

TOWN OF GRANITE FALLS

ORDINANCE No. 421

AN ORDINANCE AMENDING A PORTION OF ORDINANCE 279 AS CODIFIED IN CHAPTER 9.24.010 OF THE GRANITE FALLS MUNICIPAL CODE FOR THE CRIMINAL CHARGE OF ASSAULT AND PROVIDING FOR PENALTIES.

WHEREAS, Section 9.24.010 provides for the crime of assault; and

WHEREAS, State Court of Appeals has ruled on similar ordinances rendering the same invalid;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Granite Falls as follows:

SECTION 1. Section 9.24.010 is hereby amended to read as follows:

9.24.010 Assault. (1) A person is guilty of assault if, under circumstances not amounting to assault in the first, second, or third degree, or custodial assault, he or she assaults another. (2) For purposes of this code, assault in the first, second, and third degree and custodial assault shall be defined as set forth in Chapter 9A.36 RCW as now or hereafter amended. (3) Assault is a gross misdemeanor.

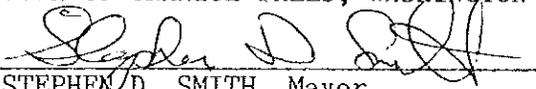
SECTION 2. Section 9.04.050 is hereby amended to read as follows:

9.04.050 Classification of Crimes - Penalties. All offenses defined by this title or by any state statute which is incorporated herein by reference, constitute crimes and are hereby classified as misdemeanor or gross misdemeanors. Any person convicted of having committed such a misdemeanor or gross misdemeanor shall be punished by imprisonment for a term not to exceed six (6) months, or by a fine not to exceed five thousand dollars (\$5,000), or by both such fine and imprisonment. Provided, however certain misdemeanors specified in this title shall be punishable solely by a fine not to exceed five hundred dollars as specified within said section.

SECTION 3. Insufficient time exists in which to allow three readings of this Ordinance, and the Town Council, therefore, declares an emergency to exist, and this Ordinance shall be in full force and effect five days from and after its passage, approval, and publication as required by law.

DATED THIS 26 day of July, 1989.

TOWN OF GRANITE FALLS, WASHINGTON

  
STEPHEN D. SMITH, Mayor

Attest:

Gerry James  
Clerk

APPROVED: July 26, 1989  
PASSED: July 26, 1989  
PUBLISHED: August 11, 1989  
EFFECTIVE: August 11, 1989