

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6369

AN ORDINANCE imposing an interim official control regarding the prohibition of community health engagement locations, safe injection sites, and other uses or activities designed to provide a location for individuals to consume illicit drugs; providing for severability; and establishing an effective date.

WHEREAS, in September 2016, the Heroin and Opioid Addiction Task Force convened by King County and Seattle recommended a comprehensive strategy focusing on prevention and increasing access to addiction treatment on demand; and

WHEREAS, in January 2017, the King County Executive and Seattle Mayor announced they would move forward on the complete set of recommendations, including the establishment of facilities referred to as Community Health Engagement Locations (safe injection sites); and

WHEREAS, in June 2017, the King County Council voted to limit establishment of Community Health Engagement Locations (safe injection sites) only to cities whose elected leaders choose to locate these facilities in their communities; and

WHEREAS, in order to respond to this rapidly emerging policy issue the City Council expressed a strong preference for prohibiting uses and activities in the City of Bellevue that are established and designed to provide a location for individuals to consume illicit drugs; and

WHEREAS, the Environmental Coordinator for the City of Bellevue has determined that this text amendment to the Land Use Code would be Categorically Exempt from the Threshold Determination requirements of the State Environmental Policy Act pursuant to the terms of WAC 197-11-800(19); and

WHEREAS, the City Council adopts the foregoing as its findings of fact justifying adoption of this Ordinance; now, therefore

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Imposition of Interim Official Control. An interim official control is hereby imposed to amend Chapter 20.10 of the Bellevue Land Use Code and to add a new section 20.10.410 as follows:

**20.10.410 Use Prohibited in all Land Use Districts**

Medically Supervised Injection Centers (MSIC) designed to provide an hygienic environment where individuals are able to consume illicit drugs intravenously are prohibited in all Land Use Districts in the City. An MSIC includes all uses established or activities undertaken for the above-defined purpose, irrespective of how the use or activity is described. A MSIC may also be referred to as a community health engagement location, supervised injection site or facility, safe injection site, fix room, or drug consumption facility.

Section 2. Duration and Scope of Interim Official Control. Pursuant to RCW 36.70A.390, this Interim Official Control is recommended to be in effect for a period of 6 months. This Interim Official Control may be renewed for one or more six-month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal.

Section 3. Public Hearing. Pursuant to RCW 36.70A.390, the City Council shall hold a public hearing on this Interim Official Control within sixty (60) days of its adoption, so as to hear and consider public comment and testimony regarding this Interim Official Control. Following such hearing, the City Council may adopt additional findings of fact, and may extend the Interim Official Control for a period up to an additional six (6) months. The City Council may adopt additional six month extensions after any required public hearing, pursuant to RCW 36.70A.390.

Section 4. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section 5. Effective Date. This ordinance shall take effect and be in force five (5) days after adoption and legal publication.

Section 6. Findings of Fact. The findings contained in this Ordinance are hereby adopted as Findings of Fact to justify adoption of this interim official control.

1603-ORD  
12/26/2018

Passed by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2017 and signed in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

(SEAL)

\_\_\_\_\_  
John Stokes, Mayor

Approved as to form:

\_\_\_\_\_  
Matthew McFarland, Assistant City Attorney

Attest:

\_\_\_\_\_  
Kyle Stannert, City Clerk

Published: \_\_\_\_\_