

Seattle City Clerk's Office

Comptroller File

173354

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE  
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FILE NO. 173354

Transmittal

OF  
Chief of Police

of proposed ordinance covering  
"blackouts".

*make file*

*CB*

FILED: March 16, 1942.

W. C. THOMAS  
CITY COMPTROLLER AND EX-OFFICIO CITY CLERK  
BY: *W.C. Thomas* DEPUTY

ACTION OF THE COUNCIL

REFERRED TO Carroll } Special  
MAR 16 1942 } Scavotto } Committee  
REFERRED TO } Layton }

REPORT ADOPTED

REPORT ADOPTED

SEE FOR ORD. C. N. D. P.

DISPOSITION  
JUL 22 1946

ON FILE

REPORT OF COMMITTEE

Mr. President:

Your \_\_\_\_\_ Special Committee \_\_\_\_\_ Committee

to which was referred the within \_\_\_\_\_ Transmittal \_\_\_\_\_

would respectfully report that we have considered the same and respectfully recommend that \_\_\_\_\_

the same be placed on file.

*W.C. Thomas*

CHAIRMAN

CHAIRMAN

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CHIEF  
H. D. KIMSEY  
CHIEF OF DETS.  
F. W. YORIS

ASST. CHIEF  
W. B. KIRTLEY  
DEPT. INSP.  
R. W. OLMSTED

**POLICE DEPARTMENT**

**CITY OF SEATTLE  
WASHINGTON**  
EARL MILLIKIN  
MAYOR



March 16, 1942.

CITY COUNCIL,  
City of Seattle.

Gentlemen:

Under dates of December 16, 1941, January 7th, 15th and 17th, 1942 this office issued Special Orders pertaining to lighting regulations in the city as precautionary emergency measures which the army authorities and this department thought necessary.

For the past several weeks a comprehensive investigation and survey of the lighting situation was made by technicians from the Illuminating Engineers and office of the City Engineer. I now have a copy of their recommendations which I am submitting to you for enactment into ordinance if it meets with your approval. It is my understanding that these recommendations have been approved by the army authorities.

If this ordinance is enacted the rules and regulations laid down by the undersigned will be suspended.

Respectfully yours,

*H. D. Kimsey*  
Chief of Police

K/n

Copy to,  
Mayor Millikin.

*Ray S. Marshall  
7/19 44 78*



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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE relating to the National Defense and providing for the regulation of residential, factory, store, commercial, and street lighting; providing for Blackout Lighting Fund, and permits and certification of lighting permitted by the Chief of Police and military authorities; defining offenses, prescribing penalties, and declaring an emergency.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. For the purposes of policing, certifying and regulating lighting permitted by the Chief of Police and military authorities during those times other than blackout periods, the following conditions are set up:

1. Classification of Lighting.

- I. General: Residential, factory, store, or any other lighting which can be seen from the outside that is not obscured, shielded, or otherwise blacked out by approved methods as may be defined by orders now in effect or issued in the future.
- II. Blackout Public Safety Lighting: All lighting essential to public safety during blackouts and obscured, shielded, or otherwise blacked out by approved methods as may be defined by orders now in effect or issued in the future.
- III. Commercial Lighting: All lighting classified as follows:
  - Class A: Commercial outdoor lighting or floodlighting that does not provide a beacon marker to the horizon. This will include all commercial outdoor lighting such as billboard lighting, window lighting, illuminated signs, floodlighting, and other lighting not specifically classified as beacon sources under Class B below.
  - Class B: Commercial outdoor lighting that does provide a beacon marker to the horizon. The following types of installations will be presumed in this class unless inspected and designated as not constituting a beacon source:
    - a. Illuminated roof top signs or displays.
    - b. Illuminated signs extending above the second story or more than thirty (30) feet above the street level, or extending above the roof level.
    - c. Commercial floodlighting where the beam of light is directed above the horizontal. This classification should include all installations that may provide beacon markers until inspection proves otherwise.
  - Class C: Ornamental Street Lighting. This includes all street lighting not equipped with refractors, shields or reflectors which confine the major portion of the light below a horizon established ninety (90) degrees below the vertical.

2. Regulations.

- I. General: All lights in this classification must be turned out at night when occupants leave the premises unless a dependable attendant is provided for as defined in Article 3 of this order.

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II. Blackout Public Safety Lighting: Lights in this classification shall be permitted to operate at any time, and are recommended as a safety measure during blackouts.

III. Commercial Lighting:

Class A: All lighting installations in this classification now extinguished at night by previous orders, may be resumed on issuance of permit by the City of Seattle for night operation. Permits will be issued upon installation of approved automatic controls or provision made for a reliable attendant as defined by Articles 3 and 4 of this ordinance.

