

CRIMES AND PUNISHMENT

Title 12

CRIMES AND PUNISHMENT

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Chapter 12.01

PUNISHMENT FOR MISDEMEANORS

Sections:

- 12.01.010 Penalties for specific misdemeanors.
- 12.01.020 Penalties for all other violations.

12.01.010 Penalties for specific misdemeanors. The penalties for the violation of, or failure to comply with, the provisions of the following chapters, to wit:

- Chapter 12.11 Unlawful Conduct
- Chapter 12.45 Concealed Weapons
- Chapter 17.04 Possession, Sale or Use of Narcotics
- Chapter 17.08 Barbiturates
- Chapter 17.12 Opium

shall be a fine not to exceed five hundred dollars, or imprisonment in the city jail not to exceed six months, or both such fine and imprisonment, as to any offense thereunder committed after the effective date of this section.* (Ord. 89022 § 1; February 24, 1960).

12.01.020 Penalties for all other violations. The penalties for the violation of, or failure to comply with the provisions of all other penal ordinances shall be a fine not to exceed three hundred dollars, or imprisonment in the city jail not to exceed ninety days, or both such fine and imprisonment unless otherwise specified in ordinances enacted after October 3, 1923. (Ord. 89022 § 2; February 24, 1960).

Chapter 12.02

ARRESTS

Sections:

- 12.02.010 Issuance of process for arrest.
- 12.02.020 Form of process.
- 12.02.030 Disobedience of summons.
- 12.02.040 Issuance of bench warrant.
- 12.02.050 Complaints.
- 12.02.060 Without warrant.

12.02.010 Issuance of process for arrest. In all cases not in conflict with law, the police judge or court or any justice of the peace or other magistrate having jurisdiction of offenses committed within the city of Seattle, is empowered upon complaint made of the commission, or threat-

*The ordinance from which this section is derived repeals all ordinances in conflict. The penalty provisions of all prior ordinances have been changed accordingly.

*Thirty days from February 24, 1960.

ened commission, of an offense against the laws of the state or ordinances of the city to issue process directed to the chief of police or other authorized peace officer or person for service, and which process shall be either warrant for the arrest or seizure of the persons or things complained of or described therein, or a summons. (Ord. 30755 § 1; February 3, 1913).

12.02.020 Form of process. Such warrant shall in form and substance conform substantially to the requirements of the laws of the state relating to the issuance of warrants by justices of the peace, and such summons shall command the person complained of to appear in person before such judge, court or magistrate at the time and place therein stated to answer the charge preferred in such complaint, and in form such summons shall be substantially like such warrant. (Ord. 30755 § 2; February 3, 1913).

12.02.030 Disobedience of summons. It shall be unlawful to disobey such summons and violation of the order of such summons shall be cause to be adjudged in contempt of court, to be punished as may be authorized by law. (Ord. 30755 § 3; February 3, 1913).

12.02.040 Issuance of bench warrant. In case the summons shall not be obeyed a bench or other warrant of arrest may issue forthwith, or such person may be arrested without warrant as in other proper cases. (Ord. 30755 § 4; February 3, 1913).

12.02.050 Complaints. It shall be the duty of the police to report daily, or oftener, any offense committed or reasonably suspected of having been committed, and for which no arrest has been made, and such report when sworn to by any person shall be a sufficient complaint; provided nothing herein shall be exclusive of any other cause or source of complaint. (Ord. 30755 § 5; February 3, 1913).

12.02.060 Without warrant. A police officer may arrest a person without a warrant if the officer has probable cause to believe that such person has;

- (a) violated an ordinance in the officer's presence; or
- (b) violated an ordinance; whether or not in the officer's presence,

if

(i) Such violation involves bodily harm or property damage or the threat thereof; and

(ii) Such officer has a reasonable belief that such person, unless immediately arrested, will not be apprehended, or may cause injury to himself or others or damage to property. (Ord. 96597 § 1; April 10, 1968).

Chapter 12.03**POLICE****Sections:**

- 12.03.010 Sale of unclaimed property.
- 12.03.020 Privileges and duties of retired police.
- 12.03.030 Killing vicious dogs.
- 12.03.040 Reports of dangerous places and things.
- 12.03.050 Wearing police uniform or imitation.
- 12.03.060 Unlawful to sell, exchange or give away police badges.
- 12.03.070 Unauthorized possession of police badges.
- 12.03.080 Penalty for violations.

12.03.010 Sale of unclaimed property. The chief of police of the city of Seattle shall, at least once a year and as often as he may deem advisable, cause to be sold at public auction to the highest bidder for cash, all property which shall come into the possession of the police department by being taken from persons arrested for crime or which may be found, and which shall remain unclaimed by any person or persons entitled thereto for a period of not less than sixty days after the same has come into the possession of said department, and shall cause the proceeds of such sale to be paid into the city treasury. Before making any such sale



the chief of police shall cause notice thereof to be published in the official newspaper of the city of Seattle for six days preceding the date of such sale, stating that such sale will take place at the police headquarters at a day and hour specified in such notice, and stating the terms of such sale, the kind of property, as near as may be, and that it is unclaimed and taken from persons arrested for violation of the law or has been found, and that any person or persons owning or entitled to any of such property may recover the same at the date of such sale by proving that they are entitled thereto to the satisfaction of the chief of police. (Ord. 16374 § 1; July 1, 1907).

12.03.020 Privileges and duties of retired police. Whenever any member of the police department is retired from active service by reason of age, he may, if he shall so elect and shall notify the chief of police in writing of such election, subject to written approval thereof by the chief of police and annual renewal of such approval on January 1st of each year, remain and be continued as a member of the police force with pay and shall have the same authority as a regular active patrolman, and shall have the right to accept private employment, and shall be subject to the orders of the chief of police and the regulations of the department, and shall be subject to removal and to have his police authority revoked at any time for cause, in like manner as regular active members of the department. (Ord. 16374 § 2 as amended by Ord. 100759 § 1; March 10, 1972).

12.03.030 Killing vicious dogs. All members of the police department are authorized and empowered, whenever they have knowledge or are reliably informed that any dog has bitten or injured any person without cause, to kill such dog forthwith, and for that purpose may enter any premises where such dog may be. (Ord. 16374 § 3; July 1, 1907).

12.03.040 Reports of dangerous places and things. Whenever any policeman observes any defect in any street, sidewalk, or other public place, or any dangerous structure, building, bridge, wharf, excavation, ditch, cellar, wall or sewer, or any other dangerous place or thing, or any unsanitary premises or condition, he shall immediately report the same to the head of the department whose duty it is to repair said defect or remove said danger. (Ord. 16374 § 4; July 1, 1907).

12.03.050 Wearing police uniform or imitation. It is unlawful for anyone:

(a) To falsely represent himself to be a Seattle police officer or a special policeman appointed pursuant to Chapter 12.04; or

(b) To wear without authority of the chief of police the uniform, or a distinctive part of the uniform, or any badge or insignia of the Seattle police department, or any uniform, badge or insignia any part of which is similar to a distinctive part of the uniform, badge or insignia of the Seattle police department unless portraying a police officer or a member of the

Seattle police department in a theatrical or motion picture production in a manner which does not tend to discredit the Seattle police department; or

(c) To wear or carry upon his person without authority of the chief of police any object or device displaying the words "Seattle Police Officer," "Seattle Police," "Seattle Detective," "Police Department, City of Seattle," or any words of a similar nature. (Ord. 16374 § 7, as amended by Ord. 95661; April 6, 1967).

12.03.060 Unlawful to sell, exchange or give away police badges. It is unlawful for any person to sell, exchange or give away, any police badge issued by the city. (Ord. 66564 § 1; August 19, 1936).

12.03.070—Unauthorized possession of police badge. It is unlawful for any person except a police officer or special policeman to have in his possession any police badge issued by the city. (Ord. 66564 § 2; August 19, 1936).

12.03.080 Penalty for violations. Any person violating any provision of this chapter is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine in any sum not exceeding three hundred dollars, or by imprisonment in the city jail for a term not exceeding ninety days, or by both such fine and imprisonment. (Ord. 16374 § 7 as amended by Ord. 45820 and Ord. 66546 § 3; August 19, 1936).

Chapter 12.04 SPECIAL POLICE

Sections:

- 12.04.010 Appointment.
- 12.04.020 Eligibility.
- 12.04.030 Application for appointment.
- 12.04.040 Fee—Badge—Issuance of appointment.
- 12.04.050 Expiration or invalidation of appointment.
- 12.04.060 Duties.
- 12.04.070 Uniform.
- 12.04.080 Appointment of city employees.
- 12.04.090 Appointment of civilian auxiliary police and federal civilian guards.
- 12.04.100 Roster to be kept.
- 12.04.110 Duty to surrender badge upon termination of appointment.
- 12.04.120 Unauthorized wearing of badge.
- 12.04.130 Penalty for violations.

12.04.010 Appointment. The chief of police is authorized and empowered to appoint from time to time and in accordance with the provi-

sions of the City Charter and of this chapter such number of special policemen as he shall deem necessary, and who shall serve in such office without compensation from the city: provided, that the number of special policemen acting pursuant to such appointment shall not at any one time exceed three hundred. (Ord. 66591 § 1; August 28, 1936).

12.04.020 Eligibility. No person who is not a citizen of the United States; is not trustworthy and of good moral character; or who has within ten years of the date of his application for appointment as special policeman been convicted of a felony or any offense involving moral turpitude; shall be eligible for appointment as a special policeman. No special policeman shall be considered an employee of the city of Seattle for any purpose, nor entitled to the benefits of the police pension fund act (RCW 41.20.010 et. seq.). (Ord. 66591 § 2 as amended by Ord. 94101; August 11, 1965).

12.04.030 Application for appointment. Any person desiring appointment as a special policeman shall file an application with the chief of police upon a form to be supplied by him. The applicant shall, in such application, give the information required, shall sign the same and by affidavit shall swear or affirm that the statements and answers therein contained are true to the best of his knowledge and belief. Such application shall be accompanied by the statements of at least three reputable citizens, not related to, or present employers of, the applicant, attesting to his trustworthiness and good moral character. The applicant shall also in the manner and at the time and place desired by the chief of police make an imprint of the thumbs and fingers of both hands.

If the chief of police, from said application or upon investigation, determines that the applicant is eligible under the provisions of this chapter to appointment as special policeman, he shall approve the application; otherwise, he shall disapprove it. (Ord. 66591 § 3 as amended by Ord. 95246; November 4, 1966).

12.04.040 Fee—Badge—Issuance of appointment. Upon approval of an application as provided in Section 12.04.030 and upon presentation of a receipt showing the payment to the city treasurer of the sum of two dollars and fifty cents and upon the payment by the applicant to the chief of police of the sum of five dollars as deposit to be held until return of the badge as hereinafter provided, the chief of police may, in his discretion appoint the applicant as a special policeman under the provisions of this chapter, but the number of persons appointed and acting at any one time as special policemen shall never exceed the number fixed in Section 12.04.010. The appointment made by the chief of police shall be in writing and shall set forth the term of the appointment and recite that it is made pursuant to this chapter. At the time of the appointment, the chief shall deliver to the appointee a metal badge in the form of a six pointed star,

bearing the words "Special Police, City of Seattle," with a number to be assigned by the chief. The chief of police shall hold all deposits for badges in a trust fund, from the proceeds of which he shall from time to time as needed, purchase special policeman badges, and from which he shall, whenever a badge is returned to him in good condition, repay the appointee the sum of five dollars. (Ord. 66591 § 4, as amended by Ord. 95246; November 4, 1966).

12.04.050 Expiration or invalidation of appointment. Appointments as special policemen shall be of no force or effect:

(a) Upon and after conviction of the appointee of any felony or offense involving moral turpitude;

(b) The cessation of the performance of actual police service by the appointee;

(c) Upon and after revocation of the appointment by the chief of police for failure to abide by the requirements of the City Charter or this chapter, the failure to perform faithfully the duties of his employment, or for any cause deemed sufficient by the chief of police in his discretion;

(d) After the expiration of one year from the date of the appointment or any renewal thereof.

The chief of police shall in writing notify the special policeman of the voiding or invalidating of his appointment, but his failure to so notify the appointee, or of the appointee to receive the notification, shall have no effect on the voiding or invalidating of the appointment.

Any appointment about to expire by reason of lapse of time may be renewed by the chief of police; provided, that the appointee shall make application therefor to the chief prior to such expiration and upon showing to the satisfaction of the chief that the appointee is and will be actually engaged in special police service in the city, and that he has performed his duties as a special policeman satisfactorily. (Ord. 66591 § 5; August 28, 1936).

12.04.060 Duties. Every special policeman shall:

(a) At all times keep the chief of police accurately advised in writing of his business and home address and telephone number, if any, and of the boundaries of the district which he is patrolling;

(b) At all times while on duty, wear or carry upon his person the special police badge herein provided for and no other;

(c) Carry on his person at all times while on duty, a list of the places patrolled by him together with the addresses, telephone numbers and names of the owners thereof, or names of persons to be notified in case of fire, illegal entry, etc. (Ord. 66591 § 6 as amended by Ord. 99844 § 1; April 21, 1971).

12.04.070 Uniform. Any person appointed as a special policeman under the provisions of this chapter may, at his election, wear a uniform upon receiving the consent and approval of the chief of police thereto,

but no uniform so worn shall be so similar to any uniform worn by a regular policeman as to be confusing or misleading, and no uniform shall be worn by any Special Policeman except such as is approved by the Chief of Police as to style, color and material. (Ord. 66591 § 7; August 28, 1936).

12.04.080 Appointment of city employees. The Chief of Police is hereby authorized and empowered to appoint from time to time, and in accordance with the provisions of the City Charter and of this chapter, any City employee as a Special Policeman whenever the discharge of the duties of his employment will be thereby facilitated or aided. The appointment shall be made only upon written request and certificate of the head of the department of employment that the appointment is required to facilitate and aid the employee in the discharge of his duties. Upon such appointment being made, the Chief of Police shall issue to the appointee a certificate of appointment and a metal badge, with a number to be assigned by the Chief. The appointment shall continue until the appointee permanently ceases City employment, but may be revoked at any time by the Chief of Police, and shall be revoked by him whenever the City employment of the appointee is permanently terminated or whenever the head of the department in which the appointee is employed shall recommend revocation.

The provisions of Sections 12.04.010 to 12.04.070, inclusive, of this chapter shall not apply to Special Policemen appointed under the provisions of this section, but no such appointee shall be considered a member of the Police Department within the contemplation of the Police Pension Fund Act (RCW 41.20.010 et seq.), or otherwise. (Ord. 66591 § 7-1, added by Ord. 66888; November 13, 1936).

12.04.090 Appointment of civilian auxiliary police and federal civilian guards. The Chief of Police is hereby authorized to appoint as special policemen Civilian Auxiliary Police and Federal Civilian Guards. The appointment of such Civilian Auxiliary Police shall be made to assist the Police Department in emergency work whenever the Chief of Police deems necessary. The appointment of such Federal Civilian Guards shall be made in case the discharge of the duties of such employment will be facilitated or aided thereby, and shall be made upon written request of the Federal agency concerned. All appointees shall receive a certificate of appointment and a metal badge with a number to be assigned by the Chief of Police. Appointments may be revoked at any time by the Chief of Police, and the appointment of any Federal Civilian Guard shall be revoked by him upon the cessation of his duties or upon the recommendation of the Federal agency requesting the appointment. Upon revocation of the appointment of any special policeman, the badge shall be returned to the Chief of Police.

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The provisions of Sections 12.04.030 to 12.04.070, inclusive, and of subdivision (b) of Section 12.04.020 shall not apply to special policemen appointed under the provisions of this section, and the limitation in Section 12.04.010 of the number to be appointed shall be inapplicable to appointments hereunder. (Ord. 66591 § 7-2, as added by Ord. 71537; December 11, 1941).

12.04.100 Roster to be kept. The Chief of Police shall keep an accurate record of the names and addresses of all Special Police Officers. (Ord. 66591 § 8; August 28, 1936).

12.04.110 Duty to surrender badge upon termination of appointment. Every person whose appointment as a Special Policeman under this chapter has been revoked by the Chief of Police or has expired or become invalid, shall immediately upon such revocation, expiration or invalidation surrender to the Chief of Police the Special Police badge possessed by him, all written evidence of his appointment as a Special Policeman and any other insignia of such office. (Ord. 66591 § 9; August 28, 1936).

12.04.120 Unauthorized wearing of badge. It shall be unlawful for any person, unless he is a duly and regularly appointed and acting Special Policeman under the provisions of this chapter or a police officer of the United States Government, the State of Washington, the County of King, or the City of Seattle, to wear or carry upon his person, or to possess, any Special Police badge or similar insignia or thing in imitation or similitude, thereof, or to wear the uniform of a Special Policeman or Special Police Officer, as herein provided, or any similitude thereof, or to act or serve as a Special Policeman or Special Police Officer. (Ord. 66591 § 10; August 28, 1936).

12.04.130 Penalty for violations. The violation of, or failure to comply with, any of the provisions of Sections 12.04.060, 12.04.110 and 12.04.120 of this chapter shall constitute a misdemeanor, punishable by a fine in any sum not exceeding Three Hundred Dollars (\$300.00) or by imprisonment in the City Jail for a period not exceeding ninety (90) days, or by both such fine and imprisonment. (Ord. 66591 § 12; August 28, 1936).

Chapter 12.05 FIREMEN'S BADGES

Sections:

- 12.05.010 Firemen to be supplied badges.
- 12.05.020 Selling or giving away badge—Unauthorized wearing prohibited.
- 12.05.030 Penalty for violations.

12.05.010 Firemen to be supplied badges. Firemen in the service of the Fire Department of the City of Seattle when not wearing the regular

uniform of the department shall wear a badge, furnished by the city of Seattle entitling such firemen to ride upon the street cars of the city and to go within the fire lines in case of fire, or to enjoy any other privileges or authority to which the wearing of their uniform may entitle them. (Ord. 19117 § 1; September 23, 1908).

12.05.020 Selling or giving away badge—Unauthorized wearing prohibited. It is unlawful for any fireman in the employ of the city of Seattle to give away or sell the badge hereinabove provided to any person for the purpose of enabling such person to procure transportation on the street cars of the city of Seattle or to gain admittance within the fire lines, or for any other purpose, and it shall be unlawful for any other person, not a fireman entitled to wear such badge under the provisions of this chapter, to wear or display such badge for the purpose of securing privileges or authority hereinabove set forth. (Ord. 19117 § 2; September 23, 1908).

12.05.030 Penalty for violations. Any person found guilty of a violation of the provisions of this chapter, shall be fined in any sum not exceeding three hundred dollars, or be imprisoned in the city jail for a term not exceeding ninety days, or may be both fined and imprisoned. (Ord. 19117 § 3 as amended by Ord. 45820; October 3, 1923).

Chapter 12.06

FIRE ALARM AND POLICE SIGNAL SYSTEMS

Sections:

- 12.06.001 Private systems—Connection with fire and police facilities.
- 12.06.002 Private systems—Direct connection with city system unlawful.
- 12.06.003 Private systems—Reports to fire and police departments exempted.
- 12.06.004 Private systems—Penalty for violations.
- 12.06.005 Private systems—Connection with city.
- 12.06.010 Interference with system prohibited.
- 12.06.020 Permit for making changes in system.
- 12.06.030 Notice of intent to make changes.
- 12.06.040 False representation.
- 12.06.050 Other wires prohibited near wires of system.
- 12.06.060 Permit to place wires on poles of system.
- 12.06.070 Use of official badge, insignia or uniform.
- 12.06.080 Unauthorized use or possession of keys to alarm boxes.
- 12.06.090 Fire guard lines—Admission within.
- 12.06.100 Obstructing access to alarm boxes or fire equipment.
- 12.06.110 Penalty for violations.

12.06.001 Private systems—Connection with fire and police facilities. It is unlawful for anyone having or conducting a privately owned fire alarm system to have direct electrical, mechanical, telephonic or other type of connection with the facilities, of any office, branch, department or agency of the Seattle fire department unless they have and maintain a central station protective signaling system meeting the standards of the National Fire Protection Association dated June, 1956 (C.F. 234509), or for anyone having or conducting a privately owned burglary and/or robbery alarm system to have or maintain any equipment or device at, or any direct connection with, the facilities of any office, branch, department or agency of the Seattle police department; provided that nothing herein shall prohibit the installation or use of regular private or business telephone lines for the reporting by any person of a fire, burglary or robbery. (Ord. 87178 § 1 as amended by Ord. 101476 § 4; October 17, 1972).

12.06.002 Private systems—Direct connection with city system unlawful. It is unlawful for anyone to make any direct connection to or on the municipally owned fire alarm and/or police signal systems of the city of Seattle. (Ord. 87178 § 2; May 26, 1958).

12.06.003 Private systems—Reports to fire and police departments exempted. Nothing in the foregoing sections shall prohibit or prevent any individual from making reports to the Seattle police and fire departments. (Ord. 87178 § 3; May 26, 1958).

12.06.004 Private systems—Penalty for violations. The violation of or failure to comply with any of the provisions of Sections 12.06.001 through 12.06.005 inclusive, shall subject the offender upon conviction thereof to a fine of not to exceed three hundred dollars, or imprisonment in the city jail for not to exceed ninety days, or to both such fine and imprisonment. (Ord. 87178 § 4; May 26, 1958).

12.06.005 Private systems—Connection with city. Notwithstanding the provisions of Sections 12.06.001 through 12.06.004 inclusive, a privately owned fire alarm signal system (hereinafter called "signal system") serving a hospital, nursing home, rest home, or school may be connected with the city's fire alarm signal system (hereinafter called "city's alarm system") through a master fire alarm box in accordance with the terms and conditions of an annually renewable permit therefor issued by the chief of the fire department. The annual fee for such permit shall be twenty-five dollars. Application for such permit and renewal thereof shall be made in writing to chief of the fire department on forms provided therefor. Such application shall:

(1) Describe the property where the signal system is to be, or is located by lot and block, or metes and bounds, and street address or similar de-

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scription to readily identify and locate the buildings served or to be served by said system;

(2) Show the occupancy of all parts of the building or buildings to be served by the signal system;

(3) Be accompanied by drawings and specifications showing the exact location and design of the signal system and such other information as may be reasonably required by the chief of the fire department;

(4) Include covenants and agreements signed by the applicant or its authorized agent:

(i) To construct and maintain the signal system in a manner conforming to the conditions and requirements prescribed by the National Fire Protection Association in Pamphlet No. 72 or as later amended, a copy of which is filed in the office of the city comptroller;

(ii) To acquire and convey to the city a fire alarm "master box" and appurtenances thereto of a type approved by the chief of the fire department for installation by the fire department and to reimburse the fire department for the cost of installing the same together with such other costs as may be incurred by the fire department in connecting the signal system with the city's alarm system;

(iii) To maintain the signal system in good working condition and to enter into a maintenance service contract for such purpose with a person or firm approved by the chief of the fire department which shall provide for complete inspection and testing of said system at least once every thirty days;

(iv) To provide and maintain in full force and effect public liability insurance providing coverage for all claims for damage to persons or property arising out of the connection with, and operation of the signal system with the city's alarm system, naming the city as an additional insured, providing for a limit of not less than one hundred thousand dollars for all damages arising out of bodily injury to or death of one person and subject to that limit for each person, a total limit of not less than three hundred thousand dollars for all damages arising out of bodily injuries to or death of two or more persons in any one accident; and property damage liability insurance providing for a limit of not less than twenty-five thousand dollars for all damage arising out of injury to or destruction of property in any one accident. A copy of such policy or certificate evidencing the same shall be approved as to form by the corporation counsel and filed in the office of the city comptroller prior to issuance of any such permit and shall provide for ten days notice to the city of any change, cancellation or lapse thereof; and

(v) To at all times protect and save harmless the city of Seattle from all claims, actions, suits, liability, loss, costs, expenses or damages of every kind or description which may accrue to, or be suffered by, any person or persons or property by reason of the connection with and operation of the signal system with the city's alarm system.

(5) Give such other information as reasonably may be required by the chief of the fire department.

(b) The chief of the fire department may approve or disapprove such application and prior to the granting of the permit may require such modifications or changes as he finds necessary to properly protect the public and public property in the maintenance and operation of the city's fire alarm signal system.

(c) After connection of any signal system to the city's alarm system the permittee, its successors and assigns shall not construct, reconstruct,

relocate, or otherwise alter the design or layout of said system except under the supervision, control and inspection of and in accordance with plans and specifications theretofore approved by the chief of the fire department.

(d) Any permit issued hereunder shall be temporary and subject to the primary use of the city's alarm system for public purposes, and the city expressly reserves the right to revoke or refuse renewal of any such permit as follows:

by the chief of the fire department upon written notice to the permittee for failure of the permittee to comply with the terms and conditions of his permit or the provisions of this section or any lawful order or direction of the chief of the fire department under this section; or by ordinance of the city of Seattle declaring revocation necessary for any reason, which revocation shall be conclusive and final without any right of the permittee to resort to the courts to question the same.

(e) The privilege granted under said permit shall not be assignable or transferable by operation of law nor shall said permittee, its successors or assigns, assign or transfer the same without the written consent of the chief of the fire department. (Ord. 87178 § 5 added by Ord. 94174 and amended by Ord. 98029 § 1; August 13, 1969).

12.06.010 Interference with system prohibited. It is unlawful for any person to interfere or meddle with, obstruct, injure, impair, or remove any pole, wire, box, gong, or striking or other apparatus belonging or appertaining to the fire alarm and police signal systems of the city of Seattle, or any auxiliary fire alarm telegraphs connected therewith. (Ord. 66841 § 1; November 5, 1936).

12.06.020 Permit for making changes in system. Nothing in the preceding section contained shall be construed so as to prohibit any person from changing or removing any pole, wire, box, gong, or striking or other apparatus belonging to or appertaining to the fire alarm and police signal systems of the city of Seattle, by or under the authority of written permission from the superintendent of the fire alarm and police signal systems; a copy of such permit must be immediately mailed to the chief of the fire department, which permit shall fully specify the change required, and all removals and changes shall be made at the expense of the person desiring such change or removal, and all work shall be done under the supervision of and completed to the satisfaction of said superintendent. (Ord. 66841 § 2; November 5, 1936).

