



CO00001854

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

AMENDED ORDINANCE NO. 00-005

AN ORDINANCE RELATING TO CIVIL FORFEITURE ACTIONS
AND ADOPTING A NEW CHAPTER 10.46 SCC.

WHEREAS, RCW Chapters 69.50, 9.41, 9A.82, 9A.83, 10.105 and other federal, state and local laws authorize the county to bring or join civil forfeiture actions against real and personal property associated with criminal conduct; and

WHEREAS, Snohomish County Code section 2.10.010(8) authorizes the County Executive to approve the bringing or joining of civil lawsuits seeking damages or injunctive relief on behalf of the County and authorizes the County Council to approve of the bringing or joining of any civil lawsuit on behalf of the County; and

WHEREAS, the nature, timing, and volume of civil forfeiture actions make it appropriate that the Prosecuting Attorney be authorized to bring or join and to compromise or settle civil forfeiture actions on behalf of the County and on behalf of other jurisdictions where authorized by interlocal agreement; and

WHEREAS, the nature, timing, and volume of civil forfeiture actions also make it appropriate that the Sheriff be authorized to initiate civil forfeiture actions involving personal property by the seizure of the property to the extent permitted by law.

NOW, THEREFORE, BE IT ORDAINED:

Section 1. A new chapter is added to Title 10 of the Snohomish County Code, to read:

Chapter 10.46
CIVIL FORFEITURE ACTIONS

- 10.46.010 Definition.
- 10.46.020 Authority of Prosecuting Attorney.
- 10.46.030 Authority of Sheriff.

10.46.010 Definition. In this chapter "civil forfeiture action" means a judicial or non-judicial proceeding authorized by chapter 69.50, 9.41, 9A.82, 9A.83, or 10.105 of the Revised Code of Washington as now or hereafter amended (~~(, or other federal, state, or local law that may result in forfeiture of real or personal property to a seizing agency because of the property's association with criminal conduct)).~~

10.46.020 Authority of Prosecuting Attorney.

(1) The prosecuting attorney shall have the authority and discretion to bring, join, compromise or settle civil forfeiture actions on behalf of the county, or on behalf of the county and other jurisdictions where authorized by interlocal agreement, without the need for further approval from the county executive or council. The prosecuting attorney shall obtain approval from the Sheriff before compromising or settling any civil forfeiture action in which the forfeitable property interest at issue has a fair market value in excess of \$50,000.

(2) The prosecuting attorney shall provide a report of actions taken by the prosecuting attorney under this section to the county executive and county council on a quarterly basis.

10.46.030 Authority of the Sheriff. The Sheriff shall have the authority and discretion to initiate civil forfeiture actions against personal property by seizing the property on behalf of the county, or on behalf of the county and other jurisdictions where authorized by interlocal agreement, to the extent permitted by law, and may request that the prosecuting attorney initiate civil forfeiture actions against real or personal property.

PASSED this 22nd day of March, 2000.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Barbara Latham
Chairperson

ATTEST:

Barbara Sikorski
Clerk of the Council, *Asst.*

- APPROVED
- EMERGENCY
- VETOED

DATE: 3/23/00

Margaret Hite
for County Executive MARGERY HITE
Executive Director

ATTEST:

Lynethia A. Ringstad

Approved as to form only: _____
Deputy Prosecuting Attorney

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