

## **4-20-005.6**

### **APPLICABLE LOCAL, STATE, AND FEDERAL LAWS**

Provided below is a brief description of local, state, and federal laws that apply to alcohol and other drugs. This is not intended as a direct quotation of the RCW or other laws. Further information about local, state, and federal laws can be found in the CWU Library.

#### THE CITY OF ELLENSBURG

##### Chapter 7.40

##### Drugs and Intoxicating Liquor

7.40.04 Liquor is not allowed in public places; this includes all property owned by the City of Ellensburg to include parks.

7.40.08 It is illegal to sell liquor to any person that appears to be under the influence of liquor.

7.40.12 No person shall give or supply liquor to a minor (exceptions).

7.40.13 Sale of tobacco products to minors (under 18 years of age) is not permitted, signs shall be posted stating the same.

7.40.14 It is unlawful to possess marihuana, any part of the plant, its seeds or resin.

7.40.15 It shall be a gross misdemeanor to be in possession of drug paraphernalia.

7.40.20 Purchase or consumption of liquor by a minor is unlawful.

7.40.22 It is unlawful for a minor to frequent taverns, cocktail lounges or other establishments dispensing intoxicating liquor.

7.40.26 It is unlawful to leave children in a parked automobile while in a tavern.

##### Chapter 8.2

The city of Ellensburg has adopted by reference Chapter 46.90 RCW relating to the "Washington Model Traffic Ordinance."

#### KITTITAS COUNTY ALCOHOL AND DRUG ABUSE POLICY

10.32.030 (3) It is unlawful to operate any snowmobile while under the influence of alcohol or other drugs.

10.37.040 It is unlawful for any person to operate any nonhighway vehicle while under the influence of alcohol or other drugs.

##### Chapter 9.12

9.12.030 (f) It is unlawful for any person to operate any vessel or manipulate any water skies, surfboards, or similar device while under the influence of intoxicating liquor or narcotic or habit-forming drugs.

#### WASHINGTON STATE LAW (REVISED CODE OF WASHINGTON (ADDENDUM E )

69.41.030 It shall be unlawful for any person to sell, deliver, or possess any legend drug except upon the order or prescription of a physician.

69.41.040 A prescription, in order to be effective in legalizing the possession of a legend drug, must be issued for a legitimate medical purpose by one authorized to prescribe the use of such drugs.

69.41.340 Student athletes found using steroids will lose their eligibility to participate in school-sponsored athletic events.

69.50.401 It is unlawful for any person to manufacture, deliver, or possess with intent to manufacture or deliver a controlled substance. Penalties for this law are based on the quantity and the schedule of the drug involved similar to the federal law.

69.50.506 Distribution to persons under age eighteen is punishable by a fine and imprisonment of up to twice the authorized amount.

69.50.408 Second of subsequent offenses may be fined and imprisoned for twice the normal amount allowed by law.

69.50.410 It is unlawful for any person to sell for profit any controlled substance or counterfeit substance classified in the schedule of drugs.

69.50.412 It is unlawful for any person to use paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the body a controlled substance. This is a misdemeanor. It is unlawful for any person to deliver, possess with the intent to deliver or manufacture with the intent to deliver drug paraphernalia.

69.50.415 Any person that delivers a controlled substance to a person that results in the death of that person is guilty of a controlled substance homicide, a class B felony.

69.50.435 Violations of the various state laws that are committed on a school bus or in the near vicinity of school grounds are punishable at twice the normal allowed fine or imprisonment.

69.50.505 The following are subject to seizure and forfeiture if involved in the dealing of drugs and no property rights exist in them: all controlled substances, all raw materials used in manufacturing, all property used as a container, all conveyances autos, boats, airplanes, used to transport drugs, all books and records, all drug paraphernalia, all moneys, all real property.

69.50.509 If upon the sworn complaint of any person, it shall be made to appear to any judge that there is probable cause related to drug dealing the judge shall, with or without the approval of the prosecuting attorney, issue a warrant for search and seizure of controlled substances.

69.50.030 It is unlawful for any person to manufacture, distribute, or possess with intent to distribute, an imitation controlled substance.

69.50.040 Imitation controlled substances shall be subject to seizure, forfeiture, and disposition in the same manner as are controlled substances.

66.44.100 No person shall open the package containing liquor or consume liquor in a public place.

66.44.130 Except as otherwise provided in this title, every person who sells by the drink or bottle any liquor shall be guilty of a violation of this title.

66.44.170 It is illegal to possess liquor with the intent to sell without proper license.

66.44.200 No person shall sell any liquor to any person apparently under the influence of liquor.

66.44.250 It is unlawful to drink on a public conveyance, i.e., bus or train except as permitted by law.

66.44.270 It is unlawful to sell or give liquor to a minor, any person under the age of twenty-one. It is unlawful for any person under the age of twenty-one years to possess, consume, or otherwise acquire any liquor.

66.44.280 It is unlawful for a minor to attempt to apply for a permit.

66.44.290 It is unlawful for a minor to attempt to buy liquor.

66.22.290 Every person that is guilty of a violation of RCW 66.44.290 is guilty of a misdemeanor and will be punished according to the law and fined a minimum of two hundred fifty dollars and will do twenty-five hours of community service.

66.44.300 It is unlawful for a person to invite a minor into a public place where liquor is being served.

66.44.310 It is unlawful to misrepresent your age to gain access to a liquor serving establishment.

66.44.325 It is unlawful to transfer to a minor an identification of age for the purpose of permitting such minor to obtain alcoholic beverages.

66.44.328 No person may forge, alter, counterfeit, or otherwise prepare or acquire and supply to a person under the age of twenty-one years a facsimile of any of the officially issued cards of identification.

46.61.502 It is unlawful to drive while under the influence of intoxicating liquor or drugs.

46.61.504 It is unlawful to be in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs.

46.61.519 It is a traffic infraction to drink beverage alcohol or have an open receptacle of an alcoholic beverage in a motor vehicle while on the state highways.

46.61.5195 It is unlawful to disguise an alcoholic beverage in another container.

46.61.520 If a person dies from a related injury within three years after an accident involving alcohol, the person that caused the damage can be charged with vehicular homicide.