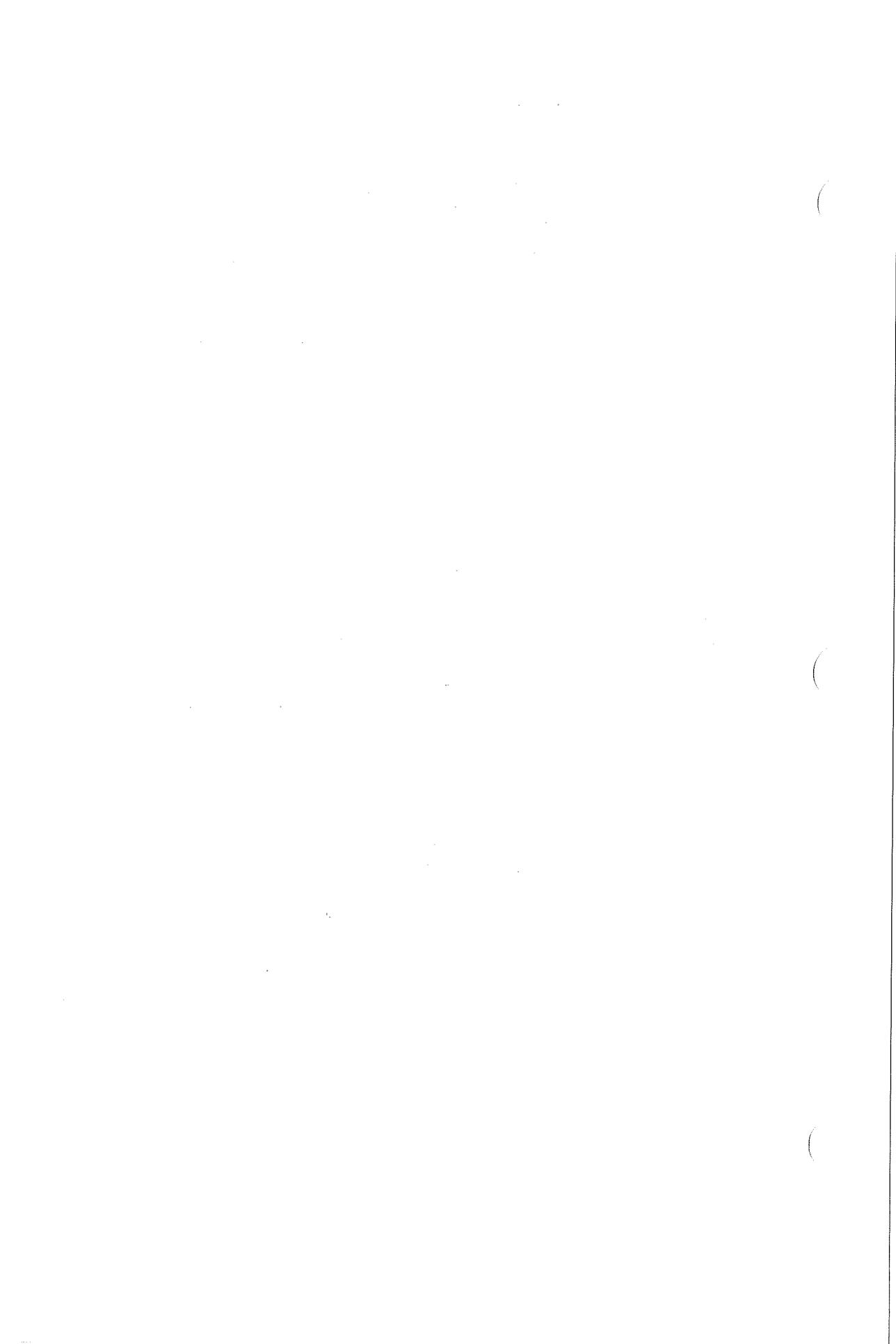
ALARM AND SIGNAL SYSTEMS 12.06.030—12.06.060

12.06.030 Notice of intent to make changes. Whenever it shall be necessary for any person in the pursuit of any lawful object to remove, interfere with or disturb any portion of the Fire Alarm and Police Signal Systems, he shall notify the Superintendent of the Fire Alarm and Police Signal Systems in writing, at least twenty-four hours before it shall be necessary to remove, interfere with or disturb the same, stating the locality and manner in which it is necessary to remove, interfere with or disturb the same: Provided, that no such notice shall be given between the hours of four o'clock P.M. and six o'clock A.M. (Ord. 66841 § 3; November 5, 1936).

12.06.040 False representation. It shall be unlawful for any person, with intent to deceive, to falsely represent himself to be an employee, or member of or connected with the Seattle Fire Department or the Fire Alarm and Police Signal Systems of the City of Seattle. (Ord. 66841 § 4; November 5, 1936).

12.06.050 Other wires prohibited near wires of system. It shall be unlawful for any person to place or cause to be placed any telegraph, telephone, electric light or other wires on any poles belonging to the Fire Alarm and Police Signal Systems of the City of Seattle, or place, or cause to be placed, any telegraph, telephone, electric light or other wires, or poles or fixtures to suspend the same, within three feet of any wires of said Fire Alarm and Police Signal Systems of the City of Seattle. (Ord. 66841 § 5; November 5, 1936).

12.06.060 Permit to place wires on poles of system. Nothing in the preceding section contained shall be construed so as to prevent the Superintendent of the Fire Alarm and Police Signal Systems from authorizing any telegraph, telephone, electric light or other wires to be placed on the poles of the Fire Alarm and Police Signal Systems, at such locations as he may designate, in consideration of like privileges to be extended to the City of Seattle by the owners of such wires, when it shall be necessary



ALARM AND SIGNAL SYSTEM 12.06.070—12.06.110

or convenient for said superintendent to use the poles of the owners of such wires in maintaining the Fire Alarm and Police Signal Systems of said City. (Ord. 66841 § 6; November 5, 1936).

12.06.070 Use of official badge, insignia or uniform. It shall be unlawful for any person to wear, use or have in his possession or under his control any official badge, insignia, button, cap, helmet, or uniform of the Fire Department of the City of Seattle, or the employees of the Fire Alarm and Police Signal Systems of said City, unless such person is a regular member of said Fire Department or employee of said Fire Alarm and Police Signal Systems, and has direct and specific authority to wear or have in his possession or under his control such official badge, insignia, button, cap, helmet or uniform. (Ord. 66841 § 7; November 5, 1936).

12.06.080 Unauthorized use or possession of keys to alarm boxes. It shall be unlawful for any person to use, or have in his possession or under his control any key to any Fire Alarm Box within the limits of the City of Seattle, or to any part of said Fire Alarm Box, unless directly and specifically authorized so to do by the Superintendent of the Fire Alarm and Police Signal System. (Ord. 66841 § 8; November 5, 1936).

12.06.090 Fire guard lines—Admission within. It shall be unlawful for any person to go or remain within any building in which there is a fire, or within the guard lines established by the Police Department at and near any fire, unless such person is a regular member of the Fire or Police Department, or wears or carries an official badge, card, or insignia provided and issued by the Chief of the Fire Department as a permit of admission within such guard lines. (Ord. 66841 § 9; November 5, 1936).

12.06.100 Obstructing access to alarm boxes or fire equipment. It shall be unlawful for any person to place, or cause to be placed, any article or thing so as to interfere with or obstruct free access and approach to any Fire Alarm and Police Signal box or booth or to any fire hydrant or cistern or to any inlet or outlet connections of fire mains or pipes. (Ord. 66841 § 10; November 5, 1936).

12.06.110 Penalty for violations. Violation or failure to comply with any of the provisions of this chapter shall be deemed a misdemeanor, and upon conviction thereof shall subject the offender to punishment by a fine in any sum not exceeding three hundred dollars (\$300.00), or by imprisonment in the city jail for a term not exceeding ninety (90) days, or by both such fine and imprisonment. (Ord. 66841 § 11; November 5, 1936).

12.07.010—12.07.030 CRIME AND PUNISHMENT

Chapter 12.07 POLICE RADIO

Sections:

- 12.07.010 Interference caused by electro-magnetic wave generator—Unlawful.
- 12.07.020 Notice to owner of interfering device—Checking device by demonstration.
- 12.07.030 Prevention of interference—Shielding or abatement of device.
- 12.07.040 Exemptions.
- 12.07.050 Penalty for violations.

12.07.010 Interference caused by electro-magnetic wave generator—Unlawful. It shall be unlawful to operate within the corporate limits of the City of Seattle any generator of electro-magnetic waves or disturbances detectable by radio receiving apparatus and of such magnitude as to interfere with the proper functioning of the radio communication system of the Police Department of the City of Seattle. (Ord. 69804 § 1; February 27, 1940).

12.07.020 Notice to owner of interfering device—Checking device by demonstration. Whenever the Chief of Police, or his duly authorized representative, shall find that any device, machine or apparatus is generating electromagnetic waves of such magnitude as to cause interference with the radio communication system of the Police Department, said officer shall serve written notice upon the owner or operator thereof advising said owner or operator of such finding; and thereupon it shall be the duty of said owner or operator to forthwith fully cooperate with said officer in checking by actual demonstration thereof whether such device, machine or apparatus is in fact interfering with the proper functioning of said radio communication system. (Ord. 69804 § 2; February 27, 1940).

12.07.030 Prevention of interference—Shielding or abatement of device. If following such check, the Chief of Police is confirmed in his finding he shall serve a written notice upon said owner and operator to that effect, and it shall then be the duty of said owner or operator to forthwith abate and discard the operation of such device, machine or apparatus; Provided, that with the consent of the Chief of Police, such owner or operator may be allowed a period of not to exceed thirty days within which to filter, shield or otherwise remodel any such device, machine or apparatus to prevent such interference, but in the event any such device, machine or apparatus is not repaired or remodeled so that its operation will not interfere with the proper functioning of the radio communication system of the Police Department, the operation thereof shall be abated and discarded at the end of the period allowed by said officer. (Ord. 69804 § 3; February 27, 1940).

12.07.040 Exemptions. This chapter shall not apply to any transmitting, broadcasting or receiving instrument, apparatus or device used or useful in interstate commerce, the operation of which is licensed or authorized by or under the provisions of an Act of the Congress of the United States. (Ord. 69804 § 4; February 27, 1940).

12.07.050 Penalty for violations. Violation of, or failure to comply with, any of the provisions of this chapter shall be punished by a fine of not more than three hundred dollars or by imprisonment in the city jail for a period of not to exceed ninety days, or by both such fine and imprisonment. (Ord. 69804 § 5; February 27, 1940).

Chapter 12.08

WORKING PRISONERS

Sections:

- 12.08.010 "Prisoner"—Defined.
- 12.08.020 Prisoners may be required to perform labor.
- 12.08.030 Manner and places of work.
- 12.08.040 Custody of prisoners.
- 12.08.050 Records of prisoners performing labor.

12.08.010 "Prisoner"—Defined. The word "prisoner" wherever used in this chapter shall be held and construed to mean all male persons who may hereafter be sentenced to imprisonment in the city jail for the violation of any ordinance of the city of Seattle, or committed thereto in default of payment of any fine and costs imposed for the violation of such ordinance. (Ord. 16373 § 1; July 1, 1907).

12.08.020 Prisoners may be required to perform labor. All prisoners during their term of imprisonment or commitment may be required on each day of said term, except Sundays, to perform eight hours labor upon the streets, public buildings, lots, blocks, engine houses, sewers or public grounds of the city of Seattle, or other property of the city or property of which the city has direct charge or control. (Ord. 16373 § 2, as amended by Ord. 95573; March 1, 1967).

12.08.030 Manner and places of work. The labor to be performed by such prisoners, as provided in the preceding section, shall be performed at such places and in such manner and shall be of such character as the board of public works shall direct. (Ord. 16373 § 3; July 1, 1907).

12.08.040 Custody of prisoners. Prisoners performing labor, as provided for in the preceding sections, shall be in the care and custody of the chief of police of the city of Seattle, whose duty it shall be to see that such prisoners are guarded to prevent escape, and if necessary, he may shackle them. (Ord. 16373 § 4; July 1, 1907).

12.08.050—12.09.020 CRIME AND PUNISHMENT

12.08.050 Records of prisoners performing labor. The chief of police shall keep a record of the names of all prisoners performing labor under the provisions of this chapter, and of the number of hours and the days upon which such labor is performed by each prisoner. The board of public works shall keep a record showing the number of prisoners performing labor under the provisions of this chapter, of the days and hours when and the place where such labor is performed and the character of such labor. (Ord. 16373 § 5; July 1, 1907).

Chapter 12.09

AUTHORIZED ENTRY OF BUILDINGS

Sections:

- 12.09.010 Registration with police of persons authorized to enter unoccupied buildings.
- 12.09.020 Penalty for violations.

12.09.010 Registration with police of persons authorized to enter unoccupied buildings. The name, address and telephone number of the owner, manager or person in charge of every business establishment and, in addition, those of some other person, if any, who has authority and is able to enter such establishment when it is unoccupied or not open to the public, shall forthwith be registered with the chief of police. Also, a card bearing the name, address and telephone number of such owner, manager or other person in charge shall be placed on the main door of said establishment. (Ord. 71614 § 1; January 7, 1942).

12.09.020 Penalty for violations. Any person who shall violate or fail to comply with any provision of this chapter shall on conviction thereof be punished by a fine in a sum not exceeding three hundred dollars, or by imprisonment in the city jail for a term not exceeding ninety days, or by both such fine and imprisonment. (Ord. 71614 § 2; January 7, 1942).

Chapter 12.10

REGISTRATION OF FELONS

Sections:

- 12.10.010 Persons convicted of felony to register with police—Information required.
- 12.10.020 Notice of change of residence.

- 12.10.030 Reports and records confidential.
- 12.10.040 Failure to furnish information or false information—Unlawful.
- 12.10.050 Provisions not applicable five years after final release or discharge.
- 12.10.060 Penalty for violations.

12.10.010 Persons convicted of felony to register with police—Information required. Anyone convicted of a felony, or any crime constituting a felony under the laws of this state, who shall be within the city limits of Seattle or in transit, temporarily or otherwise, must within forty-eight hours after arrival therein, report to and furnish the chief of police with a written statement signed by him, containing his true name and each other name or alias by which he is or has been known, a full and complete personal description, the name of each crime above enumerated of which he has been convicted, the places where committed, the name under which he was convicted, the date of each such conviction, the name and location of each prison, reformatory or other penal institution, if any, in which he was confined as punishment therefor, the location or address of each of his actual or intended residence, stopping place or living quarters in the city of Seattle, together with a description of each such place, whether hotel, apartment house, dwelling house or otherwise, giving the street number thereof, if any, or such description of the location as will identify the same, and the length of time which he expects or intends to reside within the city. At the time of furnishing such statement said person shall be photographed and fingerprinted by the chief of police. (Ord. 74125 § 1; July 3, 1945).

12.10.020 Notice of change of residence. Any such person changing his place of residence, stopping place or living quarters, shall within forty-eight hours thereafter notify said chief of police in a written and signed statement of such change of address and shall furnish in the statement such new address. (Ord. 74125 § 2; July 3, 1945).

12.10.030 Reports and records confidential. All reports, records, photographs and fingerprints taken pursuant to this chapter shall be private records of the chief of police, open to the inspection only by city or police officers or persons having official duties to perform in connection therewith; and it is unlawful for anyone having access to such records to disclose to anyone else, other than in the regular discharge of his duties, any information contained therein. (Ord. 74125 § 3; July 3, 1945).

12.10.040 Failure to furnish information or false information—Unlawful. It is unlawful to fail to furnish any statement, report, information, photograph or fingerprint required by this chapter within the time required hereby or to furnish any such statement, information, photograph or fingerprint, which is false or misleading. (Ord. 74125 § 4; July 3, 1945).

12.10.050 Provisions not applicable five years after final release or discharge. The requirements of this chapter shall not apply to any person five years after a full pardon or a final release or discharge from a reformatory, penitentiary, or other penal institution has been granted such person. (Ord. 74125 § 5; July 3, 1945).

12.10.060 Penalty for violations. Anyone who violates or fails to comply with any provision of this chapter, shall upon conviction thereof be punished by a fine in any sum not exceeding three hundred dollars, or by imprisonment in the city jail for a term not exceeding ninety days, or by both such fine and imprisonment. Each separate day or portion thereof during which any violation of this chapter occurs or continues shall be deemed to constitute a separate violation hereof and a separate offense hereunder, and upon conviction thereof shall be punished as herein provided. (Ord. 74125 § 6; July 3, 1945).

Chapter 12.11
UNLAWFUL CONDUCT*

Sections:

- 12.11.010 Definitions.
- 12.11.020 Disturbing the public peace.
- 12.11.025 Conduct in vicinity of schools.
- 12.11.040 Drawing or carrying weapon with intent to intimidate.
- 12.11.050 Discharging firearm or explosive—Exceptions.
- 12.11.060 Traducing another.
- 12.11.070 Fighting by agreement.
- 12.11.080 Keeping disorderly house.
- 12.11.090 Disorderly persons.
- 12.11.100 Prowling or loitering by known criminals.
- 12.11.110 Habitually idle in saloons.
- 12.11.120 Idling in houses of ill-fame.
- 12.11.130 Persons without lawful means of support—Idling, begging, drunk or under influence of narcotics.
- 12.11.140 Common prostitute.
- 12.11.150 Associating with common prostitutes.
- 12.11.160 Procurers.
- 12.11.170 Women in saloons.
- 12.11.175 Women’s dress.
- 12.11.180 Stealing from or robbing drunks.
- 12.11.190 Prostitutes loitering or soliciting in public places.
- 12.11.200 Keeping house of ill-fame.

*Unlawful conduct in public places—See Chapter 19.48. Unlawful conduct in parks—See Title 22.

UNLAWFUL CONDUCT

- 12.11.210 Inmates of house of ill-fame.
- 12.11.220 Indecent exposure.
- 12.11.240 Gambling, bunco or swindling games or devices—Fortune-telling.
- 12.11.260 Gambling.
- 12.11.270 Keeping gambling houses.
- 12.11.271 Bingo, raffle and amusement games—Tax levied.
- 12.11.272 Bingo, raffle and amusement games—Declaration of intent—When tax payable.
- 12.11.273 Bingo, raffle and amusement games—Rules and regulations.
- 12.11.274 Bingo, raffle and amusement games—Books and records—Inspection.
- 12.11.275 Bingo, raffle and amusement games—Falsification unlawful—Penalty for violations.
- 12.11.280 Obscene literature.
- 12.11.290 Wandering or loitering during night time.
- 12.11.300 Unlawful assembly.
- 12.11.310 Loitering in doorways.
- 12.11.320 Cruelty to animals.
- 12.11.330 Cruelly injuring or killing animal.
- 12.11.340 Causing animals or birds to fight.
- 12.11.350 Maintaining places for fighting animals or birds.
- 12.11.360 Laying out poison.
- 12.11.370 Injury or destruction of structures.
- 12.11.380 Injury or destruction of personal property.
- 12.11.390 Injury or removal of street signs, notices or advertisements.
- 12.11.400 Defacing or removing official bulletins and notices.
- 12.11.410 Wearing hats in theaters.
- 12.11.420 Unlawful for theater manager to allow wearing hats.
- 12.11.440 Signing petitions for charter amendments.
- 12.11.450 False personation.
- 12.11.460 Resisting or hindering police.
- 12.11.470 Escape from jail.
- 12.11.480 Rescuing or aiding escape from custody.
- 12.11.490 Aiding in enforcement of law.
- 12.11.500 False fire alarms.
- 12.11.510 Throwing things.
- 12.11.520 Tampering with utility pipes and fixtures.
- 12.11.540 Flying kites in business district.
- 12.11.550 Injuring trees.
- 12.11.555 Injuring public trees or shrubs.
- 12.11.560 Injuring flowers, foilage and shrubbery.
- 12.11.570 Penalty for violations.

12.11.010 Definitions. The word "person" wherever used in this chapter, when necessary means and includes natural persons of either sex, association, copartnerships and corporations, whether acting by themselves or by servant, agent or employee; the singular number shall, when necessary, include the plural and the masculine pronoun include the feminine. (Ord. 16046 § 60; May 23, 1907).

12.11.020 Disturbing the public peace. It is unlawful for any person to be guilty of fighting, drunkenness or of riotous or disorderly conduct, or of any conduct tending to disturb the public peace, or to use any profane or abusive language, or to engage in any act or practice whereby the peace or quiet of the city may be disturbed, or to use any obscene language or be guilty of any indecent or immoral acts, practice or conduct tending to debase the public morals. (Ord. 16046 § 1; May 23, 1907).

12.11.025 Conduct in vicinity of schools. (a) It is unlawful to engage in any noisy, boisterous or disorderly conduct at or in the vicinity of any public or private school which is intended to and does interrupt, hinder or disturb the education processes and functions of any such school.

(b) It is further unlawful to remain in any public or private school building or upon any public or private school grounds during the time any such school is open and in use for educational purposes and functions, after being ordered by the person in charge of such school or his designees to leave such buildings or grounds; provided, that no person shall be convicted of violating this subsection (b) who is:

- (1) A student regularly enrolled at such school; or
- (2) The parent or guardian of any regularly enrolled student therein;

or

- (3) A person present by permission of appropriate school authorities;

or

- (4) A person conducting lawful business at such school; or

(5) A person attending a school function which is open to members of the public; or

(6) A person otherwise authorized by law to enter upon or use school property.

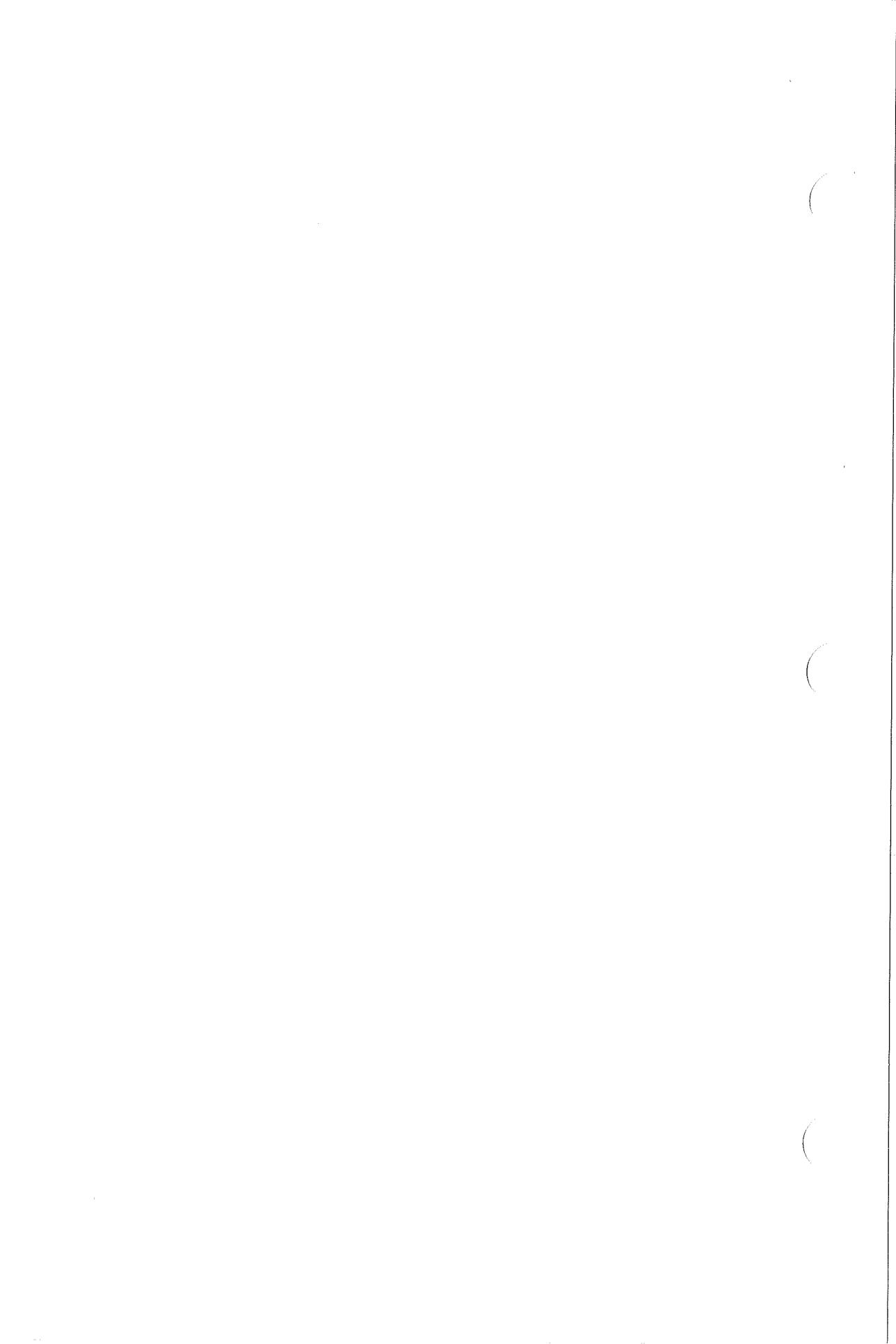
(Ord. 16046 § 1-A added by Ord. 96373 and amended by Ord. 99222 § 1; August 25, 1970).

12.11.040 Drawing or carrying weapon with intent to intimidate. It is unlawful for anyone to carry, exhibit, display or draw any firearm or any dagger, sword, knife or other cutting or stabbing instrument, or any other weapon capable of producing bodily harm, in a manner, under circumstances, and at a time and place that manifest an intent to intimidate another, or that warrants alarm for the safety of persons in the immediate vicinity; provided that this section shall not apply to or affect the following:

- (1) Any person while in his place of abode or fixed place of business;
- (2) Any person who by virtue of his office or public employment is vested by law with a duty to preserve public safety, maintain public order, or to make arrests for offenses, while in the performance of such duty;
- (3) Any person acting for the purpose of protecting himself against the use of presently threatened unlawful force by another, or for the purpose of protecting another against the use of such unlawful force by a third person; or
- (4) Any person making or assisting in making a lawful arrest for the commission of a felony (Ord. 16046 § 3 as amended by Ord. 97075 § 1; September 25, 1968).

12.11.050 Discharging firearm or explosive—Exceptions. It is unlawful to fire or discharge any cannon, gun, pistol, revolver or other firearm, or to fire or explode or set off any squib, firecracker, torpedo or other thing containing powder, or other explosive material, except on days of public celebration or jubilee, and then only as permitted by law. This section shall not apply to the following: Licensed shooting galleries; airplane ordinance testing and proving grounds used in the manufacture of aircraft; rifle or pistol practice ranges located, established, used and patrolled by the armed forces of the United States, by the state of Washington, or by the police department; the discharge of any firearm in the performance of official duties or in the course of employment or in civilian sports by any person having a permit or lawful right to carry such firearm; or to the lawful use of explosives for blasting or construction or demolition work. (Ord. 16046 § 4 as amended by Ord. 72709; July 13, 1943).

12.11.060 Traducing another. It is unlawful for any person to traduce or threaten to traduce another, or use any language or indulge



in any conduct toward another person tending to produce a disturbance of the peace or to challenge another person to fight. (Ord. 16046 § 5; May 23, 1907).

12.11.070 Fighting by agreement. It shall be unlawful for any two, or more, persons to agree to fight or to fight by agreement. (Ord. 16046 § 6; May 23, 1907).

12.11.080 Keeping disorderly house. It shall be unlawful for any person, who shall keep any house or place of business, to suffer or permit any loud or boisterous noises to be made therein after the hour of ten p.m., or to suffer or permit therein, at any time, any riotous or disorderly conduct, drunkenness or fighting to the annoyance of the public; and it shall be unlawful for any person to keep any house of public resort wherein the peace, comfort, quietude or decency of the public may be suffered or permitted to be disturbed, or to keep any inn, hotel, lodging house, boarding house, bar room or saloon in a disorderly manner. (Ord. 16046 § 7; May 23, 1907).

12.11.090 Disorderly persons. It shall be unlawful for any person to be idle or dissolute, or to go about begging, or to use any juggling or other unlawful games or plays, or to be a run away, pilferer, confidence man, common drunkard, common night walker, or to be lewd, wanton or lascivious in speech or behavior, or to be a common railer or brawler, or to be habitually neglectful of his employment or calling, or not to lawfully provide for himself or the support of his family, or to habitually mispend his time by frequenting houses of ill-fame, gaming houses or saloons, or to lodge in or be found in the night time in any outhouse, shed, barn, unoccupied building, car, wagon or vehicle, or in the open air and not give a good account of himself. (Ord. 16046 § 8; May 23, 1907).

12.11.100 Prowling or loitering by known criminals. It shall be unlawful for any person who is known to be a thief, burglar or pickpocket, either by his own confession or otherwise, or having been convicted of larceny, burglary or other crime against the laws of the state or ordinances of the city, punishable by imprisonment in the state prison or in the jail of any city or county, and having no lawful means of support, to be habitually found prowling around any steamboat landing, railroad depot, banking institution, brokers office, place of public amusement, auction room, store, shop or crowded thoroughfare, car or omnibus, or at any public gathering or assemblage, or lounging about any court room, private dwelling house, outhouse or in any house of ill-fame or saloon. (Ord. 16046 § 9; May 23, 1907).

