

First Reading: March 5, 2019

Second Reading: March 19, 2019

ORDINANCE NO. 996

**AN ORDINANCE OF THE CITY OF BENTON CITY,
WASHINGTON, CREATING A NEW CHAPTER 9.06 BCMC
"REWARD FOR CRIME INFORMATION"**

WHEREAS, the City of Benton City is the owner of property, including real property, improvements, etc.; and

WHEREAS, Section 9.28.150 of the Benton City Municipal Code makes it unlawful for any person to damage or interfere with City property; and

WHEREAS, Section 9.28.160 of the Benton City Municipal Code makes it unlawful for any person to knowingly possess City property without authorization; and

WHEREAS, the Washington State Legislature has, via Sections 9A.48.070, 9A.48.080, and Section 9A.48.090 of the Revised Code of Washington, made various destructive and damaging acts unlawful; and

WHEREAS, the City of Benton City has suffered damage to City property, and may continue to suffer such damage in the future; and

WHEREAS, Section 10.85.030 of the Revised Code of Washington authorizes the governing body of a city to offer and pay a suitable reward to any person or persons for information leading to the arrest and conviction of a person or persons committing a specified criminal offense, or for damage to city property, whether or not the offense is a felony, gross misdemeanor, or misdemeanor; and

WHEREAS, the City Council of the City of Benton City wishes to create a system to reward those persons who furnish information leading to the arrest and conviction of a person or persons who causes damage to or destroys City property. NOW, THEREFORE,

**THE CITY COUNCIL OF THE CITY OF BENTON CITY, WASHINGTON, DO
ORDAIN AS FOLLOWS:**

Section 1. That a new Chapter 9.06 of the Benton City Municipal Code entitled "Reward for Crime Information" shall be and hereby is enacted and shall read as follows:

Chapter 9.06

REWARD FOR CRIME INFORMATION

Sections:

- 9.06.010 Definitions.
- 9.06.020 Reward Established.
- 9.06.030 Crime Information Reward Process.

9.06.010 **Definitions.** For purposes of this chapter, the following terms and their derivations shall have the following meaning:

A. "Qualifying Criminal Offense" means:

1. An unlawful act as set forth in either BCMC Section 9.28.150 ("City property—Removal or damage") or BCMC Section 9.28.160 ("City property—Unlawful possession"); and/or
2. An unlawful act that constitutes an offense against City property, including but not limited to those offenses as set forth in R.C.W. 9A.48.070 through 9A.48.090, whether or not the offense is a felony, gross misdemeanor, or misdemeanor.

B. "Qualifying Recipient" means any person who:

1. Has furnished information to the City or a law enforcement officer of Benton County that leads to the arrest and conviction of a person or persons committing a Qualifying Criminal Offense; and
2. Has completed the crime information reward process as described in BCMC. Section 9.06.030; and
3. Was not a City employee, City Council member, City officer, or law enforcement officer whose jurisdiction includes Benton City at the time that they furnished the information regarding the Qualifying Criminal Offense; and
4. Is not a City Council member at the time that City Council is considering the payment of a reward pursuant to this Chapter.

9.06.020 **Reward Established.**

- A. **Single Qualifying Recipient.** If only one Qualifying Recipient furnishes information regarding a Qualifying Criminal Offense, City Council may in its sole discretion pay a reward not to exceed one hundred dollars (\$100) to any single Qualifying Recipient.
- B. **Multiple Qualifying Recipients.** If more than one Qualifying Recipient furnishes information regarding the same Qualifying Criminal Offense, City Council may in its sole discretion pay a reward to the Qualifying Recipients in the following manner:


1. If there are two Qualifying Recipients, an amount not to exceed a total of two hundred dollars (\$200), the total of which shall be apportioned equally among the Qualifying Recipients.
 2. If there are three or more Qualifying Recipients, an amount not to exceed a total of three hundred dollars (\$300), the total of which shall be apportioned equally among the Qualifying Recipients.
- C. Reward Discretionary. Nothing in this Chapter shall be interpreted so as to create a duty for the City to pay a reward to any Qualifying Recipient. The City may refuse to pay a reward to any Qualifying Recipient for any reason.

9.06.030 **Crime information Reward Process**. Before any person, or persons, is entitled to the reward pursuant to this Chapter, that person, or persons, must submit to the City, within one year from the date of an individual's conviction for a Qualifying Criminal Offense, either:

- A. A certified copy of the record of conviction for a Qualifying Criminal Offense, and establish to City Council that their information led to the arrest and conviction; or
- B. A certified letter from the Sheriff of Benton County or his or her designee, stating that the person or persons furnished information to the Benton County Sheriff's Office that led to the arrest and conviction.

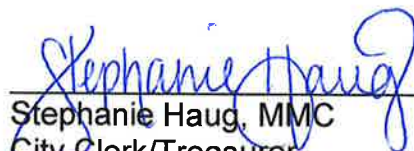
Section 2. This Ordinance shall take full force and effect five (5) days after its approval, passage and publication as required by law.

PASSED by the City Council of the City of Benton City, Washington, and approved as provided by law this 19 day of March, 2019.



Linda Lehman, Mayor

Attest:



Stephanie Haug, MMC
City Clerk/Treasurer

Approved as to Form:



Kerr Ferguson Law, PLLC
City Attorney