



LYNNWOOD
WASHINGTON

ORDINANCE NO. 3364

**AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON,
RELATING TO CUSTODIAL CARE STANDARDS, REPEALING
CHAPTER 2.37 LMC; AND PROVIDING FOR AN EFFECTIVE DATE,**

WHEREAS, Chapter 2.37 of the Lynnwood Municipal Code (LMC) currently contains outdated language relating to the custodial care of persons confined in the Lynnwood Municipal Jail; and

WHEREAS, the custodial care standards specified by Chapter 2.37 LMC are not consistent with current industry best practices and/or standards; and

WHEREAS, RCW 70.48.090 provides statutory authority to the Chief of Police to have charge of the Lynnwood Municipal Jail and of all persons confined therein; and

WHEREAS, City Council has delegated authority to the Chief of Police under LMC 2.36.110 to promulgate policies and standards consistent with the laws of the United States, the state of Washington, and the City of Lynnwood, as deemed necessary for the efficient and safe operation of the jail, the protection of inmates and staff, and to provide for the public's health, safety, and welfare; and

WHEREAS, current policies and procedures governing the care of persons confined in the Lynnwood Municipal Jail are promulgated by the Chief of Police in the Lynnwood Jail Policies and Procedures Manual;

WHEREAS, the City Council has determined that it is in the best interests of the public health, safety and general welfare to repeal Chapter 2.37 LMC;

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

Section 1: Purpose. Chapter 2.37 "Custodial Care Standards" of the Lynnwood Municipal Code is repealed in its entirety.

Section 2: Effective Date. The provisions of this ordinance shall be effective five days following publication.

Section 3: Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction,

1 such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of
2 any other section, subsection, sentence, clause, phrase or word of this ordinance.

3 Section 4: Summary Publication. Publication of this ordinance shall be by summary publication
4 consisting of the ordinance title.

5 PASSED this 27th day of July 2020 and signed in authentication of its passage this 30th day
6 of July 2020.

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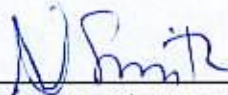
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APPROVED:



Nicola Smith, Mayor

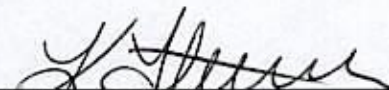
15 ATTEST/AUTHENTICATED:

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Karen Fitzthum, Acting City Clerk

APPROVED AS TO FORM



Rosemary Larson, City Attorney

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39 PASSED BY THE CITY COUNCIL: 07/27/2020

40 PUBLISHED: 07/30/2020

41 EFFECTIVE DATE: 08/04/2020

42 ORDINANCE NUMBER: 3364