

ORDINANCE NO. 2022-_____

AN ORDINANCE relating to Public Safety and Parks; amending YMC 13.16.078 to add a knowledge element; amending YMC 13.16.150 to clarify that violations of Title 13, unless otherwise specified, are a misdemeanor.

BE IT ORDAINED BY THE CITY OF YAKIMA:

Section 1. The following section, 13.16.078, of the City of Yakima Municipal Code is hereby amended to read as follows:

13.16.078 Unlawful acts involving controlled substances or prescription drugs.

A. No person shall knowingly commit any of the following acts in a park:

1. Sell, distribute, make available or offer to provide a controlled substance or prescription drug to another;
2. Package, possess or store a controlled substance;
3. Transport a controlled substance or materials intended to be used in the packaging of a controlled substance;
4. Solicit another to provide, make available, sell or distribute a controlled substance or prescription drug to any person; or
5. With the intent to engage in any act prohibited by this section, seek, meet, approach, or encounter another.

B. Nothing in subsection A of this section shall prohibit the possession in a park of medications prescribed to the person or to a person under that person's care, if and under such conditions as possession of such substance is otherwise lawful.

C. For purposes of this section "controlled substance" shall have the meaning provided in RCW 69.50.101 and "prescription drug" shall have the same meaning as "legend drugs" provided in RCW 69.41.010(13).

Section 2. The following section, 13.16.150, of the City of Yakima Municipal Code is hereby amended to read as follows:

13.16.150 Penalty for violations.

It is unlawful for any person to violate or fail to comply with any rule or regulation provided for in this chapter. Unless otherwise specified, a violation any person convicted of violating or of failing to comply with of any rule or regulation provided for in this chapter is a misdemeanor shall be punishable by a fine of not more than two hundred fifty one thousand dollars or by imprisonment in the city jail facility for a term not to exceed ninety days or by both such fine and imprisonment.

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 1st day of August, 2022.

Janice Deccio, Mayor

ATTEST:

Sonya Claar Tee, City Clerk

Publication Date: _____

Effective Date: _____