

ATTACHMENT F

CODE

CITY OF REDMOND ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF REDMOND,
WASHINGTON; AMENDING TITLE 5 BUSINESS LICENSES
AND REGULATIONS OF THE REDMOND MUNICIPAL CODE;
AND AMENDING TITLE 9 PUBLIC PEACE, MORALS AND
SAFETY; PROVIDING FOR SEVERABILITY AND
ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of Redmond periodically updates the Redmond Municipal Code (RMC) to correct non-substantive errors such as those resulting from outdated or incorrect references, to reflect changes to names and terminology, and to ensure the code is clear; and

WHEREAS, on July 6, 2022, the Washington State Liquor and Cannabis Board approved a rule-making order (CR 103) regarding implementation of Second Substitute House Bill 1210 - Replacing "Marijuana" with "Cannabis."; and

WHEREAS, this permanent rulemaking replaces the term "marijuana" with "cannabis" throughout the rules of the Liquor and Cannabis Board in Title 314 of the Washington Administrative Code (WAC); and

WHEREAS, the legislature's intent was to make technical changes to replace the term "marijuana" with "cannabis" throughout the Revised Code of Washington (RCW); and

WHEREAS, the City will amend the Redmond Municipal Code (RMC) for consistency, reflecting the replacement of "marijuana" with the term "cannabis;" and

WHEREAS, state agencies received 60-day notice of the proposed amendments on August 18, 2023; and

WHEREAS, a State Environmental Policy Act (SEPA) checklist was prepared, and a Determination of SEPA Exemption was issued on August 1, 2023, for the proposed amendments; and

WHEREAS, the Technical Committee reviewed and approved the proposed amendments and on August 30, 2023, made a recommendation for approval of the amendments; and

WHEREAS, the City Council held public meetings on December 5, 2023; January 16, 2024; January 23, 2024; and February 20, 2024, to consider the proposed amendments; and

WHEREAS, notice of City Council action on this proposed amendment was provided on January 30, 2024; and

WHEREAS, the City of Redmond desires to amend portions of the Redmond Municipal Code as set forth in this ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Redmond Municipal Code.

Section 2. Amendments to Redmond Municipal Code (RMC)

Section 5.04.140 Criteria for Denial, Suspension or Revocation of License. The provisions of RMC section 5.04.140 Criteria for Denial, Suspension or Revocation of License are hereby amended to read as follows:

5.04.140 Criteria for denial, suspension or revocation of license.

A. The Finance Director may deny issuance of a business license to any applicant or suspend or revoke any and all business licenses of any holder when such person, or any other person with any interest in the application or license:

1. Knowingly violates or knowingly causes, aids, abets, or conspires with another to cause any person to violate any State, Federal, or City law which may affect or relate to the applicant or license holder's business, except for Federal statutes, rules and regulations relating to ~~[MARIJUANA]~~ **cannabis** that are in conflict with State law, as long as the applicant or person with interest in the application has a current State license to operate a ~~[MARIJUANA]~~ **cannabis** facility;

2. Has obtained a license or permit by fraud, misrepresentation, concealment, or through inadvertence or mistake;

3. Is or has been convicted of, forfeits bond upon, or pleads guilty to any felony offenses directly related to

the operation of the applicant's or license holder's business unless the offense relates to [~~MARIJUANA~~] **cannabis** and the applicant has a current State license to operate a [~~MARIJUANA~~] **cannabis** facility;

...

Section 3. Amendments to Redmond Municipal Code (RMC)

Section 5.22.070 Revocation or Suspension of License. The provisions of RMC section 5.22.070 Revocation or Suspension of License are hereby amended to read as follows:

5.22.070 Revocation or Suspension of License.

A. After giving notice to the licensee of the right to a hearing pursuant to the procedures set forth in Section 5.22.060, and conducting a hearing if a timely request is filed, the City council may suspend or revoke any license issued pursuant to this chapter where one or more of the following conditions exist:

