

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON**

**IN THE MATTER OF:**

RESOLUTION NO. 23-314

NOTICE OF A PUBLIC HEARING FOR ORDINANCE  
1349, WHICH WOULD PROHIBIT INTERFERENCE  
WITH A FIREFIGHTER OR EMERGENCY  
RESPONDER AND MAKE A VIOLATION THEREOF A  
GROSS MISDEMEANOR

**WHEREAS**, the safety of firefighters and emergency responders and their ability to perform their jobs when responding to emergencies has been jeopardized by interference or obstruction from members of the public; and

**WHEREAS**, the Revised Code of Washington provides protection from obstruction to law enforcement officers who are discharging their official powers or duties but does not extend that protection to firefighters or emergency responders; and

**WHEREAS**, the Board of County Commissioners ("BOCC") wishes to extend the protection from obstruction to firefighters and emergency responders and will therefore consider enacting proposed Ordinance 1349, which would prohibit interference with a firefighter or emergency responder and make a violation thereof a gross misdemeanor.

**NOW THEREFORE BE IT RESOLVED** that the BOCC will hold a hearing in the Commissioners' Hearing Room at or after 10 a.m. Oct. 17, 2023, to receive public testimony regarding proposed Ordinance 1349, which would prohibit interference with a firefighter or emergency responder and make a violation thereof a gross misdemeanor; and

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Clerk of the Board is hereby instructed to proceed with all appropriate and necessary notifications, postings and publications as required by law.

DONE IN OPEN SESSION this 3rd day of October, 2023.

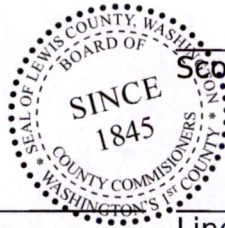
APPROVED AS TO FORM:  
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON

David Bailey  
By: David Bailey,  
Chief Civil Deputy Prosecuting Attorney

Sean D. Swope  
Sean D. Swope, Chair

ATTEST:



Scott J. Brummer  
Scott J. Brummer, Vice Chair

Rieva Lester, CMC  
Rieva Lester, CMC,  
Clerk of the Lewis County Board of  
County Commissioners

Lindsey R. Pollock, DVM  
Lindsey R. Pollock, DVM, Commissioner

## NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that the LEWIS COUNTY, WASHINGTON, BOARD OF COUNTY COMMISSIONERS will hold a public hearing at or after 10 a.m. Oct. 17, 2023, to receive public testimony on Ordinance 1349, which would prohibit interference with a firefighter or emergency responder and make a violation thereof a gross misdemeanor. The proposal would add Chapter 8.70, Interference with a Firefighter or Emergency Responder, to Lewis County Code.

The hearing will take place in the Commissioners' Hearing Room on the second floor of the Historic Courthouse in Chehalis, Wash. Interested parties are encouraged to check the Commissioners' Business Meeting agenda at <https://lewiscountywa.gov/offices/commissioners/agendas-calendar/> for a link to the draft ordinance, Zoom details and any scheduling updates. The agenda will be posted at least 24 hours in advance of the meeting. Please select the agenda for Oct. 3 (Notice) or Oct. 17 (Hearing) to see the draft ordinance. The draft is subject to change before or at the hearing.

To request a copy of the proposal or submit written comment, please contact Rieva Lester at [rieva.lester@lewiscountywa.gov](mailto:rieva.lester@lewiscountywa.gov) by 4 p.m. Oct. 16, 2023. Please include "Ordinance 1349" in the subject line. Comments also may be sent via postal service to BOCC, Ordinance 1349, 351 NW North Street, Chehalis, WA 98532.

*The meeting site is barrier free. People needing special assistance or accommodations should contact Rieva Lester at 360-740-1419 at least 72 hours in advance of the meeting.*

Publish in The Chronicle: Oct. 3 and 5, 2023



**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LEWIS COUNTY, WASHINGTON**

<b>AN ORDINANCE OF LEWIS COUNTY TO ESTABLISH</b>	<b>)</b>	<b>ORD. 1349</b>
<b>CHAPTER 8.70 OF THE CODE TO PROHIBIT</b>	<b>)</b>	
<b>INTERFERENCE WITH A FIREFIGHTER OR EMERGENCY</b>	<b>)</b>	
<b>RESPONDER AND MAKE A VIOLATION THEREOF A</b>	<b>)</b>	
<b>GROSS MISDEMEANOR</b>	<b>)</b>	

**WHEREAS**, the safety of firefighters and emergency responders and their ability to perform their jobs when responding to emergencies have been jeopardized by interference or obstruction from members of the public; and

**WHEREAS**, interference with or obstruction of firefighters and emergency responders not only endangers them but also endangers the health and safety of those victims whom firefighters and emergency responders are tasked with helping and endangers public and private property; and

**WHEREAS**, the Revised Code of Washington provides protection from obstruction to law enforcement officers who are discharging their official powers or duties but does not extend that protection to firefighters or emergency responders; and

