

ORDINANCE NO. 4352

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING SECTION 5.04.010 ECC, ENTITLED "ALCOHOLIC BEVERAGE CONTROL – ENFORCEMENT", TO REMOVE REFERENCE TO REPEALED STATUTES; PROVIDING FOR SEVERABILITY; AND SETTING AN EFFECTIVE DATE.

WHEREAS, in 1985 the City Council passed Ordinance 2531 to adopt by reference certain Washington state law charges relating to alcoholic beverage control enforcement into the Edmonds City Code at Chapter 5.04 (Alcoholic Beverages); and

WHEREAS, the language of ECC 5.04.010 contains reference to statutes related to alcoholic beverage control enforcement that have been repealed from the Revised Code of Washington, and therefore the code language is no longer accurate; and

WHEREAS, the Police Department has recommended an update to the language of ECC 5.04.010 to remove the references to the repealed statutes; and

WHEREAS, after review and discussion, the City Council has determined it to be appropriate to amend Section 5.04.010 ECC to remove the references to repealed statutes RCW 66.44.291 and RCW 66.44.320;

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

Section 1. ECC 5.04.010, entitled "Alcoholic beverage control – Enforcement." is amended as follows (deleted text is shown in ~~strike-through~~; new text is shown in underline):

5.04.010 Alcoholic beverage control – Enforcement.

The following statutes of the state of Washington are adopted by reference and wherever the word “title” or words “this title” are used therein the same shall be construed to mean and refer to RCW Title 66 and “this act” shall mean and refer to the Washington State Liquor Act:

RCW

- 66.04.010 Definitions
- 66.20.200 Unlawful acts relating to card of identification and certification card
- 66.20.210 Licensee’s immunity to prosecution or suit – Certification card as evidence of good faith
- 66.28.080 Permit for music and dancing upon licensed premises
- 66.28.090 Licensed premises open for inspection – Failure to allow
- 66.44.010 Local officers to enforce law – Authority of board – Liquor enforcement officers
- 66.44.040 Sufficiency of description of offenses in complaints, information, process, etc.
- 66.44.050 Description of offense in words of statutes – Proof required
- 66.44.060 Proof of unlawful sale establishes prima facie intent
- 66.44.070 Certified analysis is prima facie evidence of alcoholic content
- 66.44.080 Service of process on corporation
- 66.44.090 Acting without license
- 66.44.100 Opening/consuming liquor in public, penalty
- 66.44.120 Unlawful use of seal
- 66.44.130 Sales of liquor by drink or bottle
- 66.44.140 Unlawful sale, transportation of spirituous liquor without stamp or seal –
Unlawful operation, possession of still or mash
- 66.44.150 Buying liquor illegally

- 66.44.160 Illegal possession, transportation of alcoholic beverages
- 66.44.170 Illegal possession of liquor with intent to sell – Prima facie evidence, what is
- 66.44.175 Violations of law
- 66.44.180 Jurisdiction
- 66.44.200 Sales to persons apparently under the influence of liquor
- 66.44.210 Obtaining liquor for ineligible person
- 66.44.240 Drinking in public conveyance – Penalty against carrier
- 66.44.250 – Penalty against individual
- 66.44.270 Furnishing liquor to minor – Possession – Use – Exemptions
- 66.44.280 Minor applying for permit
- 66.44.290 Minor purchasing liquor
- ~~66.44.291 Minor purchasing or attempting to purchase liquor – Penalty~~
- 66.44.300 Treating minor, etc., in public place where liquor sold
- 66.44.310 Minors frequenting tavern Misrepresentation of age – Classification of licenses
- 66.44.316 Musicians 18 years and older permitted to enter and remain upon licensed premises during employment
- ~~66.44.320 Sales of liquor to minors a violation~~
- 66.44.325 Unlawful transfer to a minor of an identification of age
- 66.44.328 Preparation or acquisition and supply to persons under 21 of facsimile of official ID card – Penalty
- 66.44.340 Employees 18 years and over allowed to sell and carry beer and wine for class E and/or F licensed employees
- 66.44.350 Employees, 18 years and over allowed to serve and carry liquor

66.44.365 Juvenile driving privileges – Alcohol or drug violation

66.44.370 Resisting or opposing officers in enforcement of title.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance, being an administrative function of the city council, is not subject to referendum and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:



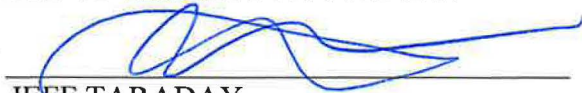
MAYOR MIKE ROSEN

ATTEST/AUTHENTICATED:


CITY CLERK, SCOTT PASSEY

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY


JEFF TARADAY

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:

March 13, 2024
March 19, 2024

PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.

March 22, 2024
March 27, 2024
4352

SUMMARY OF ORDINANCE NO. 4352

of the City of Edmonds, Washington

On the 19th day of March, 2024, the City Council of the City of Edmonds, passed Ordinance No. 4352. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING SECTION 5.04.010 ECC, ENTITLED "ALCOHOLIC BEVERAGE CONTROL – ENFORCEMENT", TO REMOVE REFERENCE TO REPEALED STATUTES; PROVIDING FOR SEVERABILITY; AND SETTING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 19th day of March, 2024.



CITY CLERK, SCOTT PASSEY

Everett Daily Herald

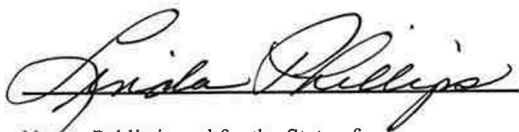
Affidavit of Publication

State of Washington }
County of Snohomish } ss

Michael Gates being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of EDH993442 ORD NO. 4351-4354 as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 03/22/2024 and ending on 03/22/2024 and that said newspaper was regularly distributed to its subscribers during all of said period.

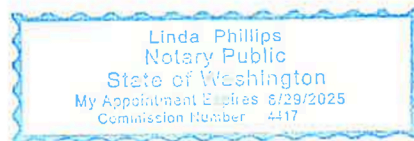
The amount of the fee for such publication is \$53.32.

Subscribed and sworn before me on this 25th day of March, 2024.



Notary Public in and for the State of Washington.

City of Edmonds - LEGAL ADS | 14101416
SCOTT PASSEY



ORDINANCE SUMMARY

of the City of Edmonds, Washington

On the 19th Day of March, 2024, the City Council of the City of Edmonds, passed the following Ordinances, the summaries of said ordinances consisting of titles are provided as follows:

ORDINANCE NO. 4351

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, CHANGING THE REGULAR MEETING TIME OF THE CITY COUNCIL'S PARKS AND PUBLIC WORKS ("PPW") COMMITTEE.

ORDINANCE NO. 4352

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING SECTION 5.04.010 ECC, ENTITLED "ALCOHOLIC BEVERAGE CONTROL - ENFORCEMENT", TO REMOVE REFERENCE TO REPEALED STATUTES; PROVIDING FOR SEVERABILITY; AND SETTING AN EFFECTIVE DATE.

ORDINANCE NO. 4353

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING SECTION 5.12.020 ECC, ENTITLED "CONTRIBUTING TO THE DELINQUENCY OF A MINOR", TO UPDATE STATUTORY REFERENCES; PROVIDING FOR SEVERABILITY, AND SETTING AN EFFECTIVE DATE.

ORDINANCE NO. 4354

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, ADOPTING A NEW CHAPTER 5.35 ECC, ENTITLED "COMPUTERS, CRIMES RELATED TO"; PROVIDING FOR SEVERABILITY; AND SETTING AN EFFECTIVE DATE.

DATED this 19th Day of March, 2024.
CITY CLERK, SCOTT PASSEY

Published: March 22, 2024.

EDH093442