

**ORDINANCE NO. 003/2012**

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON, AMENDING ORDINANCE NO. 033/2011 AND CHAPTER 9.03 OF THE MONROE MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; AND SETTING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

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WHEREAS, pursuant to Chapter 9.03 of the Monroe Municipal Code (MMC), the City of Monroe has adopted various Washington state criminal statutes by reference; and

WHEREAS, the City adopted Ordinance No. 033/2011 on December 13, 2011, revising an MMC reference to the state criminal statutes governing criminal impersonation; and

WHEREAS, the City desires to amend Ordinance No. 033/2011 to clarify the intended effect of said ordinance as well as the continued effect of the MMC provisions referenced therein;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendment of Section 1 of Ordinance No. 033/2011. Section 1 of Ordinance No. 033/2011 is hereby amended to provide in its entirety as follows:

Section 1. Amendment of MMC 9.03.180. Section 9.03.180 of the Monroe Municipal Code is hereby amended to provide in its entirety as follows:

**9.03.180 Fraud.**

RCW

9A.60.010 Definitions.

9A.60.045 Criminal impersonation in the second degree.

9A.60.050 False certification.

Section 2. Amendment of MMC 9.03.020. Section 9.03.020 of the Monroe Municipal Code is hereby amended to provide in its entirety as follows:

**9.03.020 Retroactive effect and construction.**

The provisions of this chapter do not apply to or govern the construction of a punishment for any offense committed prior to the effective date of the ordinance codified in this chapter, or to the construction and application of any defense to a prosecution for such an offense. Such an offense must be construed and punished according to the provisions of law existing at the time of the

commission thereof in the same manner as if this chapter had not been enacted.

When a state statute is adopted by reference and the statute uses the word "Title" or words "the title," these words shall be construed to mean and refer to the title of the Revised Code of Washington from which the state statute is adopted.

The chapters and sections of this title which are adopted by reference from the Revised Code of Washington shall be construed consistently with judicial decisions about state law.

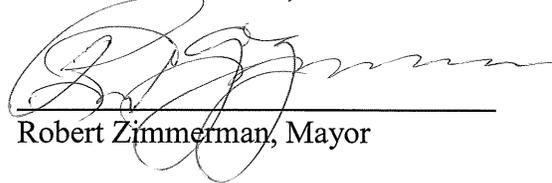
Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. This ordinance shall take effect five (5) days after publication as provided by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this 7<sup>th</sup> day of February, 2012.

1<sup>st</sup> Reading: 02/07/12  
2<sup>nd</sup> Reading: Waived  
Published: 02/14/12  
Effective: 02/19/12

CITY OF MONROE, WASHINGTON:

  
Robert Zimmerman, Mayor

ATTEST/AUTHENTICATED:

  
Eadye Martinson, Deputy City Clerk

APPROVED AS TO FORM:

  
J. Zachary Lell, City Attorney