**WHEREAS**, the Board of County Commissioners ("BOCC") wishes to extend the protection from obstruction to firefighters and emergency responders; and

**WHEREAS**, the BOCC has reviewed the below proposed ordinance at an open public hearing and finds it to be in the best public interest;

**NOW THEREFORE BE IT ORDAINED** by the Board of County Commissioners of Lewis County, State of Washington, as follows:

1. Lewis County hereby establishes Chapter 8.70 of the Lewis County Code to prohibit interference with a Firefighter or Emergency Responder and make a violation thereof a gross misdemeanor:

**Chapter 8.70  
INTERFERENCE WITH A FIREFIGHTER OR EMERGENCY RESPONDER**

Sections:

- 8.70.010 Definitions.
- 8.70.020 Obstructing a Firefighter or Emergency Responder.
- 8.70.030 Violation is a gross misdemeanor.

- 8.70.040 Severability.
- 8.70.050 Effective date.

#### **8.70.010 Definitions.**

For purposes of this chapter, the following definitions apply:

- (1) "Firefighter" means any individual, whether paid or volunteer, who is a member of a lawfully constituted fire department, fire district, or similar organization, whose job or position is to respond to the scene of fires, accidents, and/or other emergencies, and to stop fires and/or to rescue or assist people or property;
- (2) "Emergency Responder" means any individual, whether paid or volunteer, whose job or position is to respond to the scene of fires, accidents, and/or other emergencies, and to provide medical care, including without limitation paramedics, emergency medical technicians, and physicians.

#### **8.70.020 Obstructing a Firefighter or Emergency Responder**

A person is guilty of obstructing a Firefighter or Emergency Responder if the Firefighter or Emergency Responder is in uniform or announces being a Firefighter or Emergency Responder, and is responding to or at the scene of a fire, accident, and/or other emergency, and the person intentionally:

- (1) attempts to interfere or physically interferes with a Firefighter or Emergency Responder;
- (2) refuses or fails to move from a location to another location which is reasonable under the circumstances as ordered by a Firefighter or Emergency Responder;
- (3) hinders or delays a Firefighter or Emergency Responder by disobeying an order to stop given by such officer;
- (4) refuses or fails to cease an activity or behavior that creates a risk of injury to any person when ordered to do so by a Firefighter or Emergency Responder; or
- (5) refuses or fails to leave the scene of an emergency response while it is in progress after being requested to leave by a Firefighter or Emergency Responder when the person's conduct or presence hinders, delays, or compromises Firefighter or Emergency Responder actions or rescue efforts, threatens the safety of Firefighter or Emergency Responders or members of the public, or attempts to incite others to violence by intentionally advocating or directing imminent violence.



**8.70.030 Violation is a Gross Misdemeanor.**

Notwithstanding Section 1.20.020 of the Code, Obstructing a Firefighter or Emergency Responder shall be a gross misdemeanor punishable consistent with Chapter 9A.20 RCW.

**8.70.040 Severability.**

Should any section, paragraph, sentence, clause, or phrase of this chapter, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this chapter be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this chapter or its application to other persons or circumstances.

**8.70.050 Effective Date.**

The effective date of the ordinance codified in this chapter shall be the \_\_\_\_ day of September 2023.

**THEREFORE, BE IT FURTHER ORDAINED,** the code reviser may make such editorial changes to the online code as appropriate in light of its passage.

PASSED BY LEWIS COUNTY BOARD OF COUNTY COMMISSIONERS IN REGULAR SESSION THIS \_\_\_\_ DAY OF SEPTEMBER 2023, following a public hearing publicized in the paper of record on \_\_\_\_ and \_\_\_\_, 2023.

APPROVED AS TO FORM:  
Jonathan Meyer, Prosecutor

BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON

\_\_\_\_\_  
By: David Bailey, Chief Civil DPA

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Sean D. Swope, Chair

ATTEST:

\_\_\_\_\_  
Scott J. Brummer, Vice Chair

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Rieva Lester, CMC, Clerk of the Board

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Lindsey R. Pollock, DVM, Commissioner

# BOCC AGENDA ITEM SUMMARY

**Resolution:** 23-314

**BOCC Meeting Date:** Oct. 3, 2023

**Suggested Wording for Agenda Item:**

**Agenda Type:** Legal Notice

Notice of a public hearing for Ordinance 1349, which would prohibit interference with a firefighter or emergency responder and make a violation thereof a gross misdemeanor

**Contact:** David Bailey

**Phone:** 360-740-3391

**Department:** BOCC - Board of County Commissioners

## Description:

Notice of a public hearing for Ordinance 1349, which would prohibit interference with a firefighter or emergency responder and make a violation thereof a gross misdemeanor

## Approvals:

User	Status
PA's Office	Approved

## Publication Requirements:

### Publications:

The Chronicle: Oct. 3 and 5, 2023

## Additional Copies:

## Cover Letter To: