

ORIGINAL

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10/22/87
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ORDINANCE NO. 1413

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING CHAPTER 3.70 OF THE REDMOND MUNICIPAL CODE TO AUTHORIZE THE DEPOSIT OF PROCEEDS FROM DRUG SEIZURES AND FORFEITURES INTO A SEPARATE FUND TO BE USED FOR DRUG ENFORCEMENT PURPOSES; CONTAINING A SEVERABILITY CLAUSE AND SETTING AN EFFECTIVE DATE.

WHEREAS, the Redmond City Council recognizes that pursuant to the provisions of state and federal laws, the Redmond Police Department seizes and forfeits assets and monies each year which are used in drug transactions, and

WHEREAS, the City Council recognizes that when assets are seized and forfeited pursuant to RCW 69.50.505, the statute provides that after a deduction for expenses, 50% of the money forfeited and the proceeds from the sales of assets forfeited shall be deposited in the City's general fund, and

WHEREAS, the City of Redmond wishes to use the proceeds from drug seizures and forfeitures for drug enforcement purposes and that such uses will cause an unnecessary amount of adjustments and transfers among City funds if the proceeds are deposited in the general fund, and

WHEREAS, the City Council recognizes that it is difficult to budget such transfers from the general fund because it is not feasible to predict or estimate the quantity of assets and amounts of monies which will be seized and forfeited each year as a result of police narcotics investigations, and

WHEREAS, the Redmond City Council believes that the creation of a separate fund for the proceeds of drug seizures and forfeitures would alleviate the unnecessary transfers created by depositing such monies directly into the general fund, and

WHEREAS, the Redmond City Council also finds that the creation of a separate fund for law enforcement use is necessary under the U.S. Attorney General's Guidelines on Seized and Forfeited Property, dated May 24, 1985, to receive property forfeited by the federal government under the Comprehensive Crime

Control Act of 1984 when the Redmond Police Department has directly participated in the acts which led to the seizure or forfeiture, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Section 3.70.010 of the Redmond Municipal Code is hereby amended to read as follows:

3.70.010 Fund Created. There is hereby created and established a special fund to be known as the "Drug Enforcement Fund" into which all monies and proceeds from the sale of property seized during drug investigations and forfeited pursuant to RCW 69.50.505 and all other applicable state and federal laws shall be deposited after amounts are deducted in accordance with state and federal laws.

Section 2. Section 3.70.020 of the Redmond Municipal Code is hereby amended to read as follows:

3.70.020 Purposes--Expenditures. This fund has been established for the purpose of accumulating funds for drug enforcement needs, drug awareness educational purposes and the purchase, lease and maintenance of equipment and other items necessary for drug enforcement by the Redmond Police Department. The monies deposited in the Drug Enforcement Fund shall be expended only for such purposes and for no other purpose when appropriated by the City Council unless otherwise directed by ordinance of the City Council.

Section 3. 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 4. This ordinance, being an administrative action, is not subject to initiative and referendum and shall take effect five (5) days after publication of the attached, approved summary.

APPROVED:

Doreen Marchione
MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:

Doris A. Schaible
CITY CLERK, DORIS SCHAIBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY: *James C. [Signature]*

FILED WITH THE CITY CLERK: March 10, 1988
PASSED BY THE CITY COUNCIL: March 15, 1988
PUBLISHED: March 20, 1988
EFFECTIVE DATE: March 25, 1988
ORDINANCE NO. 1413