

10.24.100 HEALTH AND SAFETY

than sixty-four (64) square feet of floor space for each and every person over fourteen (14) years of age lodging or sleeping in any such sleeping apartments, or less than three hundred (300) cubic feet of air or space or forty (40) square feet of floor space for each child under fourteen (14) years of age, or which is not provided, while in use as such sleeping apartment, with a system of ventilation in continuous operation so contrived as to provide twenty-five (25) cubic feet per minute of outer air for each occupant thereof, exclusive of air consumed by combustion.
(Ord. 15957 § 41, 1907.)

10.24.050 Air space and area in schoolrooms, hospitals, offices, workshops and factories.

It shall be unlawful to use, or permit the use of, any room for the purposes designated in this section, unless such room contains at least the minimum amount of cubic feet of air space and of square feet of floor space for each person occupying said room, as follows: Schoolroom for adults, two hundred forty (240) cubic feet and twenty (20) square feet; schoolroom for children, one hundred eighty (180) cubic feet and fifteen (15) square feet; hospitals, eight hundred (800) cubic feet and eighty (80) square feet; offices, two hundred fifty (250) cubic feet and twenty-five (25) square feet; and workshops and factories, three hundred (300) cubic feet and twenty-five (25) square feet.
(Ord. 72874 § 1, 1943; Ord. 15957 § 43, 1907.)

10.24.060 Ventilation requirements.

It shall be unlawful for any person to keep or use, or to allow or permit to be used, any room or building as a hospital, sleeping apartment, kitchen, bakeshop, factory, workshop or as a schoolroom, theater, church, or place of public assemblage or entertainment, unless the same shall have in continuous operation while occupied, a system of ventilation so contrived as to provide twenty-five (25) cubic feet every minute of outside air for each occupant thereof exclusive of air consumed by combustion; provided, however, that when any room or place is so proportioned as not to allow each occupant, if children, six hundred (600) cubic feet and, if adults, one thousand (1,000) feet of fresh air per hour, or less than three (3) times such amount in sickrooms or hospitals by natural means without exposure to

improper air currents, then such rooms shall be ventilated by artificial means.
(Ord. 15957 § 44, 1907.)

10.24.070 Flushing floors with water.

It shall be unlawful for any person to flush the floor of any room or building with water, unless such floor be so constructed as to be impervious to water, and so constructed as to prevent any water from running, leaking or seeping through such floor or any opening therein, unless such opening be connected with the public sewer, and so trapped as to prevent the escape of sewer gas into such room; and it shall be unlawful for any person to discharge, sweep or drain water used in flushing any such floor or building outside of such building.
(Ord. 15957 § 40, 1907.)

10.24.080 Right of entry for inspection.

The members of the Seattle-King County Department of Public Health, the Health Officer and any accredited officer or agent of said Department, are authorized and empowered to, at all reasonable times, enter and inspect all buildings and premises for the purpose of ascertaining whether the provisions of this chapter are being violated; and it shall be unlawful for any person to prevent or attempt to prevent any such entrance or inspection or to obstruct or interfere with any such officer while engaged therein.
(Ord. 15957 § 51(part), 1907.)

10.24.090 Person defined—Number and gender.

“Person,” wherever used in this chapter, means and includes natural persons of either sex, associations, copartnerships and corporations, whether acting by themselves or by a servant, agent or employee; the singular number shall include the plural and the masculine pronoun shall include the feminine.
(Ord. 15957 § 52(part), 1907.)

10.24.100 Violation—Penalty.

Any person violating or failing to comply with any of the provisions of this chapter, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine in any sum not exceeding One Hundred Dollars (\$100.00) or by imprisonment in the City Jail not

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exceeding thirty (30) days, or by both such fine and imprisonment.
(Ord. 15957 § 53(part), 1907.)

**Chapter 10.25
REPORTS ON WATER SUPPLY AND
SEWAGE DISPOSAL SYSTEMS**

Sections:

- 10.25.010Application for information.**
- 10.25.020Fee for report.**
- 10.25.030Submittal of water samples for analysis—Fee.**

10.25.010Application for information.

Any person, agency or company desiring a report on the condition of a water supply or sewage disposal system shall make application for such information to the Department of Public Health on a form provided by the Director of Public Health.
(Ord. 107099 § 1, 1978.)

10.25.020Fee for report.

