

ORDINANCE O-4581

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE CRIMINAL CODE AND PUBLIC DISTURBANCES.

1 WHEREAS, as part of a legal review of the Kirkland Municipal
2 Code ("KMC") by Code Publishing Company, it was recommended that
3 KMC 11.84A.050 be amended, in order to comport with state law, to
4 clarify that possession of an open container of intoxicating liquor in a
5 way open to the public other than a public place specifically identified
6 and posted as a place where intoxicating liquor may be consumed is a
7 civil infraction and not a misdemeanor; and
8

9 WHEREAS, Code Publishing Company also recommended that
10 KMC 11.84A.050 be further amended, in order to comport with state
11 law, to provide that possession of an open container of marijuana in a
12 way open to the public is a civil infraction.
13

14 NOW, THEREFORE, the City Council of the City of Kirkland do
15 ordain as follows:
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17 Section 1. Kirkland Municipal Code Section 11.84A.050 is
18 amended to read as follows:
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20 **11.84A.050 Liquor and marijuana in public.**

21 It is unlawful for any person to open a container or possess an
22 opened container of intoxicating liquor or marijuana in a way open to
23 the public or a public place other than, in the case of intoxicating liquor,
24 a public place specifically identified and posted as a place where
25 intoxicating liquor may be consumed. Violation of this section shall
26 constitute a civil infraction ~~misdemeanor~~.
27

28 Section 2. If any provision of this ordinance or its application to
29 any person or circumstance is held invalid, the remainder of the
30 ordinance or the application of the provision to other persons or
31 circumstances is not affected.
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33 Section 3. This ordinance shall be in force and effect five days
34 from and after its passage by the Kirkland City Council and publication,
35 as required by law.
36

37 Passed by majority vote of the Kirkland City Council in open
38 meeting this 20th day of June, 2017.
39

40 Signed in authentication thereof this 20th day of June, 2017.


Amy Walen, Mayor

Publication Date: June 26, 2017

Attest:


Kathi Anderson, City Clerk

Approved as to Form:


Kevin Raymond, City Attorney