12.11.110 Habitually idle in saloons. It shall be unlawful for any person to habitually idle his time away where intoxicating liquors are sold, or about or in any saloon. (Ord. 16046 § 10; May 23, 1907).

12.11.120—12.11.180 CRIME AND PUNISHMENT

12.11.120 Idling in houses of ill-fame. It shall be unlawful for any male person to idle his time away in any house of ill-fame or in company with any lewd woman or common prostitute. (Ord. 16046 § 11; May 23, 1907).

12.11.130 Persons without lawful means of support—Idling, begging, drunk or under influence of narcotics. It shall be unlawful for any person, having no lawful means of support, to be willfully idle, or to make a practice of soliciting alms, or to be a common drunkard, or to be habitually drunk upon the streets or in the public places of the city, or to be habitually under the influence of opium or any opiate and loitering in or about the streets or public places of the city, or found in any place or occupying any place to the annoyance of the public. (Ord. 16046 § 12; May 23, 1907).

12.11.140 Common prostitute. It shall be unlawful for any female person to be a common prostitute, or to habitually practice prostitution and have indiscriminate sexual intercourse with men for hire, and to be commonly known and reputed to be a common prostitute. (Ord. 16046 § 13; May 23, 1907).

12.11.150 Associating with common prostitutes. It shall be unlawful for any male person to habitually associate or openly co-habit with a common prostitute, knowing her to be such and consenting thereto. (Ord. 16046 § 14; May 23, 1907).

12.11.160 Procurers. It shall be unlawful for any person to procure persons of the opposite sex to meet for the purpose of prostitution, or for the purpose of unlawful sexual intercourse. (Ord. 16046 § 15; May 23, 1907).

12.11.170 Women in saloons. It shall be unlawful for any women to loiter in or about saloons or other public places where intoxicating liquors are sold, or otherwise disposed of, or to habitually drink with men in such places, or to solicit men to purchase and drink intoxicating liquors in such places. (Ord. 16046 § 16; May 23, 1907).

12.11.175 Women's dress. It shall be unlawful for any owner, manager or operator of a place open to the public wherein alcoholic beverages are sold, served or consumed, to knowingly permit or cause any female employee to appear therein with one or both breasts and/or the lower portion of the torso, wholly or substantially exposed to public view. (Ord. 16046 § 16-A added by Ord. 94554; February 21, 1966).

12.11.180 Stealing from or robbing drunks. It shall be unlawful for any person, who has the general reputation of being a drunk roller, or who makes a practice of stealing from or robbing drunken men, to habitually

and indiscriminately associate with drunken men. (Ord. 16046 § 17; May 23, 1907).

12.11.190 Prostitutes loitering or soliciting in public places. It is unlawful for any dissolute woman or other disreputable person, to be found strolling or loitering about any street, alley, wharf or other public place, or to solicit prostitution upon any of the public streets, alleys, wharves or other public places, or to solicit any person to visit or enter any house of ill-fame, or bawdy house or any house or place for the purpose of lewdness or prostitution. (Ord. 16046 § 18; May 23, 1907).

12.11.200 Keeping house of ill-fame. It is unlawful for any person to open, conduct, keep or maintain any bawdy house, house of ill-fame or any place for the practice of prostitution or lewdness, or to knowingly permit any building or place owned by him, or under his control, to be used for that purpose. (Ord. 16046 § 19; May 23, 1907).

12.11.210 Inmates of house of ill-fame. It is unlawful for any person to be an inmate of any bawdy house, house of ill-fame or any place for the practice of prostitution or lewdness, or to in any way contribute to the support thereof or be connected therewith. (Ord. 16046 § 20; May 23, 1907).

12.11.220 Indecent exposure. It is unlawful for any person to appear in a state of nudity, or in any indecent or lewd dress, or make any indecent exposure of his person, or to expose his private parts to public view, or be guilty of any lewd act or behavior in any place exposed to public view. (Ord. 16046 § 21; May 23, 1907).

12.11.240 Gambling, bunco or swindling games or devices—Fortunetelling. Except as authorized by or pursuant to Chapter 218, Laws of Washington, 1973 1st Ex. Sess., it is unlawful for anyone to engage in gambling, bunco or swindling games or to operate or possess any device for swindling or defrauding others, or to engage in the telling of fortunes or the reading of palms for compensation, gratuity or reward. (Ord. 16046 § 23 as amended by Ord. 93415 and Ord. 102458 § 1; August 22, 1973).

12.11.260 Gambling. Except as authorized by or pursuant to Chapter 218, Laws of Washington, 1973 1st Ex. Sess., it unlawful for any person or persons to deal, play at, wager anything of value upon, or in any manner take part in or carry on, or cause to be opened, or to conduct, set up, keep or exhibit any gaming table or game whatever for the purpose of gambling, or any game of chance for the purpose of winning or securing money by chance, played with cards, dice or any device of whatever kind or nature, for money, checks, credits or any representative of value whatever, or to have in his possession to be used for the purpose of gambling or winning money by chance, any gaming device whatever. (Ord. 16046 § 25 as amended by Ord. 102458 § 2; August 22, 1973).

12.11.270 Keeping gambling houses. Except as authorized by or pursuant to Chapter 218, Laws of Washington, 1973 1st Ex. Sess., it is unlawful for any person to keep or maintain any gambling house, or room or any place where betting is done for the purpose of winning money by chance, or to procure or permit any persons to come together in any house, premises or place occupied or owned by him or under his control, for the purpose of gaming or winning money or anything of value by chance, or for any person or persons to be present in any gambling house, room or place where gambling is carried on or which is maintained for gambling purposes, where such person has knowledge that gambling is being carried on or that such place is maintained for gambling purposes. (Ord. 16046 § 26 as amended by Ord. 33414, Ord. 97933 and Ord. 102458 § 3; August 22, 1973).

12.11.271 Bingo, raffle and amusement games—Tax levied. From and after the effective date of Chapter 218, Laws of Washington, 1973 1st Ex. Sess., and in accordance therewith, there is levied upon all persons, associations and organizations conducting or operating within the city any bingo games, raffles and amusement games as authorized by or under Section 3 of said Chapter 218, Laws of Washington, 1973 1st Ex. Sess., a tax in an amount equal to the gross revenue received therefrom multiplied by seven percent. (Ord. 102459 § 1; August 22, 1973).

12.11.272 Bingo, raffle and amusement games—Declaration of intent—When tax payable. Any person, association or organization intending to conduct or operate in the city of Seattle any such gambling activity as authorized by or under Section 3 of Chapter 218, Laws of Washington, 1973 1st Ex. Sess., shall, prior to the commencement of any such activity, file with the city comptroller a sworn declaration of intent to conduct or operate such activity together with a copy of the license therefor issued in accordance with said Chapter 218, Laws of Washington, 1973 1st Ex. Sess., and thereafter for any period covered by such license or any renewal thereof, shall on or before the fifteenth day of each month, file with the city comptroller a sworn return on a form to be provided and prescribed by the city comptroller, and containing such information as the city comptroller shall prescribe for the purpose of ascertaining the tax due for the preceding month.

The tax imposed by Section 12.11.271 shall be due and payable in monthly installments, and remittance therefor shall accompany each return and be made on or before the fifteenth day of the month next succeeding the month in which the tax accrued. (Ord. 102459 § 2; August 22, 1973).

12.11.273 Bingo, raffle and amusement games—Rules and regulations. The city comptroller shall have the power, and it shall be his duty, from

time to time, to adopt, publish and enforce rules and regulations not inconsistent with Sections 12.11.271 through 12.11.275 or with law for the purpose of carrying out the provisions hereof, and he shall have the further duty and authority to prescribe and issue appropriate forms for determination and declaration of the amount of tax to be paid. (Ord. 102459 § 3; August 22, 1973).

12.11.274 Bingo, raffle and amusement games—Books and records—Inspection. It shall be the duty of every person, association or organization liable for the payment of any tax imposed by Sections 12.11.271 through 12.11.275 to keep and preserve for the period of five years such books and records as will accurately reflect the amount of gross revenue received from the conduct of bingo games, raffles and amusement games, and from which can be determined the amount of tax for which such persons, association or organization may be liable under the provisions of Sections 12.11.271 through 12.11.275; and all such books and records, and also invoices, inventories and stocks of goods, wares and merchandise shall be open for inspection at all reasonable times by the city comptroller or his duly authorized agent. (Ord. 102459 § 4; August 22, 1973).

12.11.275 Bingo, raffle and amusement games—Falsification unlawful—Penalty for violations. It is unlawful for anyone to falsify or fail to furnish any declaration or return required by Sections 12.11.271 through 12.11.275, or to fail or refuse to pay the tax levied by Sections 12.11.271 through 12.11.275. Upon conviction of any violation of this section, the offender shall be subject to a fine of not to exceed five hundred dollars. (Ord. 102459 § 5; August 22, 1973).

12.11.280 Obscene literature. It is unlawful for any person to print, publish, sell, lend, give away, distribute or show, or have in his possession with intent to sell, give away, distribute, show or advertise, or to offer to lend, give away, sell or distribute, or to design, copy, draw, photograph, print, utter, publish or otherwise prepare, or to write or print, or cause to be written or printed, any notice of any kind giving information, or to give information stating when, where, or how, or of whom or by what means any person can purchase or obtain any obscene or indecent book, magazine, pamphlet, newspaper, story paper, printed paper, written paper, picture, engraving, drawing or photograph, or to sell, lend, give away or show, or have in his possession with intent to sell, give away, show, advertise or otherwise offer for loan, gift, sale or distribution, to any minor child, any book, pamphlet, magazine, newspaper or other printed paper devoted to the publication or principally made up of criminal news, police reports, or accounts of criminal deeds, or pictures or stories of deeds of bloodshed, lust or crime, or to exhibit in any place within the view or which may be within view of any minor child, or to hire, use or employ any minor child to sell

12.11.280 CRIMES AND PUNISHMENT

or give away, or in any manner to distribute, or having the care, custody or control of any minor child, permit such child to sell, give away or in any other manner to distribute any book, magazine, pamphlet, newspaper, story paper, writing paper,

picture, engraving, drawing, photograph or other article or thing coming within the description of articles and matters mentioned in this section, or any of them. (Ord. 16046 § 27; May 23, 1907).

12.11.290 Wandering or loitering during night time. (a) It is unlawful for anyone to loiter or prowl in a place, at a time, or in a manner, and under circumstances that manifest an unlawful purpose or warrant alarm for the safety of persons or property in the vicinity. Examples of circumstances which may be considered in determining whether such unlawful purpose is manifested or such alarm is warranted include but are not limited to the following: flight by the actor upon appearance of a peace officer, refusal to identify himself, or manifestly endeavoring to conceal himself or any object.

(b) No arrest shall be made under this section nor shall any person be convicted of violating this section unless such person is first afforded, if practicable under the circumstances, an opportunity to dispel any alarm or suspicion of unlawful purposes which would otherwise be warranted, by identifying himself and explaining his presence and conduct.

(c) No person shall be convicted of violating this section if it appears at trial that the explanation given by him of his presence and conduct was true and, if believed by the arresting officer at the time, would have dispelled the alarm or suspicion of unlawful purpose. (Ord. 16046 § 29, as amended by Ord. 75624 and Ord. 95876; June 14, 1967).

12.11.300 Unlawful assembly. It shall be unlawful for any persons to collect in crowds for unlawful purposes, or for any purpose to the annoyance or disturbance of citizens or travelers, and any person who shall be one of any such crowd or congregation, or refuses to separate therefrom when so requested by any police officer of the city of Seattle, or who shall wilfully attract the attention of persons and cause them to congregate for such purposes, shall be deemed guilty of a violation of this section. (Ord. 16046 § 30; May 23, 1907).

12.11.310 Loitering in doorways. It shall be unlawful for any person to stand or loiter in or about the doorway of any building in such a manner as to obstruct ingress or egress to or from such building. (Ord. 16046 § 31; May 23, 1907).

12.11.320 Cruelty to animals. It shall be unlawful for any person to wilfully and unreasonably strike, beat or wound any domestic animal, or compel or allow it to work, or drive it, or allow it to be driven when overloaded, or sick, or lame or crippled, or with yoke or harness that chafes or galls it, or with check rein or any part of its yoke or harness too tight for its comfort, or at night when it has been six consecutive hours without a full meal, or to otherwise cause any domestic animal pain or discomfort, or to, having the care and custody of any domestic animal, wilfully and

12.11.330—12.11.390 CRIME AND PUNISHMENT

unreasonably endanger its health or life by depriving it of, or neglecting to provide it with, food, water, air, light or space fairly sufficient for its needs and comfort; and every police officer of this city shall have authority, and it is hereby made his duty, summarily to relieve any animal which is suffering from violence or constraint contrary to any provision of this chapter, in all cases which can be readily and summarily relieved by him. (Ord. 16046 § 34; May 23, 1907).

12.11.330 Cruelly injuring or killing animal. It shall be unlawful for any person to wilfully and cruelly injure or kill any animal by any mode or means causing it unnecessary fright or pain. (Ord. 16046 § 35; May 23, 1907).

12.11.340 Causing animals or birds to fight. It shall be unlawful for any person to set on foot, instigate, promote or carry on, or act as assistant, umpire or principal, or to be a witness of, or to in any manner aid or engage in the furtherance of any fight between cocks or other birds, dogs, bears or other animals. (Ord. 16046 § 36; May 23, 1907).

12.11.350 Maintaining places for fighting animals or birds. It shall be unlawful for any person to keep, use, or be in any way connected with, or interested in the management of, or to receive money for the admission of any person to any house, apartment, tent, building, pit or place kept or used for baiting or fighting of any bird or animal, or being the owner or occupant of any house, apartment, tent, building, pit or place, to wilfully procure or permit the same to be used or occupied for such baiting or fighting. (Ord. 16046 § 37; May 23, 1907).

12.11.360 Laying out poison. It shall be unlawful for any person to lay out or expose any kind of poison, or to leave exposed any poisoned food or drink for man, animal or fowl, or any substance or fluid whatever whereon or wherein there is or shall be deposited or mingled, any kind of poison or poisonous or deadly substance or fluid whatsoever, on the premises of another, or in any unenclosed place, or to aid or abet any person in so doing. (Ord. 16046 § 38; May 23, 1907).

12.11.370 Injury or destruction of structures. It shall be unlawful for any person to wantonly destroy, cut, remove, deface, mark or write upon, or in any manner injure any window, fence, gate, bridge, dwelling house, engine house, building, hitching post, awning, railing or any other property, public or private, not his own. (Ord. 16046 § 39; May 23, 1907).

12.11.380 Injury or destruction of personal property. It shall be unlawful for any person to wilfully destroy, mutilate, deface or in any manner injure any personal property of any kind or character, public or private, not his own. (Ord. 16046 § 40; May 23, 1907).

12.11.390 Injury or removal of street signs, notices or advertisements.

It shall be unlawful for any person to remove, deface, injure or destroy any street sign, or any sign erected or placed in or adjacent to any street, indicating the name of such street, or any legal notice or lawful signature or advertisement whatever. (Ord. 16046 § 41; May 23, 1907).

12.11.400 Defacing or removing official bulletins and notices. It shall be unlawful for any person, not an officer or employee of the city of Seattle, to remove, or destroy, or tear down, or deface, either in whole or in part, or to mark or write upon, change, obliterate, or mar, or in any manner alter or change the writing, printing or signature, or any part of such writing, printing or signature, upon any bulletin, notice, poster or paper writing of said city, which shall be by any employee or officer of said city, placed or posted upon the walls or other parts of any public building or public place, or upon any bulletin board or other place of said city, or upon or in any building owned by said city or occupied by it or any of its officers as a public building, or upon any bulletin board on or in any such last mentioned building or buildings. (Ord. 16046 § 42; May 23, 1907).

12.11.410 Wearing hats in theaters. It shall be unlawful for any person to wear any hat, or bonnet or other head covering, within any licensed theater during the rendition of any programme upon the stage or platform of said theater, or to fail, neglect or refuse to remove any hat, bonnet or other head covering from the head during the time of the performance in said theater, or during the rendition of the programme upon the stage or platform thereof; provided, however, that the above inhibition shall not be construed to include skullcaps, lace coverings or other small or closely fitting head dress or covering which does not interfere with or obstruct the view of the stage or platform of such theater, or of the persons in the rear of such wearers while in such theater. (Ord. 16046 § 43; May 23, 1907).

12.11.420 Unlawful for theater manager to allow wearing of hats. It shall be unlawful for any person, owning or having the lease, management or control of any licensed theater, to permit any person during the time of performance in such theater, or during the rendition of any programme upon the stage or platform thereof, to wear any hat, bonnet or covering for the head contrary to the provisions of Section 12.11.410. (Ord. 16046 § 44; May 23, 1907).

12.11.440 Signing petitions for charter amendments. It shall be unlawful for any person to affix to any proposition of or petition for an amendment to the City Charter of the city of Seattle, any signature other than the signature in person of an elector duly registered on the registration list used in the general municipal election next preceding the presentation of such proposition or petition. (Ord. 16046 § 48; May 23, 1907).

12.11.450 False personation. It is unlawful to falsely personate a public officer, civil or military, or a policeman, or a private individual having special authority by law to perform an act affecting the right or inter-

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ests of another, or without authority to assume any uniform or badge by which such officer or person is lawfully distinguished, and in such assumed character to do any act purporting to be official, to the fear, annoyance or discomfort of any person. (Ord. 16046 § 49, as amended by Ord. 85372; August 1, 1956).

12.11.460 Resisting or hindering police. It shall be unlawful for any person to knowingly and wilfully resist, oppose, hinder or delay any member of the police force of the city of Seattle, or any peace officer or deputy in any department of city government, in the discharge of any official act or duty, or to neglect or refuse to obey any lawful order or direction of any such peace officer in the discharge of any lawful act or duty. (Ord. 16046 § 50; May 23, 1907).

12.11.470 Escape from jail. It is unlawful, with or without the use of force or fraud, to escape, or attempt to escape, from confinement or custody in the city jail or any penal, correctional or custodial institution, or from lawful custody of, or restraint by, an officer or other person, within the city of Seattle. (Ord. 16046 § 50-1, added by Ord. 84583; November 2, 1955).

12.11.480 Rescuing or aiding escape from custody. It shall be unlawful for any person to rescue, or attempt to rescue any person from the custody of any member of the police force of the city of Seattle, or from any other person legally having him in charge, or aid, or attempt to aid the escape of any person from any such custody, or from any city prison or to advise or encourage any such escape, or to supply any person, being in such custody or prison, with any weapon or with any implement or means of escape, or with intoxicating liquor, or with any opium, morphine or other narcotic. (Ord. 16046 § 51; May 23, 1907).

12.11.490 Aiding in enforcement of law. It shall be unlawful for any male person, over the age of eighteen years, when requested or called upon by any member of the police force, or by the mayor, to render aid in making an arrest, or to aid in enforcing the laws and ordinances in force in the city, or to aid in preserving the peace and safety of the city, or to aid in the execution of the official duty of any peace officer, to wilfully refuse or neglect to promptly give such aid. (Ord. 16046 § 52; May 23, 1907).

12.11.500 False fire alarms. It shall be unlawful for any person to knowingly cause or make any false alarm of fire; provided that this section shall not apply to the chief of the fire department when such alarm may be deemed proper for the purpose of discipline of firemen. (Ord. 16046 § 53; May 23, 1907).

12.11.510 Throwing things. It shall be unlawful for any person to rudely or mischievously throw anything at, against or upon any house,

building, structure, vehicle, car, or any premises or any person to the annoyance of any person. (Ord. 16046 § 54; May 23, 1907).

12.11.520 Tampering with utility pipes and fixtures. It is unlawful for any person to cut, alter, change, remove, disconnect, or connect with, or in any manner interfere, meddle or tamper with, any water main, pipe, stop-cock, hydrant, pump, meter or conduit, or any gas pipe, main or meter, or any electric wire, cable, conduit or meter, or to take or use any water, gas or electrical energy or current, without consent of the owner if the same be privately owned, and without consent of the board of public works if the same is owned by the city of Seattle. (Ord. 16046 § 55 as amended by Ord. 65433; June 5, 1935).

12.11.540 Flying kites in business district. It is unlawful for any person to raise or fly any kite in any part of the city devoted to business. (Ord. 16046 § 57; May 23, 1907).

12.11.550 Injuring trees. It is unlawful for any reason to tie or fasten any horse or other animal to any tree, or to any post or box placed near or about such tree for the protection thereof, or to post any bill or placard upon any such tree, or any such post or box near or about the same, or climb any such tree, or to cut down, mutilate, girdle, dig up, remove or in any manner whatever injure or destroy any tree upon any private premises, without permission of the owner. (Ord. 16046 § 58; May 23, 1907).

12.11.555 Injuring public trees or shrubs. (a) It is unlawful for anyone to remove, relocate, destroy, debark, cut, paint, prune, trim, damage or mutilate any tree or shrub planted in and upon the public streets, avenues, malls, squares, boulevards and other public places without first obtaining written permission therefor from the city engineer; provided that nothing herein contained shall apply to tree or shrub removal incidental to public improvements, or to street or tree maintenance work performed by or for the city or to the pruning or trimming of any tree or shrub by the owner thereof.

(b) Anyone convicted of a violation of this chapter shall be punished by a fine of not more than three hundred dollars or by imprisonment in the city jail for a term of not more than ninety days or by both such fine and imprisonment. (Ord. 95731 § 1 as amended by Ord. 99777 § 1; March 31, 1971).

12.11.560 Injuring flowers, foliage and shrubbery. It is unlawful for any person to pick, pull up or in any manner injure or destroy any flower, foliage, flowering plant, foliage plant or shrubbery in or upon any private property, not his own. (Ord. 16046 § 59; May 23, 1907).

12.11.570 Penalty for violations. Any person violating or failing to comply with any of the provisions of this chapter, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine in any sum not exceeding five hundred dollars or by imprisonment in the city jail not exceeding six months, or by both such fine and imprisonment. (Ord. 16046 § 61 as amended by Ord. 89022; February 24, 1960).

Chapter 12.12

DISPLAY OF FLAG AT PUBLIC ENTERTAINMENTS

Sections:

- 12.12.010 Use of flag to gain applause prohibited.
- 12.12.020 Unlawful for theater manager to allow use of flag to gain applause.
- 12.12.030 Penalty for violations.

12.12.010 Use of flag to gain applause prohibited. It is unlawful for any person, company or troupe of paid performers in any public entertainment in the city of Seattle to make use of the United States flag in any way that is palpably designed solely to gain applause; provided, however, that this requirement shall not prevent the proper, legitimate use of the flag in patriotic performances or gatherings, or in a military or camp setting in which the flag would be a proper part. (Ord. 37147 § 1; March 13, 1917).

12.12.020 Unlawful for theater manager to allow use of flag to gain applause. It is unlawful for any owner, proprietor or manager of any theater, motion picture house, hall, restaurant, cafe, or other place in the city of Seattle where the public gathers, to permit any person, company or troupe of paid performers in any public entertainment, to make use of the United States flag in any way that is palpably designed to gain applause; provided, however, that this requirement shall not prevent the proper legitimate use of the flag in patriotic performances or gatherings, or in a military or camp setting where the flag would be a proper part. (Ord. 37147 § 2; March 13, 1917).

12.12.030 Penalty for violations. Any person violating any of the provisions of this chapter is guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding three hundred dollars, or imprisoned in the city jail for a term not exceeding ninety days, or may both be fined and imprisoned. (Ord. 37147 § 3, as amended by Ord. 45820; October 3, 1923).

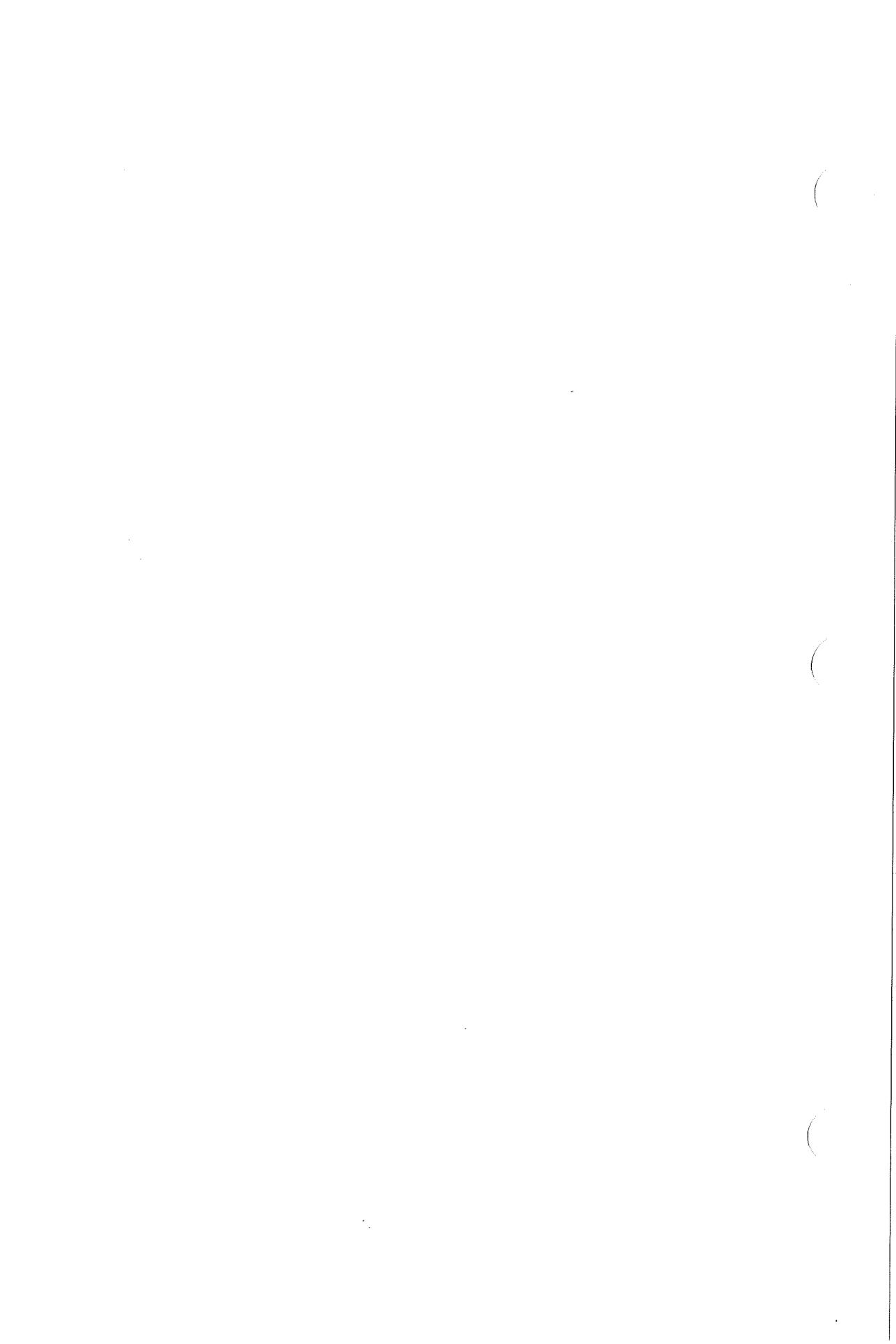
Chapter 12.13

STAR SPANGLED BANNER

Sections:

- 12.13.010 "Star Spangled Banner"—How played or sung.
- 12.13.020 Manager or proprietor allowing violations.
- 12.13.030 Distribution of copies of chapter.
- 12.13.040 Penalty for violations.