Class B: All lighting in this classification shall remain extinguished during periods of darkness until such time as automatic control measures are available to extinguish them at the first instance of a yellow signal, as may be provided for in future orders.

Class C: Lighting units in this classification shall be so equipped to eliminate two-thirds (2/3) of all upward light, this installation to be completed within thirty (30) days from date of passage of this ordinance.

3. Permissible Automatic Controls.

- I. Automatic controls must be designed and installed so that failure of the equipment will result in failure of light operation rather than failure of blackout during periods of darkness.
- II. Such automatic controls must at all times be in operating condition and not subject to manual interference of their operation.
- III. Automatic controls may be used in conjunction with time-clock control permitting daytime operation providing weekly time-clock inspections are made.
- IV. Automatic controls must be actuated from a reliable and constantly attended control center so as to permit operation within the prescribed time limits for blackouts.
- V. Installation of approved automatic controls does not relieve the owner or operator of such lights from responsibility of extinguishment during blackout periods. Said owner or operator shall be responsible at all times for the reliable operation of this equipment.

4. Manual Control.

No attendant whose duty it will be to extinguish lighting in any classification will be considered as reliable unless this attendant fulfills the following requirements:

Is on constant duty at the premises.

Is considered a reliable person; and in case of commercial lighting, is over eighteen (18) years of age.

Is constantly within thirty (30) seconds reach of all control switches.

Is constantly within hearing or sight distance of official air raid warning signals.

Has at hand a complete list of switches to disconnect.

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Has a pilot light or other means of visual check of all exposed lights not readily visible to the attendant.

5. Inspections and Permits.

Persons wishing to resume the use of commercial lighting installations now extinguished by previous orders, shall make application to the City Traffic Engineer on forms provided by the City of Seattle. These applications shall include sufficient information to permit classification of the installation as defined by this ordinance and shall specify the approved control which will be used. A permit shall be issued for all installations included in commercial lighting, providing approved methods of control have been set up. (This permit must be displayed on main entrance door in a prominent location visible to the street and all installations operating during periods of darkness are subject to inspection. Installations not included in commercial lighting shall be inspected under the direction of the City Traffic Engineer of the City Engineer's Department to determine their classification. Classifications under this ordinance will be subject to a check from aerial observation by the Army air patrol. Commercial lighting permits shall be issued only after approved automatic control measures are available to extinguish them on the first instance of an official yellow signal.

6. Enforcement.

Sealed permit prominently displayed on the premises and visible from the street shall be evidence of authority for use of commercial lighting installations during periods of darkness.

Section 2. A schedule of inspection and rental fees shall be set up by the Chief of Police commensurate with the service supplied in making certification and the issuance of permits. All such inspection and rental fees shall be paid into the "Blackout Lighting Fund" and are hereby levied as police regulation for blackout purposes. These moneys shall be deposited with the City Treasurer who shall place the same in a special fund which is hereby designated as the "Blackout Lighting Fund" from which money shall be expended for the payment of personnel and stationery for permits and certification cards.

Section 3. The personnel shall consist of one Lighting Technician skilled in commercial and factory lighting of the fluorescent, neon and mazda types; and one Junior Clerk. Salaries of the personnel shall be paid from the "Blackout Lighting Fund" only.

This personnel shall be located in the office of and under the direction of the City Traffic Engineer of the City Engineer's Department.

The first three months of operation of the regulations as outlined above shall be financed by private companies engaged in commercial lighting.

Section 4. This ordinance shall constitute an exercise by the City of its governmental functions for the protection of the public peace, health and safety, and neither the City nor any individual responding to regulations lawfully proclaimed shall be liable in a suit for damages in connection therewith.

Section 5. Violation of any of the provisions of this ordinance or the failure to comply with any of the rules and regulations prescribed in connection therewith, pursuant hereto, shall be punishable by fine not exceeding Three Hundred Dollars (\$300.00, or imprisonment in the City Jail not exceeding ninety (90) days, or by both such fine and imprisonment.

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Section 6. WHEREAS, a state of war exists between this Government, the Empire of Japan, the German Reich, and the Kingdom of Italy; and WHEREAS, due to such status there is a necessity for the protection of the safety of the public by lighting regulation in times of non-blackout, thereby creating a situation constituting an emergency wherein it is necessary for the immediate preservation of the public peace, health and safety that this ordinance shall become effective without delay; Now Therefore,

Section 7. By reason of the facts set forth in this ordinance an emergency is declared to exist; therefore, this ordinance shall take effect and be in force from and after its approval, if approved by the Mayor; if not so approved it shall take effect and become a law at the time and in the manner provided for non-emergency ordinances under the provisions of the city charter.

