the city's authority, and such adoption, and the provisions being adopted, shall be construed and interpreted in accordance with the lawful authority of the city.

9.05.030 Classes of crimes – Misdemeanor and gross misdemeanor penalties.

An offense defined by this code, for which a sentence of imprisonment is authorized, constitutes a "violation of city ordinance" and a "crime." For purposes of this code, the two terms shall have the same meaning and may be used interchangeably.

Violations of city ordinances are classified as gross misdemeanors or misdemeanors. A violation of a city ordinance is a misdemeanor if not otherwise designated by this code or by the code adopted by reference, and persons convicted thereof may be sentenced to imprisonment for a term not in excess of ninety days. A violation of a city ordinance is a gross misdemeanor if so designated in this code, and persons convicted thereof may be sentenced to imprisonment for a term not in excess of one year.

Unless otherwise provided in this chapter, gross misdemeanors and misdemeanors shall be punishable as follows:

A. *Gross Misdemeanor*. Every person convicted of a gross misdemeanor shall be punished by imprisonment in jail for a maximum term fixed by the court of not more than one year, or by a fine in an amount fixed by the court of not more than five thousand dollars, or by both such imprisonment and fine.

B. *Misdemeanor*. Every person convicted of a misdemeanor shall be punished by imprisonment in jail for a maximum term fixed by the court of not more than ninety days, or by a fine in an amount fixed by the court of not more than one thousand dollars, or by both such imprisonment and fine.

9.05.040 Jurisdiction.

Any person who commits within the corporate limits of the city any crime that is a violation hereof, in whole or in part, or a violation the prosecution of which is the responsibility of the city pursuant to RCW [39.34.180](#), is liable to arrest and punishment, including the following:

- A. A person who commits in the city any crime as defined by ordinance, in whole or part;
- B. A person who commits out of the city any act which, if committed within it, would be theft and is afterward found in the city with any of the stolen property;
- C. A person who, being out of the city, counsels, causes, procures, aids, or abets another to commit a crime in the city; and
- D. A person who commits an act without the city which affects persons or property within the city which, if committed within the city, would be a crime.