

**ORDINANCE NO. 014/2010**

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON, AMENDING CHAPTER 9.02 OF THE MONROE MUNICIPAL CODE RELATING TO OFFENSES AGAINST PEACE, MORALS AND SAFETY TO ESTABLISH AN ELECTRONIC HOME DETENTION PROGRAM AND SETTING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

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WHEREAS, RCW 9.94A.680 authorizes Alternatives to Total Confinement, the City of Monroe Police Department has established an Electronic Home Detention Program; and

WHEREAS, provisions of the Monroe Municipal Code relating to GENERAL PROVISIONS AND DEFINITIONS need to be amended; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. A new section 9.02.090 entitled Electronic Home Detention Program is hereby adopted and added to Chapter 9.02 of the Monroe Municipal Code to read as follows:

**Chapter 09.02.090**

**Electronic Home Detention Program**

**Municipal Departments authorized to impose.**

The Municipal Departments of Snohomish County District Court, Evergreen Division are authorized and empowered to impose upon those eligible convicted defendant(s) electronic home detention administered through the Monroe Police Department as an additional alternative to incarceration, along with other alternative programs provided by the Snohomish County Correctional Facility. Eligibility of a convicted defendant(s) is determined by RCW 9.94A.734.

- A. **Fees.** The Municipal Departments of the Snohomish County Court, Evergreen Division are authorized, in their discretion, to assess the defendant reasonable fees and costs incurred by the City for the defendant's participation in the Electronic Home Detention Program.
- B. **Administration by Police Chief.** The Monroe Police Department Chief of Police, or designee, shall administer the Electronic Home Detention Program and monitor the defendants accepted for participation in said program and further, shall promulgate reasonable and adequate rules, criteria and establish written policy regarding application to the Electronic Home Detention Program,

qualifications for acceptance, participants' condition of continued participation and set reasonable fees and costs associated with the administration of the Electronic Home Detention Program in accordance with Chapter 9.94A RCW. The Chief of Police, or his designee, is authorized to review and modify said rules, criteria and established policies from time to time as necessary. The written rules, criteria and established policies shall be maintained by the Monroe Police Department and made available to the public upon request.

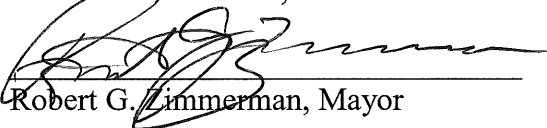
Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance shall be in full force and effect five (5) days from and after its passage and approval and publication as required by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this 17<sup>th</sup> day of August 2010.

1<sup>st</sup> Reading: 8/17/10  
Published: 8/24/10  
Effective: 8/29/10

CITY OF MONROE, WASHINGTON

  
Robert G. Zimmerman, Mayor

ATTEST:

  
Eadye Martinson, Deputy City Clerk

APPROVED AS TO FORM:

  
Phil Olbrechts, City Attorney