
Meeting Date: July 7, 2025

Subject: TMC Title 9 – Criminal Code Update

Attachments: Draft Ordinance No. 2025-07

Presented by: Daniel B. Heid – City Attorney and
Joseph Mehline – Public Safety Director

Approved for Agenda by: Dan Ford, PE – City Manager

Discussion:

In order for the City of Toppenish to prosecute violations of criminal law, it must either adopt and incorporate in its municipal code, the violations to be prosecuted by the City or adopt by referenced state law violations.

In connection with the City of Toppenish prosecution of offenses and crimes included in its criminal code, some codes that have been adopted by reference from state law have changed, other others have been interpreted by the courts in a way that makes it appropriate to change the city codes and others, depending upon the issues that the courts have now indicated and identified certain violations that are now able to be prosecuted by cities. Any of these changes make it appropriate for the city of Toppenish and any similarly situated City to amend and update its criminal code from time to time. It has been some time since the city made comprehensive changes to update its criminal code, and the changes proposed would put the city in a position to make sure that it's violations are more prosecutable and more effective in prosecution efforts. These changes, in intern, assist the City in providing a safe community for its citizens.

As an additional benefit, the organizational flow of the changes included in this criminal code update, conformed to the strategy and format used by the attorney's prosecuting criminal violation on behalf of the City which, intern would allow for more convenient prosecution by those attorneys prosecuting violation on behalf of the City.

Recommendation:

Consider adopting proposed Ordinance No. 2025-07 at a future meeting for the TMC Title 9 - Criminal Code Update.