



Department Policy

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Subject: Trespass Warnings

Number 060-P 7.15.1

CITY CLERK

Effective: September 26, 2014

Supersedes September 7, 2012

Approved:

Department: Parks and Recreation

Page 1 of 1

1.0 Purpose

This Rule augments and supersedes Department Policy & Procedure Number 060-P 7.15 regarding the issuance of Parks Exclusion Notices under SMC 18.12.278.

2.0 Authorization to Issue Trespass Warning

Seattle Park Rangers and any other designated department employee or Seattle Police department employee authorized by the Superintendent may issue a Trespass Warning to anyone within a City Park who violates:

- Any provision of the Parks Code (Seattle Municipal Code Chapter 18.12);
- Any Parks Administrative Rule of Conduct;
- Any other applicable laws under the Seattle Municipal Code or Revised Code of Washington, including but not limited to the following: No Camping; No Alcohol or Drug Possession; No Graffiti or Vandalism; No Fighting/Assault; No Urinating/Defecating; No entering or remaining in an area that is not open to the public.

3.0 If the conduct that results in a Trespass Warning being issued is a significant risk of personal injury or property damage, then the person may be removed and excluded from the park for the remainder of the day.

4.0 Trespass Warnings apply to all Parks properties.

5.0 Trespass Warnings do not expire.

6.0 If a person who has received a Trespass Warning returns to any Parks property and violates any of the applicable rules or laws, the person's permission to be on the property is immediately revoked and the person may be arrested for the crime of Criminal Trespass.

7.0 If a person who has received a Trespass Warning for a felony or weapons violation in a park returns to any Parks property and commits another felony or weapons violation within one year from the issuance of a Trespass Warning, the provisions of paragraph 6.0 shall apply, and in addition, a One-Year Parks Exclusion Notice shall be issued. SMC 18.12.278

8.0 Any person that has been issued a One-Year Parks Exclusion Notice shall have the opportunity to seek a hearing before the Superintendent's Hearing Officer to have the exclusion notice rescinded or the period of exclusion shortened pursuant to SMC 18.12.278.E through K. For purposes of determining whether good cause exists to shorten the period of exclusion pursuant to SMC 18.12.278.H, the Superintendent's Hearing Officer shall determine whether it is likely that the person will commit the same or similar offense absent the exclusion, taking into consideration the person's past conduct, the number of previous offenses, the time period between offenses, the seriousness of the offense, any evidence of the person's intent to commit further offenses, and any other facts and circumstances that bear upon the issue of ongoing offensive conduct.

9.0 The Trespass Warning is a pilot program and will be in effect until further notice.