



City Hall  
601 4th Avenue E.  
Olympia, WA 98501  
360-753-8244

## City Council

### **Approval of Ordinance Amending Olympia Municipal Code (OMC) Chapter 9.40 Relating to Offenses Against Property by Adopting by Reference Vehicle Prowling in the Second Degree Pursuant to RCW 9A.52.100, Theft Third Degree Pursuant to RCW 9A.56.050 and Possessing Stolen Property Third Degree Pursuant to RCW 9A.56.170**

**Agenda Date:** 6/7/2016  
**Agenda Item Number:** 4.H  
**File Number:** 16-0642

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**Type:** ordinance **Version:** 2 **Status:** Passed

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**Title**

Approval of Ordinance Amending Olympia Municipal Code (OMC) Chapter 9.40 Relating to Offenses Against Property by Adopting by Reference Vehicle Prowling in the Second Degree Pursuant to RCW 9A.52.100, Theft Third Degree Pursuant to RCW 9A.56.050 and Possessing Stolen Property Third Degree Pursuant to RCW 9A.56.170

**Recommended Action**

**Committee Recommendation:**

Not referred to a committee.

**City Manager Recommendation:**

Move to approve on second reading the attached ordinance amending OMC Chapter 9.40 Relating to Vehicle Prowling in the Second Degree Pursuant to RCW 9A.52.100, Theft Third Degree Pursuant to RCW 9A.56.050 and Possessing Stolen Property Third Degree Pursuant to RCW 9A.56.170.

**Report**

**Issue:**

Whether to approve the proposed ordinance.

**Staff Contact:**

Rocio D. Ferguson, Chief Prosecutor, 360.753.8449

**Presenter(s):**

None - Consent Calendar Item.

**Background and Analysis:**

Background and analysis have not changed from first to second reading.

The City of Olympia has seen an increase in the arrest of offenders for vehicle prowling, especially repeat convicted offenders. Adopting Vehicle Prowling Second Degree pursuant to RCW 9A.52.100 will permit an enhanced sentence if the person is again arrested and subsequently convicted of similar conduct in the future upon a third and subsequent conviction.

Additionally, the criminal offenses for Theft and Receiving Stolen Property currently listed in the OMC do not accurately reflect the correct valuation of property for a misdemeanor charge due to past amendments of the corresponding state statutes. To avoid having our ordinances become outdated by statutory amendments, the City of Olympia should adopt the corresponding state statutes by reference.

**Neighborhood/Community Interests (if known):**

There is an inherent interest in protecting the public's safety and appropriately holding offenders accountable who engage in acts of vehicle prowling, theft, and possession of stolen property.

**Options:**

1. Approve the attached ordinance.
2. Direct staff to modify the proposed ordinance.
3. Do not approve the ordinance.

**Financial Impact:**

None.

**Attachments:**

Proposed ordinance  
RCW 9A.52.100  
RCW 9A.56.060  
RCW 9A.56.170