

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON**

IN THE MATTER OF:

NOTICE OF HEARING FOR ORDINANCE 1384,
WHICH WOULD ADD CHAPTER 9.50 -
MISTREATMENT OF CHILDREN AND DEPENDENT
PERSONS - TO LEWIS COUNTY CODE TO
ESTABLISH RULES AND PENALTIES FOR
ENDANGERMENT WITH AN OPIOID CONTROLLED
SUBSTANCE

RESOLUTION NO. 26-248

WHEREAS, the Lewis County Board of Commissioners (BOCC) has reviewed data published by the Center for Health Statistics at the Washington State Department of Health that demonstrates that opioid controlled substances are attributable to the deaths of at least 150 people in Lewis County since 2022; and

WHEREAS, the BOCC finds that the exposure of children and dependent persons to opioid controlled substances - particularly fentanyl and other synthetic opioids - poses a significant and growing threat to public health and safety; and

WHEREAS, as allowed per RCW 36.32.120, the BOCC may make and enforce appropriate police and sanitary regulations; and

WHEREAS, the BOCC is considering adoption of Ordinance 1384, which would add Chapter 9.50 - Mistreatment of Children and Dependent Persons - to Lewis County Code to establish rules and penalties for endangerment with an opioid controlled substance; and

WHEREAS, the hearing for proposed Ordinance 1384 will take place in the Commissioners' Hearing Room at or after 10 a.m. Aug. 25, 2026. Written comment may be submitted in person at the BOCC, 351 NW North Street, Room 210, Chehalis, WA 98532 or via email at bocc@lewiscountywa.gov beginning at 10 a.m. Aug. 4, 2026. Written comment must be clearly marked "Written comment for Ordinance 1384" and must be received by 10 a.m. Aug. 23, 2026.

NOW THEREFORE BE IT RESOLVED that the BOCC (1) will hold a hearing regarding proposed Ordinance 1384 at or after 10 a.m. Aug. 25, 2026; and (2) directs the Clerk of the Board to proceed with all appropriate and necessary notifications, postings and publications as required by law.

DONE IN OPEN SESSION this 4th day of August, 2026.

APPROVED AS TO FORM:
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

David Bailey
By: David Bailey,
Chief Civil Deputy Prosecuting Attorney

Lindsey R. Pollock, DVM
Lindsey R. Pollock, DVM, Chair

ATTEST:



Scott J. Brummer
Scott J. Brummer, Vice Chair

Rieva Lester, CMC
Rieva Lester, CMC,
Clerk of the Lewis County Board of
County Commissioners

Sean D. Swope
Sean D. Swope, Commissioner

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON**

**ADD CHAPTER 9.50 – MISTREATMENT OF CHILDREN
AND DEPENDENT PERSONS – TO LEWIS COUNTY CODE
TO ESTABLISH RULES AND PENALTIES FOR
ENDANGERMENT WITH AN OPIOID CONTROLLED SUBSTANCE**

ORDINANCE 1384

WHEREAS, the Lewis County Board of Commissioners (BOCC) has reviewed data published by the Center for Health Statistics at the Washington State Department of Health that demonstrates that opioid controlled substances are attributable to the deaths of at least 150 people in Lewis County since 2022; and

WHEREAS, the BOCC finds that the exposure of children and dependent persons to opioid controlled substances, particularly fentanyl and other synthetic opioids, poses a significant and growing threat to public health and safety; and

WHEREAS, Washington State law (RCW 9A.42.100) prohibits persons from knowingly or intentionally permitting dependent children or dependent adults from exposure to methamphetamine and chemical compounds utilized in methamphetamine manufacture but does not also prohibit exposure to controlled opioid substances; and

WHEREAS, the legislative authority of a county government has authority pursuant to RCW 36.32.120 to make and enforce appropriate police and sanitary regulations, and may punish violations of said ordinances as misdemeanors; and

WHEREAS, this ordinance is intended to complement, and not conflict with, existing state laws on criminal mistreatment and controlled substances.

NOW, THEREFORE, the BOCC ordains as follows::

Section 1. Findings. The Board adopts the above recitals as findings in support of this ordinance.

Section 2. New Chapter Added. A new chapter is hereby added to Title 9 of the Lewis County Code, to be codified as Chapter 9.50 – Mistreatment of Children and Dependent Persons, to read as follows:

**CHAPTER 9.50
MISTREATMENT OF CHILDREN AND DEPENDENT PERSONS**

SECTIONS

9.50.010	Definitions.
9.50.020	Endangerment with an Opioid Controlled Substance.
9.50.030	Arresting officer, notification by.
9.50.040	Penalty.
9.50.050	Severability.