Application for a report on such water supply or individual sewage disposal system shall be accompanied by a fee as follows:

- A. For a report on a water supply \$115.00
 - B. For a report on a sewage disposal system 90.00
 - C. For a report on a water supply and a sewage disposal system on the same premises 135.00.
- (Ord. 116938 § 1, 1993: Ord. 114828 § 1, 1989: Ord. 113168 § 1, 1986: Ord. 110266 §§ 1 and 3 (part), 1981: Ord. 107099 § 2, 1978.)

10.25.030Submittal of water samples for analysis—Fee.

Any person, agency or company may submit water samples to the Department of Public Health for analysis. The fee for the analysis of each submitted water sample is Fifteen Dollars (\$15.00).
(Ord. 116938 § 2, 1993: Ord. 110266 §§ 1 and 3 (part), 1981: Ord. 109497 § 1, 1981: Ord. 107099 § 3, 1978.)

**Chapter 10.26
QUARANTINE REGULATIONS¹**

Sections:

- 10.26.010Authority to close public places.**
- 10.26.020Permission required to leave quarantined area.**
- 10.26.030Right of entry for inspection.**
- 10.26.040Person defined—Number and gender.**
- 10.26.050Violation—Penalty.**

¹Editor's Note: References in this chapter to "Board of Health" have been editorially changed to "Seattle-King County Department of Public Health."

10.26.010Authority to close public places.

The Seattle-King County Department of Public Health is authorized and empowered, and it shall be its duty, in all cases of pestilence, contagious, infectious or epidemic diseases, or of danger from anticipated or impending pestilence, contagious, infectious or epidemic diseases, or in case the sanitary condition of the City shall be of such a character as to warrant it, to take such measures, and to adopt such specific rules, and to do and order and cause to be done such acts for the preservation of the public health as the public safety and health demand, and to that end may cause any and all schools, libraries, theaters, churches and all buildings or places where people are accustomed to congregate, and all other houses, buildings and places where the Seattle-King County Department of Public Health shall have reason to believe there is or may be special danger of contagion, to be closed for a specified period, or until the danger from such pestilence, contagious, infectious or epidemic disease shall have ceased to exist, and to cause all such buildings to be disinfected; and it shall be unlawful for any person to violate or neglect or refuse to obey any such specific rules, regulations or orders made by the Seattle-King County Department of Public Health.
(Ord. 15957 § 4, 1907.)

10.26.020Permission required to leave quarantined area.

It shall be unlawful for any person knowing, or having cause to believe themselves to be sick with typhus fever, ship or yellow fever, Asiatic cholera, smallpox, diphtheria or membranous croup,

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measles, scarlet fever or scarlatina, bubonic plague or being an adult with chicken pox, or any person acting as nurse or attendant upon any such sick person, or any person living in the house with such sick person, to appear upon any of the streets, alleys or other public places of the City, or move about or approach or mix with other persons, or to move to or visit another habitation or building, or to remove from any house or place, to any other house or place, or leave any such house or place for any purpose, or for any person to remove any such sick person from any such house or place to any other house or place, or to permit any minor child living in the house with any such sick person to leave such house, without permission from the Health Officer so to do. (Ord. 15957 § 7, 1907.)

10.26.030 Right of entry for inspection.

The members of the Seattle-King County Department of Public Health, the Health Officer and any accredited officer or agent of said Department, are authorized and empowered to, at all reasonable times, enter and inspect all buildings and premises for the purpose of ascertaining whether the provisions of this chapter are being violated; and it shall be unlawful for any person to prevent or attempt to prevent any such entrance or inspection or to obstruct or interfere with any such officer while engaged therein. (Ord. 15957 § 51(part), 1907.)

10.26.040 Person defined—Number and gender.

“Person,” wherever used in this chapter, means and includes natural persons of either sex, associations, copartnerships and corporations, whether acting by themselves or by a servant, agent or employee; the singular number shall include the plural and the masculine pronoun shall include the feminine. (Ord. 15957 § 52(part), 1907.)

10.26.050 Violation—Penalty.

Any person violating or failing to comply with any of the provisions of this chapter, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine in any sum not exceeding One Hundred Dollars (\$100.00) or by imprisonment in the City Jail not exceeding thirty (30) days, or by both such fine and imprisonment.

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(Ord. 15957 § 53(part), 1907.)