12.13.010 "Star Spangled Banner"—How played or sung. "The Star Spangled Banner" shall not be played, sung or rendered in the city of Seattle in any public place, or any public entertainment, or in any theater, motion picture house, hall, restaurant or cafe except as an entire and separate composition or number, without embellishments of national or other melodies, nor shall "The Star Spangled Banner," or any part thereof or selection therefrom, be played, sung or rendered as a part or selection of a melody of any kind, nor shall "The Star Spangled Banner" be played at or in any of the places mentioned for dancing or as an exit march, and



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whenever or wherever practicable the musicians, performers or other persons shall stand while playing, singing or rendering "The Star Spangled Banner". (Ord. 37120 § 1; March 6, 1917).

12.13.020 Manager or proprietor allowing violations. No owner, proprietor or manager of any theatre, motion picture house, hall, restaurant, cafe or other place in the City of Seattle where the public gathers, shall permit or allow any one playing, singing or performing therein to play, sing or render "The Star Spangled Banner" in violation of the provisions of the foregoing section, and in the event of any such permission or allowance, such owner, proprietor or manager upon conviction thereof shall be subject to the penalties herein provided. (Ord. 37120 § 2; March 6, 1917).

12.13.030 Distribution of copies of chapter. The City Comptroller is hereby authorized and directed to have copies of this chapter printed and distributed to all theatres, motion picture houses, halls, restaurants and cafes, and to the offices of all musical unions or branches thereof in the city at least ten (10) days before this chapter shall go into effect, the expense thereof to be paid from the funds of the City Clerk not otherwise appropriated. (Ord. 37120 § 3; March 6, 1917).

12.13.040 Penalty for violations. Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor, and on conviction, shall be fined in any sum not exceeding \$100.00, or imprisoned in the city jail for a term not exceeding 30 days, or may be both fined and imprisoned. (Ord. 37120 § 4; March 6, 1917).

Chapter 12.14

PICTURES OF DECEASED PRESIDENTS—USE IN ADVERTISING

Sections:

- 12.14.010 Exercise of police power.
- 12.14.020 Use of picture or effigy of deceased president in advertising medicines unlawful.
- 12.14.030 Penalty for violations.

12.14.010 Exercise of police power. This chapter shall be deemed an exercise of the police power of the State of Washington and the City of Seattle in the interests of the public peace, welfare and good order within its limits, and its provisions shall be liberally construed for the accomplishment of that purpose. (Ord. 45860 § 1; October 17, 1923).

12.14.020 Use of picture or effigy of deceased president in advertising medicines unlawful. It shall be unlawful to use, or permit to be used, the name, portrait, picture or effigy of any deceased president of the United

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States to advertise, or in any manner call attention to, any medicine, medical preparation, nostrum, or any method of medical or surgical treatment, or any place or clinic where the same is sold or may be had or procured. (Ord. 45860 § 2; October 17, 1923).

12.14.030 Penalty for violations. The violation of the provisions of this chapter shall be deemed to be and constitute a misdemeanor and shall subject the offender upon conviction thereof to a fine of not more than Three Hundred (\$300.00) Dollars, or imprisonment in the city jail for a period of not more than ninety (90) days, or to both such fine and imprisonment. (Ord. 45860 § 3; October 17, 1923).

Chapter 12.15

SOLICITING MAGAZINE SUBSCRIPTIONS

Sections:

12.15.010 Soliciting magazine subscriptions on public street or sidewalk.

12.15.020 Penalty for violations.

12.15.010 Soliciting magazine subscriptions on public street or sidewalk. It is unlawful to engage in the business of soliciting or taking subscriptions for any magazine or periodicals for future delivery, in or on any public street or sidewalk or in any area or doorway or entrance-way immediately abutting thereon. (Ord. 73178 § 1; March 21, 1944).

12.15.020 Penalty for violations. Violation of the provisions of this chapter shall be punishable by a fine of not more than Three Hundred Dollars (\$300.00), or by imprisonment in the city jail for not more than ninety (90) days, or by both such fine and imprisonment. (Ord. 73178 § 2; March 21, 1944).

Chapter 12.16

USED CARS—SALE AS NEW

Sections:

12.16.010 Unlawful to sell used car as new.

12.16.020 Penalty for violations.

12.16.010 Unlawful to sell used car as new. It shall be unlawful to sell, or attempt to sell, any automobile as new or unused which has been driven or towed a greater distance than five hundred miles; or, in selling or attempting to sell any such automobile, to offer, advertise, describe or represent the same as new or unused. (Ord. 66248 § 1; April 29, 1936).

12.16.020 Penalty for violations. Violation of this chapter shall constitute a misdemeanor and subject the offender to a fine in any sum not exceeding Three Hundred Dollars (\$300.00), or to imprisonment in the City Jail for not to exceed ninety (90) days, or to both such fine and imprisonment. (Ord. 66248 § 2; April 29, 1936).

Chapter 12.17

USED CARS—SUNDAY SALES

Sections:

- 12.17.010 Sunday sales prohibited—Exceptions.
- 12.17.020 “Motor Vehicle”—Defined.
- 12.17.030 Penalty for violations.

12.17.010 Sunday sales prohibited—Exceptions. It is unlawful for anyone as owner, proprietor, agent or employee to sell or trade, to exhibit for or offer to sell or trade, or to keep open or operate, or to assist in keeping open or operating, any place or premises, whether open or enclosed, or residence, for the purpose of selling, bartering or exchanging, or exhibiting or offering for sale, barter, trade or exchange, any new, used or second-hand “motor vehicle” on the first day of the week, commonly called Sunday: Provided, that this chapter, which is hereby declared to be necessary for the public welfare, shall not apply to the sale or exchange by a private citizen of his privately owned motor vehicle registered in his name; and, provided, further, that it shall be a sufficient defense to a prosecution under this chapter that the defendant uniformly keeps another day of the week as a day of rest or worship. (Ord. 86065 § 1; April 23, 1957).

12.17.020 “Motor vehicle”—Defined. The term “motor vehicle” as used in this chapter shall mean every vehicle which is self-propelled; and every vehicle which is not driven or propelled by its own power, but which is designed either to be attached to or become a part of a self-propelled vehicle; but not including farm tractors and other machines and tools used in the production, harvesting and care of farm products. (Ord. 86065 § 2; April 23, 1957).

12.17.030 Penalty for violations. Any violation of or failure to comply with any provision of this chapter shall be punished by a fine in any sum not exceeding Three Hundred Dollars (\$300.00), or by imprisonment in the City Jail for a term not exceeding ninety (90) days, or by both such fine and imprisonment; and each day that such violation or failure to comply continues shall constitute a separate offense. (Ord. 86065 § 3; April 23, 1957).

12.18.010—12.19.010 CRIME AND PUNISHMENT

Chapter 12.18 ANTI-FREEZE SALE

Sections:

- 12.18.010 Specifications for labeling and preparation.
- 12.18.020 Penalty for violations.

12.18.010 Specifications for labeling and preparation. It shall be unlawful to sell, offer or expose for sale, barter, give away, deal in or supply any compound, mixture or preparation for use as an anti-freeze agent for automobiles or automobile truck radiators which contains more than ten per cent (10%) of wood alcohol (otherwise known as menthanol or methyl alcohol), whether derived from the destructive distillation of wood, synthesis of gases, or other processes, irrespective of the name or trade mark under or by which the name may be known unless it be prepared and labeled in accordance with the specifications and regulations issued by the United States Public Health Service. (Ord. 60352 § 1, as amended by Ord. 61750; October 15, 1931).

12.18.020 Penalty for violations. The violation of, or failure to comply with, any of the provisions of this chapter shall be a misdemeanor and upon conviction thereof shall be punishable by a fine in any sum not exceeding three hundred dollars (\$300.00) or by imprisonment in the city jail for a period not exceeding ninety (90) days or by both such fine and imprisonment. (Ord. 60352 § 2; November 26, 1930).

Chapter 12.19 LUBRICATING OIL—LABELING

Sections:

- 12.19.010 Unlawful to sell lubricating oil without brand label.
- 12.19.020 False labels or signs unlawful.
- 12.19.030 Penalty for violations.
- 12.19.040 Each day as separate offense.

12.19.010 Unlawful to sell lubricating oil without brand label. It shall be unlawful for any person, firm or corporation to sell, offer for sale or deliver, or to cause or to permit to be sold, offered for sale or delivered in the City of Seattle any oil represented as lubricating oil for the cylinders of internal combustion engines unless there shall be firmly attached or painted at or near the point of outlet from which said oil represented as lubricating oil for the cylinders of internal combustion engines is drawn or poured out for sale or delivery, a sign or label consisting of the word or words in letters not less than one (1) inch in height, comprising the brand or trade name of said lubricating oil; provided that when said sign or label

is attached to the faucet or valve of a tank-truck or tank-wagon, the letters shall not be less than three-quarters inch in height, and provided that if the above required sign or label is on a container having a capacity of fifteen gallons or less, the letters shall be not less than one-half inch in height, and provided that if any of said lubricating oil shall have no brand or trade name, the above required sign or label shall consist of the words, in letters not less than three inches high, with the exception above provided "Lubricating oil, no brand." (Ord. 52455 § 1; February 9, 1927).

12.19.020 False labels or signs unlawful. It is unlawful for any person, firm or corporation to display any sign, label or other designating mark which describes any petroleum oil or petroleum product not actually sold or offered for sale or delivery at the location at which the sign or other designating mark is displayed, or to display any label upon any container, which label names or describes a petroleum product, not actually contained therein, but offered for sale or sold as such. (Ord. 52455 § 2; February 9, 1927).

12.19.030 Penalty for violations. Any person, firm or corporation violating any of the provisions of this chapter shall, upon conviction thereof, be punished by a fine of not more than three hundred dollars, or by imprisonment in the city jail for a period of not more than ninety days, or by both such fine and imprisonment. (Ord. 52455 § 3; February 9, 1927).

12.19.040 Each day as separate offense. Each such person, firm or corporation shall be deemed guilty of a separate offense for every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person, firm or corporation, and shall be punishable therefor as provided by this chapter. (Ord. 52455 § 3; February 9, 1927).

Chapter 12.20

OBSCENE MATERIALS

Sections:

- 12.20.010 Definitions.
- 12.20.020 Sale or loan of harmful objects to minor.
- 12.20.030 Sale or loan of printed matter to minor.
- 12.20.040 Selling exhibition tickets to minor.
- 12.20.050 Penalty for violation.

12.20.010 Definitions. Definitions shall be as used in this section:

- (a) "Minor" means any person under the age of eighteen years.
- (b) "Nudity" means the showing of the human male or female genitals, pubic area or buttocks with less than a full opaque covering, or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple, or the depiction of covered male genitals in a discernibly turgid state.

(c) "Sexual conduct" means acts of masturbation, homosexuality, sexual intercourse, or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks or, if such person be a female, breast.

(d) "Sexual excitement" means the condition of human male or female genitals when in a state of sexual stimulation or arousal.

(e) "Sado-masochistic abuse" means flagellation or torture by or upon a person clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed.

(f) "Harmful to minors" means that quality of any description or representation in whatever form of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse, when it:

(i) predominantly appeals to the prurient, shameful or morbid interest of minors, and

(ii) is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors, and

(iii) is utterly without redeeming social importance for minors.

(g) "Knowingly" means having general knowledge of, or reason to know, or a belief or ground for belief which warrants further inspection or inquiry of both

(i) the character and content of any material described herein which is reasonably susceptible of examination by the defendant, and

(ii) the age of the minor, provided, however, that an honest mistake shall constitute an excuse from liability hereunder if the defendant made a reasonable bona fide attempt to ascertain the true age of such minor. (Ord. 97201 § 1; November 7, 1968).

12.20.020 Sale or loan of harmful objects to minor. It is unlawful for any person, other than a parent or guardian of the minor involved, knowingly to sell or loan for a monetary consideration to a minor any picture, photograph, drawing, sculpture, motion picture, or similar visual representation or image of a person or portion of the human body which depicts nudity, sexual conduct or sado-masochistic abuse and which is harmful to minors. (Ord. 97201 § 2; November 7, 1968).

12.20.030 Sale or loan of printed matter to minor. It is unlawful for any person, other than a parent or guardian of the minor involved, knowingly to sell or loan for monetary consideration to a minor any book, pamphlet, magazine, printed matter however reproduced, or sound recording which contains any matter enumerated in Section 12.20.020 hereof, or explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct or sado-masochistic abuse and which, taken as a whole, is harmful to minors. (Ord. 97201 § 3; November 7, 1968).

12.20.040 Selling exhibition tickets to minor. It is unlawful for any person, other than a parent or guardian of the minor involved, knowingly

to exhibit for monetary consideration to a minor or knowingly to sell to a minor an admission ticket or pass or knowingly to admit for monetary consideration a minor, unaccompanied by a parent or guardian, to premises whereon there is exhibited, a motion picture, show or other presentation which, in whole or in part, depicts nudity, sexual conduct or sado-masochistic abuse and which is harmful to minors. (Ord. 97201 § 4; November 7, 1968).

12.20.050 Penalty for violation. Any person violating the provisions of this chapter shall, upon conviction thereof, be fined in a sum not exceeding five hundred dollars, or confined to the city jail for a term not exceeding one hundred eighty days, or both so fined and imprisoned. (Ord. 97201 § 5; November 7, 1968).

Chapter 12.22 ADVERTISING

Sections:

- 12.22.010 Exercise of police power.
- 12.22.020 Definitions.
- 12.22.030 False, deceptive or misleading advertising unlawful.
- 12.22.040 Statement of present and former price.
- 12.22.050 Use of word "value."
- 12.22.060 Opinion as to "value" no defense unless so stated.
- 12.22.070 Sale of secondhand goods or "seconds."
- 12.22.080 Use of words "values up to."
- 12.22.090 Advertising by dealers—Fact of dealership to be indicated.
- 12.22.100 Aiding or abetting.
- 12.22.110 Printers and publishers in good faith exempt.
- 12.22.120 Penalty for violations.
- 12.22.130 Severability.



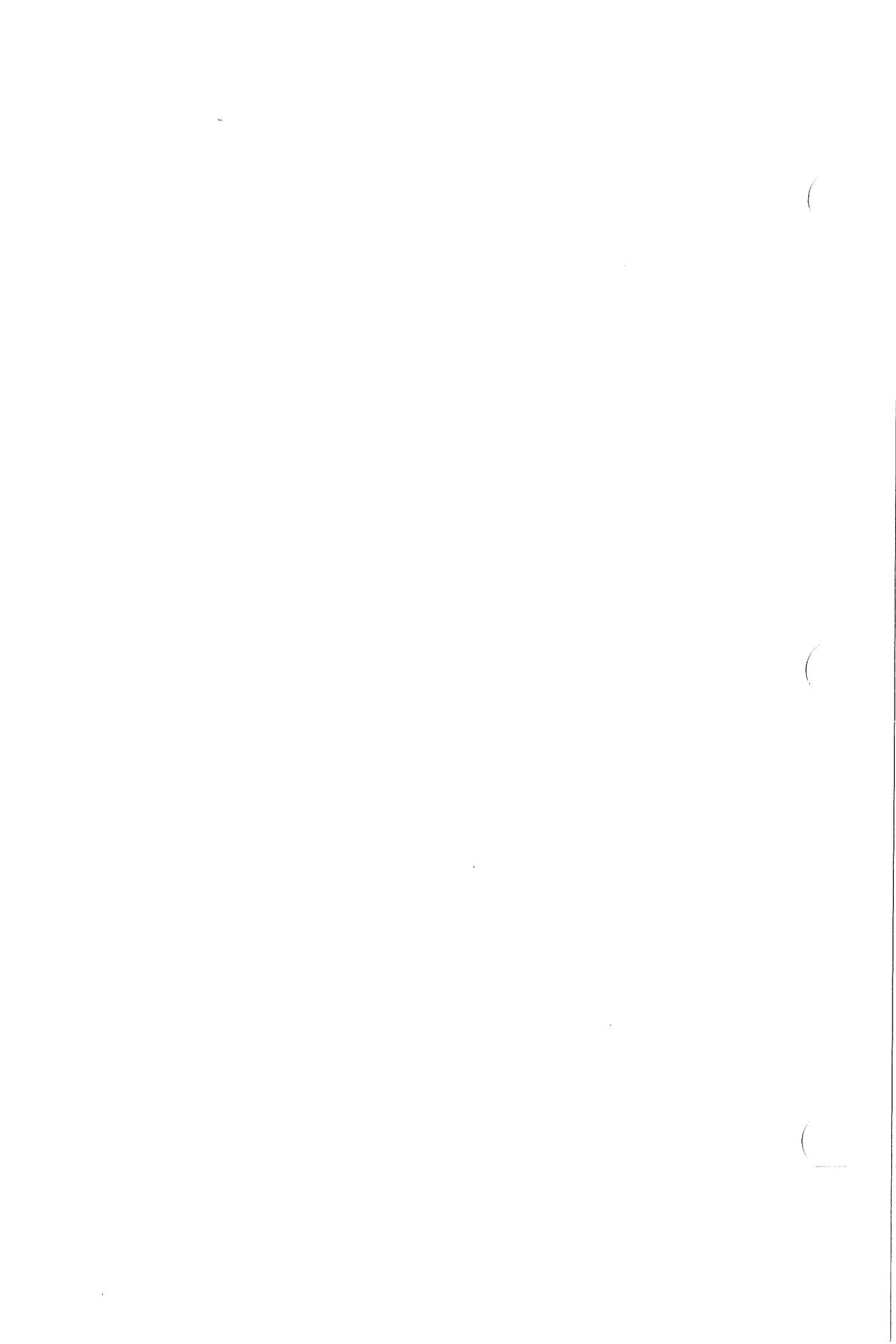
12.22.010 Exercise of police power. This entire chapter shall be deemed an exercise of the police power of the State of Washington and of the City of Seattle, for the protection of the public economic and social welfare, health, peace and morals, and all its provisions shall be liberally construed for the accomplishment of that purpose. (Ord. 43475 § 1; May 15, 1922).

12.22.020 Definitions. The term "person" as used in this chapter shall be held to mean and include natural persons of either sex, firms, co-partnerships and corporations, whether acting by themselves or by servant, agent or employee. The singular number shall include the plural and the masculine pronoun shall include the feminine. The term "advertise" as used in this chapter shall be held and construed to include the making, displaying, publishing, uttering, disseminating or circulating of any announcement to the public of an offer to sell anything whatever by means of oral announcement or by radio or otherwise, or in any newspaper, periodical, magazine, pamphlet, bulletin, circular, letter, or upon any placard, poster, sign, picture or handbill, or in or by means of, any other advertising medium whatsoever, whether like or unlike those hereinbefore enumerated. (Ord. 43475 § 2, as amended by Ord. 66400; June 15, 1936).

12.22.030 False, deceptive or misleading advertising unlawful. It shall be unlawful to advertise any goods, wares or merchandise, securities, service, real estate or any other thing offered by such person, directly or indirectly, to the public for sale or distribution by making or employing any assertion, representation or statement of fact which is untrue, deceptive or misleading. (Ord. 43475 § 3; May 15, 1922).

12.22.040 Statement of present and former price. It shall be unlawful to advertise for sale any goods, wares or merchandise, securities, service or real estate by announcing the present price of the same, or any of them, together with a statement of any former price thereof, unless such former price be the lowest at which the same were offered for sale to the public prior to their being offered at the present advertised price. (Ord. 43475 § 4; May 15, 1922).

12.22.050 Use of word "value." It shall be unlawful in advertising for sale any goods, wares or merchandise, or securities or real estate, to use in connection with the word "value," or any synonymous term, any word



or figure as thus used falsely or fraudulently conveying, or intended to convey, a meaning that the thing so advertised is intrinsically worth more than, or previously sold in Seattle for a price higher than, the price so presently advertised. (Ord. 43475 § 4 (a), added by Ord. 51632; September 7, 1926).

12.22.060 Opinion as to "value" no defense unless so stated. It shall be no defense to a prosecution under Section 12.22.050 that the advertisement upon which the prosecution is based represents the opinion of the accused as to value, unless it is clearly stated in such advertisement that the representation as to value therein contained is a matter of opinion and not a statement of fact.

The words "value" and "worth," as used in this and the foregoing Section 12.22.050 shall each respectively be held and construed to mean the prevailing market price at which a thing is regularly sold in Seattle. (Ord. 43475 § 4 (b), added by Ord. 51632; September 7, 1926).

12.22.070 Sale of secondhand goods or "seconds." It shall be unlawful for any person to advertise the sale of any merchandise which is secondhand or used merchandise, or which consists of articles or units or parts known as "seconds," or which has been rejected by the manufacturer thereof as not first class, unless there be conspicuously displayed directly in connection with the name and description of such merchandise and each specified article, unit or part thereof, a direct and unequivocal statement, phrase or word which will clearly indicate that such merchandise or each article, unit or part thereof so advertised is secondhand, used or consists of "seconds" or has been rejected by the manufacturer thereof as not first class, as the fact shall be. (Ord. 43475 § 4 (c); added by Ord. 68362; June 30, 1938).

12.22.080 Use of words "values up to." It shall be unlawful for any person in advertising any goods, wares or merchandise for sale at retail to the public, to use the term "values up to," a certain value stated in money, or to use any word or combination of words or figures of similar import, without complying with the following requirements:

(a) If the goods, wares or merchandise have prior to such advertising been offered for sale to the public at retail, the person so advertising the same shall specifically state as a part of his advertisement:

1. The lowest price at which each class of the goods, wares or merchandise was so formerly offered for sale; and,
2. In each class the name or description and number of articles being advertised for sale.

The word "class" as used in this subdivision (a) has reference to price, each class to consist of all articles of the same kind formerly offered for sale at the same price.

12.22.090—12.22.120 CRIME AND PUNISHMENT

(b) If any of the goods, wares or merchandise have not prior to such advertising been offered to the public for sale at retail, the person so advertising the same shall, as a part of his advertisement, state that such goods, wares or merchandise have never been previously offered for sale to the public at retail. (Ord. 43475 § 5, as amended by Ord. 66400; June 15, 1936).

12.22.090 Advertisement by dealers—Fact of dealership to be indicated. It shall be unlawful for any person engaged in the business of selling goods, wares or merchandise, securities, service or real estate to advertise the sale of the same unless it shall be stated in the advertisement of such sale, clearly and unequivocally, that said person advertising such sale of goods, wares or merchandise, securities, service or real estate is a dealer in the same; Provided, however, that the advertisement of the sale of any goods, wares or merchandise, securities, service or real estate, in such form as to make it plainly apparent therefrom that the person so advertising is actually engaged in the business of selling such goods, wares, or merchandise, securities, service or real estate as a business, shall be deemed a sufficient compliance with the terms of this ordinance. (Ord. 43475 § 6; May 15, 1922).

12.22.100 Aiding or abetting. Every person concerned in any act or omission in violation of this chapter, whether he directly performs or omits to perform any act in violation of this chapter or aids or abets the same, whether present or absent, and every person who directly or indirectly counsels, encourages, hires, commands, induces, or otherwise procures, another to commit such violation is, and shall be, a principal under the terms of this chapter, and shall be proceeded against and prosecuted as such. (Ord. 43475 § 8; May 15, 1922).

12.22.110 Printers and publishers in good faith exempt. None of the provisions of this chapter shall apply to any person engaged in commercial printing or to any person engaged in publishing any newspaper or periodical, or to any person engaged in the operation of a radio station, or to any agent of any such persons who prepare or publish any of the advertising herein mentioned for other persons in good faith and without knowledge of the falsity or deceptive character thereof. (Ord. 43475 § 9, as amended by Ord. 66400; June 15, 1936).

12.22.120 Penalty for violations. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding Three Hundred Dollars (\$300.00), or by imprisonment in the City Jail for a period not exceeding ninety (90) days, or by both such fine and imprisonment. (Ord. 43475 § 7, as amended by Ord. 66400; June 15, 1936).

12.22.130 Severability. If any section, subsection, subdivision, sentence, clause or phrase of this chapter is for any reason held to be unconstitutional or void, such decision shall not affect the validity of the remaining portions of this chapter. (Ord. 43475 § 11; May 15, 1922).

Chapter 12.24

DOGS TO BE LEASHED

Sections:

- 12.24.010 Dogs off premises to be on leash.
- 12.24.020 Penalty for violations.

12.24.010 Dogs off premises to be on leash. It is unlawful for the owner or custodian of any dog to cause, permit, or allow such dog to roam, run, stray, or to be away from the premises of such owner or custodian and to be on any public place, or on any public property, or the private property of another in the city of Seattle, unless such dog while away from such premises be controlled by a leash or chain not more than eight feet in length, such control to be exercised by such owner or custodian or other competent and authorized person; and any dog found roaming, running, straying or being away from such premises and not on leash as herein provided may be impounded subject to redemption in the manner provided by ordinance. (Ord. 86749 § 1; December 24, 1957—Ratified by vote of people March 11, 1958).

12.24.020 Penalty for violations. Anyone violating or failing to comply with the provisions of Section 12.24.010 of this chapter shall be punishable by a fine not exceeding fifty dollars, or by imprisonment in the city jail for a term not exceeding ten days, or by both such fine and imprisonment. (Ord. 86749 § 2; December 24, 1956—Ratified by vote of people March 11, 1958).

Chapter 12.25

BELLED ANIMALS

Sections:

- 12.25.010 Bells on animals prohibited.
- 12.25.020 Penalty for violations.

12.25.010 Bells on animals prohibited. It is unlawful for any person owning, controlling or in the possession of any cattle or horses to permit said cattle or horses to wear a bell or bells within the city of Seattle. (Ord. 5970 § 1; May 8, 1900).

12.25.020 Penalty for violations. Any person violating the provisions

hereof is guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding three hundred dollars or by imprisonment not exceeding ninety days, or by both such fine and imprisonment. (Ord. 5970 § 2, as amended by Ord. 45820; October 3, 1923).

Chapter 12.26

COLORING BABY ANIMALS

Sections:

- 12.26.010 Prohibited actions.
- 12.26.020 Penalties for violation.

12.26.010 Prohibited actions. It is unlawful for anyone to sell, to offer for sale, or give away, any fowl under three weeks of age or any rabbit under two months of age for use as a pet, or to color, dye, stain, or otherwise change the natural color of any such fowl or rabbit. (Ord. 93771 § 1; April 13, 1965).

12.26.020 Penalties for violation. Anyone violating this chapter shall upon conviction thereof be punishable by a fine not to exceed three hundred dollars, or by imprisonment in the city jail for a period not to exceed thirty days, or by both such fine and imprisonment. (Ord. 93771 § 2; April 13, 1965).

Chapter 12.27

ANIMALS AT LARGE

Sections:

- 12.27.040 Impoundment duties—Fees.
- 12.27.050 Animals at large—When prohibited.
- 12.27.060 Possession of another's animal—Notice to poundmaster.
- 12.27.070 Permit to keep dangerous animals.
- 12.27.080 Fees for redemption—Disposal of unclaimed animals.
- 12.27.090 Restraining vicious animals.
- 12.27.110 Damaging property.
- 12.27.120 Public beaches, playgrounds and school grounds—Running at large prohibited.
- 12.27.130 Confining animal at nighttime during war emergency.
- 12.27.150 Severability.
- 12.27.160 Penalty for violations.

12.27.040 Impoundment duties—Fees. The poundmaster shall impound in the city pound all animals subject to impounding. The poundmaster shall collect and dispose of all dead animals found in the city and if the owner is known a fee of two dollars may be collected therefrom for such

service. All sick or injured animals shall be impounded when not in the owner's possession and may be humanely destroyed at the discretion of the poundmaster. Any stray animals found may be detained at the city pound until the owner or other person proves his right to the same to the satisfaction of the poundmaster, subject to payment of penalty, fees and costs as herein provided. Any dog, cat or other animal requiring a license found running at large without a valid license tag attached is a public nuisance and shall be impounded. The owner or keeper of any impounded animal shall, if known, be notified of such impounding, and may redeem same within seventy-two hours upon payment of any required license fee and an impounding fee as follows:

First violation	\$10.00
Second violation during a twelve months period from the first impounding	20.00
Third violation during a twelve months period from the first impounding	30.00
Fourth and subsequent violations during a twelve months period from the first impounding	40.00

and beginning at one a.m. of the day after impounding a fee of two dollars per day or part thereof for care and feeding as may be accrued, provided such animal is not suffering from serious injury or disease.

