

**ORDINANCE NO. 2024-15**

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON  
AMENDING TITLE 9: CRIME OF THE RICHLAND MUNICIPAL  
CODE RELATED TO TRESPASS.**

**WHEREAS**, the City of Richland has need, from time to time, to amend the Richland Municipal Code (RMC) to promote the health, safety, and general welfare of the citizens of the community; and

**WHEREAS**, under its general police powers, the City of Richland has occasion to prohibit individuals from entering dwellings or other structures when the buildings are, by law, uninhabitable due to lack of electrical or water service; and

**WHEREAS**, RCW 9.06.070, as currently written, provides a legal loophole that limits the City’s authority to enforce actions that are in the best interest of the health, safety and general welfare of the community; and

**WHEREAS**, the proposed amendment will bring the language of Trespass – First Degree into conformance with other municipal codes and the Revised Code of Washington, 9A.52.070(1), and eliminate the legal loophole.

**NOW, THEREFORE, BE IT ORDAINED** by the City of Richland as follows:

Section 1. Richland Municipal Code Section 9.06.070, entitled Trespass – First degree, as first enacted by Ordinance No. 99-76, and last amended by Ordinance No. 02-13, is hereby amended as follows:

**9.06.070 Trespass – First degree.**

It is unlawful for any person to knowingly enter or remain, unlawfully, in a building ~~of another.~~ For the purpose of this section, a person “enters or remains, unlawfully,” in a building ~~of another~~ when ~~he~~ the person is not then licensed, invited, or otherwise privileged to so enter or remain.

Trespass in the first degree shall be a gross misdemeanor.

Section 2. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 3. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 4. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener’s errors/clerical errors, section numbering, references, or similar mistakes of form.

**PASSED** by the City Council of the City of Richland, Washington, at a regular meeting on the 2<sup>nd</sup> day of April, 2024.

Theresa A Richardson  
Theresa Richardson, Mayor

Attest:

Jennifer Rogers  
Jennifer Rogers, City Clerk

Approved as to form:

Heather Kintzley  
Heather Kintzley, City Attorney

First Reading: March 19, 2024  
Second Reading: April 2, 2024  
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