

ORDINANCE NO. 2019-_____

AN ORDINANCE relating to Public Safety; amending section 1.48.026 of the City of Yakima Municipal Code relating to limited commissions for the enforcement of chapter 6.27.

BE IT ORDAINED BY THE CITY OF YAKIMA:

Section 1. The following section, 1.48.026, of the City of Yakima Municipal Code is hereby amended to read as follows:

1.48.026 Limited commissions—Specific limited commissions and powers.

A. Specific Authorized Limited Commissions. The following limited commissions are specifically authorized to have such enforcement powers as stated in this section. This section does not preclude the police chief from authorizing other limited commissions as he/she deems necessary, in accordance with YMC 1.48.025 and shall not be construed as to limit the power of the police chief to grant other limited commissions in accordance with YMC 1.48.025.

1. Law enforcement officers, fire code inspectors, their manager, and supervisor may enforce the provisions of Yakima Municipal Code Title 10.

2. Law enforcement officers, building code inspectors, their manager, and supervisor may enforce the provisions of Yakima Municipal Code Title 11.

3. Law enforcement officers, code compliance officers, their manager, and supervisor may enforce the provisions of Yakima Municipal Code Title 15.

4. Law enforcement officers, code compliance officers, their manager, and supervisor may enforce the provisions of Yakima Municipal Code Chapter 6.56.

5. Refuse code compliance officers, their manager, and supervisor may enforce the provisions of Yakima Municipal Code Chapters 4.16, ~~6.27~~ and YMC 6.86.030.

6. Law enforcement officers, animal control officers, their manager, and supervisor may enforce provisions of Yakima Municipal Code Chapter 6.20. Animal control officers shall have the enforcement powers enumerated in Yakima Municipal Code 6.20.020.

7. Law enforcement officers, refuse code compliance officers, code compliance officers, their managers, and supervisors may enforce provisions of Yakima Municipal Code Chapter 6.27.

B. Powers.

1. Unless specifically enumerated elsewhere, all persons receiving a limited commission from the chief of police acting pursuant to this section shall have the following enforcement powers when enforcing the Yakima Municipal Code:

(a) The power to issue citations based on probable cause to offenders for civil infraction, misdemeanor and gross misdemeanor violations of the Yakima Municipal Code within the scope of the authorized limited commission;

(b) The power to prepare affidavits in support of search warrants and to execute search warrants when accompanied by law enforcement officers to investigate criminal violations of the Yakima Municipal Code within the scope of the authorized limited commission and to seize evidence of those violations.

2. All persons acting pursuant to a limited commission shall comply with the same constitutional and statutory restrictions concerning the execution of police powers imposed on law enforcement officers who enforce other criminal laws of the state of Washington.

C. Training and Authority.

1. A limited commission shall only be issued upon completion of a Yakima police department limited commission training course.

2. These limited commissions are granted pursuant to YMC 1.48.025.

Section 3. This ordinance shall be in full force and effect 30 days after its passage, approval, and publication as provided by law and by the City Charter.

PASSED BY THE CITY COUNCIL, signed and approved this 3rd day of December, 2019.

ATTEST:

Kathy Coffey, Mayor

Sonya Claar Tee, City Clerk

Publication Date:_____

Effective Date:_____