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*173354*

**HEADQUARTERS  
WESTERN DEFENSE COMMAND**  
Presidio of San Francisco, California

**Public  
Proclamation  
No. 19**

*filed 2/16/52*



**10 OCTOBER 1943**

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HEADQUARTERS WESTERN DEFENSE COMMAND  
Presidio of San Francisco, California

**PUBLIC PROCLAMATION NO. 19**

10 October 1943

TO: The people within the States of Washington, Oregon and California, and to the Public Generally:

WHEREAS, the enemy has made attacks upon vessels and land installations along the Pacific Coast, and it is expected that such attacks may be resumed, and it is necessary to provide adequate protection for shipping and for war utilities, war materials and war premises against attacks by sea and by air; and

WHEREAS, Lieutenant General J. L. DeWitt, Commanding General, Western Defense Command and Fourth Army, issued Public Proclamation No. 1, dated 2 March 1942, reciting certain findings of fact and establishing Military Areas Nos. 1 and 2 within the territory of the Western Defense Command, which recitals and the creation of Military Areas, including subsequent modifications thereof, are hereby reaffirmed; and also issued Public Proclamation No. 10, dated 5 August 1942, establishing a Zone of Restricted Lighting within Military Areas Nos. 1 and 2 and providing certain restrictions within said Zone, and Public Proclamation No. 12, dated 10 October 1942, amending said Proclamation No. 10; and

WHEREAS, military necessity continues to require regulations for the control of lighting within the Zones hereinafter established and in the manner hereinafter provided, but current developments and further investigation indicate the advisability, consistent with military necessity, of modifying in certain respects the lighting restrictions heretofore required by Public Proclamations Nos. 10 and 12;

NOW, THEREFORE, I, Delos C. Emmons, Lieutenant General, U. S. Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers and prerogatives as Commanding General of the Western Defense Command, do hereby declare that:

Section 1. **RESCISSION OF PUBLIC PROCLAMATIONS NOS. 10 AND 12.** Said Public Proclamations Nos. 10 and 12, Headquarters, Western Defense Command and Fourth Army, are hereby rescinded as of the effective date of this Proclamation, but this rescission shall not affect any offense committed or penalty incurred under the provisions of said Public Proclamations or any orders issued thereunder.

Section 2. **ESTABLISHMENT OF LIGHTING ZONES.** The following Lighting Zones within said Military Areas Nos. 1 and 2 are hereby designated and established:

(a) **Lighting Zone A,** as particularly described in Exhibit 1 and as generally shown on the map marked Exhibit 2, each attached hereto and made a part hereof.

(b) **Lighting Zone B,** comprising all that portion of Lighting Zone A which is within ten miles from the sea as defined in Section 8(b) hereof.

(c) **Lighting Zone C,** as particularly described and generally shown in said Exhibits 1 and 2 hereof.

Section 3. **EFFECTIVE HOURS.** All lighting restrictions hereinafter provided shall be applicable and observance thereof required at all times from one-half hour after sunset until one-half hour before sunrise each night from 1 October to 30 April, and from one hour after sunset until one hour before sunrise each night from 1 May to 30 September.

Section 4. **RESTRICTIONS IN BOTH LIGHTING ZONES A AND B.** Subject to the exceptions hereinafter provided, during the hours specified in Section 3 hereof illumination within Lighting Zones A and B shall be controlled as follows:

(a) **Advertising and Decorative Lighting.** Illuminated signs and ornamental, decorative and display lighting of every description which are located out-of-doors, and floodlighting which illuminates buildings or signs, shall be extinguished:

(b) **Upward Light.** All light sources of every description shall be situated or

shielded so that no direct rays from any light source are emitted above the horizontal out-of-doors.

(c) **Outdoor Area Illumination.** Illumination on any outdoor area shall not exceed one foot candle at any point.

Section 5. **ADDITIONAL RESTRICTIONS IN LIGHTING ZONE B.** Subject to the exceptions hereinafter provided, during the hours specified in Section 3 hereof, any light source located within Lighting Zone B which is directly visible from the sea, as hereinafter defined, shall be either extinguished or shielded so that it is no longer directly visible from the sea, in addition to the applicable restrictions provided in Section 4 hereof.