9.50.010 DEFINITIONS

For purposes of this chapter:

- (1) "Basic necessities of life" means food, water, shelter, clothing, and medically necessary health care, including but not limited to health-related treatment or activities, hygiene, oxygen, and medication.
- (2) "Child" means a person under (18) eighteen years of age.
- (3) "Dependent person" means a person who, because of physical or mental disability, or because of extreme advanced age, is dependent upon another person to provide the basic necessities of life. A resident of a nursing home, as defined in RCW 18.51.010, a resident of an adult family home, as defined in RCW 70.128.010, and a frail elder or vulnerable adult, as defined in RCW 74.34.020 (21), is presumed to be a dependent person for purposes of this chapter.
- (4) "Opioid Controlled Substance" shall mean any Schedule I Opioids or Schedule II Opioids defined in this chapter.
- (5) "Person Legally Responsible" for a child means a parent of a child, a person entrusted with the physical custody of a child, or a person employed to provide to the child the basic necessities of life.
- (6) "Prescription" means an order for controlled substances, issued in good faith for a legitimate medical purpose, by a prescriber of controlled substances within the scope of their professional practice.
- (7) "Prescriber of controlled substances" shall mean any of the following health care professionals who, within their scope of professional practice, are licensed to prescribe and administer controlled substances for a legitimate medical purpose:
 - (a) A physician under chapter 18.71 RCW;
 - (b) A physician assistant under chapter 18.71A RCW;
 - (c) An osteopathic physician under chapter 18.57 RCW; and
 - (d) An advanced registered nurse practitioner under chapter 18.79 RCW.
- (8) "Schedule I Opioids" shall have the same meaning and effect as those substances defined at RCW 69.50.204(a)[(1)] and RCW 69.50.204(b)[(2)] which include, and are not limited to, the following substances, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:
 - (a) Methylfentanyl; and
 - (b) Heroin.
- (9) "Schedule II Opioids" shall have the same meaning and effect as those substances defined at RCW 69.50.206(b)(1)[(a)], RCW 69.50.206(b)(2)[(b)] and RCW 69.50.206(c)[(3)] which include, and are not limited to, the following substances, including their isomers, esters, ethers, salts,

and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:

- (a) Carfentanil;
- (b) Fentanyl;
- (c) Hydrocodone;
- (d) Methadone;
- (e) Morphine; and
- (f) Oxycodone.

9.50.020 ENDANGERMENT WITH AN OPIOID CONTROLLED SUBSTANCE

Except as provided by subsection (3) of this section:

- (1) Under circumstances not amounting to a violation of RCW 9A.42.100, it shall be unlawful for a person legally responsible to knowingly or recklessly permit a child to ingest, inhale, absorb, or have contact with an Opioid Controlled Substance.
- (2) Under circumstances not amounting to a violation of RCW 9A.42.100, it shall be unlawful for a person to knowingly or recklessly permit a dependent child or dependent adult to ingest, inhale, absorb, or have contact with Opioid Controlled Substance.
- (3) Nothing in this section shall impose any liability upon a person who permits a child or dependent person in their care to receive delivery or administration of a prescribed Opioid Controlled Substance from a prescriber of controlled substances.
- (4) Endangerment with an Opioid Controlled Substance is a misdemeanor.

9.50.030 ARRESTING OFFICER, NOTIFICATION BY

- (1) When a law enforcement officer arrests a person for endangering a child with a controlled substance under circumstances amounting to a violation of §9.50.020 or RCW 9A.42.100, the officer must notify child protective services.
- (2) When a law enforcement officer arrests a person for endangering a dependent adult with a controlled substance under circumstances amounting to a violation of §9.50.020 or RCW 9A.42.100, the officer must notify adult protective services.

9.50.040 PENALTY

Any person who violates this chapter is guilty of a misdemeanor and, upon conviction, may be jailed for up to 90 (ninety) days, or fined not more than \$1,000 (one thousand dollars), or both.

9.50.050 SEVERABILITY

If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.

Section 3. Codification. The Lewis County Code Reviser (or designee) is authorized to codify this ordinance, correct any scrivener's or clerical errors, and make necessary formatting, numbering, and cross-reference changes.

Section 4. Effective Date. This ordinance shall take effect 30 days after final passage and publication as provided by law.

DONE IN OPEN SESSION this 25th day of August 2026, following a hearing published in the newspaper of record on Aug. 11 and 18, 2026.

APPROVED AS TO FORM:

Jonathan Meyer, Prosecuting Attorney

**BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON**

By Scott Gripp, DPA

Lindsey R. Pollock, DVM, Chair

ATTEST:

Scott J. Brummer, Vice Chair

Rieva Lester, CMC, Clerk of the Board

Sean D. Swope, Commissioner

BOCC AGENDA ITEM SUMMARY

Resolution: 26-248

BOCC Meeting Date: Aug. 4, 2026

Suggested Wording for Agenda Item:

Agenda Type: Legal Notice

Notice of hearing for Ordinance 1384, which would add Chapter 9.50 - Mistreatment of Children and Dependent Persons - to Lewis County Code to establish rules and penalties for endangerment with an opioid controlled substance

Contact: Sean Swope

Phone: 360-740-1120

Department: BOCC - Board of County Commissioners

Description:

Lewis County is scheduling a hearing for Ordinance 1384, which would add Chapter 9.50 - Mistreatment of Children and Dependent Persons - to Lewis County Code to establish rules and penalties for endangerment with an opioid controlled substance

Approvals:

User	Status
PA's Office	Pending

Publication Requirements:

Publications:

The Chronicle: Aug. 11, 2026

Additional Copies:

Scott Gripp, Tammy Martin

Cover Letter To: