
Council Bill Number: 111214

Ordinance Number: 118106

AN ORDINANCE relating to the criminal code, amending Section 12A.08.020 and adding a section to Chapter 12A.10 of the Seattle Municipal Code.

Status: PASSED

Note: Defines graffiti as gross misdemeanor

Vote: 8-0

Date filed with the City Clerk: 1996/05/03

Date of Mayor's signature: 1996/04/30 ([about the signature date](#))

Date introduced/referred to committee: 1996/04/22

Committee: Public Safety

Sponsor: NOLAND

Committee Recommendation: Pass

Index Terms: MISDEMEANORS, FINES, SENTENCING, PROSTITUTION

Electronic Copy: [PDF scan of Ordinance No. 118106](#)

Reference: Amending: Ord 102843, 114635

Text:

AN ORDINANCE relating to the criminal code, amending Section

12A.08.020 and adding a section to Chapter 12A.10 of the Seattle Municipal Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 12A.08.020 of the Seattle Municipal Code (Ordinance 102843 12A.08.020, as amended by Ordinance 114635 3) is further amended as follows:

12A.08.020 Property destruction.

A. A person is guilty of property destruction if he or she:

1. intentionally damages the property of another; or

2. writes, paints or draws any inscription, figure or mark of any type on any public or private building or other structure or any real or personal property owned by any other person.

B. ~~In any prosecution under subsection A, it 1.~~ It is an affirmative defense to property destruction under subsection A1 that the actor reasonably believed that he had a lawful right to damage such property.

2. It is an affirmative defense to property destruction under subsection A2 that the actor had obtained express permission of the owner or operator of the building, structure or property.

C. 1. Property destruction under subsection A1 is a gross misdemeanor ; if the damage to the property is in an amount exceeding Fifty Dollars (\$50.00); otherwise, it is a misdemeanor.

2. Property destruction under subsection A2 is a gross misdemeanor.

Section 2. Chapter 12A.10 of the Seattle Municipal Code (Ordinance 102843, as amended) is further amended by adding the following section:

12A.10.070 Mandatory fee for defendant convicted of prostitution-related offense.

A. 1. In addition to penalties set forth in Section 12A.10.020 and Section 12A.10.060, a person who is either convicted or given a deferred sentence or a deferred prosecution as a result of an arrest for violating Section 12A.10.020 or Section 12A.10.060 shall be assessed a fee of Fifty Dollars (\$50.00).

2. In addition to penalties set forth in Section 12A.10.040, a person who is either convicted or given a deferred sentence or a deferred prosecution as a result of an arrest for violating Section 12A.10.040 shall be assessed a fee of One Hundred Fifty Dollars (\$150.00).

B. The court may not suspend payment of all or part of the fee unless it finds that the person does not have the ability to pay.

C. Any fee assessed under this section shall be collected by the clerk of the court and distributed each month to the state treasurer for deposit in the prostitution prevention and intervention account under RCW 43.63A.740 for the purpose of funding prostitution prevention and intervention activities.

Section 3. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 4. This ordinance shall take effect and be in force on June 6, 1996.

Passed by the City Council the _____ day of _____, 1996, and signed by me in open session in authentication of its passage this _____ day of _____, 1996.

President of the City Council

RG:rg Crim ord April 8, 1996 (version 3)