

ORDINANCE 1724

**AN ORDINANCE OF THE CITY OF NORTH BEND,
WASHINGTON, ADOPTING AMENDMENTS
TO NORTH BEND MUNICIPAL CODE
CHAPTER 9, THE NORTH BEND CRIMINAL CODE,
PROVIDING FOR SEVERABILITY, AND
ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, this ordinance is necessary to protect minor children from the effects of domestic violence;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. New NBMC Section 9.80.010, Domestic Violence Protection – Exposing Minor Children to Domestic Violence, Adopted. A new Section 9.80.010 is hereby added to the North Bend Municipal Code to read as follows:

9.80.010 Domestic Violence Protection - Exposing Minor Children to Domestic Violence.

- (a) A person commits the crime of exposing minor children to domestic violence when he or she:
 - (i) Commits a crime of domestic violence, as defined in Chapter 10.99 RCW; and
 - (ii) The crime is committed in the immediate presence of, or is witnessed or heard by, the person's or the victim's minor child, minor stepchild, or a minor child residing within the household of the person or victim.
- (b) For the purposes of this section, "minor" shall mean under sixteen years of age.
- (c) Exposing minor children to domestic violence is a gross misdemeanor and upon conviction, the person shall be punished as set forth in NBMC 9.05.050. Any person convicted of this crime shall be punished by imprisonment of not less than 30 days. If the person is sentenced to less than the statutory maximum, the court shall place the defendant on probation and the court shall impose conditions of probation that include attendance at a certified domestic violence perpetrator treatment program as well as a treatment program that addresses the effects of domestic violence on children.

Section 2. Severability: Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date: This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 16TH DAY OF JUNE, 2020.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Rob McFarland, Mayor

Michael R. Kenyon, City Attorney

ATTEST/AUTHENTICATED:

Published: June 26, 2020
Effective: July 1, 2020

Susie Oppedal, City Clerk