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4. The licensee or his employee, agent, partner, director, officer or manager has knowingly allowed or permitted:

a. A felony involving a crime of violence (as defined in RCW 9A.010(2) as it now exists or as hereafter amended) or any felony under RCW Chapters 9A.44, 9A.64, 9A.88 or 9A.50 to occur in or upon the dance hall premises, or

b. A crime involving prostitution, promoting prostitution, prostitution loitering or lewd conduct, or assault on a juvenile to occur in or upon the dance hall premises, or

c. Any unlawful act of sexual intercourse, sodomy, oral copulation, or masturbation to be committed in or upon the dance hall premises, or

d. The dance hall premises to be used as a place in which unlawful solicitations for sexual intercourse, sodomy, oral copulation or masturbation occur, or

e. The possession or consumption of liquor by persons under the age of twenty-one years, in or upon dance hall premises, or

f. The giving or supplying of liquor to any person under the age of twenty-one years, or

g. The use by any person in or upon the dance hall premises of [~~MARIJUANA~~] **cannabis**, cocaine or any other controlled substance (as defined in RCW 69.50.101(d) as now exists or as hereafter amended) not prescribed by a licensed physician for use by the person possessing or using the substance, or

h. Violation of any condition placed upon a license issued pursuant to this chapter, of the ordinance codified in this chapter, or of any other applicable law or

ordinance, which the City council finds constitutes an unreasonable interference with surrounding land uses or is otherwise unreasonably detrimental to the public welfare.

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Section 4. Amendments to Redmond Municipal Code (RMC)

Chapter 9.14 Controlled Substances, Paraphernalia, Poisons and Toxic Fumes. The provisions of RMC Chapter 9.14 Controlled Substances, Paraphernalia, Poisons and Toxic Fumes are hereby amended to read as follows:

Chapter 9.14 Controlled Substances, Paraphernalia, Poisons and Toxic Fumes.

9.14.010 Controlled substances.

The following statutes of the State of Washington, including any future amendments, additions thereto and repeals thereof, are adopted by reference and incorporated herein by this reference as if set forth in full:

RCW 69.50.101 Definitions

RCW 69.50.102 Drug paraphernalia - Definitions

RCW 69.50.204(c) ([14] 17) Schedule I - [~~MARIJUANA~~

~~OR MARIJUANA~~] **Cannabis**

RCW 69.50.309 Containers

RCW 69.50.4011(1), (3) Counterfeit Substances -

Penalties

RCW 69.50.4013 Possession of controlled substance -
Penalty - Possession of useable [~~MARIJUANA~~] cannabis,

[~~MARIJUANA~~] cannabis concentrates, or [~~MARIJUANA~~]

cannabis-infused products - Delivery

RCW 69.50.4014 Possession of forty grams or less of
[~~MARIJUANA~~] cannabis - Penalty

RCW 69.50.412 Prohibited acts: E - Penalties

RCW 69.50.4121 Drug paraphernalia - Selling or
giving - Penalty

RCW 69.50.425 Misdemeanor violations - Minimum
penalties

RCW 69.50.505 Seizure and forfeiture

RCW 69.50.506 Burden of proof

RCW 69.50.509 Search and seizure of controlled
substances

...

9.14.015

Medical use of [~~marijuana~~] cannabis.

The following statutes of the State of Washington,
including any future amendments, additions thereto and
repeals thereof, are adopted by reference and incorporated
herein by this reference as if set forth in full:

RCW 69.51A.010 Definitions

RCW 69.51A.020 Construction of chapter

RCW 69.51A.030 Physicians excepted from state's
criminal laws

RCW 69.51A.040 Qualifying patient's affirmative
defense

RCW 69.51A.050 Medical [~~MARIJUANA~~] **cannabis**, lawful
possession - state not liable

RCW 69.51A.060 Crimes - Limitations of chapter
(Ord. 2209 § 3, 2004).

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Section 5. 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 of
any other section, sentence, clause, or phrase of this ordinance.

Section 6. Effective Date. This ordinance shall become
effective five days after its publication, or publication of a
summary thereof, in the city's official newspaper, or as otherwise
provided by law.

ADOPTED by the Redmond City Council this _____ day of
February, 2024.

CITY OF REDMOND

ANGELA BIRNEY, MAYOR

ATTEST:

CHERYL XANTHOS, MMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

DANIEL KENNY, CITY ATTORNEY

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
SIGNED BY THE MAYOR:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.