**Chapter 10.28
HOSPITAL RECORDS—ACCIDENT
REPORTS**

Sections:

Subchapter I Hospital Records

10.28.010 Definitions.

10.28.020 Records to be kept—Information required.

10.28.030 Access of records for inspection.

10.28.040 Refusal or neglect to report certain persons.

10.28.050 Violation—Penalty.

Subchapter II Accident Reports by Physicians

10.28.100 Report to police required.

10.28.110 Violation—Penalty.

Subchapter III Health Care Records

10.28.200 Definitions—Interpretation of subchapter.

10.28.210 Disclosure to Health Department.

10.28.220 Infant mortality.

10.28.230 Violation—Penalty.

Statutory Reference: For statutory provisions on the retention and preservation of hospital records, see RCW 70.41.190.

Subchapter I Hospital Records

10.28.010 Definitions.

A. “Hospital,” wherever used in this chapter, means and includes any building, place or institution maintained and conducted for the purpose of caring for sick, injured and disabled persons.

B. “Person,” wherever used in this chapter, shall, when necessary, mean and include natural persons of either sex, associations, copartnerships and corporations, whether acting by themselves or by a servant, agent or employee; the singular number shall include the plural and the masculine pronoun shall include the feminine.

(Ord. 16677 § 1, 1907.)

10.28.020 Records to be kept— Information required.

It shall be unlawful for any person to conduct, maintain or have charge of any hospital without keeping at such hospital in a well-bound book to be kept for that purpose, a permanent record, written in ink, showing in regard to each person received, treated, nursed or cared for at such hospital, his name; sex; color or race; conjugal condition (as single, married, widowed or divorced); date of birth; age; place of birth, state or foreign country; name of father; birthplace of father, state or foreign country; maiden name of mother; birthplace of mother, state or foreign country; occupation; place of residence; signature of patient, or signature and address of informant; name and place of residence of next of kin, or in case the identity of the person cannot be ascertained, a physical description of such person, giving sex; color or race; apparent age; apparent height and weight; complexion; color of eyes and hair and a description and location of filling in teeth; scars; deformities; birthmarks and any marked physical peculiarities, and the name and address of the person bringing such person to the hospital, and, in case of injury, the place where sustained; nature of illness, if suffering from poisoning, physical injury or traumatism; name of attending physician, date of entering hospital and date of discharge from hospital or of death. (Ord. 16677 § 2, 1907.)

10.28.030 Access of records for inspection.

It shall be unlawful for any person in charge of any hospital to fail, neglect or refuse to allow the Health Officer or the Chief of Police of the City to at all reasonable times examine and inspect the record provided for in Section 10.28.020. (Ord. 16677 § 3, 1907.)

10.28.040 Refusal or neglect to report certain persons.

It shall be unlawful for any person conducting, maintaining or having charge of any hospital on receiving any person at such hospital suffering from poisoning or any physical injury or traumatism, or any person whose identity cannot be ascertained, to fail, neglect or refuse to immediately report the same to the Chief of Police, or fail, neglect or refuse to permit the Chief of Police or

Health Officer, or any authorized representative of either, to visit such person. (Ord. 16677 § 4, 1907.)

10.28.050 Violation—Penalty.

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 One Hundred Dollars (\$100.00), or by imprisonment in the City Jail for a term not exceeding thirty (30) days, or by both such fine and imprisonment. (Ord. 16677 § 5, 1907.)

Subchapter II Accident Reports by Physicians**10.28.100 Report to police required.**

It shall be unlawful for any doctor, physician or surgeon or other person in the City 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, 1914.)

10.28.110 Violation—Penalty.

A. Every offense defined by this chapter or conduct made unlawful thereby shall constitute a violation. A violation may be punished by a civil fine or forfeiture not to exceed Five Hundred Dollars (\$500.00), but a conviction of a violation shall not give rise to any disability or legal disadvantage based on the conviction of a criminal offense.

B. Notwithstanding the civil nature of the penalty provided in this section for violations, nothing in this section shall deny any constitutional rights which a defendant would have were the penalty deemed criminal. (Ord. 104445 § 1, 1975; Ord. 32986 § 1A, 1914.)

Subchapter III Health Care Records**10.28.200 Definitions—Interpretation of subchapter.**

A. The definitions in RCW 70.020.210 (Chap-

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ter 335, Laws of 1991, Section 102), apply to the underscored words in this subchapter.

1. "Director" means the Director of the Seattle-King County Health Department.

