

ORDINANCE O-4721

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO EMERGENCY MANAGEMENT AND KNOWING VIOLATION OF THE LAWFUL ORDER OF A PUBLIC OFFICER DURING AN EMERGENCY OR DISASTER AND DECLARING AN EMERGENCY.

1 WHEREAS, the novel coronavirus identified as COVID-19
2 has reached pandemic proportions throughout the world,
3 including the United States and the state of Washington; and
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5 WHEREAS, the State of Washington and King County have
6 each proclaimed an emergency to exist as a result of COVID-19;
7 and
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9 WHEREAS, the City Manager proclaimed an emergency to
10 exist in Kirkland as a result of COVID-19 on February 29, 2020,
11 which proclamation was ratified by the City Council through
12 Resolution R-5411 on March 3, 2020; and
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14 WHEREAS, the President of the United States has declared
15 an emergency to exist as a result of COVID-19 and issued a major
16 disaster declaration for the state of Washington in connection
17 therewith; and
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19 WHEREAS, the facts giving rise to such proclamations and
20 declarations continue to exist; and
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22 WHEREAS, Art. XI, Sec. 11 of the Washington State
23 Constitution grants the City broad police powers to "make and
24 enforce within its limits all such local police, sanitary and other
25 regulations as are not in conflict with general laws"; and
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27 WHEREAS, in response to the COVID-19 pandemic and in
28 anticipation of the possibility of future emergencies and disasters,
29 the City Council finds that the public health, safety and welfare of
30 all individuals in Kirkland will be served by making it a
31 misdemeanor crime to knowingly violate the lawful order of a
32 public officer in relation to the COVID-19 pandemic or any other
33 declared or proclaimed emergency or disaster affecting Kirkland.
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35 NOW, THEREFORE, the City Council of the City of Kirkland
36 do ordain as follows:
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Section 1. A new section 3.20.130 of the Kirkland Municipal Code is added to read as follows:

3.20.130 Violation of Lawful Order of Public Officer -- Misdemeanor.

The knowing violation of a lawful order of a public officer at the federal, state, county or local level in direct response to a declared or proclaimed emergency or disaster affecting the city shall constitute a misdemeanor.

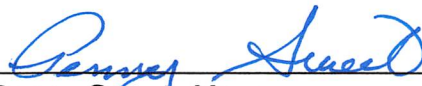
Section 2. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

Section 3. The provisions of this ordinance shall expire on April 30, 2020 and thereafter be considered null and void.

Section 4. The City Council hereby declares that an emergency exists necessitating that this ordinance take effect immediately upon passage.


Passed by affirmative vote of at least five (5) members of the Kirkland City Council in a special meeting this 31st day of March, 2020.

Signed in authentication thereof this 31st day of March, 2020.



Penny Sweet, Mayor

Attest:



Kathi Anderson, City Clerk

Approved as to Form:



Kevin Raymond, City Attorney