



City Council

Approval of Ordinance Adopting RCW 69.50.440 Making it Unlawful to Open or Consume Marijuana in Public and Amending Olympia Municipal Code (OMC) Section 9.28.010

Agenda Date: 4/12/2016
Agenda Item Number: 4.G
File Number: 16-0394

Type: ordinance **Version:** 2 **Status:** Passed

Title

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Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve on second reading an ordinance adopting RCW 69.50.440 making it unlawful to open or consume marijuana in public and amending OMC Section 9.28.010.

Report

Issue:

Whether the City should adopt RCW 69.50.440 making it unlawful to open a package of or consume marijuana, useable marijuana, marijuana-infused products, or marijuana concentrates in view of the general public or in a public place.

Staff Contact:

Rocio D. Ferguson, Chief Prosecutor, 360.753.8449

Background and Analysis:

Background and analysis have not changed from first to second reading.

Initiative Measure No. 502 legalized possession of one ounce or less of marijuana. This initiative became effective on December 6, 2012. The City of Olympia has since seen an increase in the number of individuals consuming and/or using marijuana in public places. Consumption is generally in the form of smoke inhalation, which creates harmful and/or bothersome pollutants for citizens. Adoption of RCW 69.50.445 will make it a class 3 civil infraction to open a package of or consume marijuana, useable marijuana, marijuana-infused products, or marijuana concentrates in view of the

general public or in a public place and ensure consistency with state law.

Neighborhood/Community Interests (if known):

There is an inherent interest in ensuring that citizens, particularly minors, are not exposed to drug use nor have access to drugs in public places, as well as protecting the public from pollutants.

Options:

1. Approve the proposed ordinance.
2. Do not approve the proposed ordinance.

Financial Impact:

None.