B. This subchapter shall be interpreted to conform with and carry out RCW Chapter 70.02, enacted as Chapter 335, Laws of 1991, commonly known as the Uniform Health Care Information Act.

(Ord. 116039 § 1 (part), 1992.)

10.28.210 Disclosure to Health Department.

As authorized and contemplated by RCW 70.02.050, a health care provider and/or health care facility shall disclose health care information to the Director or his/her designee when required by statute to report the same; when the information is needed to determine compliance with State or federal licensure certification or registration rules or laws; and/or on written request, when the Director determines that the information is needed to protect the public health, and is on or relates to the death of any infant, born alive, who dies within one (1) year of his or her birthday. The Director shall promulgate rules under the procedures of the City's Administrative Code, SMC Chapter 3.02, and policies and procedures controlling the Department's acquisition, maintenance and retention of records and health care information in order to protect the privacy of patients.

(Ord. 116039 § 1 (part), 1992.)

10.28.220 Infant mortality.

The Director may require a health care provider and/or health care facility to disclose to the Director or his/her designee health care information on or relating to the death of any infant, born alive, who dies within one (1) year of his or her birthday.

(Ord. 116039 § 1 (part), 1992.)

10.28.230 Violation—Penalty.

Any person who violates any of the provisions of this subchapter is guilty of a violation, and upon conviction thereof shall be punished by a fine not exceeding Five Hundred Dollars (\$500.00).

(Ord. 116039 § 1 (part), 1992.)

PHYSICAL EXAMINATION OF ARRESTED PERSONS

Sections:

10.30.010 Examination required.

10.30.020 Violation—Penalty.

10.30.010 Examination required.

For the purpose of preventing the spread of contagious and infectious diseases or maladies, it shall be the duty of the Director of the Seattle-King County Department of Health or his/her designated representative to duly examine in such manner and by such methods as modern science has found to be proper all persons who are taken into custody by the Police Department of the City, who are suspected of being afflicted with any contagious or infectious disease or malady. The Director or his/her representative is authorized and empowered, and it shall be his/her duty, to order any such persons so taken into custody to be examined for such purpose. It shall

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Seattle Municipal Code

June, 1998 code update file

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**Seattle Municipal Code
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Seattle Municipal Code
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be unlawful for any person who is in the custody of the City to refuse or neglect to comply with any order made by the Director or his/her representative with reference to such examinations. (Ord. 108152 § 1, 1979; Ord. 32444 § 1, 1914.)

Cases: Seattle Ordinances 15957 and 32444 were held constitutional against the contention that they unlawfully delegated legislative authority by leaving the definition and classification of diseases to health boards. *State ex rel. McBride v. Superior Court*, 103 Wn.409, 174 P. 973 (1918).

Imprisonment for one (1) week of a person arrested for prostitution, for the purpose of determining the presence of venereal disease, pursuant to a City health ordinance, was not unconstitutional. *Laux v. Stitt*, 186 Wn. 180, 57 P.2d 321 (1936).

10.30.020 Violation—Penalty.

Any person convicted of a violation of this chapter shall be deemed guilty of a misdemeanor, and shall be punished by a fine not exceeding the sum of One Hundred Dollars (\$100.00), or imprisoned in the City Jail for a term not exceeding thirty (30) days, or may be both fined and imprisoned. (Ord. 32444 § 2, 1914.)

**Chapter 10.32
DISTRIBUTING MEDICINE SAMPLES**

Sections:

10.32.010 Unlawful deposit designated.

10.32.020 Violation—Penalty.

10.32.010 Unlawful deposit designated.

It shall be unlawful to place or leave upon the property of any person, within the limits of the City, 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, 1912.)

10.32.020 Violation—Penalty.

A. Every offense defined by this chapter or conduct made unlawful thereby shall constitute a violation. A violation may be punished by a civil fine or forfeiture not to exceed Five Hundred Dollars (\$500.00), but a conviction of a violation shall not give rise to any disability or legal disadvantage based on the conviction of a criminal offense.

B. Notwithstanding the civil nature of the penalty provided in this section for violations, nothing in this section shall deny any constitutional rights which a defendant would have were the penalty deemed criminal.

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(Ord. 104539 § 1, 1975; Ord. 29205 § 1A, 1912.)