Any animal impounded for want of a license tag, not redeemed as above provided shall be humanely destroyed, or in the discretion of the poundmaster, may be held for a longer period and any person, upon approval of the poundmaster may obtain such animal upon payment of license fee and other accrued charges as provided herein. The poundmaster shall keep a record of all animals handled under this section, with description, dates and charges imposed. (Ord. 81599 § 4 as amended by Ord. 85773, Ord. 97850 and Ord. 101079 § 1; June 12, 1972).

12.27.050 Animals at large—When prohibited. It is unlawful to permit any animal not subject to license, or any reptile or fowl to run at large, or to permit any female dog or cat to run at large while in heat whether or not license tag is attached. It is unlawful to hinder, delay or obstruct the impounding of any animal, reptile or fowl. (Ord. 81599 § 5; December 29, 1952).

12.27.060 Possession of another animal—notice to poundmaster. Any one having in his possession any animal, not owned by him, without the consent of the lawful owner or custodian, shall immediately notify the poundmaster and release said animal to him on demand without charge. (Ord. 81599 § 6; December 29, 1952).

12.27.070 Permit to keep dangerous animals. It is unlawful to keep any dangerous or potentially dangerous animal, reptile or fowl without

written permit from the poundmaster revocable at its will and no such permit shall be issued unless such animal is properly secured from escape. The fee for such permit shall be two dollars, collectible by the poundmaster, and shall expire on December 31st of the year issued unless sooner revoked. Nothing herein shall be construed to exonerate anyone from liability that may accrue from keeping any such animal, reptile or fowl whether under permit or not. The poundmaster or any police officer may seize, impound or destroy any such animal, reptile or fowl running at large and the poundmaster may detain the same until the owner or other person has substantiated his right of possession to the satisfaction of the poundmaster and makes claim, subject to payment of penalty, fees and costs herein provided for impounding. (Ord. 81599 § 7; December 29, 1952).

12.27.080 Fees for redemption—Disposal of unclaimed animals. The poundmaster shall be entitled to a fee of not to exceed one dollar and fifty cents for each day or part thereof any animal, reptile or fowl other than a dog or cat is detained and to an impounding fee of two dollars which shall include care and feeding for the day impounded. An additional fee of seven dollars and fifty cents shall be paid the poundmaster for transportation of larger animals requiring the use of special equipment for impounding.

Any impounded animal other than a dog or cat not claimed and released upon required payment shall at the expiration of three days be sold at public auction (except animals sold under Chapter 31, Session Laws 1951) upon ten days notice published in the city official newspaper setting forth the time and place of sale and describing the animal with reasonable certainty, and stating the name of owner, if known, and if unknown, so stating. A copy of such notice shall be served upon the owner if known to the poundmaster and can be found in the city, at least one day before sale. The poundmaster shall pay from the proceeds of sale all expenses herein provided, and the balance retained for six months from date of sale and if unclaimed at the expiration of such period shall revert to the poundmaster for operation of the city pound. No such money shall be paid any claimant except upon proof satisfactory to the poundmaster that he is entitled to the same. The poundmaster shall keep a record of all animals handled and make annual report to the city council of all moneys received. (Ord. 81599 § 8; December 29, 1952).

12.27.090 Restraining vicious animals. It shall be unlawful to permit any vicious dog or dangerous animal to go unrestrained. (Ord. 81599 § 9; December 29, 1952).

12.27.110 Damaging property. It shall be unlawful to suffer or permit any animal, reptile or fowl to trespass on private or public property so as to damage or destroy any property or thing of value and same is hereby declared to be a nuisance and any such animal, reptile or fowl may be im-

pounded by the poundmaster. Whenever it shall be affirmed in writing by three or more persons having separate residences, or regularly employed in the neighborhood, that any animal, reptile or fowl is a habitual nuisance by reason of trespassing, howling, barking or other noise, or damage to property, being vicious or by its actions potentially vicious or in any other manner causing undue annoyance, the poundmaster if he finds such nuisance to exist in fact shall serve notice upon the owner or custodian that such nuisance must be abated within forty-eight hours, after which the poundmaster shall decide whether such nuisance has been abated and if not, any such animal shall be impounded. Refusal to release to the poundmaster any such animal, reptile or fowl shall constitute a violation of this chapter. The owner or custodian of any animal, reptile or fowl impounded under the provisions of this section shall pay to the poundmaster a fee of five dollars in addition to all other charges payable under the provisions of this chapter, as amended. (Ord. 81599 § 11 as amended by Ord. 85773; December 26, 1956).

12.27.120 Public beaches, playgrounds and school grounds—Running at large prohibited. It is unlawful to permit any dog or other animal whether licensed or not, to run at large in any park, or to permit any dog or other animal, with or without a leash and whether licensed or not, to enter any public beach, pond, fountain or stream therein, or upon any public playground or school ground; or to tie or tether any animal on any street or public place or any unenclosed lot or premises in such manner as to permit such animal to enter any sidewalk, street, alley or other public place or upon any adjoining lot or premises. (Ord. 81599 § 12 as amended by Ord. 102483 § 1; August 23, 1973).

12.27.130 Confining animal at nighttime during war emergency. In time of war emergency, after sundown and until seven a.m. of each day, the owner or owners of any dog shall confine such animal within doors or on leash. Any dog not so confined is a public nuisance and may be impounded and thereafter disposed of as herein prescribed. (Ord. 81599 § 13; December 29, 1952).

12.27.150 Severability. Should any part of this chapter be adjudged invalid for any reason, such adjudication shall not affect the validity of this chapter as a whole or any other part thereof. (Ord. 81599 § 15; December 29, 1952).

12.27.160 Penalty for violations. The violation of or failure to comply with any of the provisions of this chapter shall be punishable by a fine not exceeding three hundred dollars or by imprisonment in the city jail for a term not exceeding ninety days, or by both such fine and imprisonment. (Ord. 81599 § 16; December 29, 1952).

Chapter 12.28
HUMANE SOCIETY

Sections:

- 12.28.010 Agreement with King County.
- 12.28.020 Finances.
- 12.28.030 Termination of services.

12.28.010 Agreement with King County. The King County Humane Society is hereby authorized to continue its services as agent of the chief of police and poundmaster for the city in the enforcement of Ordinance 81599, as amended by Ordinance 85773, and additional services in the enforcement of Ordinance 86749 for an additional term of five years, commencing January 1, 1967 and ending December 31, 1971, all of which services shall be rendered by the society, and the chief of police shall see to it that such services in behalf of the city are well and faithfully performed. (Ord. 95502 § 1; February 2, 1967).

12.28.020 Finances. For the faithful performance of the services contemplated by Section 12.28.010, the King County Humane Society shall be compensated by the city at the rate of two hundred four thousand dollars per year beginning as of January 1, 1976, payable in equal monthly installments on or before the twentieth day of each calendar month for such services rendered during the preceding calendar month, and such compensation shall be increased should additional areas be annexed to the city, such increase to be in proportion to the increase in city population, and the city comptroller is authorized to draw and the city treasurer to pay the necessary warrants on vouchers therefor approved in writing by the chief

of police. As a condition of such approval, the King County Humane Society shall report monthly to the chief of police in writing, including a complete analysis covering the preceding month's services performed by the society under the terms of this chapter. In addition to the compensation herein provided, the society shall collect and retain all impounding and other fees for the care and feed of impounded dogs, cats and other animals, and shall collect and retain fees for the collection and disposal of dead animals, and shall continue to collect and pay over to the city all dog and cat license fees, including fees for dangerous animal permits and penalties authorized by ordinance. Should the King County Humane Society during the years 1967 through 1971 inclusive increase compensation to its employees engaged in such work, the city shall increase its yearly payment in the amount of such increased compensation; provided, that to the extent any employee of the Humane Society receives compensation which in the judgment of the city council exceeds the compensation paid by the city to city employees for comparable work, no increase in such yearly payment by the city shall be made. (Ord. 95502 § 2; February 2, 1967).

12.28.030 Termination of services. The city may terminate such services of the King County Humane Society for failure to faithfully perform the same at any time during such five-year period upon thirty days notice of intention to so terminate and a hearing thereon, and the city shall not be liable for the payment of compensation thereafter or for damages, if any, suffered by reason of such termination. (Ord. 95502 § 3; February 2, 1967).

Chapter 12.29

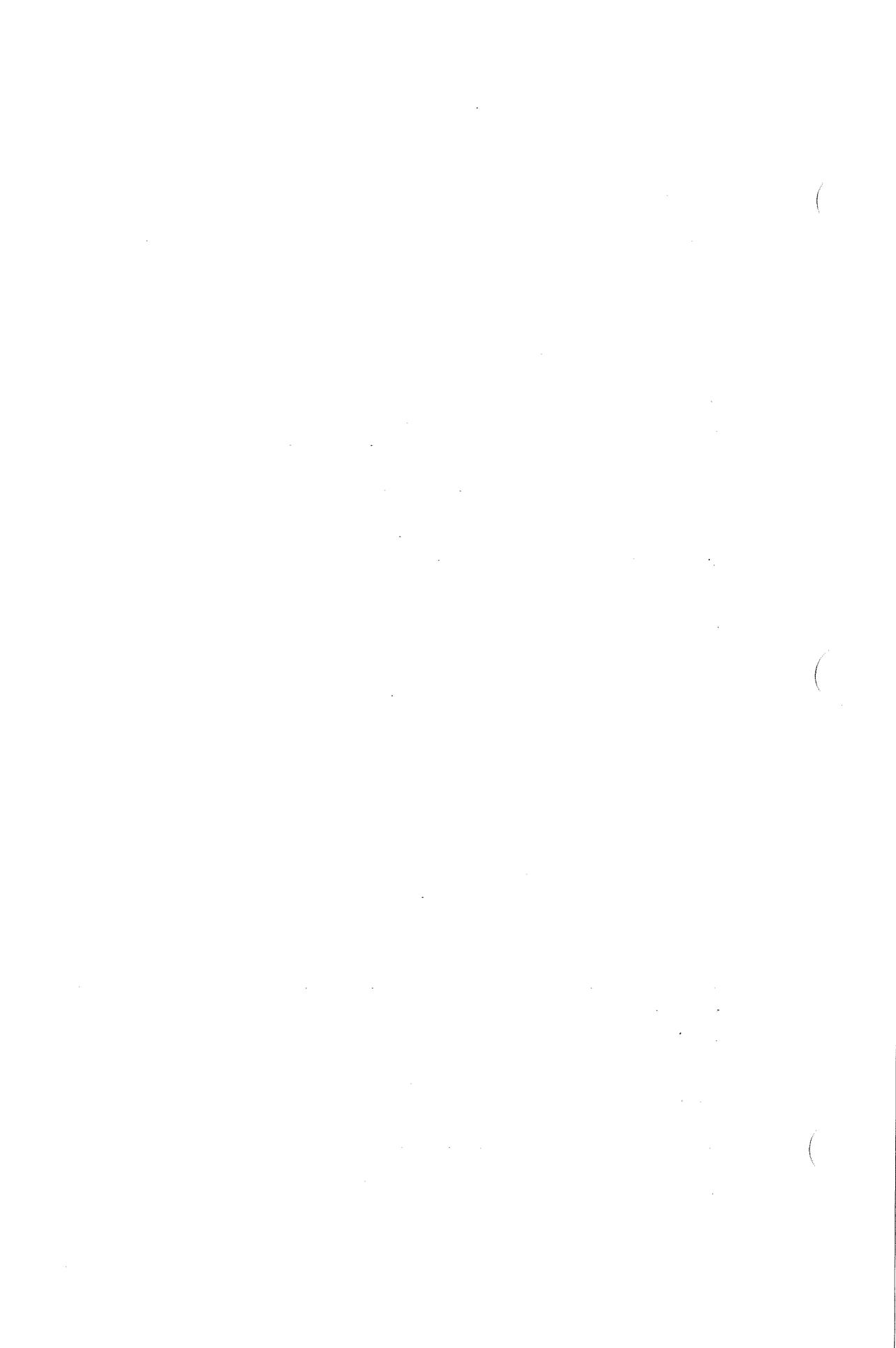
SMOKING IN POLLING PLACES

Sections:

- 12.29.010 Smoking in polling places prohibited.
- 12.29.020 Penalty for violations.

12.29.010 Smoking in polling places prohibited. It shall be unlawful for any person to smoke any cigar, cigarette or pipe, or use tobacco in any form by smoking, in any polling place in the city of Seattle at any election held within said city during the hours such polling place is open for the casting of ballots. (Ord. 25757 § 1; December 1, 1910).

12.29.020 Penalty for violations. Any person found guilty of a violation of the provisions of Section 12.29.010 hereof shall be deemed guilty of a misdemeanor and shall be fined in any sum not exceeding three hundred dollars, or imprisoned in the city jail for a term not exceeding ninety days, or may be both fined and imprisoned. (Ord. 25757 § 2, as amended by Ord. 45820; October 3, 1923).



Chapter 12.30

ANONYMOUS ELECTION ADVERTISEMENTS

Sections:

- 12.30.010 Identification of sponsor required on election advertisements.
- 12.30.020 Penalty for violations.

12.30.010 Identification of sponsor required on election advertisements.

It is unlawful within the city of Seattle to publish or distribute, or print or cause to be printed for such purpose, any multigraphed, photographed, typewritten, printed or written pamphlet, circular, card, dodger, or similar publication which includes any statement, advertisement or other matter relating to or concerning any candidate for public office in any city election; or concerning any issue, proposal or proposition submitted to the voters at any such election, unless such statement, advertisement or other matter includes identification of the author or authors, or source or sponsor of such matter by true name or names, and address or addresses; and when an association or committee is such author or source or sponsor of such matter in such publication, there shall also be included in such identification the true name and address of the head or principal officer thereof; provided that this chapter shall not be construed to apply to any newspaper or magazine regularly published for one year preceding such publication. (Ord. 83771 § 1; January 19, 1955).

12.30.020 Penalty for violations. Anyone violating or failing to comply with any of the provisions of this chapter shall, upon conviction thereof, be subject to a fine of not more than three hundred dollars or imprisonment in the city jail for not more than ninety days or both such fine and imprisonment, and each day's violation or failure to comply shall constitute a separate offense. (Ord. 83771 § 2; January 19, 1955).

Chapter 12.32

ANONYMOUS PUBLICATIONS

Sections:

- 12.32.010 Anonymous libelous publications prohibited.
- 12.32.020 Penalty for violations.

12.32.010 Anonymous libelous publications prohibited. It is unlawful to print or distribute or cause to be printed or distributed, by any means or in any manner whatsoever, any publication which tends to expose any individual or any racial or religious group to hatred, contempt, ridicule or obloquy unless the same has clearly printed or written thereon:

(a) The true name and post office address of the person, firm, partnership, corporation, or organization causing the same to be printed, published, or distributed; and

(b) If such name is that of a firm, corporation, or organization, the name and post office address of the individual acting in its behalf in causing such printing, publication, or distribution. (Ord. 73357 § 1; June 13, 1944).

12.32.020 Penalty for violations. Violation of or failure to comply with the provisions of this chapter will subject the offender to a fine of not to exceed three hundred dollars or to imprisonment in the city jail for not to exceed ninety days or to both such fine and imprisonment. (Ord. 73357 § 2; June 13, 1944).

Chapter 12.34 GAMBLING

Sections:

12.34.010 Betting on baseball games.

12.34.020 Betting on stocks.

12.34.030 Penalty for violations.

12.34.010 Betting on baseball games. It is unlawful for any person to receive, record or register bets, stakes, or wagers, or to sell pools, or to make a book or books upon any baseball game, or upon the result of any trial or contest of skill or ability of any baseball player, in the city of Seattle; or to keep, manage, conduct, maintain or occupy any house, room, shop, shed, tenement, tent, booth, building, float, or vessel, or any part thereof, or to keep, manage, conduct, maintain, or occupy any place or stand of any kind upon any public or private ground, street, park, garden, enclosure, or place for the purpose of receiving, recording, registering, forwarding or transmitting any bets, stakes, or wagers, or of selling pools, or of book making upon any such baseball game or result; or for any person who being the owner, lessee, or occupant of any house, room, shop, shed, tenement, booth, or building, float or vessel, or part thereof, or of any park, ground, garden, enclosure or place, knowingly permits the same to be used or occupied for any of the purposes herein prohibited, or who knowingly permits to be kept, exhibited or used therein any book, paper, board, device, apparatus or paraphernalia, for the purpose of registering such bets, stakes or wagers, or for the purpose of such pool selling or bookmaking; or for any person, whether as principal, employer, owner, agent, employee or assistant, or as officer, agent or employee of a corporation, to aid, assist, or abet in any manner any of the said acts or things which are hereby forbidden. (Ord. 31592 § 1 as amended by Ord. 102458 § 6; August 22, 1973).

12.34.020 Betting on stocks. It is unlawful for any person, firm, or corporation to maintain, conduct, carry on, control or be in any manner connected with any stock exchange, or place or establishment where bets or wagers on the rise or fall of prices of stocks, grains, oils or of any commodity, or on the result of horse races are made or registered; provided, however, that nothing herein contained shall be construed to prevent the bona fide purchase or sale of stocks or collaterals on commission. (Ord. 16208 § 1 as amended by Ord. 102458 § 5; August 22, 1973).

12.34.030 Penalty for violations. Any person violating the provisions of this chapter is guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not exceeding three hundred dollars or imprisoned for a term not exceeding ninety days, or be both so fined and imprisoned. (Ord. 16208 § 2, and Ord. 31592 § 2, as amended by Ord 45820; October 3, 1923).

Chapter 12.35

PUBLIC CARD ROOM

Sections:

- 12.35.010 Defined.
- 12.35.020 Conducting prohibited.
- 12.35.030 Violation—Penalty.

12.35.010 Defined. The term "public card room" as used in this chapter means any place where card games are played and the public is admitted. (Ord. 97955 § 1; July 18, 1969).

12.35.020 Conducting prohibited. It is unlawful for any person to conduct a public card room within the city of Seattle. (Ord. 97955 § 2 as amended by Ord. 102458 § 7; August 22, 1973).

12.35.030 Violation—Penalty. Any person violating the provisions of this chapter shall, upon conviction thereof, be fined in a sum not exceeding five hundred dollars, or confined to the city jail for a term not exceeding one hundred eighty days, or both so fined and imprisoned. (Ord. 97955 § 3; July 18, 1969).

Chapter 12.36

ABANDONED REFRIGERATORS

Sections:

- 12.36.010 Removal of doors and locks.
- 12.36.020 Penalty for violations.

12.36.010 Removal of doors and locks. It is unlawful to leave, or have, in any place accessible to children any abandoned, unused or discarded ice box, refrigerator or other like container unless all doors thereon may be readily opened from the inside thereof, and unless all locks or locking devices have been removed therefrom. (Ord. 82372 § 1; October 14, 1953).

12.36.020 Penalty for violations. Each day's violation of, or failure to comply with, the provisions of this chapter constitutes a continuing offense and shall subject the offender upon conviction thereof to a fine not exceeding three hundred dollars or by imprisonment in the city jail for a period not exceeding ninety days, or to both such fine and imprisonment. (Ord. 82372 § 2; October 14, 1953).

Chapter 12.38

DISTRIBUTING MEDICINE SAMPLES

Sections:

- 12.38.010 Unsolicited distribution of medicine samples prohibited.
- 12.38.020 Violation of chapter misdemeanor.
- 12.38.030 Definitions.
- 12.38.040 Penalty for violations.

12.38.010 Unsolicited distribution of medicine samples prohibited. It is unlawful to place or leave upon the property of any person, within the limits of the city of Seattle, unless such person has solicited it, any drug, medicine, chemical or any combination of such, recommended or said to cure or relieve any disease, illness, pain, injury or any bodily ailment whatever. (Ord. 29205 § 1; April 11, 1912).

12.38.020 Violation of chapter misdemeanor. Any person who places or leaves any such drug, medicine, chemical or combination of such upon the property of another within the limits of the city of Seattle without such person having solicited it or who leaves such drug, medicine, chemical or combination of same with any minor on such property within the city limits unless asked to do so by the parent or guardian of such minor, is guilty of a misdemeanor. (Ord. 29205 § 2; April 11, 1912).

12.38.030 Definitions. The word "person" whenever used in this chapter means and includes natural persons of either sex, associations, co-partnerships, whether acting by themselves or by a servant, agent or employee; the singular number shall be held and construed to include the plural and the masculine pronoun to include the feminine. (Ord. 29205 § 3; April 11, 1912).

12.38.040 Penalty for violations. Any person violating or failing to comply with any of the provisions of this chapter, is guilty of a misdemeanor.

or, and upon conviction thereof shall be punished by a fine in any sum not exceeding three hundred dollars, or by imprisonment in the city jail, not exceeding ninety days, or by both such fine and imprisonment. (Ord. 29205 § 4 as amended by Ord. 45820; October 3, 1923).

Chapter 12.39 GLUE SNIFFING

Sections:

12.39.010 Unlawful acts.

12.39.020 Penalty.

12.39.010 Unlawful acts. It is unlawful to intentionally smell or inhale the fumes from any glue, cement or other adhesive containing one or more of the following chemical compounds: acetone, an acetate, benzene, butyl alcohol, ethyl alcohol, athylene, dichloride, isopropyl alcohol, methyl alcohol, methyl ethyl ketone, pentachlorophenal, petroleum ether or toluene, for the purpose of becoming intoxicated, inebriated, excited or stupefied; provided, this section shall not be construed as applying to the inhalation of any anesthesia for medical or dental purposes. (Ord. 92832 § 1; April 14, 1964).



12.39.020 Penalty. Any one convicted of violating this chapter shall be punished by a fine in a sum not to exceed five hundred dollars or confinement in the city jail for a term not to exceed six months, or by both such fine and imprisonment. (Ord. 92832 § 2; April 14, 1964).

Chapter 12.40

JUVENILES

Sections:

- 12.40.010 Definitions.
- 12.40.020 Loitering during curfew hours.
- 12.40.030 Parents allowing curfew violations.
- 12.40.040 Accompanying child during curfew violation.
- 12.40.050 Permitting child to beg, peddle, or participate in entertainment activities.
- 12.40.060 Undressing.
- 12.40.070 Cruelty.
- 12.40.080 Contributing to dependency or delinquency.
- 12.40.090 Tobacco.
- 12.40.100 Firearms.
- 12.40.110 Possession of spring guns, airguns, or sling shots.
- 12.40.120 Liquor.
- 12.40.130 False identification to obtain liquor.
- 12.40.140 Supplying liquor to minors.
- 12.40.150 On premises of tavern.
- 12.40.160 On premises of liquor establishment.
- 12.40.170 Offenses prior to enactment.
- 12.40.180 Aiding and abetting.
- 12.40.190 Penalties for violations.
- 12.40.200 Lack of knowledge of minor's age.
- 12.40.210 Procuring child for violation.

12.40.010 Definitions. For the purpose of this chapter, certain terms and words are hereby defined. When not inconsistent with the context words used in the present tense include the future; the singular number includes the plural and the masculine gender includes the feminine gender.

"Public places" includes, but is not limited to, places of amusement, parks, playgrounds, dance halls, theaters, and similar premises open to the public.

"Parent or guardian" means the actual parent or legal guardian, or the person or institution that has the care, custody or control of a minor child by consent of the parent or legal guardian or by court action.

"Curfew hours" means ten p.m. to five a.m., according to the time prevailing in the city of Seattle, Washington, from period to period,

whether it be Pacific Standard Time, Pacific Daylight Savings Time or other denominated time.

"Dependent child" means any child under the age of eighteen years:

(1) Who has no home or any settled place of abode or any visible means of subsistence; or

(2) Who has no parent or guardian; or who has no parent or guardian or other responsible person willing to exercise, or capable of exercising, proper parental control; or

(3) Whose home by reason of neglect, cruelty or depravity of his parents or either of them, or on the part of his guardian, or for any other reason, is an unfit place for such child; or

(4) Who frequents the company of reputed criminals, vagrants or prostitutes; or

(5) Who is found living or being in any house of prostitution or assignation; or

(6) Who frequents any bar, cocktail lounge, tavern or other place where spiritous, vinous, or malt liquors are consumed or sold, bartered, or given away; or

(7) Who is incorrigible; that is, who is beyond the reasonable and proper control and power of his parents or guardian by reason of the dangerous conduct of said child; or

(8) Who is in danger of being brought up to lead an idle, dissolute or immoral life; or

(9) Who is an habitual truant, as defined in the school laws of the State of Washington; or

(10) Who uses intoxicating liquor as a beverage, or who uses any narcotic or dangerous drug as defined by ordinances of the city of Seattle without the direction of a competent physician; or

(11) Who wanders about in the nighttime without being on any lawful business or occupation; or

(12) Who is grossly and wilfully neglected as to medical care necessary for his well-being; or

(13) Who is a run-away from his home or is a fugitive from his parent or guardian or is without adequate care or supervision.

"Delinquent child" means any child under the age of eighteen years, whether a dependent child or not, who violates any law of this state, or any ordinance of any town, city or county of this state defining a crime or who has violated any federal law or law of another state defining a crime.

"Liquor" shall mean liquor as defined in the Washington State Liquor Act (RCW 66.04.010 (16)).

"Unoccupied premises or grounds" shall mean all areas and premises except those premises designed and occupied as dwellings or places of residence. (Ord. 95984 § 1; July 26, 1967).

12.40.020 Loitering during curfew hours. It is unlawful for any minor

child under the age of eighteen years to loiter, idle, wander or play on or in the streets, sidewalks, highways, alleys, parks or other public places or in an automobile or other conveyance or in or upon unoccupied premises or grounds during curfew hours: Provided, that a minor child shall not be deemed to be loitering, idling, wandering, or playing where such minor child is accompanied by his or her parent or guardian, or is travelling by direct route to or from work in the regular course of employment where such occupation and employment have been approved by authorities pursuant to state law and such child has in his possession evidence of such approval, or is travelling by direct route to or from activities duly sponsored by religious or educational organizations, or is sent by his parent or guardian on some lawful business or errand, in which case such child shall have with him the written consent of his parent or guardian. (Ord. 95984 § 2; July 26, 1967).

12.40.030 Parents allowing curfew violations. It is unlawful for anyone, including any parent or guardian of a child under the age of eighteen years, to permit or allow such child to violate the provisions of Section 12.40.020, or to issue any written consent as provided in that section except in cases of necessity. (Ord. 95984 § 3; July 26, 1967).

12.40.040 Accompanying child during curfew violation. It is unlawful for anyone not the parent or guardian of any child under the age of eighteen years, or anyone not having the express consent of such parent or guardian, to be with or accompany any such child who at the time is violating Section 12.40.020. For the purposes of this section, such "express consent" shall be a defense to any charge under this section. (Ord. 95984 § 4; July 26, 1967).

12.40.050 Permitting child to beg, peddle, or participate in entertainment activities. It is unlawful for anyone, including any parent or guardian of any child under the age of eighteen years, to encourage or knowingly permit such child to beg, peddle, sell or deliver any article or thing or participate in any entertainment activity in or upon any public street or place for charity, gain or otherwise unless the parent or guardian of such child shall first obtain such permit as may be required by the department of labor and industries; provided, that this section shall not apply to a child participating in entertainment activity sponsored by, or selling or delivering any article or thing on behalf of regularly organized schools or other regularly constituted religious, charitable, fraternal, governmental, or philanthropic organizations. (Ord. 95984 § 5; July 26, 1967).