Section 6. **RESTRICTIONS IN LIGHTING ZONE C.** Subject to the exceptions hereinafter provided, during the hours specified in Section 3 hereof illumination within Lighting Zone C shall be controlled as follows:

(a) **Upward Light.** All electric incandescent lamps in excess of 100 watts capacity, and all other light sources producing equivalent light intensity, when located out-of-doors, shall be shielded so that no direct rays from any light source are emitted above the horizontal out-of-doors. Any accumulation of light sources located within or above any ten foot square of outdoor ground area shall be deemed to be a single light source, and if the aggregate intensity of such an accumulation of light sources exceeds the limit expressed in the preceding sentence, then all such light sources shall be shielded.

(b) **Outdoor Area Illumination.** Illumination on any outdoor area shall not exceed five foot candles at any point.

Section 7. **EXCEPTIONS.** Certain exceptions from the foregoing restrictions are made as follows:

(a) **Industry, Safety, Health and Welfare.** Variations from any of the restrictions of this Proclamation may be permitted by the written approval of the Ninth Regional Civilian Defense Board obtained in advance, but only when and to the extent required to achieve and maintain maximum industrial efficiency, or reasonable safety of persons or property, or to maintain health and welfare, and only to the extent consistent with the requirements of military necessity as determined from time to time by the undersigned. All approvals of lighting variations shall be reported to, and subject to review by the Commanding General, Western Defense Command. All approvals presently in effect under the provisions of said Public Proclamation No. 10, as amended by Public Proclamation No. 12, in respect to any illumination within Lighting Zones A, B or C, established herein, shall remain in effect as if reissued hereunder.

(b) **Interior Lighting.** Upward light emitted out-of-doors from any light source shall be permitted if the light source is (1) within any building and more than six feet from the nearest window or other opening in the wall of the building, or (2) at any location within a building used primarily as a residence, apartment, hotel or residential club, if all the direct rays emitted above the horizontal out-of-doors are shielded by any customary residential type of lamp shade, but in either case no direct rays from any light source shall be emitted through any skylight, and all indoor light sources within Lighting Zone B shall be shielded so that they are not directly visible from the sea. (See Section 6 for further exception of interior light sources in Lighting Zone C.)

(c) **Recreational Lighting.** Outdoor area illumination up to a maximum of thirty foot candles is permitted in any location more than three miles from the sea as hereinafter defined, but only when and to the extent actually required and primarily used for sports or recreation, and when otherwise in compliance with the applicable restrictions of Sections 4 and 5 hereof.

(d) **Vehicle Lights.** All vehicle lights required by law are permitted; provided, however, that within Lighting Zone B, in areas visible from the sea as hereinafter defined, driving lamps shall be operated only on the low or depressed beam. Authorized emergency vehicles on official emergency missions are excepted from all the restrictions of this Proclamation.

(e) **Route and Destination Signs.** Illuminated route and destination signs on public carrier vehicles are excepted from all the restrictions of this Proclamation.

(f) **Traffic Signs and Signals.** Illuminated signs and signals authorized by governmental authority to control or direct traffic are excepted from all the foregoing restrictions; provided, however, that such signals are illuminated by electric lamps of not more than 100 watt capacity or the equivalent, and that the actual light sources illuminating such signs are shielded to comply with Sections 4 and 5 hereof.

(g) **Highway Flares and Obstruction Lights.** Fuses or similar flares in an emergency, or so-called bomb type flares and warning lanterns, are excepted from all the foregoing restrictions, but only when and to the extent actually and immediately required to warn traffic of obstruction.

(h) **Navigation and Railroad Lights.** Authorized lights necessary to facilitate air or water navigation, authorized railroad signal lights, and headlights of railroad locomotives when in motion are excepted from all restrictions of this Proclamation.

(i) **Street and Highway Lights.** All street and highway lights are excepted from the restrictions of Sections 4 and 6 hereof, but they must be shielded so that each light source emits no more than ten per cent of its total lamp lumens above the horizontal and must be controlled so that such light sources contribute no more than three foot candles of illumination at any point upon the ground, and in lighting Zone B must be situated or shielded so that the light sources are not directly visible from the sea as hereinafter defined.

**Section 8. DEFINITION.** As used herein, the following words and phrases shall have the following meanings:

(a) "Light Source": Any light generating element and the bright portion of any reflector, lens, luminaire, transparency, or other equipment associated therewith for the control or diffusion of light.

(b) "Sea": The waters of the Pacific Ocean; the waters of the Straits of Juan de Fuca lying west of a line running due north and south through the easternmost point of the easterly boundary of the City of Clallam Bay, Washington; and those bodies of water on the shoreline of California generally known as Santa Monica Bay, Santa Barbara Channel, San Luis Obispo Bay, Estero Bay and Monterey Bay. The waters of San Francisco Bay, lying easterly of a line extending from Point Bonita through Mile Rock, are not intended and shall not be construed to be a part of the sea.