**Chapter 10.34
RODENT CONTROL¹**

Sections:

10.34.010 Chapter purpose.

**10.34.020 Buildings to be
rodentproofed—Inspection.**

10.34.030 Preventive measures to be taken.

10.34.040 Violation—Penalty.

Statutory Reference: for statutory provisions on rodent control, see RCW Ch. 17.16.

1. Editor's Note: References in this chapter to "Commissioner of Health" have been editorially changed to "Director of Public Health."

10.34.010 Chapter purpose.

It is the purpose of this chapter to prevent the spread of infectious and contagious diseases and especially the disease known as "Bubonic Plague" by rats, mice, and other rodents.
(Ord. 74182 § 1, 1945.)

**10.34.020 Buildings to be
rodentproofed—Inspection.**

It shall be unlawful for the owner or occupant to fail to reconstruct or repair all storerooms, grain elevators, warehouses, docks, and slaughterhouses, and other buildings, including residences, by the use of screens, nets, cement or other materials approved by the Director of Public Health as to sufficiency, for the purpose of preventing rats, mice, or other rodents from gaining entrance thereto; and it shall also be unlawful for the owner of any food or other products or of any goods, wares, and merchandise in such buildings to fail to adequately protect the same to prevent such rodents from gaining access to or coming in contact therewith. Such buildings shall at all times be kept free from such rodents; and the Director of Public Health, or his representative, may at any reasonable hours

inspect such buildings for the purpose of ascertaining the presence of such rodents; and if found to be present, the owner or occupant of the premises shall apply such reasonable measures for their eradication as shall be approved by the Director and shall thereafter continue such reasonable measures likewise approved to keep such buildings free therefrom.

(Ord. 74182 § 2, 1945.)

10.34.030 Preventive measures to be taken.

All premises and places shall be maintained free from rats, mice, and other rodents; and it shall be unlawful for the owner or occupant thereof to fail to take such reasonable preventive and remedial measures for such purpose as shall be prescribed by the Director of Public Health.
(Ord. 74182 § 3, 1945.)

10.34.040 Violation—Penalty.

The violation of or failure to comply with, any of the provisions of this chapter shall be punishable by a fine of not to exceed Three Hundred Dollars (\$300.00), or by imprisonment in the City Jail for not to exceed ninety (90) days, or by both such fine and imprisonment.
(Ord. 74182 § 4, 1945.)

**Chapter 10.36
BEEKEEPING**

Sections:

10.36.010 Maintenance and registration of colonies.

10.36.020 Nuisances designated.

10.36.030 Abatement of nuisances.

Statutory Reference: For statutory provisions on apiaries, see RCW Ch. 15.60.

10.36.010 Maintenance and registration of colonies.

A. It shall be the duty of any person, firm or corporation having honey bees, *apis mellifera* on its property to maintain each colony in the following condition:

1. Colonies shall be maintained in movable-frame hives.

2. Adequate space shall be maintained in the hive to prevent overcrowding and swarming.

3. Colonies shall be re-queened following any swarming or aggressive behavior.

B. All colonies shall be registered with the Director of Agriculture pursuant to RCW 15.60.030 prior to April 1st of each year. (Ord. 108150 § 1, 1979; Ord. 101531 § 1 (part), 1972.)

10.36.020 Nuisances designated.

Bees living in trees, buildings, or any other space except in movable-frame hives; abandoned colonies; or diseased bees shall constitute a public nuisance and subject the owner to the penalties imposed by Section 1 of Ordinance 101531¹. (Ord. 101531 § 2, 1972.)

1. Editor's Note: Penalties imposed by Section 1 of Ord. 101531, are set out in Section 10.36.030.

10.36.030 Abatement of nuisances.

Activities or places not meeting these standards shall be deemed public nuisances. The Corporation Counsel shall maintain a civil action to abate and prevent such nuisances. Upon judgment and order of the court, such nuisance shall be condemned and destroyed in the manner directed by the court or released upon such conditions as the court in its discretion may impose to secure that the nuisance will be abated; the owner of such nuisance shall be liable for a fine not to exceed One Hundred Dollars (\$100.00). (Ord. 101531 § 1 (part), 1979.)

**Chapter 10.38
LAUNDRIES¹**

Sections:

10.38.010 Compliance with chapter regulations.

10.38.020 Employment of persons with contagious disease prohibited.

10.38.030 Toilet facilities and dressing rooms.

10.38.040 Receiving or distributing laundry in building where foodstuffs or secondhand garments are sold.

10.38.050 Inspections.

10.38.060 Violation—Penalty.

1. Editor's Note: References in this chapter to "Commissioner of Health" have been editorially changed to "Director of Public Health."

