



## Memorandum

**Date:** 11/6/2023  
**Meeting of:** City Council

**File No.** AM No. 23-163  
**Type:** New Business

**TO:** Members of the City Council  
**FROM:** Mayor Angela Birney

**DEPARTMENT DIRECTOR CONTACT(S):**

Parks	Loreen Hamilton	425-556-2336
Executive	Lisa Maher	425-556- 2427

**DEPARTMENT STAFF:**

Executive	Rebecca Mueller	Supervising Deputy Attorney
Executive	Polly Peshtaz	Deputy Prosecuting Attorney

**TITLE:**

Adoption of an Ordinance Amending Redmond Municipal Code 9.31.440

1. Ordinance No. 3133: An Ordinance of the City of Redmond, Washington, Amending RMC 9.31.440, Intoxicating Drugs, to Delete Language in Conflict with Recent Changes in State Law Relating to the Possession and Use of Controlled Substances and to Refer to Updated City Regulations In RMC 9.14

**OVERVIEW STATEMENT:**

On May 16, 2023, Senate Bill (SB) 5536 was passed at a special session by the Senate and House of Representatives. SB 5536 now makes knowing possession and/or use of a controlled substance or a counterfeit substance in a public place a gross misdemeanor, which will be punishable up to 180 days in jail for the first two convictions, a \$1000 fine or both.

This amendment would remove the current language in Park Rule 9.31.440 (Intoxicating Drugs) and would thereby be referenced in RMC Chapter 9.14 (Controlled Substances), which is previously adopted and consistent with SB 5536 to include drugs in a public place.

☐ **Additional Background Information/Description of Proposal Attached**

**REQUESTED ACTION:**

☐ **Receive Information**      ☐ **Provide Direction**      ☒ **Approve**

**REQUEST RATIONALE:**

- **Relevant Plans/Policies:**  
N/A
- **Required:**  
The Council must approve an ordinance changing the Redmond Municipal Code
- **Council Request:**  
N/A
- **Other Key Facts:**  
N/A

**OUTCOMES:**

Granting this proposal would allow for the City of Redmond to be consistent with recent changes in the drug possession laws following the passage of SB 5536. Furthermore, it would continue to keep the City of Redmond safe by providing law enforcement and prosecution lawful ordinances to enforce and prosecute.

**COMMUNITY/STAKEHOLDER OUTREACH AND INVOLVEMENT:**

- **Timeline (previous or planned):** N/A
- **Outreach Methods and Results:** N/A
- **Feedback Summary:** N/A

**BUDGET IMPACT:**

**Total Cost:** N/A

**Approved in current biennial budget:** ☐ Yes ☐ No ☒ N/A

**Budget Offer Number:**  
N/A

**Budget Priority:**  
N/A

**Other budget impacts or additional costs:** ☐ Yes ☐ No ☒ N/A

*If yes, explain:*

**Funding source(s):**  
N/A

**Budget/Funding Constraints:**  
N/A

☐ **Additional budget details attached**

**COUNCIL REVIEW:**

**Previous Contact(s)**

Date	Meeting	Requested Action
10/17/2023	Committee of the Whole - Public Safety and Human Services	Provide Direction

**Proposed Upcoming Contact(s)**

Date	Meeting	Requested Action
N/A	None proposed at this time	N/A

**Time Constraints:**

SB 5536 took into effect May 16<sup>th</sup>, 2023

**ANTICIPATED RESULT IF NOT APPROVED:**

Current Redmond Municipal Code 9.31.440 would conflict with SB 5336 regarding the knowing possession or use of drugs in a public place, as currently adopted in RMC Chapter 9.14.

**ATTACHMENTS:**

Attachment A: Ordinance