

November 7, 2016

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Ordinance amending the Bellevue City Code to adopt regulations imposing civil penalties and abatement actions for violations of certain provisions of Chapter 69.51A RCW concerning the growing, processing, or possession of marijuana plants or medical marijuana products; amending sections 1.18.020.K, 1.18.020.M, and 9.10.030; and establishing an effective date.

FISCAL IMPACT

The fiscal impact of the recommended regulations is generally anticipated to be minimal. There may be increased costs related to civil enforcement, which will require tracking to determine what impacts, if any, the civil penalty provisions may have on code compliance and enforcement resources.

STAFF CONTACTS

Carol Helland, Land Use Director	452-2724
Trisna Tanus, Legal Planner	452-2970
Reilly Pittman, Senior Planner	452-4350

Development Services Department

Bob Hyde, Deputy City Attorney	452-2033
Catherine Drews, Assistant City Attorney	452-6134

City Attorney's Office

Kate Berens, Deputy City Manager	452-4616
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City Manager's Office

POLICY CONSIDERATION

Should the City amend the Bellevue City Code (BCC) to impose civil penalties and abatement actions under BCC 1.18 for violation of certain medical marijuana provisions pursuant to RCW 69.51A.260? Refer to Attachment A.

BACKGROUND

Interim Ordinance No. 6296 was adopted in June of 2016. This ordinance was the second of two interim ordinances Council adopted around the same time (the other was Interim Ordinance No. 6286). In part, Interim Ordinance No. 6296 imposed civil penalties and abatement procedures for violation of certain medical marijuana provisions pursuant to RCW 69.51A.260.

As the interim ordinances are set to expire, Council held a study session on October 3, 2016 to consider adoption of permanent regulations consistent with provisions in the interim ordinances. Council did not direct any changes pertaining to the amendments to the Bellevue City Code that were part of Interim Ordinance No. 6296.

A public hearing was held on October 17, 2016. At the conclusion of Council's discussion following the public hearing, Council directed staff to prepare an ordinance that would amend the Bellevue City Code to impose civil penalties and abatement procedures for violation of certain medical marijuana provisions pursuant to RCW 69.51A.260, consistent with the provisions in Interim Ordinance No. 6296. This ordinance is attached hereto as Attachment A. Amendments to the Land Use Code are presented separately.

EFFECTIVE DATE

If approved, Ordinance No. 6317 become effective on November 17, 2016.

OPTIONS

1. Adopt Ordinance amending the Bellevue City Code to adopt regulations imposing civil penalties and abatement actions for violations of certain provisions of Chapter 69.51A RCW concerning the growing, processing, or possession of marijuana plants or medical marijuana products; amending sections 1.18.020.K, 1.18.020.M, and 9.10.030; and establishing an effective date.
2. Do not adopt the Ordinance and provide alternative direction to staff.

RECOMMENDATION

Option 1.

MOTION

Move to adopt Ordinance No. 6317 amending the Bellevue City Code to adopt regulations imposing civil penalties and abatement actions for violations of certain provisions of Chapter 69.51A RCW concerning the growing, processing, or possession of marijuana plants or medical marijuana products; amending sections 1.18.020.K, 1.18.020.M, and 9.10.030; and establishing an effective date.

ATTACHMENTS

Proposed Ordinance No. 6317

AVAILABLE IN COUNCIL DOCUMENT LIBRARY

N/A