

**Ordinance No. \_\_\_\_\_**

**AN ORDINANCE** amending Olympia Municipal Code Section 9.28.010 relating to drug crimes.

**WHEREAS**, with legalization of marijuana under state law, there is growing consumption and use of marijuana in public places; and

**WHEREAS**, the City has an inherent interest in protecting citizens from any harmful and/or bothersome pollutants caused by smoking marijuana; and

**WHEREAS**, the City has an inherent interest in ensuring that citizens, particularly minors, are not exposed to drug use nor have access to drugs in public places; and

**WHEREAS**, the Olympia City Council finds it to be in the best interest of the City of Olympia to amend the Olympia Municipal Code to ensure consistency with state law;

**NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:**

**Section 1. Amendment of OMC 9.28.010. Olympia Municipal Code Section 9.28.010 is hereby amended to read as follows:**

**9.28.010 State statutes adopted by reference**

The following sections of the Revised Code of Washington, as they appear now or are hereafter amended, are hereby adopted by reference as though set forth in this chapter:

- RCW 69.41.010 - Definitions
- RCW 69.41.030 - Sale/Possession of Legend Drug without a Prescription
- RCW 69.41.050 - Labeling Requirements - Penalties
- RCW 69.50.101 - Definitions
- RCW 69.50.102 - Drug Paraphernalia - Definitions
- RCW 69.50.4014 - Possession 40 grams or less of Marijuana
- RCW 69.50.412 - Prohibited Acts – Use of Drug Paraphernalia - Penalties
- RCW 69.50.4121 - Civil Infraction – Selling/Giving Drug Paraphernalia
- RCW 69.50.425 - Misdemeanor Violations – Minimum Penalties
- RCW 69.50.445 - Civil Infraction -Opening or Consuming Marijuana in Public
- RCW 69.50.505 - Seizure and Forfeiture
- RCW 69.50.506 - Burden of Proof; Liabilities
- RCW 69.50.509 - Search and Seizure of Controlled Substances

**Section 2. Severability.** The provisions of this Ordinance are declared separate and severable. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of this Ordinance or application of the provision to other persons or circumstances, shall be unaffected.

**Section 3. Ratification.** Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.


**Section 4. Effective Date.** This Ordinance shall take effect five (5) days after publication, as provided by law.

\_\_\_\_\_  
MAYOR

**ATTEST:**

\_\_\_\_\_  
CITY CLERK

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
CITY ATTORNEY (AIA)

**PASSED:**

**APPROVED:**

**PUBLISHED:**