



SEATTLE CITY COUNCIL

Legislative Summary

CB 119636

Record No.: CB 119636

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125937

In Control: City Clerk

File Created: 09/04/2019

Final Action: 10/04/2019

Title: AN ORDINANCE relating to the sale and use of tobacco and marijuana products to and by minors; amending Sections 6.240.010 and 6.240.100 of the Seattle Municipal Code; and adding a new Section 12A.20.110 to the Seattle Municipal Code.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Harrell

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: Emilia.Sanchez@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Clerk	09/05/2019	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
1	Council President's Office	09/05/2019	sent for review	Governance, Equity, and Technology Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Governance, Equity, and Technology Committee						
1	City Council	09/09/2019	referred	Governance, Equity, and Technology Committee			
1	Governance, Equity, and Technology Committee	09/17/2019	pass				Pass
	Action Text: The Committee recommends that City Council pass the Council Bill (CB). In Favor: 2 Chair Harrell, Vice Chair Herbold Opposed: 0						

1 City Council 09/23/2019 passed Pass

Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:

Notes:

Councilmember Sawant left the Council Chamber at 4:25 p.m.

In Favor: 8 Councilmember Bagshaw, Councilmember González , Council
President Harrell, Councilmember Herbold, Councilmember Juarez,
Councilmember Mosqueda, Councilmember O'Brien, Councilmember
Pacheco

Opposed: 0

Absent(NV): 1 Councilmember Sawant

1 City Clerk 09/27/2019 submitted for Mayor
Mayor's signature

1 Mayor 10/04/2019 Signed
Action Text: The Council Bill (CB) was Signed.

1 Mayor 10/04/2019 returned City Clerk
Action Text: The Council Bill (CB) was returned. to the City Clerk

1 City Clerk 10/04/2019 attested by City Clerk
Action Text: The Ordinance (Ord) was attested by City Clerk.

CITY OF SEATTLE

ORDINANCE

125937

COUNCIL BILL

119636

AN ORDINANCE relating to the sale and use of tobacco and marijuana products to and by minors; amending Sections 6.240.010 and 6.240.100 of the Seattle Municipal Code; and adding a new Section 12A.20.110 to the Seattle Municipal Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 6.240.010 of the Seattle Municipal Code, last amended by Ordinance 124301, is amended as follows:

6.240.010 Definitions ((:))

As used in this ((chapter)) Chapter 6.240, the following terms shall have the following meanings:

A. "Minor" means any individual who is less than ((~~eighteen (18)~~)) 21 years of age.

* * *

Section 2. Section 6.240.100 of the Seattle Municipal Code, last amended by Ordinance 124301, is amended as follows:

6.240.100 Sale of tobacco product to minor unlawful((:))

A. Every person who sells or gives, or permits to be sold or given, to any ((~~person under the age of eighteen (18) years~~)) minor any cigar, cigarette, cigarette paper or wrapper, tobacco in any form, or a vapor product is guilty of a gross misdemeanor subject to the provisions of Chapters 12A.02 and 12A.04, except that absolute liability shall be imposed and none of the mental states described in Section 12A.04.030 need be proved. It shall be no defense to a prosecution for a violation of this subsection that the person acted, or was believed by the defendant to act, as agent or representative of another.

1 B. No tobacco product retailer shall sell or permit any agent or employee of such retailer
2 to sell any tobacco product to a potential purchaser where there may be any question of such
3 purchaser's right to purchase a tobacco product because of ~~((his or her))~~ the purchaser's age,
4 without first having requested and examined identification provided by the potential purchaser
5 that positively establishes that said person is not ~~((less than eighteen (18) years old))~~ a minor. In
6 the event that the tobacco product retailer or an agent or employee thereof fails to request and
7 examine such identification before making a tobacco product sale and the purchaser was, in fact,
8 ~~((less than eighteen (18) years old))~~ a minor at the time such failure occurs, such retailer shall be
9 deemed to have had no conclusive basis for determining that a tobacco product sale could
10 lawfully be made to such purchaser. Every tobacco product sale to a minor shall constitute a
11 separate violation unless multiple purchases are made during a single visit by such minor to a
12 tobacco product retailer's premises, in which event all sales made during that visit shall constitute
13 a single violation.

14 Section 3. A new Section 12A.20.110 is added to the Seattle Municipal Code as follows:

15 **12A.20.110 Selling marijuana products to minor**

16 A. Except as authorized in chapter 69.50 RCW, an employee of a retail outlet who sells
17 marijuana products to a person under the age of 21 years in the course of employment is guilty of
18 a gross misdemeanor.

19 B. As authorized by Section 12A.04.100, liability for selling marijuana products to a
20 minor does not require proof of any of the mental states described in Section 12A.04.030.

21 C. For purposes of this Section 12A.20.110:

22 "Marijuana products" means useable marijuana, marijuana concentrates, and marijuana-
23 infused products as defined in Section 12A.20.100.

- 1 “Retail outlet” means a location licensed by the Washington Liquor and Cannabis Board
- 2 for the retail sale of marijuana products.

Section 4. Sections 1 and 2 of this ordinance shall take effect and be in force on January 1, 2020.

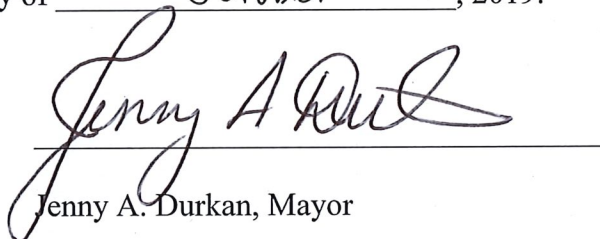
Section 5. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 23rd day of September, 2019,
and signed by me in open session in authentication of its passage this 23rd day of September, 2019.



President _____ of the City Council

Approved by me this 4th day of October, 2019.


Jenny A. Durkan, Mayor

Filed by me this 4th day of OCTOBER, 2019.



Monica Martinez Simmons, City Clerk

(Seal)

STATE OF WASHINGTON -- KING COUNTY

--SS.

378895

No.

CITY OF SEATTLE, CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:125932-948 TITLE ONLY

was published on

10/24/19

The amount of the fee charged for the foregoing publication is the sum of \$345.00.



Affidavit of Publication


Subscribed and sworn to before me on

10/24/2019


Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on September 23, 2019, and published below by title only, will be mailed upon request, or can be accessed at <http://seattle.legistar.com>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Ordinance 125932 Council Bill 119615

AN ORDINANCE relating to the Multifamily Housing Property Tax Exemption Program; amending Chapter 5.73 of the Seattle Municipal Code to renew and modify the Multifamily Housing Property Tax Exemption program.

Ordinance 125933 Council Bill 119651

AN ORDINANCE relating to land use and zoning, amending Chapter 23.32 of the Seattle Municipal Code at pages 60 and 61 of the Official Land Use Map to rezone property located at 4730 15th Avenue NE from Lowrise 3 (M) (LR3 (M)) to Neighborhood Commercial 2-65 (M1) (NC2-65 (M1)), and accepting a Property Use and Development Agreement as a condition of rezoning approval. (Petition by Matt Driscoll, C.F. 314359, SDCI Project 3025193-LU)

Ordinance 125934 Council Bill 119607

AN ORDINANCE relating to heating oil; imposing a tax on heating oil service providers; directing the expenditure of heating oil tax revenues; directing relevant City departments to create a plan for regulating the use of heating oil tanks; adding a new Chapter 5.47 to the Seattle Municipal Code; and amending Sections 5.30.010, 5.30.060, 5.55.010, 5.55.040, 5.55.060, 5.55.150, 5.55.165, 5.55.220, 5.55.230, and 6.208.020 of the Seattle Municipal Code.

Ordinance 125935 Council Bill 119657

AN ORDINANCE appropriating money to pay certain audited claims for the week of September 9, 2019 through September 13, 2019 and ordering the payment thereof.

Ordinance 125936 Council Bill 119519

AN ORDINANCE relating to surveillance technology implementation; authorizing approval of uses and accepting the 2018 surveillance impact reports for the Seattle Department of Transportation's use of closed-circuit television traffic cameras and license plate readers.

Ordinance 125937 Council Bill 119636

AN ORDINANCE relating to the sale and use of tobacco and marijuana products to and by minors; amending Sections 6.240.010 and 6.240.100 of the Seattle Municipal Code; and adding a new Section 12A.20.110 to the Seattle Municipal Code.

Ordinance 125938 Council Bill 119637

AN ORDINANCE relating to crimes and offenses concerning animals; amending Section 9.25.100 of the Seattle Municipal Code.

Ordinance 125939 Council Bill 119654

AN ORDINANCE relating to hotel employees' health and safety; repealing Chapter 14.25 of the Seattle Municipal Code; and amending Section 3.15.000 of the Seattle Municipal Code.

Ordinance 125940 Council Bill 119649

AN ORDINANCE approving and confirming the plat of "Raymond Place" in portions of the Southwest Quarter of the Southwest Quarter of Section 22, Township 24 North, Range 4 East, W.M., in King County, Washington.

Ordinance 125941 Council Bill 119648

AN ORDINANCE relating to Seattle Parks and Recreation; authorizing the Superintendent to amend the existing ten-year lease with Seattle Children's PlayGarden to add a third additional extended term of five years.

Ordinance 125942 Council Bill 119655

AN ORDINANCE relating to the Seattle Monorail; approving a letter of agreement between Seattle Monorail Services, LLC and the Seattle Center Department; authorizing the Seattle Center Director to negotiate and execute an amendment to the Monorail Concession Agreement previously authorized by Ordinance 124674, on terms consistent with the letter of agreement, which include but are not limited to implementation of One Regional Card for All ("ORCA") smartcard as a form of fare payment on the Monorail, alignment of the Monorail fare structure with ORCA and amendment of other fare types, establishment of a triennial schedule for future inflation based fare adjustments, extension of the term of the concession agreement through 2034, and extension of the concessionaire's right to pursue Monorail system non-fare revenues through 2039 conditioned upon concessionaire making privately-funded improvements to the Westlake Station; and ratifying and confirming certain prior acts.

Ordinance 125943 Council Bill 119647

AN ORDINANCE authorizing the General Manager/CEO of Seattle Public Utilities to execute a memorandum of agreement between The City of Seattle and the Muckleshoot Indian Tribe for the transfer and curation of the Chester Morse Collection; and ratifying and confirming certain prior acts.

Ordinance 125944 Council Bill 119653

AN ORDINANCE relating to the City's traffic code; conforming the Seattle Municipal Code with changes in state law; amending Sections 11.14.055, 11.14.184, 11.14.333, 11.14.360, 11.14.710, 11.20.347, 11.22.070, 11.22.160, 11.22.200, 11.30.040, 11.31.050, 11.31.115, 11.40.220, 11.44.120, 11.53.020, 11.53.230, 11.56.140, 11.58.198, 11.58.272, 11.60.130, 11.72.040, 11.80.080, 11.82.360, and 11.82.560 of the Seattle Municipal Code; and adding new Sections 11.14.321 and 11.14.378 to the Seattle Municipal Code.

Ordinance 125945 Council Bill 119652

AN ORDINANCE relating to citations and penalties in the Street and Sidewalk Use code; assessing citation penalties based on land use zoning and permit type; adding citation fee amounts to the Street Use Permit Fee Schedule; granting authority to annually adjust citation penalty fees; and amending Sections 15.91.016 and 15.91.030 and repealing Section 15.91.025 of the Seattle Municipal Code.

Ordinance 125946 Council Bill 119622

AN ORDINANCE relating to pedestrian and business interactions in the public place; making updates to regulations for cafés in the public place; making updates to pedestrian clearance standards to align with existing standards and amendments to clarify regulations; making technical corrections; and amending Chapter 15.16 and Sections 15.02.042, 15.02.044, 15.02.046, 15.02.048, 15.04.035, 15.04.060, 15.04.070, 15.17.005, 15.17.006, 15.17.007, 15.17.008, 15.17.009, 15.17.100, 15.17.120, 15.17.130, 15.17.150,

15.17.152, 15.17.200, 15.32.200, and 15.32.250 of the Seattle Municipal Code.

Ordinance 125947 Council Bill 119618

AN ORDINANCE relating to City streets; changing the name of the portion of NW 54th Street, generally located between NW Market Street and one block southwest at the entrance to the Ballard Locks, to NW Locks Place; and superseding any other prior ordinances to the extent inconsistent.

Ordinance 125948 Council Bill 119650

AN ORDINANCE relating to violations of and compliance with the Seattle Fire Code; establishing citation authority for the Seattle Fire Department; amending Sections 108, 109, 202, 901, and 902 and Appendix A of the 2015 Seattle Fire Code as adopted by Section 22.600.020 of the Seattle Municipal Code and as regulated and allowed by the State Building Code Act, Chapter 19.27 of the Revised Code of Washington; and amending Sections 3.02.125 and 3.16.320 of the Seattle Municipal Code.

Date of publication in the Seattle Daily Journal of Commerce, October 24, 2019.

10/24(378895)