12.40.060 Undressing. It is unlawful for anyone to cause any child under the age of eighteen years to remove any article of clothing which shall expose any portion of that child's body not customarily exposed, except with the consent of the parent or guardian of the child; provided, that this section shall not apply to anyone acting in a lawful capacity with

12.40.070—12.40.140 CRIME AND PUNISHMENT

any private or public school or medical service. (Ord. 95984 § 6; July 26, 1967).

12.40.070 Cruelty. It is unlawful for anyone to torture, maim, cruelly beat, whip, punish or deprive of necessary food and clothing, or shelter, or compel to labor for an unreasonable length of time, or to labor without proper rest or nourishment, or otherwise cruelly treat any child under the age of eighteen years. (Ord. 95984 § 7; July 26, 1967).

12.40.080 Contributing to dependency or delinquency. It is unlawful for anyone, by act or omission, knowingly to encourage, cause or contribute to the dependency or delinquency of any child under the age of eighteen years. (Ord. 95984 § 8; July 26, 1967).

12.40.090 Tobacco. It is unlawful for anyone to sell, give, furnish, or cause to be furnished, to any child under the age of eighteen years any cigarettes, cigars or tobacco in any form. (Ord. 95984 § 9; July 26, 1967).

12.40.100 Firearms. It is unlawful for anyone to sell, give, furnish or cause to be furnished, or permit to be sold, given, furnished or caused to be furnished to any child under the age of eighteen years, or for any such child to purchase, possess or use a revolver, pistol or similar firearm, or any ammunition for the same. (Ord. 95984 § 10; July 26, 1967).

12.40.110 Possession of spring guns, air guns, or sling shots. It is unlawful for anyone other than a child's parent or guardian, to sell, give, furnish, or cause to be furnished, or permit to be sold, given or furnished to any child under the age of eighteen years, or knowingly to permit such child to use or have in his possession any spring gun, air gun, or any ammunition for any such gun, or any sling or sling shot, without having first obtained the written consent or permission of the child's parent or guardian. Such written consent or permission shall be kept for a period of one year, and failure or refusal within that time to permit any peace officer upon demand to inspect the writing shall be prima facie evidence of violation of the provisions of this section. (Ord. 95984 § 11; July 26, 1967).

12.40.120 Liquor. It is unlawful for anyone to sell or attempt to sell any liquor to any child under the age of twenty-one years or for such child to purchase or attempt to purchase any liquor. (Ord. 95984 § 12; July 26, 1967).

12.40.130 False identification to obtain liquor. It is unlawful for anyone knowingly to transfer in any manner any identification of age to any child under the age of twenty-one years for the purpose of permitting such child to obtain liquor, or for such child to use such identification or make false representations as to his age for the purpose of obtaining any liquor or for any other purpose. (Ord. 95984 § 13; July 26, 1967).

12.40.140 Supplying liquor to minors. Except in the case of liquor given or permitted to be given to a child under the age of twenty-one

years by his parent or guardian or administered to him by his physician or dentist for medical purposes or used in connection with religious services, it is unlawful for any one to give or otherwise supply liquor to such child, or permit such child to consume liquor on his premises or on any premises under his control, or for such child to acquire or have in his possession or consume any liquor. (Ord. 95984 § 14; July 26, 1967).

12.40.150 On premises of tavern. It is unlawful for anyone to serve or knowingly allow any child under the age of twenty-one years to remain on the premises of any tavern as defined in the Washington State Liquor Act or for such child to enter or remain on the premises of any such tavern. (Ord. 95984 § 15; July 26, 1967).

12.40.160 On premises of liquor establishment. It is unlawful for any one to invite a child under the age of twenty-one years into a public place where liquor is sold and treat, give or purchase liquor for such child, or permit such child to treat, give or purchase liquor for him, or to represent that such child is twenty-one years of age or over to the owner of such liquor establishment. (Ord. 95984 § 16; July 26, 1967).

12.40.170 Offenses prior to enactment. Nothing contained in any provision of this chapter shall apply to an act done or omitted or to an offense committed at any time before the day when the ordinance codified in this chapter shall become effective. Such act or omission shall be governed by, and any such offense shall be punished according to, the provisions of the ordinances existing when such act, omission or offense occurred in the same manner as if the ordinance codified in this chapter had not been enacted. (Ord. 95984 § 17; July 26, 1967).

12.40.180 Aiding and abetting. It is unlawful for anyone to counsel, aid or abet the violation of or failure to comply with any of the provisions of this chapter. (Ord. 95984 § 18; July 26, 1967).

12.40.190 Penalties for violations. Anyone convicted of a violation of this chapter shall be punished by a fine in any sum not exceeding three hundred dollars or by imprisonment in the city jail for a period not exceeding ninety days, or by both such fine and imprisonment; and each such violation shall constitute a separate offense, punishable as such; provided, that any person under the age of eighteen years shall be dealt with according to the appropriate juvenile court statutes of the state of Washington and referred to the juvenile department of the King County superior court. (Ord. 95984 § 19; July 26, 1967).

12.40.200 Lack of knowledge of minor's age. It is no defense to a prosecution under any section of this chapter that the person accused of violat-

ing the same did not know that any child was under the ages specified in this chapter unless otherwise provided herein; nor in any prosecution under any section of this chapter shall a husband or wife or either of them be privileged from testifying one against the other in any action or proceeding for a violation committed by the husband or wife against any child of whom the husband or wife is the parent or guardian. (Ord. 95984 § 20; July 26, 1967).

12.40.210 Procuring child for violation. It is unlawful for anyone directly or indirectly to aid, abet, counsel, encourage, hire, command, induce or otherwise procure any child under the age of twenty-one years to violate any city ordinance, county, state or federal law. The fact that the child aided, abetted, counseled, encouraged, hired, commanded, induced or otherwise procured could not or did not entertain a criminal intent, shall not be a defense to any prosecution for a violation of this section. (Ord. 95984 § 21; July 26, 1967).

Chapter 12.41 CLIMBING ON ROCKS

Sections:

12.41.010 Wedgewood Rock.

12.41.010 Wedgewood Rock. (a) It is unlawful for anyone to climb or be upon that certain rock or boulder known as the "Wedgewood Rock" located within the public street area at the intersection of Northeast 72nd Street and 28th Avenue Northeast.

(b) Anyone convicted of a violation of this section shall be punishable by a fine of not more than one hundred dollars. (Ord. 99363 § 1; October 14, 1970).

Chapter 12.42 CONCEALED PISTOLS

Sections:

12.42.010 License application contents.
12.42.020 License issuance or denial.
12.42.030 Falsified application unlawful—Penalty.

12.42.010 License application contents. Any person applying to the chief of police of the city of Seattle pursuant to RCW 9.41.070 for a license to carry a pistol concealed on his person shall file with the chief of police, on a form to be provided by him, an application in writing which shall include the following information and material:

- (1) Name and address of the applicant;
- (2) The applicant's citizenship and age;
- (3) A statement whether the applicant;
 - (a) Has ever been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, or is at the time of such application under indictment for or charged by information, with, any such crime,
 - (b) Is a fugitive from justice,
 - (c) Is an unlawful user of or addicted to marihuana or any depressant or stimulant or narcotic drug,
 - (d) Has ever been adjudicated as a mental defective or committed to any mental institution,
 - (e) Has ever been adjudicated as a common or habitual drunk;
- (4) A photograph of the applicant, taken within sixty days immediately prior to the date of filing of the application, which shall be two inches by two inches showing the head and shoulders of the applicant in a clear and distinguishing manner;
- (5) The applicant's fingerprints;
- (6) A statement of the applicant's reasons for desiring such license including such factual information as the chief of police finds reasonably necessary to effectuate the purpose of, and determine compliance with, this chapter and RCW 9.41 (Ord. 98180 § 1; October 1, 1969).

12.42.020 License issuance or denial. Upon receipt of such application and after investigation of the information stated therein and such other investigation as the chief of police shall find reasonably necessary to effectuate the purpose of, and determine compliance with, this chapter and RCW 9.41 the chief of police shall within thirty days after the filing of such application issue a license to such person to carry a pistol concealed on his person for the purposes of protection or while engaged in business, sport or while traveling within this state for such period of time not more than one year as shall be requisite for the purpose for which such license is issued; provided, that the chief of police shall issue no license to any person who the chief of police reasonably believes is ineligible to own or possess a firearm under the laws of the state of Washington, or the United States. (Ord. 98180 § 2 as amended by Ord. 101448 § 1; October 12, 1972).

12.42.030 Falsified application unlawful—Penalty. It is unlawful for anyone to knowingly give false information in any application made to the chief of police under Section 12.42.010. Anyone convicted of a violation of this section shall be punishable by a fine of not more than five hundred dollars or by imprisonment for not more than one hundred eighty days, or both such fine and imprisonment. (Ord. 98180 § 2-A added by Ord. 101448 § 2; October 12, 1972).

Chapter 12.43
REVOLVER SALES

Sections:

- 12.43.010 Definitions.
- 12.43.020 Procedure for sale.
- 12.43.030 Delivery to purchaser.
- 12.43.040 Unlawful for certain persons to purchase.
- 12.43.050 Penalty for violation.

12.43.010 Definitions. The following words and phrases used herein shall be construed as follows: (a) "Pistol" means any firearm or other weapon for the purpose of discharging a projectile by means of compressed air, chemical combustion or otherwise and having a barrel less than twelve inches in length, but shall not include antique pistols or revolvers manufactured prior to 1898 and held as collector's items;

(b) "Crime of violence" means any of the following crimes or an attempt to commit any of the same: Murder, manslaughter, rape, mayhem, first degree assault, robbery, burglary and kidnapping;

(c) "Fugitive from justice" means a person who, having committed a crime, flees from the jurisdiction where it was committed to evade arrest;

(d) "Law enforcement officer" means any person who by virtue of his office or public employment is vested by law with a duty to maintain public order or to make arrests for offenses. (Ord. 96503 § 1; March 14, 1968).

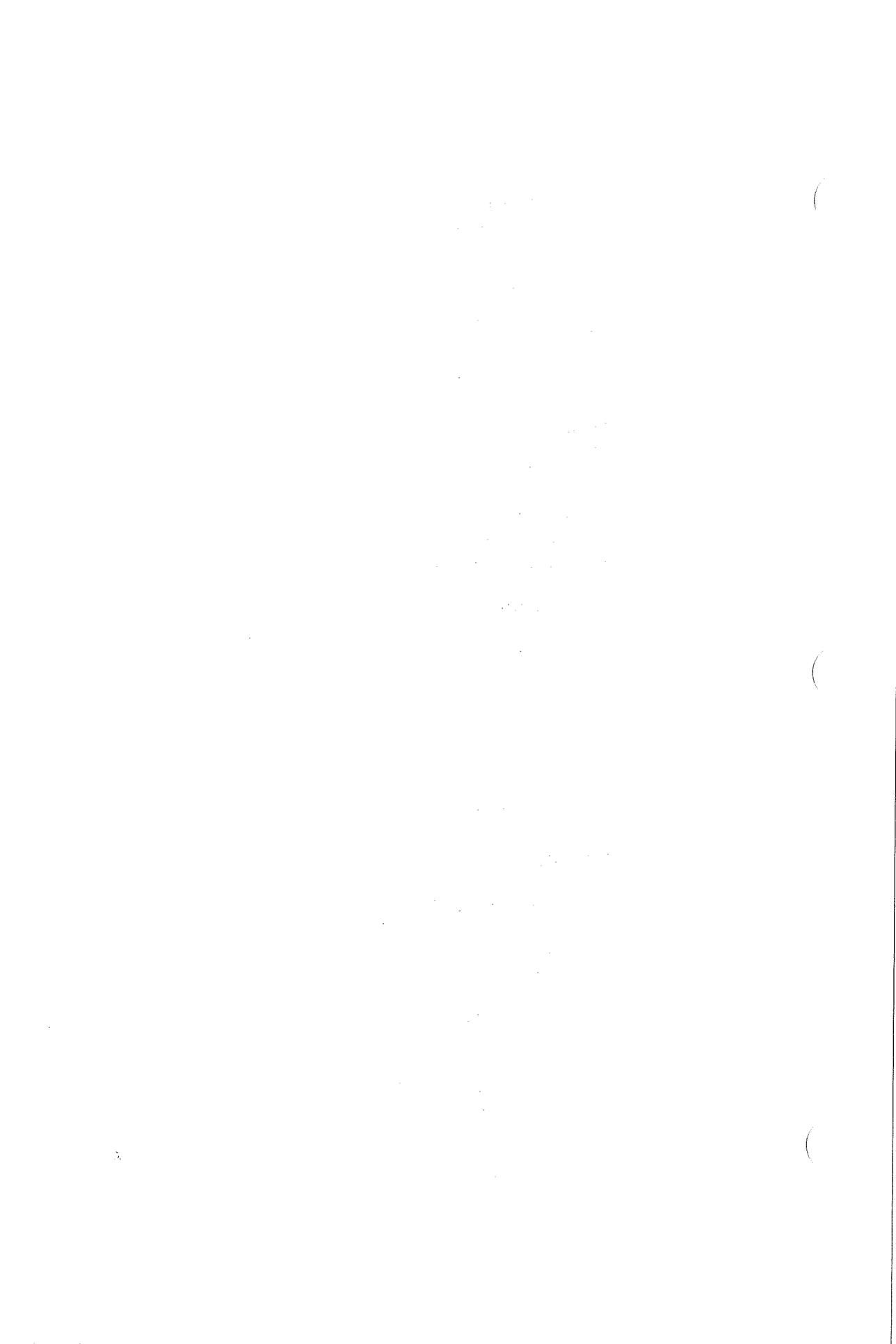
12.43.020 Procedure for sale. It is unlawful for any merchant or secondhand dealer, or any clerk, agent or employee of any merchant or secondhand dealer, to sell, give away or dispose of any pistol to any person at retail, unless such person is personally known to the seller or presents clear evidence of his identity, nor without completing a true record in tri-

plicate of every pistol sold or disposed of. Such record shall be personally signed by the purchaser and by the person effecting the sale, each in the presence of the other, and shall contain the date of sale, the caliber, make, model and manufacturer's number of the weapon, the name, address, occupation, and place of birth of the purchaser, and a statement signed by the purchaser that he is not a fugitive from justice and that he has never been convicted in this state or elsewhere of a crime of violence, or of drug addiction or of habitual drunkenness and has never been confined to a mental institution. One copy shall within six hours be sent by registered mail to the chief of police of the city of Seattle who shall, within seventy-two hours, exclusive of Sundays and holidays, investigate the information contained in the record and report his findings to the merchant or secondhand dealer. (Ord. 96503 § 2; March 14, 1968).

12.43.030 Delivery to purchaser. It is unlawful for any merchant or secondhand dealer or any clerk, agent or employee of any merchant or secondhand dealer to deliver any pistol to any purchaser until the merchant or secondhand dealer has received a report from the chief of police that the purchaser is not a fugitive from justice and that the purchaser has never been convicted in this state or elsewhere of a crime of violence, or of drug addiction or of habitual drunkenness and has never been confined to a mental institution; provided, that if such merchant or secondhand dealer does not receive such report from the chief of police within seventy-two hours, exclusive of Sundays and holidays, after he has mailed a copy of the record to the chief of police as required by Section 12.43.020, then such merchant or secondhand dealer may deliver the pistol to the purchaser; provided further, that this section shall not apply to sales at wholesale, or to sales to persons exhibiting a valid license to carry a pistol concealed issued pursuant to RCW 9.41.070, or to sales to law enforcement officers. (Ord. 96503 § 3; March 14, 1968).

12.43.040 Unlawful for certain persons to purchase. It is unlawful for any person who is a fugitive from justice or who has been convicted in this state or elsewhere of a crime of violence, or of drug addiction or of habitual drunkenness or has been confined to a mental institution to purchase a pistol in this city, and it is further unlawful for any such person to fail to disclose such information when applying for the purchase of a pistol. (Ord. 96503 § 4; March 14, 1968).

12.43.050 Penalty for violation. Any person violating or failing to comply with any of the provisions of this chapter shall upon conviction thereof be fined in a sum not to exceed five hundred dollars or imprisoned in the city jail for a term not exceeding one hundred eighty days, or both so fined and imprisoned. (Ord. 96503 § 5; March 14, 1968).



Chapter 12.44
DANGEROUS WEAPONS

Sections:

- 12.44.010 Definitions.
- 12.44.020 Unlawful use of weapons.
- 12.44.030 Exemptions.

12.44.010 Definitions. (a) "Pistol" means any firearm or other weapon for the purpose of discharging a projectile by means of compressed air, chemical combustion or otherwise and having a barrel less than twelve inches in length.

(b) "Dangerous knife" means any knife having a blade more than three and one-half inches in length, or any dagger, sword, bayonet, bolo knife, machete, straight-edge razor, or razor blade not in a package, dispenser, or shaving appliance.

(c) "Switchblade knife" means any knife having a blade that opens automatically by hand pressure applied to a button, spring mechanism, or other device, or a blade that opens, falls or is ejected into position by force of gravity or by an outward, downward, or centrifugal thrust or movement.

(d) "Gas pen," "gas pencil," "gas bomb" and "gas pistol" mean any pen, pencil, bomb, pistol or other device which is capable of containing and emitting tear gas or any noxious liquid, gas or substance.

(e) "Other dangerous weapon" means any instrument not elsewhere defined herein which is capable of producing bodily harm and which is carried or possessed with intent to use the same unlawfully against another.

(f) "Concealed" means concealed or hidden from full view.

(g) "Peace officer" means any person who by virtue of his office or public employment is vested by law with a duty to maintain public order or to make arrests for offenses. (Ord. 95759 § 1; May 4, 1967).

12.44.020 Unlawful use of weapons. (a) It is unlawful for anyone to:

(1) Sell, manufacture, purchase, possess or carry any blackjack, slungshot, sand club, metal knuckles, or switchblade knife;

(2) Carry concealed on his person or in any vehicle any dangerous knife, or other dangerous weapon or to sell or give away to any person under eighteen years of age any dangerous knife or other dangerous weapon, or for any such person to purchase or possess any such dangerous knife or other dangerous weapon; or

(3) Carry a loaded pistol in any vehicle or carry a pistol concealed on his person, except when in his place of abode or fixed place of business, without a license therefor as provided in RCW Chapter 9.41; or

(4) Set a spring gun; or

(5) Use any device or attachment of any kind designed, used or intended for use in silencing the noise of any firearm; or

12.44.030 CRIMES AND PUNISHMENT

(6) Sell, purchase, possess or carry any gas pen, gas pencil, gas bomb or gas pistol.

(b) Anyone convicted of a violation of this section shall be punishable by a fine of not more than five hundred dollars or by imprisonment for not more than one hundred eighty days, or both such fine and imprisonment. (Ord. 95759 § 2 as amended by Ord. 97477 § 1; February 19, 1969).

12.44.030 Exemptions. (a) The proscriptions of Section 12.44(a)(6) relating to gas pens, gas pencils, gas bombs, and gas pistols, shall not apply to:

(1) Sales at wholesale;

(2) Peace officers or military personnel while in the performance of their official duties;

(3) Sales to a governmental agency;

(4) The sale to mail carriers, field personnel of the King County department of assessments, or public or private utility meter readers, or the purchase, possession or carrying by such persons, of aerosol canister devices designed for the purpose of repelling attacks by dogs and other animals and containing and capable of emitting in spray form oleoresin of capicum or other similar substance;

(5) The sale, by a person licensed to sell pistols in accordance with RCW 9.41.110, of Federal's Streamer No. 280 liquid tear gas repeater or similar liquid tear gas aerosol canister devices approved by the chief of police as safe against accidental firing and capable of only temporary disablement or impairment, to truck drivers, taxicab drivers, transit drivers, or other commercial drivers who regularly as part of their occupation carry cash or merchandise, and who have successfully completed a Seattle police department class of instruction on the use of such tear gas devices, or the purchase, or possession or carrying during working hours, of such device by such persons after successful completion of such class of instruction. Applications for such instruction shall be made to the chief of police and shall be accompanied by a fee of five dollars.

(b) The proscriptions of Section 12.44.020(a)(2) relating to dangerous knives shall not apply to:

(1) Individual licensed hunters or fishermen while on a hunting, camping or fishing trip;

(2) Any person carrying such knife in a secure wrapper from or to the place of purchase or a place of repair to or from his home or place of business, or in moving from one place of abode or business to another, or while in his place of abode or fixed place of business.

(c) Section 12.44.020(a)(3) shall not apply to or affect:

(1) Peace officers, or military personnel while in the performance of their official duties;

(2) Regularly enrolled members of any club or organization organized for the purpose of practicing shooting at targets upon established tar-

get ranges, whether public or private, while such members are at, or are going to or from such target ranges;

(3) Regularly enrolled members of any club or organization organized for the purpose of collecting modern or antique firearms while such members are at, or are going to or from a gun collector's show or exhibit;

(54) Individual licensed hunters or fishermen while on a hunting, camping, or fishing trip;

(5) Any person engaged in the business of manufacturing, repairing, or dealing in firearms or the agent or representative of such person, having in his possession, using or carrying a pistol in the usual or ordinary course of such business;

(6) Any person carrying a pistol unloaded and in a secure wrapper from or to the place of purchase or a place of repair to or from his home or place of business, or in moving from one place of abode or business to another.

(d) A complaint based upon a violation of Section 12.44.020 need not negative any exemptions contained in this section. The defendant shall have the burden of proving such exemptions. (Ord. 95759 § 3 as amended by Ord. 97477, Ord. 99559 and Ord. 99663 § 1; February 11, 1971).

Chapter 12.49 PROSTITUTION

Sections:

- 12.49.010 Unlawful acts described.
- 12.49.020 Provisions cumulative.
- 12.49.030 Severability.
- 12.49.040 Penalty for violations.

12.49.010 Unlawful acts described. It is unlawful for anyone:

- (a) To commit or offer or agree to commit an act of prostitution; or
- (b) To secure or offer to secure another for the purpose of committing an act of prostitution; or
- (c) To knowingly transport a person into or within the city with purpose to promote that person's engaging in prostitution, or procuring or paying for transportation with that purpose; or
- (d) To knowingly receive, offer or agree to receive another into any place or building for the purpose of performing an act of prostitution, or to knowingly permit another to remain there for any such purpose; or
- (e) To direct another to any place for the purpose of committing an act of prostitution; or
- (f) To knowingly in any way aid, abet or participate in an act of prostitution; or
- (g) To loiter in or near any thoroughfare or place open to the public in a manner and under circumstances manifesting the purpose of inducing, enticing, soliciting or procuring another to commit an act of prostitution.

Among the circumstances which may be considered in determining whether such purpose is manifested: that such person is a known prostitute or panderer, repeatedly beckons to, stops or attempts to stop, or engages male passers-by in conversation, or repeatedly stops or attempts to stop motor vehicle operators by hailing, waving of arms or any other bodily gesture. No arrest shall be made for a violation of this subsection unless the arresting officer first affords such person an opportunity to explain such conduct, and no one shall be convicted of violating this subsection if it appears at trial that the explanation given was true and disclosed a lawful purpose.

For the purpose of this section, a "known prostitute or panderer" is a person who, within one year previous to the date of arrest for violation of this section, has within the knowledge of the arresting officer been convicted of violating any ordinance of the city of Seattle defining and punishing acts of soliciting, committing, or offering or agreeing to commit prostitution.

For the purpose of this chapter "prostitution" means engaging for hire in sexual activity, including homosexual or other deviate sexual relations. (Ord. 73095 § 1 as amended by Ord. 97316 § 1; December 19, 1968).

12.49.020 Provisions cumulative. The provisions of this chapter are intended as cumulative and selective, and shall not repeal any other ordinance involving the same subject matter. (Ord. 73095 § 2; February 7, 1944).

12.49.030 Severability. If any provision of this chapter is held invalid, such invalidity shall not affect any other provision, or the application thereof, which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to severable. (Ord. 73095 § 3; February 7, 1944).

12.49.040 Penalty for violations. The violation of or failure to comply with any provision of this chapter shall be punishable by imprisonment in the city jail for not to exceed one hundred eighty days, or by a fine not exceeding five hundred dollars, or by both such fine and imprisonment. (Ord. 73095 § 4 as amended by Ord. 97316 § 2; December 19, 1968).

Chapter 12.51

ARMED FORCES UNIFORM

Sections:

- 12.51.010 Unauthorized wearing of armed forces uniform unlawful.
- 12.51.020 Penalty for violations.

12.51.010 Unauthorized wearing of armed forces uniform unlawful. It is unlawful for any person not an officer or enlisted man of the United

States Army, Navy, Marine Corps, Coast Guard or a member of the United States Maritime Service or a civilian marine employee of the Water Division of the United States Army Transportation Corps, to wear the uniform or any distinctive part thereof, or a uniform any part of which is similar to a distinctive part of the duly prescribed uniform thereof; provided, that this provision shall not apply to any person authorized to wear such uniform by the laws of the United States, and in particular Section 125 of the National Defense Act, as amended, (10 U.S.C.A., Section 1393). (Ord. 70829 § 1 as amended by Ord. 74062; May 31, 1945).

12.51.020 Penalty for violations. Violation of any of the provisions of this chapter shall be punishable by a fine not exceeding three hundred dollars, or by imprisonment in the city jail not exceeding ninety days, or by both such fine and imprisonment. (Ord. 70829 § 2; May 1, 1941).

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Chapter 12.53
STINK BOMBS

Sections:

- 12.53.010 Unlawful to throw or deposit in public place or on premises of another.
- 12.53.020 Unlawful to possess, manufacture or sell.
- 12.53.030 Possession as prima facie evidence of violations.
- 12.53.040 Aiding or abetting—Prosecution as principal.
- 12.53.050 Penalty for violations.

12.53.010 Unlawful to throw or deposit in public place or on premises of another. It shall be unlawful to throw, discharge, pour, expose, place, or deposit, or to attempt to throw, discharge, pour, expose, place or deposit, in, or upon, any public place or the premises of another, any liquid, gaseous or solid substance or matter of any kind possession or capable of producing any dangerous, irritating, foul, nauseous, putrid or offensive fume or odor; or to be in possession of such substance of matter with intent to so throw, discharge, pour, expose, place or deposit the same. (Ord. 45127 § 1; May 15, 1923).

12.53.020 Unlawful to possess, manufacture or sell. It shall be unlawful to possess, manufacture, prepare, sell, offer or keep for sale, give away, or dispose of, any liquid, gaseous or solid substance of matter of any kind which possesses, or is capable of producing, any dangerous, irritating, foul, nauseous, putrid, or offensive fume or odor, and which is designed or intended, in violation of Section 12.53.010, to be thrown, discharged, poured, placed, exposed, or deposited in, or upon, any premises or any public place. (Ord. 45127 § 2; May 15, 1923).

12.53.030 Possession as prima facie evidence of violations. The possession of any substance or matter of any kind which possesses or is capable of producing any dangerous, irritating, foul, nauseous, putrid or offensive fume or odor, and which is not listed in the United States Pharmacopoeia or is not commonly used for agricultural, commercial or industrial purposes in the form in which it is held in possession, shall be deemed prima facie evidence that such substance or matter is designed or intended to be thrown, discharged, poured, placed, exposed or deposited in violation of this ordinance. (Ord. 45127 § 3; May 15, 1923).

12.53.040 Aiding or abetting—Prosecution as principal. Every person concerned in the commission of a misdemeanor in violation of this chapter, whether he directly commits the act constituting the offense, or aids or abets the same, and whether present or absent; and every person who directly or indirectly counsels, encourages, hires, commands, induces or

12.53.050—12.57.010 CRIME AND PUNISHMENT

otherwise procures another to commit such misdemeanor, is and shall be a principal under the terms of this chapter and shall be proceeded against and prosecuted as such. (Ord. 45127 § 4; May 15, 1923).

