



Legislation Details (With Text)

File #: 2017-0341 **Version:** 1

Type: Ordinance **Status:** Lapsed

File created: 8/21/2017 **In control:** Health, Housing and Human Services Committee

On agenda: **Final action:** 2/1/2018

Enactment date: **Enactment #:**

Title: AN ORDINANCE relating to supervised drug consumption sites; amending Ordinance 4785, Section 2, as amended, and K.C.C. 12.81.040, and adding new sections to K.C.C. chapter 4A.650 and K.C.C. chapter 12.81.

Sponsors: Initiative

Indexes:

Code sections:

Attachments: 1. 2017-0341_SR_I-27_Final.docx, 2. 2017-0341_ATT2_I27 Cert of Sufficiency.pdf, 3. 2017-0341_ATT3_I-27 Letter of Sufficiency.pdf, 4. 2017-0341_ATT4_I27 Petition report.pdf, 5. FW Support for Safe Consumption Sites.msg

Date	Ver.	Action By	Action	Result
9/6/2017	1	Health, Housing and Human Services Committee	Deferred	
8/21/2017	1	Metropolitan King County Council	Introduced and Referred	

Clerk 08/18/2017

AN ORDINANCE relating to supervised drug consumption sites; amending Ordinance 4785, Section 2, as amended, and K.C.C. 12.81.040, and adding new sections to K.C.C. chapter 4A.650 and K.C.C. chapter 12.81.

STATEMENT OF FACTS:

1. Heroin and prescription opioid use constitutes a public health crisis in King County, resulting in a growing number of deaths.
2. Heroin overtook prescription opioids in 2013 as the primary cause of opioid overdose deaths.
3. The use of supervised drug consumption sites is inconsistent with the county's goal of preventing substance use disorder and overdoses across King County.
4. It is the intent of the council to prohibit the funding and operation of supervised drug consumption sites in King County.

BE IT ORDAINED BY THE CITIZENS OF KING COUNTY:

NEW SECTION. SECTION 1. There is hereby added to K.C.C. chapter 4A.650 a new section to read as follows:

A. No public funds may be spent on the registration, licensing, construction, acquisition, transfer, authorization, use, or operation of a supervised drug consumption site.

B. For the purposes of this section, "supervised drug consumption site" means any building, structure, site, facility, or program with a function of providing a space or area for the use, consumption, or injection of heroin or any other controlled substance listed in Schedule I by RCW 69.50.204, except for those substances which may be possessed in accordance with RCW 69.50.4013.

C. Any person or class of persons may commence a civil action in King County superior court against the county for violating this section and, upon prevailing, may be awarded reasonable attorneys' fees and costs, such legal or equitable relief as may be appropriate to remedy the violation, and a civil penalty of up to five thousand dollars.

NEW SECTION. SECTION 2. There is hereby added to K.C.C. chapter 12.81 a new section to read as follows:

A. It is unlawful for any person to operate or maintain any building, structure, site, facility or program with a function of providing a space or area for the use, consumption, or injection of heroin or any other controlled substance listed in Schedule I by RCW 69.50.204, except for those substances which may be possessed in accordance with RCW 69.50.4013.

B. Any person or class of persons may commence a civil action in King County superior court against the county or any other person violating this section and, upon prevailing, may be awarded reasonable attorneys' fees and costs, such legal or equitable relief as may be appropriate to remedy the violation, and a civil penalty of up to five thousand dollars.

C. For the purposes of this section, "person" means any individual, firm, association, organization,

partnership, corporation, or any other entity, whether public or private and whether for profit or not for profit.

"Person" further includes King County and any city, board of health, health department, municipal corporation, and any other political or civil subdivision.

SECTION 3. Ordinance 4785, Section 2, as amended, and K.C.C. 12.81.040 are each hereby amended to read as follows:

Any violation of (~~this chapter~~) Sections 12.81.010 through 12.81.030 is a misdemeanor, and the punishment shall be as provided by the laws of the state of Washington.

SECTION 4. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.