



Agenda Sheet for City Council Meeting of*

06/06/2011

Status: **CLERK REVIEW**

Date Rec'd <small>(Clerk use only)</small>	05/25/2011
Clerk's File #	ORD C34741
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	

Submitting Dept*	CITY ATTORNEY
Contact Name & Phone*	PAUL MASIELLO 835-4526
Contact E-Mail*	PMASIELLO@SPOKANECITY.ORG
Add'l Docs Attached? <input checked="" type="checkbox"/>	First Reading Ordinance

Agenda Item Name: Begin with Dept # 0500-POSSESSION OF MARIJUANA AMENDMENT

Agenda Wording*: (175 character max) Additional attached?

Amend SMC section 10.15.100 relating to the charge-Possession of Marijuana.

Summary (Background)*: (304 character max) Additional attached?

Amends the title of SMC section 10.15.100 from "Controlled, Counterfeit Substances-Prohibited Acts" to "Possession of Marijuana", and modifies the charging language contained in that SMC Section.

Fiscal Impact	Budget Account	Additional attached?
Neutral \$	#	
Select \$	#	
Select \$	#	
Select \$	#	

Approvals	Council Notifications (Date)
Dept Head: DELANEY, HOWARD	Study Session
Division Director	Other
Finance: LESESNE, MICHELE	<input checked="" type="checkbox"/> Distribution List (Emails preferred) <input type="checkbox"/> Additional?
Legal: BURNS, BARBARA	
For the Mayor: WEBSTER, DOROTHY	

Additional Approvals
Purchasing
Select Dept 1
Select Dept 2
Select Dept 3

Save Cancel View Related

FIRST READING OF THE ABOVE ORDINANCE WAS HELD ON 6/6/11 AND FURTHER ACTION WAS DEFERRED

[Signature]
CITY CLERK

PASSED BY SPOKANE CITY COUNCIL: JUNE 20, 2011

[Signature]
DEPUTY CITY CLERK

ORD C34741

BRIEFING PAPER
City of Spokane
City Legal/Public Safety Committee
05/23/11

Subject

Amend SMC section 10.15.100 relating to the charge - Possession of Marijuana.

Background

Amends the title of SMC section 10.15.100 from "Controlled, Counterfeit Substances—Prohibited Acts" to "Possession of Marijuana", and modifies the charging language contained in that SMC section.

Impact

This change will harmonize the SMC charge for Possession of Marijuana with existing Marijuana law at the state level under the RCW.

Action

Recommendation of Public Safety Committee for City Council approval.

Funding

No funding required

For further information contact: Paul Masiello, Assistant City Prosecutor at 835-5988 or 835-4526 email: pmasiello@spokanecity.org

ORDINANCE NO. C34741

AN ORDINANCE relating to possession of marijuana; amending SMC section 10.15.100.

The City of Spokane does ordain:

Section 1. That SMC section 10.15.100 is amended to read as follows:

10.15.100 ~~((Controlled, Counterfeit Substances – Prohibited Acts))~~ Possession of Marijuana

~~((Except as provided for in RCW 69.50.401(a)(1)(iii), any person found guilty of possession of forty grams or less of marijuana shall be guilty of a misdemeanor. This section does not apply to offenses defined and punishable under the provisions of RCW 69.50.410.))~~

It is unlawful for any person to possess forty grams or less of marijuana, except as provided pursuant to RCW 69.51(A) as now or hereafter amended. A person who violates this section is guilty of a misdemeanor. A conviction under this section shall be sentenced in accordance with the penalties prescribed under RCW 69.50.425 as now or hereafter amended.

PASSED by the City Council on June 20, 2011.

Alexander Joe Shogren
Council President

Attest:

Approved as to form:

[Signature]
City Clerk

[Signature]
Assistant City Attorney

Mary B. Jensen
Mayor

6/29/2011
Date

July 29, 2011
Effective Date

