

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

AN ORDINANCE relating to controlled substances; adding the crimes of possession of a controlled substance and use of a controlled substance in a public place; and amending Section 12A.09.020 of the Seattle Municipal Code.

..body

WHEREAS, there were 589 overdose deaths in Seattle in 2022, with the majority attributed to

fentanyl and methamphetamines, compared to 342 in 2021, an increase of 72 percent; and

WHEREAS, on April 17, 2023, Mayor Bruce Harrell issued his Downtown Activation Plan and

Executive Order 2023-04: Addressing the Opioid and Synthetic Drug Crisis in Seattle,

identifying the need to address the spike in overdose deaths and improve Downtown

public safety; and

WHEREAS, drug use negatively impacts the public’s sense of safety and harms and threatens

neighborhoods across Seattle; and

WHEREAS, drug use is associated with drug trafficking, gun violence, and property crimes,

which the City is trying to address; and

WHEREAS, the State Legislature passed 2E2SSB 5536 in the 2023 special legislative session to

address drug possession and public drug use; and

WHEREAS, the State requires in RCW 39.34.180 that the City be responsible for all

misdemeanors and gross misdemeanors occurring in the City; and

WHEREAS, prohibiting drug use is beneficial for public health and safety and will help combat

the current drug epidemic; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

1 Section 1. Section 12A.09.020 of the Seattle Municipal Code, last amended by Ordinance
2 126691, is amended as follows:

3 **12A.09.020 Adoption of RCW sections**

4 The following RCW sections as amended are adopted by reference:

5 * * *

6 43.43.754's crime of refusal to provide DNA

7 69.50.101 – Definitions (except that cannabis is not included in the definition of
8 “controlled substance”)

9 69.50.204 – Schedule I (except that cannabis is not included)

10 69.50.206 – Schedule II

11 69.50.208 – Schedule III

12 69.50.210 – Schedule IV

13 69.50.212 – Schedule V

14 69.50.4013(1), (2), (7), and (8) as amended by 2E2SSB 5536

15 2E2SSB 5536, Section 9

16 2E2SSB 5536, Section 10

17 * * *

1 Section 2. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the _____ day of _____, 2023,
5 and signed by me in open session in authentication of its passage this _____ day of
6 _____, 2023.

7 _____
8 President _____ of the City Council

9 Approved / returned unsigned / vetoed this ____ day of _____, 2023.

10 _____
11 Bruce A. Harrell, Mayor

12 Filed by me this _____ day of _____, 2023.

13 _____
14 Elizabeth M. Adkisson, Interim City Clerk

15 (Seal)