12.53.050 Penalty for violations. Any person violating any of the provisions of this chapter, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not to exceed Three Hundred Dollars (\$300.00), or by imprisonment in the City Jail for a term not to exceed ninety (90) days, or by both such fine and imprisonment. (Ord. 45127 § 5, as amended by Ord. 45820; October 3, 1923).

Chapter 12.55 HYPNOTISM

Sections:

- 12.55.010 Exhibition of hypnotized person unlawful.
- 12.55.020 Penalty for violations.

12.55.010 Exhibition of hypnotized person unlawful. It shall be unlawful for any person, firm or corporation by themselves, or by their agents or employes, or as the agent or employe of another person, firm or corporation, to exhibit or display in any display window of any store, or to elsewhere display to the public for exhibition or advertising purposes, any person, male or female, in a state of hypnotism. (Ord. 34507 § 1; March 24, 1915).

12.55.020 Penalty for violations. Any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and on conviction shall be fined in any sum not exceeding three hundred (300) dollars, or imprisoned in the city jail for a term not exceeding ninety (90) days, or may be both fined and imprisoned. (Ord. 34507 § 2, as amended by Ord. 45820; October 3, 1923).

Chapter 12.57

ACCIDENTS AND INJURIES—PHYSICIAN'S REPORT

Sections:

- 12.57.010 Physicians to report all cases of accidents and injuries to police.
- 12.57.020 Penalty for violations.

12.57.010 Physicians to report all cases of accidents and injuries to police. It shall be unlawful for any doctor, physician or surgeon or other person in the City of Seattle to refuse, neglect or fail to immediately report

to the police department of the city any case of accident or injury to any person or persons who may come to him or be delivered or sent to him for care or treatment. (Ord. 32986 § 1; April 22, 1914).

12.57.020 Penalty for violations. Any person violating or failing to comply with the provisions of this chapter shall be deemed guilty of a misdemeanor and on conviction shall be fined in any sum not exceeding three hundred dollars or imprisoned in the city jail for a term not exceeding ninety days, or may be both fined and imprisoned. (Ord. 32986 § 2, as amended by Ord. 45820; October 3, 1923).

Chapter 12.61 CRIMINAL SYNDICALISM

Sections:

- 12.61.010 Advocating or teaching violence as means of effecting economic, social or political change declared unlawful and a nuisance.
- 12.61.020 Advocating or acting with intent to interfere or obstruct certain industries and enterprises declared unlawful and a nuisance.
- 12.61.030 Buildings used for unlawful purposes declared nuisance.
- 12.61.040 Abatement of building used in violation of chapter.
- 12.61.050 Penalty for violations.

12.61.010 Advocating or teaching violence as means of effecting economic, social or political change declared unlawful and a nuisance. It shall be unlawful to organize, or help to organize, give aid to, be a member or officer or agent of, or to voluntarily assemble with, any organization or group of persons which advocates, advises, or teaches crime, sedition, violence, intimidation or injury, as a means or way of effecting or resisting any industrial, economic, social or political change; and any organization or group of persons formed for said purpose, or whose meetings, teachings, discourse, literature, membership, officers or agents, seek to justify or so bring about any of the foregoing, is hereby declared to be unlawful and a nuisance. (Ord. 39993 § 1; October 15, 1919).

12.61.020 Advocating or acting with intent to interfere or obstruct certain industries and enterprises declared unlawful and a nuisance. It shall be unlawful to organize, or help to organize, give aid to, be a member or officer or agent of, or to voluntarily assemble with, any organization or group of persons which teaches, advocates, or acts with the intent of bringing about, either directly or indirectly, the interference with or obstruction of, any agricultural, manufacturing, stock raising, lumbering, mining, quarrying, fishing, transportation, mercantile, or building enter-

12.61.030—12.61.040 CRIME AND PUNISHMENT

prise wherein persons are employed for wage, by the wilful injury to, or destruction of, any property whatsoever, or by the wilful derangement of any mechanism or appliance, or which threatens so to do; and any organization or group of persons formed for such purpose, or whose meetings, teachings, discourse, literature, membership, officers or agents seek or tend to justify or so bring about any of the foregoing, is hereby declared to be unlawful and a nuisance. (Ord. 39993 § 2; October 15, 1919).

12.61.030 Building used for unlawful purposes declared nuisance. It shall be unlawful for any person, firm, corporation, or agent, owning, leasing, renting or occupying any building, structure or premises, to permit the same to be used or occupied by any organization or group of persons declared to be unlawful by Sections 12.61.010 and 12.61.020 hereof; and all buildings, structures or premises so used in violation of this chapter are common nuisances and may be abated as such in the manner provided by this chapter. (Ord. 39993 § 4; October 15, 1919).

12.61.040 Abatement of building used in violation of chapter. Any building, structure or premises constituting a nuisance as defined in this chapter, may be abated in a civil action in the manner provided by law; or,

PHYSICAL ENDURANCE CONTESTS 12.61.050—12.63.010

upon final conviction for violation of this chapter of any person by reason of assembling with, or being a member, officer or agent of, any organization or group of persons owning, leasing, renting or occupying any such building, structure or premises, in violation of the provisions of this chapter, the court may forthwith, as a part of the same proceeding, direct the chief of police to abate the same as a nuisance. Such abatement shall be effected by closing and securely locking the place abated, and excluding all persons therefrom. It shall be unlawful for any owner, agent, lessee, tenant or occupant to enter, use or occupy any building, structure or premises abated as a nuisance under the provisions of this chapter, from and for a period of one (1) year after the date of the abatement, unless such owner, lessee, agent, tenant or occupant shall give bond with sufficient surety, to be approved by the court making the order, in the penal sum of one thousand (1,000) dollars, payable to The City of Seattle, conditioned that such building, structure or premises will not thereafter be used for the purposes declared to be unlawful by Sections 12.61.010 and 12.61.020 hereof, and that he will pay all fines, costs and damages assessed against him for any violation of this chapter; and in case of the violation of any of the conditions of such bond, the whole amount may be recovered as a penalty for the use of the city. (Ord. 39993 § 4; October 15, 1919).

12.61.050 Penalty for violations. Any person violating or failing to comply with any of the provisions of this chapter, shall be deemed guilty of a misdemeanor, and on conviction may be fined in any sum not exceeding three hundred (300) dollars, or imprisoned in the city jail for a term not exceeding ninety (90) days, or may be both fined and imprisoned. (Ord. 39993 § 5, as amended by Ord. 45820; October 3, 1923).

Chapter 12.63

PHYSICAL ENDURANCE CONTESTS

Sections:

- 12.63.010 Permit to hold physical endurance contests.
- 12.63.020 Application for permit.
- 12.63.030 Length of contests.
- 12.63.040 Six day bicycle races exempt.
- 12.63.050 Penalty for violations.

12.63.010 Permit to hold physical endurance contests. It shall be unlawful for any person, firm or corporation, by themselves, or by their agents or employees, or as the agent or employee of another person, firm or corporation, for profit, for entertainment purposes, for advertising or at all, to give, hold or conduct any physical endurance contest in which human beings participate, without first having obtained a permit so to do from the Chief of Police of the City of Seattle. (Ord. 55985 § 1; September 5, 1928).

12.63.020—12.65.020 CRIME AND PUNISHMENT

12.63.020 Application for permit. The Chief of Police upon receiving application for permit to hold a physical endurance contest in which human beings participate, shall make such investigation of the circumstances, of the probable participants, or of the person, firm or corporation, applying for such permit as he may deem fit and proper, and may in his discretion issue permit for such contest, or may refuse such permission. (Ord. 55985 § 2; September 5, 1928).

12.63.030 Length of contests. Any endurance contest given as provided herein shall terminate at or before midnight of the day on which it begins. (Ord. 55985 § 3; September 5, 1928).

12.63.040 Six day bicycle races exempt. Nothing in this chapter contained shall be construed as relating to or prohibiting the holding of six (6) day bicycle races. (Ord. 55985 § 3½, added by Ord. 61475; August 3, 1931).

12.63.050 Penalty for violations. Any person, firm or corporation, violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and on conviction shall be fined in any sum not exceeding three hundred (300) dollars, or imprisoned in the City Jail for a term not exceeding ninety (90) days, or may be both fined and imprisoned. (Ord. 55985 § 4; September 5, 1928).

Chapter 12.65 EXPECTORATION

Sections:

- 12.65.010 Where prohibited.
- 12.65.020 Enforcement of chapter.
- 12.65.030 Penalty for violations.

12.65.010 Where prohibited. It shall be unlawful for any person to expectorate upon the floor, or any other part, of any street railway car, or cars in use by steam railroads, or any other public conveyance in the City of Seattle, or upon the floor or other portions of any public building, or building used for public assemblage, or upon any play ground, parks, public places, or sidewalks; provided, that the prohibitions hereinabove contained shall not apply to those portions of the public streets of the city commonly and ordinarily used for team and vehicle traffic. (Ord. 24487 § 1; June 30, 1910).

12.65.020 Enforcement of chapter. It shall be the duty of the Chief of the Police Department and the Director of Health of the City of Seattle to enforce the provisions of this chapter. (Ord. 24487 § 2; June 30, 1910).

LOITERING IN PUBLIC OFFICES 12.65.030—12.67.030

12.65.030 Penalty for violations. Any person found guilty of a violation of this chapter shall be fined in any sum not exceeding the sum of three hundred (300) dollars, or imprisoned in the city jail for a term not exceeding ninety (90) days, or may be both fined and imprisoned. (Ord. 24487 § 3, as amended by Ord. 45820; October 3, 1923).

Chapter 12.67

LOITERING OR SOLICITING IN PUBLIC OFFICES

Sections:

- 12.67.010 Loitering in public offices prohibited.
- 12.67.020 Soliciting funds or orders in public offices—Permit.
- 12.67.030 Penalty for violations.

12.67.010 Loitering in public offices prohibited. It shall be unlawful for any person, not a public officer or public employee connected therewith, to loiter in or about or to remain in any public office of the City of Seattle longer than is reasonably necessary for the transaction of his specific business therein; or for any person, not a public officer or public employee charged with the performance of public duties therein, to intrude himself into or to remain in any portion of any such public office reserved to, or set apart for, the use of public officers and employees of such office in the performance of their public duties. (Ord. 44347 § 1; November 2, 1922).

12.67.020 Soliciting funds or orders in public offices—Permit. It shall be unlawful for any person to solicit funds for any purpose in any public office of the City of Seattle or to solicit orders in any such office for the sale of any goods, wares and merchandise or services, without having first obtained a written permit so to do from the officer in charge of such office. It shall be unlawful for any person to decline to exhibit such permit when requested so to do by any officer or employee of the City. (Ord. 44347 § 2; November 2, 1922).

12.67.030 Penalty for violations. Any person convicted of a violation of any of the provisions of this chapter shall be punished by a fine of not exceeding Three Hundred (\$300) Dollars or imprisonment in the city jail for a period not exceeding ninety (90) days or by both such fine and imprisonment. (Ord. 44347 § 3, as amended by Ord. 45820; October 3, 1923).

Chapter 12.69

COLLECTION OF MONEY OWING TO CITY

Sections:

- 12.69.010 Unauthorized collection of money owing to city prohibited.
- 12.69.020 Penalty for violations.

12.69.010—12.71.020 CRIME AND PUNISHMENT

12.69.010 Unauthorized collection of money owing to city prohibited. It shall be unlawful for any person to collect, or attempt to collect, any moneys owing The City of Seattle or any department of the city government of said city, or to represent that he has authority to make collections for and on behalf of The City of Seattle, unless such person has been authorized by the charter or ordinances of the City of Seattle to collect moneys due said city or any department thereof. (Ord. 25874 § 1; December 14, 1910).

12.69.020 Penalty for violations. Any person found guilty of a violation of the provisions of Section 12.69.010 hereof shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding the sum of three hundred (300) dollars, or imprisoned in the city jail for a term not exceeding ninety (90) days, or may be both fined and imprisoned. (Ord. 25874 § 2, as amended by Ord. 45820; October 3, 1923).

Chapter 12.71

AUTOMOBILE STORAGE—REPORTS TO POLICE

Sections:

- 12.71.010 Purpose of chapter.
- 12.71.020 Report to police of lease or rental of garage space.
- 12.71.030 Duty to furnish required information to lessor.
- 12.71.040 Penalty for violations.

12.71.010 Purpose of chapter. This chapter is enacted under the police power of this City for the purpose of preventing thefts of motor vehicles and for the further purpose of facilitating the recovery of motor vehicles which have been stolen or unlawfully secreted. (Ord. 42368 § 1; June 16, 1921).

12.71.020 Report to police of lease or rental of garage space. Every person leasing or renting to, or permitting the use by, another, of any garage, or other place used for the storage of motor vehicles, or any space in any such garage or place, shall immediately upon such leasing, renting or permitting the use of the same, give notice in writing to the Chief of Police of such leasing, rental or use, which said notice shall correctly set forth the name and address of the person to whom such space is leased or rented or by whom such space is used, the make, license number and motor number of each and every motor vehicle stored or kept in such space, and the date of such lease, rental or permit. Said notice shall be signed by the person leasing, renting or permitting the use of the premises, and, in case the control of the premises on which such garage or other place in which motor vehicles are stored is located, is vested in some other

person, such other person shall also sign the notice and join in the giving of the same. (Ord. 42368 § 7; June 16, 1921).

12.71.030 Duty to furnish required information to lessor. It is unlawful for any person procuring a lease on, or rental of, or permission to use, a garage or space in such garage, or other place in which a motor vehicle is to be stored, to refuse to furnish to the person from whom the same is procured, the information required by Section 12.71.020. (Ord. 42368 § 3; June 16, 1921).

12.71.040 Penalty for violations. Any person failing to comply with, or violating any of the terms of this chapter, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not exceeding three hundred dollars, or by imprisonment in the city jail not exceeding ninety days, or by both such fine and imprisonment. (Ord. 42368 § 4, as amended by Ord. 45820; Oct. 3, 1923).

Chapter 12.72

ABANDONED, WRECKED, DISMANTLED AND INOPERATIVE VEHICLES*

Sections:

- 12.72.010 Definitions.
- 12.72.020 Deemed nuisances—Exceptions.
- 12.72.030 Enforcement.
- 12.72.040 Notice—Abatement and removal.
- 12.72.050 Appearance or statement of property owner.
- 12.72.060 Removal and disposition of vehicle.
- 12.72.070 Costs of abatement and removal.

12.72.010 Definitions. For the purposes of this chapter, "abandoned vehicle" means any vehicle left upon the private property of another without the consent of the owner of such property for a period of twenty-four hours or longer, except that a vehicle shall not be considered abandoned if its owner or operator is unable to remove it from the place where it is located and so notifies law enforcement officials and requests assistance. "Wrecked, dismantled, or inoperative vehicle or automobile hulk" means the remnant or remains of a motor vehicle which is inoperative and cannot be made mechanically operative without the addition of vital parts or mechanisms and the application of a substantial amount of labor to effect repairs. (Ord. 98223 § 1; Oct. 8, 1969).

12.72.020 Deemed nuisances—Exceptions. Abandoned, wrecked, dis-

* This chapter is enacted pursuant to the authority granted by Section 12, Chapter 42, Laws of 1969 of the State of Washington, Extraordinary Session.

mantled, or inoperative vehicles or automobile hulks or parts thereof on private property are declared to be public nuisances which shall be abated and removed as provided in this chapter; provided, that this chapter shall not apply to (a) any vehicle or hulk or part thereof which is completely enclosed within a building in a lawful manner and not visible from the street or other public or private property, or (b) any vehicle or hulk or part thereof stored or parked in a lawful manner in connection with the business of a licensed dismantler or licensed vehicle dealer, on private property fenced in accordance with the provisions of RCW 46.80.130, or (c) any vehicle or hulk or part thereof stored or parked on private property in connection with the business of an auto wrecking yard or junk yard fenced in accordance with provisions of Title 26. (Ord. 98223 § 2; Oct. 8, 1969).

12.72.030 Enforcement. The city engineer shall enforce this chapter and shall be responsible for the abatement and removal of any vehicle or hulk or part thereof declared in Section 12.72.020 to be a public nuisance. (Ord. 98223 § 3; Oct. 8, 1969).

12.72.040 Notice—Abatement and removal. Before abatement and removal of any such vehicle or hulk or part thereof from private property, the city engineer shall give notice that a public hearing may be requested before the city council and that if no such hearing is requested within ten days of the date of such notice, the vehicle or hulk or part thereof described in said notice will be abated and removed by the city and the costs of such abatement and removal collected from the registered owner of such vehicle or hulk or part thereof or from the owner of the property upon which such vehicle or hulk or part thereof is located.

Upon receipt of any such request for public hearing, the city council may by resolution set a date for public hearing on the question of abatement and removal of the vehicle or hulk or part thereof as a public nuisance and shall cause to be given notice of the time, location and date of such hearing.

The notices provided for in this section shall be mailed by certified or registered mail, with a five-day return requested, to the owner of the property on which said vehicle or hulk or part thereof is located, as shown on the last equalized assessment roll and, if identification numbers are available to determine ownership, to the last registered and legal owner of record of such vehicle or hulk or part thereof. (Ord. 98223 § 4; Oct. 8, 1969).

12.72.050 Appearance or statement of property owner. The owner of the property upon which any such vehicle or hulk or part thereof is located may appear at such hearing in person or may timely present a written statement for consideration at such hearing, and may deny responsibility for the presence of such vehicle or hulk or part thereof on such property,

giving reasons for such denial. If it is determined at such hearing that said vehicle or hulk or part thereof was placed on such property without the consent of the property owner, and that he has not subsequently acquiesced in its presence, then the city shall not attempt to collect the cost of abatement and removal or any part thereof from said property owner. (Ord. 98223 § 5; Oct. 8, 1969).

12.72.060 Removal and disposition of vehicle. After notice has been given of the city's intent to abate and remove any such nuisance, and after public hearing if such is requested, all as provided in Section 12.72.040, the city engineer shall cause such vehicle or hulk or part thereof to be removed and disposed of to a licensed auto wrecker and shall give notice to the Washington State Patrol and the Washington State Department of Motor Vehicles that such vehicle or hulk or part thereof has been wrecked, and the proceeds of any such disposition shall be used to defray the costs of abatement and removal of any such vehicle, hulk or part thereof, including costs of administration. (Ord. 98223 § 6; Oct. 8, 1969).

12.72.070 Costs of abatement and removal. The costs of abatement and removal of any such vehicle, hulk or part thereof, including costs of administration, shall be collected from the last registered owner thereof if the identity of such owner can be determined and unless such owner in the transfer of ownership thereof has complied with RCW 46.12.101; or, except as provided in Section 12.72.050 hereof, said costs shall be collected from the owner of the property on which such vehicle, hulk or part thereof is located. (Ord. 98223 § 7; Oct. 8, 1969).

Chapter 12.73

LIBRARY PROPERTY

Sections:

- 12.73.010 Unlawful to injure or destroy library property.
- 12.73.020 Unlawful to keep books after notice to return.
- 12.73.030 Obtaining library property by fraud or false representation.
- 12.73.040 Penalty for violations.

12.73.010 Unlawful to injure or destroy library property. It is unlawful to intentionally injure, deface, cut, mark, or destroy any property belonging in or to, or on deposit with, the Seattle public library, or any branch, reading room, deposit station, museum or institution operated in connection therewith. (Ord. 37311 § 1; April 25, 1917).

12.73.020 Unlawful to keep books after notice to return. It is unlawful to retain any book, newspaper, magazine, pamphlet, manuscript or other property belonging in or to, or on deposit with, the Seattle public library, or any branch, reading room, deposit station, museum or institu-

tion operated in connection therewith, for a period exceeding thirty days after the mailing by certified mail to the borrower's address on file with said library of a notice in writing to return the same, given after the expiration of the time which, by the rules of such institution, such article or other property may be kept; which notice so mailed shall bear on its face a copy of this section. (Ord. 37311 § 2, as amended by Ord. 90120; April 3, 1961).

12.73.030 Obtaining library property by fraud or false representation. It is unlawful, without the permission of the librarian or an assistant, or by making use of a borrower's card belonging to another without the permission of the owner thereof and the librarian or an assistant, or by color or aid of any fraud or false representation, impersonation or pretense, or by any false token or writing, or by any device or trick, to take from the Seattle public library, or any branch, reading room, deposit station, museum or institution operated in connection therewith, any property belonging therein or thereto. (Ord. 37311 § 3; April 25, 1917).

12.73.040 Penalty for violations. Any person convicted of any violation of this chapter shall be punished by a fine of not more than three hundred dollars, or by imprisonment in the city jail for a period of not more than ninety days, or by both such fine and imprisonment. (Ord. 37311 § 4; April 25, 1917).

Chapter 12.75

SCATTERING SAWDUST AND HOGGED FUEL

Sections:

- 12.75.010 Unlawful to place, store or keep in manner permitting scattering.
- 12.75.020 Unlawful to leave in open more than twenty-four hours in first or second residential districts.
- 12.75.030 Penalty for violations.

12.75.010 Unlawful to place, store or keep in manner permitting scattering. It is unlawful to so place, deposit, store or keep sawdust or hogged fuel, or to suffer or permit the same to be so placed, deposited, stored or kept, that the same may, by action of the elements, be blown, cast or carried upon the property of another, or in or upon any public place. (Ord. 57328 § 1; April 16, 1929).

12.75.020 Unlawful to leave in open more than twenty-four hours in first or second residential districts. It is unlawful, within any area classified by Title 26 as a first or second residence district, to permit sawdust or

hogged fuel to remain in the open for more than twenty-four hours after the delivery, placing or depositing of the same therein. (Ord. 57328 § 2; April 16, 1929).

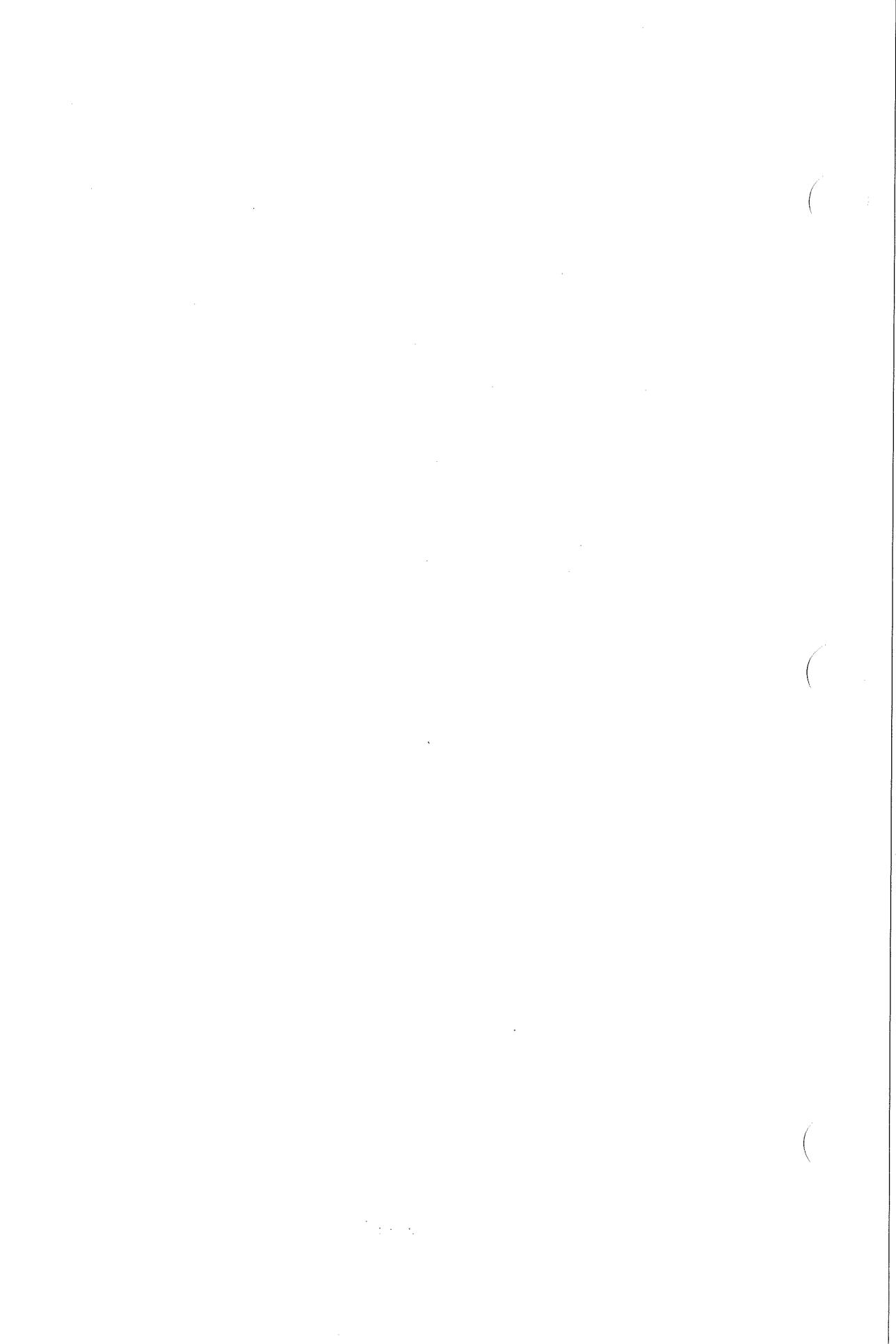
12.75.030 Penalty for violations. Any person who violates, or fails to comply with, any of the provisions of this chapter, is guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine in any sum not to exceed three hundred dollars, or by imprisonment in the city jail for a term not exceeding ninety days, or both such fine and imprisonment. (Ord. 57328 § 3; April 16, 1929).

Chapter 12.77

SPARK ARRESTERS ON STEAM SHOVELS

Sections:

- 12.77.010 Unlawful to operate steam shovel without spark arresters.
- 12.77.020 Penalty for violations.



12.77.010 Unlawful to operate steam shovel without spark arresters. It is unlawful for any person to use or operate any steam shovel in the city of Seattle in any street or other public place, or on any private property, without a bonnet or spark arrester attached to the smoke stack of such team shovel, such bonnet or spark arrester to be of a design and character satisfactory to the chief of the fire department but in no event shall the mesh thereof exceed one-fourth of an inch in size. (Ord. 27396 § 1; June 20, 1911).

12.77.020 Penalty for violations. Any person violating any of the provisions of this chapter is guilty of a misdemeanor, and upon conviction, shall be fined in any sum not exceeding three hundred dollars, or imprisoned in the city jail for not to exceed ninety days, or may be both fined and imprisoned. (Ord. 27396 § 2 as amended by Ord. 45820; October 3, 1923).

Chapter 12.79

LITTER

Sections:

- 12.79.010 "Litter" defined.
- 12.79.015 Enforcement.
- 12.79.020 Unlawful to litter public or private place.
- 12.79.030 Use of receptacles provided by city to dispose of litter accumulated on private property.
- 12.79.040 Use of receptacles provided by city to dispose of litter accumulated in course of business.
- 12.79.050 Accumulation of litter on private property.
- 12.79.060 Accumulation of litter on sidewalks and parking strips.
- 12.79.070 Violations—Citation and notice to appear in court.
- 12.79.080 Failure to comply with written promise to appear.
- 12.79.090 Penalties for violations.

12.79.010 "Litter" defined. The term "litter" as used herein means and includes refuse, rubbish, garbage and all other waste material of every kind and description. (Ord. 89021 § 1; February 24, 1960).

12.79.015 Enforcement. The superintendent of buildings shall enforce provisions of this chapter relating to the deposit of accumulation of litter on private property and the city engineer shall enforce all other provisions of this chapter. (Ord. 89021 § 1-A added by Ord. 100363 § 1; October 15, 1971).

12.79.020 Unlawful to litter public or private place. It shall be unlawful to place, throw, deposit or otherwise dispose of litter in any public place, public park, on any private property, or in the waters within the

city limits of Seattle except as provided in Section 12.79.050, or at the disposal sites provided therefor by the city. (Ord. 89021 § 2; February 24, 1960).

12.79.030 Use of receptacles provided by city to dispose of litter accumulated on private property. It is unlawful to place litter accumulated on private property, or burning or smoldering materials, or dead animals, in any receptacle provided by the city for litter disposal; nor shall the contents of any such receptacle be removed or disturbed by anyone except as authorized by the city. (Ord. 89021 § 3; February 24, 1960).

12.79.040 Use of receptacles provided by city to dispose of litter accumulated in course of business. It is unlawful for anyone conducting business on public property to deposit litter accumulated in the course of such business in any receptacle on public property which has been provided for litter disposal by the city. (Ord. 89021 § 4; February 24, 1960).

12.79.050 Accumulation of litter on private property. It is unlawful for the owners or occupants of private property to deposit or accumulate, or to permit the deposit or accumulation of, litter upon such private property. This shall not prohibit the storage of garbage or rubbish in public or private litter receptacles, when approved by the city, or in garbage cans or in securely tied bundles when such garbage cans or bundles meet the requirements of the city garbage collection ordinance. (Ord. 89021 § 5; February 24, 1960).

12.79.060 Accumulation of litter on sidewalks and parking strips. It is unlawful to allow the accumulation of litter on sidewalks or planting strips (parking strips) by the owner or occupant of abutting private property, whether such litter is deposited by such owner or occupant or not. (Ord. 89021 § 6; February 24, 1960).

12.79.070 Violations—Citation and notice to appear in court. Whenever any person is arrested for any violation of this chapter committed in the presence of the arresting officer, such officer may serve upon such person a citation and notice to appear in the Municipal Court, and such person, in order to secure release, and when permitted by the arresting officer, may give his written promise to appear in such court as required by the citation and notice served by such officer. If such arrested person fails or refuses to sign such promise, he shall be taken into custody by such arresting officer. (Ord. 89021 § 7; February 24, 1960)

12.79.080 Failure to comply with written promise to appear in court. Any person who fails to comply with his written promise to appear, in accordance with Section 12.79.070, shall be subject to arrest and prosecution as a separate offense under this chapter regardless of the disposi-

tion of the charge on which he was originally arrested. (Ord. 89021 § 8; February 24, 1960).

12.79.090 Penalties for violations. Any violation of, or failure to comply with, any provision of this chapter shall subject the offender, upon conviction thereof, to a fine of not more than five hundred dollars or by imprisonment in the City Jail for a period of not exceeding six months, or by both such fine and imprisonment and each day any person shall continue to violate or fail to comply with the provisions of this chapter shall be deemed and considered a separate offense. (Ord. 89021 § 9; February 24, 1960).

Chapter 12.82

NOISE

Sections:

- 12.82.010 Definitions.
- 12.82.020 Unlawful acts or omissions.
- 12.82.030 Horns and other signaling devices.
- 12.82.040 Exhausts.
- 12.82.050 Mismanagement of vehicles.
- 12.82.060 Loading, unloading, or opening of boxes.
- 12.82.070 Blowers.
- 12.82.080 Whistles.
- 12.82.090 Loud speakers, amplifiers or noise devices.
- 12.82.100 Radios, television sets, phonographs, etc.
- 12.82.110 Yelling, shouting, etc.
- 12.82.120 Domestic pets.
- 12.82.130 Tools.
- 12.82.140 Hawkers, peddlers and vendors.
- 12.82.150 Sirens.
- 12.82.160 Exemptions.
- 12.82.170 Penalty for violations.

12.82.010 Definitions. For the purpose of this chapter:

(a) **ALLOWABLE LEVEL OF NOISE** means not more than ninety-five decibels as measured on the A scale of a General Radio Company No. 1551-B sound level meter, or equivalent, stationed at a distance of not less than twenty feet to the side of a motor vehicle as such motor vehicle passes the sound level meter, or is stationed not less than twenty feet from a stationary motor or engine.

(b) **MOTOR VEHICLE** shall mean every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails. (Ord. 90007 § 1; February 9, 1961).

12.82.020—12.82.090 CRIME AND PUNISHMENT

12.82.020 Unlawful acts or omissions. The acts or omissions set forth in Sections 12.82.030 through 12.82.150 of this chapter are unlawful. (Ord. 90007 § 2.1; February 9, 1961).

12.82.030 Horns and other signaling devices. The sounding of any horn or other signaling device on any motor vehicle or trackless trolley on any street or public place of the city, or on any vessels on any waterway, except as specifically permitted or required by law, or as a danger warning, and the sounding of any such device for any unnecessary period of time is unlawful. (Ord. 90007 § 2.2; February 9, 1961).

12.82.040 Exhausts. The discharge into the open air of the exhaust of any steam engine, stationary or portable internal combustion engine, or motor vehicle except through a muffler in good repair or other device which will effectively prevent loud or disturbing noises therefrom above the allowable level of noise is unlawful: Provided, that where such steam engine, stationary or portable internal combustion engine is enclosed within a building used for industrial or commercial purposes, the allowable level of noise shall be measured at the nearest point on the boundary of the property on which such engine is located. This section shall not apply to aircraft or to supporting ground equipment for aircraft. (Ord. 90007 § 2.3; February 9, 1961).

12.82.050 Mismanagement of vehicles. The use of any motor vehicle which, because of it being out of repair, or because of its not being loaded properly, or because of the manner of its operation creates a loud and disturbing noise, is unlawful. (Ord. 90007 § 2.4; February 9, 1961).

12.82.060 Loading, unloading, or opening of boxes. The creation of a loud and disturbing noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers between the hours of ten p.m. and seven a.m. is unlawful. (Ord. 90007 § 2.5; February 9, 1961).

12.82.070 Blowers. The operation of any noise-creating blower or power fan, unless the noise from such blower or power fan is adequately muffled, is unlawful. (Ord. 90007 § 2.6; February 9, 1961).

12.82.080 Whistles. The blowing of any locomotive whistle, or whistle attached to any stationary boiler, or mechanical whistle, except to give notice of the time to begin or stop work or as a warning of fire or danger or upon request of proper city authorities, is unlawful. (Ord. 90007 § 2.7; February 9, 1961).

12.82.090 Loud speakers, amplifiers or noise devices for advertising. The using of any radio or television set, musical instrument, phonograph,

loud speaker, sound amplifier, bell, drum, horn or other machine or device for the producing or reproducing of sound directed upon public streets for the purpose of commercial advertising or attracting the attention of the public to any building, structure or tent is unlawful. Temporary exceptions for civic events or for civic or religious organizations or for the playing of music during the Christmas season only may be authorized by the city comptroller for such periods of time and under such conditions as may be consistent with the public interest. (Ord. 90007 § 2.8; February 9, 1961).

12.82.100 Radios, television sets, phonographs, etc. The playing of any radio or television receiving set, musical instrument, phonograph, or other machine or device for producing or reproducing of sound in such manner as to disturb the peace, quiet, and comfort of the neighboring inhabitants is unlawful. (Ord. 90007 § 2.9; February 9, 1961).

12.82.110 Yelling, shouting, etc. Yelling, shouting, hooting, whistling or singing on the public streets, or any other place so as to annoy or disturb the quiet, comfort or repose of persons in any office, or in any dwelling, hotel or other type residence, or of any one in the vicinity is unlawful. (Ord. 90007 § 2.10; February 9, 1961).

12.82.120 Domestic pets. The keeping of any domestic bird or animal which emits frequent or long continued noise so as to disturb the peace, quiet and comfort of the neighboring inhabitants is unlawful. (Ord. 90007 § 2.11; February 9, 1961).

12.82.130 Tools. The use in a residential zone or the vicinity of a hotel or motel of hand or power tools, or machinery, resulting in loud and disturbing noises between the hours of ten p.m. and seven a.m. is unlawful. (Ord. 90007 § 2.12; February 9, 1961).

12.82.140 Hawkers, peddlers and vendors. The shouting and crying of peddlers, hawkers or vendors on any public street or place or on private property so closely adjacent thereto that thereby crowds may be collected and traffic obstructed thereon is unlawful. (Ord. 90007 § 2.13; February 9, 1961).

12.82.150 Sirens. The sounding of sirens on escort service except where specifically required or permitted by law and not for the purpose of calling attention to a vehicle or caravan is unlawful. The sounding of a siren on an ambulance, except when operated in response to an emergency call, and when reasonably necessary to warn pedestrians and other drivers of the approach thereof is unlawful. (Ord. 90007 § 2.14; February 9, 1961).

12.82.160 Exemptions. None of Sections 12.82.020 through 12.82.150 of this chapter shall apply to emergency situations where life, health or property is at stake or to intermittent situations arising out of industrial research and development work carried on in areas zoned for industrial pur-

poses, nor to those normal situations of community life where noise is inherent and has been long accepted by the community, such as activities during school recess, and at public parks and athletic contests. (Ord. 90007 § 2.15; February 9, 1961).

12.82.170 Penalty for violations. Anyone who violates or fails to comply with any of the provisions of this chapter shall, upon conviction, be punished by a fine not exceeding three hundred dollars, or by imprisonment in the city jail not exceeding ninety days, or by both such fine and imprisonment, and each day such violation continues shall constitute a separate offense. (Ord. 90007 § 3; February 9, 1961).

Chapter 12.84

PROPERTY—POSSESSION AND CONTROL

Sections:

12.84.010 Unauthorized control over another's property.

12.84.010 Unauthorized control over another's property. It is unlawful knowingly to wrongfully obtain or exert unauthorized control over, or to obtain by deception control over the property of another with intent permanently to deprive him of said property. Anyone convicted of a violation of this section shall be punished by a fine of not more than five hundred dollars or by imprisonment in the city jail for not more than one hundred eighty days, or by both said fine and imprisonment. (Ord. 99927 § 1; May 19, 1971).

Chapter 12.85

BURGLAR ALARM SYSTEMS

Sections:

12.85.010 Posted notice required.

12.85.020 Notification only in case of actual or attempted burglary.

12.85.030 False alarm—Fees.

12.85.040 Penalty for violation.

12.85.010 Posted notice required. It is unlawful to have or maintain on any premises an audible type burglary and/or robbery alarm unless there is posted at the main entrance to such premises a prominent notice of the telephone numbers at which the person or persons authorized to enter such premises and turn off such alarm can be reached at all times, and it is unlawful for any such person to fail to appear and turn off any such alarm within one hour after being notified by the police to do so. (Ord. 101476 § 1; October 17, 1972).

12.85.020 Notification only in case of actual or attempted burglary. It is unlawful for any one to activate any robbery or burglary alarm for the purpose of summoning police except in the event of an actual or attempted burglary or robbery, or for anyone notifying the police of an activated alarm and having knowledge that such activation was apparently caused by an electrical or other malfunction of the alarm system to fail at the same time to notify the police of such apparent malfunction. (Ord. 101476 § 2; October 17, 1972).

12.85.030 False alarm—Fees. A. For the purposes of this section, the term "false alarm" means the activation of a burglary and/or robbery alarm by other than a forced entry or attempted forced entry to the premises and at a time when no burglary or robbery is being committed or attempted on the premises.

B. For a police response to any false alarm the chief of police shall charge and collect from the person having or maintaining such burglary and/or robbery alarm on premises owned or occupied by him, fees as follows:

(1) For a response to premises at which no other false alarm has occurred within the preceding six month period, hereinafter referred to as a "first response," no fee shall be charged, but the person having or maintaining such burglary and/or robbery alarm shall, within three working days after notice to do so, make a written report to the chief of police on forms prescribed by him setting forth the cause of such false alarm, the corrective action taken, whether such alarm has been inspected by an authorized serviceman, and such other information as the chief of police may reasonably require to determine the cause of such false alarm and corrective action necessary.

(2) For a second response to premises within six months after a first response, no fee shall be charged, but a written report shall be required as for a first response and the chief of police shall be authorized to inspect or cause to be inspected the alarm system at such premises, prescribe necessary corrective action, and shall give notice to the person having or maintaining such alarm system of the conditions and requirements of this section.

(3) For a third response to premises within six months after such a second response, and for all succeeding responses within six months of the last response, a fee of twenty-five dollars shall be charged, and if such third false alarm or any such succeeding false alarm is as a result of failure to take necessary corrective action prescribed by the chief of police, the chief of police may order the disconnection of such alarm system and it shall be unlawful to reconnect such alarm system until such corrective action is taken; provided, that no disconnection shall be ordered as to any premises required by law to have an alarm system in operation. (Ord. 101476 § 3; October 17, 1972).

12.85.040 Penalty for violation. Anyone convicted of a violation of or failure to comply with any of the provisions of this chapter shall be punishable by a fine of not more than twenty-five dollars. (Ord. 101476 § 5; October 17, 1972).

Chapter 12.86 SHOPLIFTING

Sections:

12.86.010 Goods valued less than seventy-five dollars—Penalty.

12.86.010 Goods valued less than seventy-five dollars—Penalty. (a) It is unlawful for anyone to wilfully take possession of any goods, wares or merchandise of the value of less than seventy-five dollars offered for sale by any wholesale or retail store or other mercantile establishment without the consent of the seller, with the intention of converting such goods, wares or merchandise to his own use without having paid the purchase price thereof.

(b) Anyone convicted of a violation of this section shall upon a first conviction thereof be punishable by a fine of not less than fifty dollars and not more than five hundred dollars or by imprisonment in the city jail for not less than five days and not more than one hundred eighty days, or both such fine and imprisonment. Upon each subsequent conviction of a violation of this section, he shall be punishable by a fine of not less than one hundred dollars and not more than five hundred dollars or by imprisonment in the city jail for not less than ten days and not more than one hundred eighty days, or both such fine and imprisonment. (Ord. 96045 § 1 as amended by 99926 § 1; May 19, 1971).

Chapter 12.88 MAYOR'S EMERGENCY POWERS

Sections:

12.88.010 Proclamation of civil emergency.

12.88.020 Additional orders.

12.88.030 Delivery to news media.

12.88.040 Penalty for violation.

12.88.010 Proclamation of civil emergency. Whenever riot, unlawful assembly, or insurrection, or the imminent threat thereof, occur in the city of Seattle and result in, or threaten to result in, the death or injury of persons or the destruction of property to such extent as to require, in the judgment of the mayor, extraordinary measures to protect the public peace, safety and welfare, the mayor shall forthwith proclaim in writing the existence of a civil emergency. (Ord. 96588 § 1; April 10, 1968).

12.88.020 Additional orders. Upon the proclamation of a civil emergency by the mayor, and during the existence of such civil emergency, the mayor may make and proclaim any or all of the following orders:

(1) An order imposing a general curfew applicable to the city as a whole, or to such geographical area or areas of the city and during such hours, as he deems necessary, and from time to time to modify the hours such curfew will be in effect and the area or areas to which it will apply;

(2) An order requiring any or all business establishments to close and remain closed until further order;

(3) An order requiring the closure of any or all bars, taverns, liquor stores, and other business establishments where alcoholic beverages are sold or otherwise dispensed; provided that with respect to those business establishments which are not primarily devoted to the sale of alcoholic beverages and in which such alcoholic beverages may be removed or made secure from possible seizure by the public, the portions thereof utilized for the sale of items other than alcoholic beverages may, in the discretion of the mayor, be allowed to remain open;

(4) An order requiring the discontinuance of the sale, distribution or giving away of alcoholic beverages in any or all parts of the city;

(5) An order requiring the discontinuance of the sale, distribution or giving away of firearms and/or ammunition for firearms in any or all parts of the city;

(6) An order requiring the discontinuance of the sale, distribution or giving away of gasoline or other liquid flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle;

(7) An order requiring the closure of any or all business establishments where firearms and/or ammunition for firearms are sold or otherwise dispensed; provided that with respect to those business establishments which are not primarily devoted to the sale of firearms and/or ammunition and in which such firearms and/or ammunition may be removed or made secure from possible seizure by the public, the portions thereof utilized for the sale of items other than firearms and ammunition may, in the discretion of the mayor, be allowed to remain open;

(8) An order closing to the public any or all public places including streets, alleys, public ways, schools, parks, beaches, amusement areas, and public buildings;

(9) An order prohibiting the carrying or possession of firearms or any instrument which is capable of producing bodily harm and which is carried or possessed with intent to use the same to cause such harm, provided that any such order shall not apply to peace officers or military personnel engaged in the performance of their official duties;

(10) Such other orders as are imminently necessary for the protection of life and property;

provided, however, that any such orders shall, at the earliest practicable time, be presented to the city council for ratification and confirmation, and if not so ratified and confirmed shall be void. (Ord. 96588 § 2; April 10, 1968).

12.88.030 Delivery to news media. The mayor shall cause any proclamation issued by him pursuant to the authority of this chapter to be delivered to all news media within the city and shall utilize such other available means, including public address systems, as shall be necessary, in his judgment, to give notice of such proclamations to the public (Ord. 96588 § 3; April 10, 1968).

12.88.040 Penalty for violation. It is unlawful for anyone to fail or refuse to obey any such order proclaimed by the mayor. Anyone convicted of a violation of this section shall be punishable by a fine of not more than five hundred dollars or by imprisonment for not more than one hundred eighty days, or both such fine and imprisonment.

Chapter 12.89

ARREST OF PROBATIONERS

Sections:

- 12.89.010 Probationer defined.
- 12.89.020 Violation—Arrest.

12.89.010 Probationer defined. As used in this chapter "probationer" means any person who after conviction of violation of an ordinance of the city of Seattle, has been placed on probation in connection with the suspension or deferral of sentence by either the Seattle Municipal Court or the King County Superior Court on appeal. (Ord. 98086 § 1; Aug. 29, 1969).

12.89.020 Violation—Arrest. Whenever a police officer has probable cause to believe that a probationer, prior to the termination of the period of his probation, is, in such officer's presence, violating or failing to comply with any requirement or restriction imposed by the court as a condition of such probation, such officer shall cause the probationer to be brought before the court wherein sentence was deferred or suspended, and for such purpose such police officer may arrest such probationer without warrant or other process. (Ord. 98086 § 2; Aug. 29, 1969).

Chapter 12.90
UNFAIR HOUSING PRACTICES

Sections:

- 12.90.010 Definitions.
- 12.90.020 Prohibited.
- 12.90.030 Unfair housing practices forbidden.
- 12.90.040 Enforcement procedure.
- 12.90.050 Rules.
- 12.90.060 Exclusions.
- 12.90.070 Penalty for violation.

12.90.010 Definitions. Definitions as used in this chapter, unless additional meaning clearly appears from the context, shall have the meanings subscribed:

(1) "Housing accommodations" include any dwelling or dwelling unit, rooming unit, rooming house, lot or parcel of land in the city of Seattle which is used, intended to be used, or arranged or designed to be used as, or improved with, a residential structure for one or more human beings.

(2) "Dwelling" includes any building containing one or more dwelling units.

(3) "Dwelling unit" includes a suite of rooms for occupancy by one family containing space for living, sleeping, and preparation of food, and containing toilet and bathing facilities.

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(4) "Rooming unit" includes one or more rooms within a dwelling unit or rooming house containing space for living and sleeping.

(5) "Person" includes one or more individuals, partnerships, or other organizations, trade or professional associations, corporations, legal representatives, trustees, trustees in bankruptcy, and receivers.

(6) "Owners" include persons who own, lease, sublease, rent, operate, manage, have charge of, control, or have the right of ownership, possession, management, charge, or control of the housing accommodation, on their own behalf or on behalf of another.

(7) "Occupant" includes any person who has established residence or has the right to occupancy in a housing accommodation.

(8) "Prospective occupant" includes any person who seeks to purchase, lease, sublease or rent a housing accommodation.

(9) "Real estate broker" includes any person who for a fee, commission, or other valuable consideration, lists for sale, sells, purchases, exchanges, leases or subleases, rents, or negotiates or offers or attempts to negotiate the sale, purchase, exchange, lease, sublease or rental of a housing accommodation of another, or collects the rental for the use of a housing accommodation of another.

(10) "Real estate agent, salesman, or employee" includes any person employed by or associated with a real estate broker to perform or assist in the performance of any or all of the functions of a real estate broker.

(11) "Lender" includes any bank, insurance company, savings or building and loan association, credit union, trust company, mortgage company, or other person engaged wholly or partly in the business of lending money for the financing or acquisition, construction, repair, or maintenance of a housing accommodation.

(12) "Prospective borrower" includes any person who seeks to borrow money to finance the acquisition, construction, repair, or maintenance of a housing accommodation.

(13) "Unfair housing practice" means any act prohibited by this chapter.

(14) "Person aggrieved" means any person against whom any alleged unfair housing practice has been committed.

(15) "Respondent" means any person who is alleged to have committed an unfair housing practice.

(16) "Commission" means the Seattle human rights commission established by Ordinance 92191. (Ord. 96619 § 1; April 19, 1960).

12.90.020 Prohibited. Unfair housing practices as hereinafter defined in the sale and offering for sale and in the rental and offering for rent of housing accommodations are contrary to the public peace, health, safety and general welfare and are hereby prohibited by the city of Seattle in the exercise of its police power. (Ord. 96619 § 2; April 19, 1960).

12.90.030 CRIME AND PUNISHMENT

12.90.030 Unfair housing practices forbidden. (1) No owner, lessee, sublessee, assignee, real estate broker, real estate salesman, managing agent of, or other person having the right to sell, rent, lease, sublease, assign, transfer, or otherwise dispose of a housing accommodation shall refuse to sell, rent, lease, sublease, assign, transfer, or otherwise deny to, or withhold from any person or group of persons such housing accommodations, or segregate the use thereof, or represent that such housing accommodations are not available for inspection, when in fact they are so available, or expel or evict an occupant from a housing accommodation because of the race, color, religion, ancestry or national origin, of such person or persons, or discriminate against or segregate any person because of his race, color, religion, ancestry or national origin, in the terms, conditions, or privileges of the sale, rental, lease, sublease, assignment, transfer, or other disposition of any such housing accommodations or in the furnishing of facilities or services in connection therewith.

(2) A real estate broker, agent, salesman, or employee shall not, because of race, color, religion, ancestry, or national origin of an occupant, purchaser, prospective occupant, or prospective purchaser:

(a) Refuse or intentionally fail to list or discriminate in listing a housing accommodation for sale, rent, lease, or sublease.

(b) Refuse or intentionally fail to show to a prospective occupant the housing accommodation listed for sale, rental, lease, or sublease.

(c) Refuse or intentionally fail to accept and/or transmit to an owner any reasonable offer to purchase, lease, rent or sublease a housing accommodation.

(d) Otherwise discriminate against an occupant, prospective occupant, purchaser, or prospective purchaser of a housing accommodation.

(3) No person, bank, banking organization, mortgage company, insurance company, or other financial institution or lender, or any agent or employee thereof, to whom application is made for financial assistance for the purchase, lease, acquisition, construction, rehabilitation, repair, or maintenance of any housing accommodation shall:

(a) Discriminate against any person or group of persons because of race, color, religion, ancestry, or national origin of such person or group of persons or of the prospective occupants or tenants of such real property in the granting, withholding, extending, modifying, or renewing, or in the rates, terms, conditions, or privileges of, any such financial assistance or in the extension of services in connection therewith; or

(b) Use any form of application for such financial assistance, or make any record of inquiry in connection with applications for such financial assistance which expresses, directly or indirectly, any limitation, specification, or discrimination, on the ground of race, color, religion, ancestry or national origin.

(4) An owner, person, real estate broker, agent, salesman, employee, or lender shall not:

(a) Require any information, make, or keep any record, or use any form of application containing questions or entries concerning race, color, religion, ancestry, or national origin in connection with the sale, rental, lease, or sublease of any housing accommodation.

(b) Publish, circulate, issue, or display, or cause to be published, circulated, issued, or displayed, any communication, notice, advertisement, or sign of any kind relating to the sale, rental, lease, sublease, assignment, transfer, or listing of a housing accommodation or accommodations which indicate any preference, limitation, specification, or discrimination based on race, color, religion, ancestry, or national origin.

(c) Aid, abet, incite, compel, or coerce the doing of any act defined in this ordinance as an unfair housing practice; or obstruct or discriminate against provisions of this chapter or has filed a complaint, testified, or assisted in any proceeding under this chapter, or any order issued thereunder, or attempt, either directly or indirectly, to commit any act defined in this chapter to be an unfair housing practice or apply any economic sanctions or deny any membership privileges because of compliance with the provisions of this chapter. (Ord. 96619 § 3; April 19, 1960).

12.90.040 Enforcement procedures. (1) A statement alleging a violation of this ordinance may be made by the commission itself or by an aggrieved person. Such statement shall be in writing and signed by the charging party, shall be filed with the commission within ninety days after the alleged discriminatory act, and shall contain such particulars as the commission, by regulation, may require. The commission shall promptly furnish a copy of such statement to the party charged.

(2) The commission shall investigate all charges filed with it, proceeding in each case in such manner as it deems appropriate. If, after such inquiry and hearings as the commission considers proper, the commission determines that no probable cause exists to believe that an unfair housing practice has occurred, the charge shall be dismissed.

(3) If the commission determines, after such investigation, that probable cause exists to believe that an unfair housing practice has occurred, it shall endeavor to eliminate or remedy such violation by means of conciliation and persuasion.

If, upon all the evidence, the commission finds that the respondent has engaged in any unfair practice, it shall forward its file to the mayor, who shall see that this chapter is enforced as provided in Seattle Charter Article V, Sec. 2.

(4) The commission, in the performance of its functions, may enlist the aid of all the departments of the city government, and all said departments are hereby directed to fully cooperate with the commission.

(5) The commission, in carrying out the specific duties imposed by

12.90.050—12.92.020 CRIME AND PUNISHMENT

this ordinance, may request the aid of the city council through its proper committee in the conduct of any further investigation, including the use of its subpoena powers. (Ord. 96619 § 4; April 19, 1968).

12.90.050 Rules. The commission may adopt such rules and regulations as it deems necessary not inconsistent with the provisions of this chapter. (Ord. 96619 § 5; April 19, 1968).

12.90.060 Exclusions. Nothing in this chapter shall:

(1) Apply to the renting, subrenting, leasing or subleasing of single family dwelling, wherein the owner or persons entitled to possession thereof normally maintains, or intends to maintain his residence, home or abode.

(2) Be interpreted to prohibit any person from making a choice from among prospective purchasers or tenants of property on the basis of factors other than race, color, religion, ancestry or national origin. (Ord. 96619 § 6; April 19, 1968).

12.90.070 Penalty for violation. Upon conviction of violation of this chapter, the guilty party or parties shall be subject to a fine of not more than five hundred dollars. (Ord. 96619 § 7; April 19, 1968).

**Chapter 12.92
CITATION AND NOTICE
TO APPEAR**

Sections:

12.92.010 Service.

12.92.020 Violation—Penalty.

12.92.010 Service. Whenever a person is arrested for violating any ordinance of the city of Seattle, the arresting officer, or any other authorized peace officer, may serve upon the arrested person a citation and notice to appear in municipal court, in lieu of continued custody, as provided by the Criminal Rules for Courts of Limited Jurisdiction, as amended. (Ord. 96988 § 1; August 22, 1968).

12.92.020 Violation—Penalty. Any person who wilfully violates his written promise to appear in court given in accordance with Section 12.92.010 shall, upon conviction thereof and regardless of the disposition of the charge on which he was originally arrested, be subject to a fine in any sum not exceeding five hundred dollars or confinement in the city jail for a term not to exceed one hundred eighty days, or both such fine and imprisonment. (Ord. 96988 § 2; August 22, 1968).