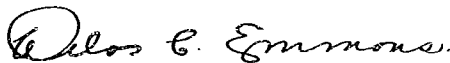
(c) "Visible from the Sea": Actually and directly visible at any time from the sea, as defined above; provided that, solely for the purpose of Section 7 (d) hereof, the phrase "visible from the sea" shall include those portions of streets or highways which may not in fact be visible from the sea but which are within areas generally visible from the sea.

**Section 9. PENALTIES.** Any person violating any of the provisions hereof, or orders issued pursuant hereto, is subject to immediate exclusion from the territory of the Western Defense Command, and to the criminal penalties provided in Public Law No. 503, 77th Congress, approved 21 March 1942 (18 U.S.C.A. 97a), and to any other penalties provided by law.

**Section 10. ENFORCEMENT.** The Ninth Regional Civilian Defense Board is designated as the primary agency to aid in the enforcement of this Proclamation. It is requested that the civil law enforcement agencies and state and local governmental bodies within the areas affected by this Proclamation assist in the enforcement hereof.

**Section 11. BLACKOUT RULES.** This Proclamation shall have no effect upon existing or future laws or regulations governing blackouts.

**Section 12. EFFECTIVE DATE.** This Proclamation shall become effective on 10 October 1943.



DELOS C. EMMONS  
Lieutenant General, U. S. Army  
Commanding

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**EXHIBIT 1**

**DESCRIPTION OF LIGHTING ZONE A**

Lighting Zone A, referred to in the foregoing Public Proclamation No. 19, includes all the portions of the four counties as hereinafter described: Lighting Zone A, including 8 (b) of said Proclamation, except where a different portion of a county is specifically described. Where the description of a county is not complete through any city or village, all of such city or village is included within Lighting Zone A. This purpose, the boundary of any such city or village contiguous to the boundary of Lighting Zone A, shall be deemed to include incorporated city or village of the same street lighting system serving said city or village.

**WASHINGTON COUNTIES**

**CLALLAM**—all that portion situated within fifteen miles of the Pacific Ocean or situated within fifteen miles of Grays Harbor.

**PACIFIC**—entire area of the county.

**WAHKIAKUM**—entire area of the county.

**OREGON COUNTIES**

**CLATSOP**—all that portion situated within fifteen miles of the Pacific Ocean or situated within fifteen miles of the Columbia River.

**COOS**—entire area of the county.

**DOUGLAS**—entire area of the county.

**LINCOLN**—entire area of the county.

**DESCRIPTION OF LIGHTING ZONE C**

Lighting Zone C, referred to in the foregoing Public Proclamation No. 19, includes all the portions of the counties as hereinafter described: The entire area of each of the counties of Lighting Zone C, except where a portion of a county is specifically described. Where the description of a county is not complete through any city or village, all of such city or village is included within Lighting Zone C. This purpose, the boundary of any such city or village shall be deemed to include all the portion of the county contiguous to the boundary of Lighting Zone C, except where a different portion of a county is specifically described. Where the description of a county is not complete through any city or village, all of such city or village is included within Lighting Zone C. This purpose, the boundary of any such city or village contiguous to the boundary of Lighting Zone C, shall be deemed to include incorporated city or village of the same street lighting system serving said city or village.

**WASHINGTON COUNTIES**

**CLALLAM GRAYS HARBOR**—entire area of the county.

**CLATSOP**—entire area of the county.

**COOS**—entire area of the county.

**DOUGLAS**—entire area of the county.

**LINCOLN**—entire area of the county.

**OREGON COUNTIES**

**CLATSOP**—all that portion situated within fifteen miles of the Pacific Ocean or situated within fifteen miles of the Columbia River.

**COOS**—entire area of the county.

**DOUGLAS**—entire area of the county.

**LINCOLN**—entire area of the county.

**OREGON COUNTIES**

**CLATSOP**—all that portion situated within fifteen miles of the Pacific Ocean or situated within fifteen miles of the Columbia River.

**COOS**—entire area of the county.

**DOUGLAS**—entire area of the county.

**LINCOLN**—entire area of the county.

**OREGON COUNTIES**

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**LINCOLN**—entire area of the county.

**OREGON COUNTIES**

**CLATSOP**—all that portion situated within fifteen miles of the Pacific Ocean or situated within fifteen miles of the Columbia River.

**COOS**—entire area of the county.

**DOUGLAS**—entire area of the county.

**LINCOLN**—entire area of the county.

**EXHIBIT 2**

**MAP OF ZONE OF RESTRICTED LIGHTING**

