

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING DEFINITIONS AND ADDING A SECTION TO OLYMPIA MUNICIPAL CODE CHAPTER 9.08 RELATING TO INTERFERENCE WITH A PUBLIC MEETING OF THE CITY OF OLYMPIA

WHEREAS, the City of Olympia is committed to open civil discourse on a variety of issues important to the public and the business of the City; and

WHEREAS, the City of Olympia typically provides an opportunity at each public meeting for members of the public to speak and voice concerns that they may have or to discuss the City's actions or position on issues in a limited public forum; and

WHEREAS, the City Council, Council Committees and staff at other public City meetings have an interest in hearing from members of the public on the issues important to them in a limited public forum; and

WHEREAS, the City has developed rules and decorum that allow persons to speak so as to be fair to all who wish to be heard, yet in a manner that is civil and does not interrupt or intimidate others who may also wish to speak; and

WHEREAS, the City has a significant interest in maintaining order at City meetings for the safety of all those present and in order for the City to proceed with City business; and

WHEREAS, the City Council and City staff and committee members have, unfortunately, been interrupted in the course of attempting to conduct open public meetings, forcing the relocation of such meetings to spaces that are not open to the public to enable them to finish conducting City business, in accordance with RCW 42.30.050; and

WHEREAS, the City Council believes it must enact an ordinance that will allow the City to exclude from public meetings those who engage in behavior that disrupts and delays meetings or that may cause people to fear for their safety or the safety of others, causing those meetings to be moved in order to continue with the work of the City; and

WHEREAS, the City Council wishes to comply with the law and to hold its meetings for the benefit of all members of the public who wish to communicate in a manner in which all persons may be heard, without fear of such meeting being taken over by persons whose sole purpose appears to be to disrupt the City's meetings, preventing other citizens from expressing their respective viewpoints;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL DOES ORDAIN AS FOLLOWS:

Section 1. Amendment of OMC 9.08. Olympia Municipal Code Chapter 9.08 is hereby amended by adding a NEW SECTION 9.08.100, Interference with a City Meeting, to read as follows:

Chapter 9.08 OFFENSES AGAINST GOVERNMENT

9.08.000 Chapter Contents

Sections:

- 9.08.010 Definitions.
- 9.08.020 Obstructing a public servant or officer.
- 9.08.025 Making a false or misleading statement to a public servant.
- 9.08.030 Hindering a law enforcement official.
- 9.08.040 Resisting arrest.
- 9.08.050 Rescue from official detention.
- 9.08.055 Introducing contraband into jail.
- 9.08.060 Escape.
- 9.08.065 Bail Jumping.
- 9.08.070 False reporting.
- 9.08.080 Refusing to summon aid for a police officer.
- 9.08.090 Misrepresentation as policeman.
- 9.08.100 Interference with a City Meeting

9.08.100 Interference with a City Meeting.

(a) A person is guilty of Interference with a City Meeting when he/she:

Alone or in concert with others, knowingly and unreasonably disturbs, disrupts or interferes with any City Meeting held at a City Location by (A) engaging in violent, tumultuous, intimidating or threatening behavior; or (B) using abusive or obscene language; or (C) continuously or repeatedly yelling, shouting or making unreasonable noise; or (D) performing any other act which unreasonably disturbs, disrupts, or interferes with a City Meeting; or (E) refusing to comply with a lawful order to leave a City Location after having been given such order by police, or by the City of Olympia Mayor, Councilmembers, staff, or volunteers who are presiding over a City Meeting.

(b) Interference with a City Meeting is a misdemeanor.

Section 2. Amendment of Olympia Municipal Code Section 9.08.010, Definitions, is hereby amended to read as follows:

9.08.010 Definitions

For the purposes of this chapter, ~~Official detention" means:~~ the words below are defined as follows:

1. "City Location" means: Olympia City Council chambers, Olympia City Hall, the Olympia Center, or any other building or room(s) under the immediate control of City of Olympia councilmembers, staff, or volunteers in or adjacent to which a City Meeting is being held.
2. "City Meeting" means: An open public meeting held by City of Olympia councilmembers, staff, or volunteers for the purpose of conducting city business.

3. "Official detention" means:

- A. Restraint pursuant to a lawful arrest for an offense; or
- B. Lawful confinement in the city jail; or
- C. Custody for purposes incident to the foregoing, including but not necessarily limited to:
 - 1. Transportation, or
 - 2. Medical diagnosis or treatment, or
 - 3. Court appearances, or
 - 4. Work and recreation.

Section 3. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or application of the provisions to other persons or circumstances shall remain unaffected.

Section 5. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 6. Effective Date. This Ordinance shall take effect thirty (30) days after passage and publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED: