

ORDINANCE NO. 10-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, DESIGNATING CIVIC CENTER DRUG FREE ZONES; AMENDING CHAPTER 9.45, CRIMINAL CODE, OF THE COVINGTON MUNICIPAL CODE TO ESTABLISH THE SAME; ESTABLISHING SEVERABILITY AND AN EFFECTIVE DATE; AND PROVIDING FOR CORRECTIONS.

WHEREAS, pursuant to RCW 69.50.435, additional penalties associated with certain criminal activity may be assessed if the criminal activity occurs in a school, on a school bus, within 1000 feet of a school bus route stop designated by the school district, within 1000 feet of the perimeter of the school grounds, in a public park, on a public transit vehicle, in a public transit stop shelter or at a civic center designated as a drug-free zone; and

WHEREAS, in order for the additional penalties to be assessed for certain crimes occurring at civic centers, or within one thousand (1000) feet of the perimeter of civic centers, the Covington City Council (hereinafter "City Council") shall designate said area(s) as a drug-free zone(s) pursuant to RCW 69.50.435(1)(i-j); and

WHEREAS, RCW 69.50.435(6)(h) defines "civic center" as publicly owned or publicly operated places or facilities used for recreational, educational, or cultural activities; and

WHEREAS, the City of Covington's Aquatics Center, City Hall, and Public Works Maintenance Facility, are publicly owned or publicly operated places or facilities used for recreational, educational, or cultural activities and are thereby considered "civic centers" within the meaning of RCW 69.50.435(6)(h); and

WHEREAS, the City Council seeks to designate said civic centers and the area within one thousand (1,000) feet of the perimeter of said civic centers as drug-free zones pursuant to RCW 69.50.435(1)(i) (the "Civic Center Drug-Free Zones") and

WHEREAS, the City Council seeks to approve the Civic Center Drug-free Zones map, attached as Exhibit A, as the official record of the location and boundaries of the area on or within one thousand (1,000) feet of the civic centers designated as a drug-free zone and in which additional penalties for certain criminal activity, specified in RCW 69.50.435, may be imposed;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Civic Center Drug-Free Zones Designated. Pursuant to the authority of RCW 69.50.435, the City of Covington hereby designates the following civic centers located within the City of Covington and their one thousand (1,000) foot perimeters as Drug-Free Zones:

- (1) The City of Covington's Aquatics Center and the area within one thousand (1,000) feet of the perimeter of the City of Covington's Aquatic Center;

- (2) Covington City Hall and the area within one thousand (1,000) feet of the perimeter of Covington City Hall;
- (3) The City of Covington's Public Works Maintenance Facility and the area within one thousand (1,000) feet of the perimeter of the City of Covington's Public Works Maintenance Facility;

Said drug-free zones are depicted on the map attached hereto as Exhibit A, which is fully incorporated by this reference and hereby designated as the City of Covington's Civic Center Drug-Free Zone Map. A copy of the City of Covington's Civic Center Drug-Free Zone Map shall be maintained in the offices of the Covington City Clerk.

Section 2. Definitions. The definitions of terms contained in the Revised Code of Washington 69.50.435(6), as presently constituted or hereinafter amended, are hereby adopted by reference.

Section 3. New Section 9.45.140 CMC Created. Sections 1 and 2 of this ordinance shall be codified in the Covington Municipal Code as a new Section 9.45.140, Drug-free zones – Enhanced penalty.

Section 4. Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 5. Effective Date. A summary of this ordinance shall be published in the official newspaper of the City. This ordinance shall be effective five (5) days after its passage and publication, as provided in RCW 35A.13.190.

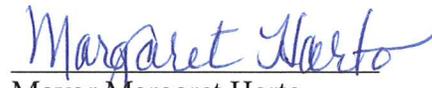
Section 6. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the Code Reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or section/subsection numbering.

PASSED BY THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, AT A REGULAR MEETING THEREOF ON THIS 27th DAY OF OCTOBER, 2015.

ATTESTED:



Sharon Scott, City Clerk



Mayor Margaret Harto

PUBLISHED: October 30, 2015
EFFECTIVE: November 4, 2015

APPROVED AS TO FORM:



Sara Springer, City Attorney