

CITY OF MERCER ISLAND

ORDINANCE NO. 22C-15

**AN ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON,
AMENDING MERCER ISLAND CITY CODE 9.50.040 TO REPLACE ADOPTION
BY REFERENCE OF RCW 26.50.110 WITH RCW 7.105.450; PROVIDING FOR
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the Washington State Legislature recently enacted Engrossed Second Substitute House Bill 1320 ("E2SHB 1320"), which recodified, consolidated, and reorganized portions of the RCW with the purpose of modernizing, harmonizing, and improving the efficacy of the state's laws concerning civil protection orders; and

WHEREAS, current MICC 9.50.040 incorporates certain portions of the RCW by reference, including one RCW section affected by E2SHB 1320; and

WHEREAS, due to E2SHB 1320, MICC 9.50.040 contains an outdated reference to RCW 26.50.110, which needs to be replaced with RCW 7.105.450; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. MICC 9.50.040 Amended. MICC 9.50.040 is hereby amended as follows.

9.50.040 – RCW Title 26, Domestic relations.

The following statutes of RCW Title 26, Domestic relations, including one from RCW Title 7, are adopted as follows:

RCW 26.09.060 Temporary maintenance or child support—Temporary restraining order—Preliminary injunction—Support debts, notice.

RCW 26.09.165 Court orders required language.

RCW 26.09.300 Restraining orders—Notice—Refusal to comply—Arrest—Penalty—Defense—Peace officers, immunity.

RCW 26.10.115 Temporary order—Support—Restraining orders—Preservation of support debt.

RCW 26.10.220 Restraining orders—Notice—Refusal to comply—Arrest—Penalty—Defense—Peace officers, immunity.

RCW 26.28.080 Selling cigarettes to minors.

RCW 26.44.063 Temporary restraining order or preliminary injunction—Enforcement.

RCW 26.44.067 Temporary restraining order or preliminary injunction—
Contents—Notice—Noncompliance—Defense—Penalty.

RCW 26.44.130 Arrest without a warrant.

RCW 7.105.450 Enforcement and penalties—Other than
antiharassment protection orders and extreme risk protection orders.

RCW 26.50.110 Violation of order—Penalties (domestic violence
prevention).

Section 2. Severability. If any section, sentence, clause, or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, or its application held inapplicable to any person, property, or circumstance, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this Ordinance or its application to any other person, property, or circumstance.

Section 3. Publication and Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall take effect and be in full force five days after the date of publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, AT ITS MEETING ON SEPTEMBER 6, 2022.

CITY OF MERCER ISLAND



Salim Nice, Mayor

ATTEST:



Andrea Larson, City Clerk

APPROVED AS TO FORM

s/ Bio Park

Bio Park, City Attorney

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