10.38.010 Compliance with chapter regulations.

It shall be unlawful for any person, persons, firm or corporation to establish, maintain, operate or carry on the business of public laundry or public washhouse where clothes or other articles are cleansed for hire, within the corporate limits of the City, without first having complied with the conditions specified in this chapter. (Ord. 41908 § 1, 1921.)

10.38.020 Employment of persons with contagious disease prohibited.

No person, persons, firm or corporation engaged in the laundry business within the City, shall knowingly permit any person suffering from any infectious or contagious disease to work in or about, or remain within or upon the premises used by such person, persons, firm or corporation for the purposes of a public laundry. It shall be unlawful for any person afflicted with any contagious or infectious disease, such as typhus, typhoid, ship or yellow fever, Asiatic cholera, diphtheria, smallpox, or membranous croup, scarlet fever, measles, German measles, whooping cough, mumps, chicken pox, cerebrospinal meningitis, bubonic plague or tuberculosis, or any venereal disease in a contagious state, or who shall suspect that he has any of the abovementioned diseases, or who has any rash or skin trouble, or in whose place of residence any contagious or infectious disease exists, to work or be employed in or for any person to employ such person in about any laundry or public washhouse during the time the disease exists, or thereafter, until the Director of Public Health shall issue a certificate that there is no danger from employment of the person in such establishment. If at any time any infectious or contagious disease, rash or skin trouble shall appear, the Director of Public Health shall have the authority to at once exclude such person from the establishment where employed, and it shall be unlawful for any person so excluded to return to work, or for the employer to allow such person so affected to work in his establishment, so long as the person is affected

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with any contagious or infectious disease, rash or skin trouble.
(Ord. 41908 § 7, 1921.)

10.38.030 Toilet facilities and dressing rooms.

It shall be unlawful for any person to maintain or operate any public laundry or public washhouse not provided with ample and separate toilet facilities and separate dressing rooms furnished with suitable hooks for the hanging of clothes, for the male and female employees thereof, which toilets and dressing rooms shall at all times be kept in proper condition for the use of such employees. The floors of all washrooms in every public laundry or public washhouse must be made impervious to water and be of cement tile laid in cement or other material approved by the Director of Public Health.
(Ord. 66658 § 1, 1936: Ord. 41908 § 8, 1921.)

10.38.040 Receiving or distributing laundry in building where foodstuffs or secondhand garments are sold.

It shall be unlawful for any person, firm, or corporation to maintain any device for receiving soiled clothing for the purpose of being laundered, or to conduct any office or place for the collection of soiled clothing for laundering purposes, or for the distribution of clothing after laundering, within any building, room, apartment, dwelling, basement or cellar where foodstuffs are sold, offered for sale, prepared, produced, manufactured, packed, stored, or otherwise disposed of, or in any premises wherein the business of secondhand or misfit clothing, hat or clothing renovating, or repairing of shoes is conducted.
(Ord. 41908 § 11, 1921.)

10.38.050 Inspections.

The Director of Public Health and Fire Marshal of the City, or their respective deputies shall at all times have the right to, and it shall be their duty to inspect all public laundries or washhouses for the purpose of ascertaining whether the same are kept in a sanitary condition and so conducted as to not be dangerous to surrounding property from fire, and in case any such public laundry or public washhouse is not being maintained and carried on in accordance with the rules and regulations established by the Board of

Public Works, or with the requirements of this chapter, the Director of Public Health or Fire Marshal may, upon due notice, require such changes to be made as will render such place of business sanitary and safe from fire, and in case the notice shall not be complied with the Board of Public Works may revoke the permit provided for in this chapter.¹
(Ord. 41908 § 12, 1921.)

¹Editor's Note: The sections of Ord. 41908 which provided for the issuance of a laundry or washhouse permit were repealed by Ord. 45633.

10.38.060 Violation—Penalty.

Any person, persons, firm or corporation establishing, maintaining or carrying on the business of public laundry or public wash where clothes or other articles are cleansed for hire within the limits of the City, without first having complied with the provisions of this chapter, or who shall permit any person suffering from any infectious or contagious disease to work in or about, or remain within or upon the premises used by said person, persons, firm or corporation for the purposes of a public laundry, or who shall fail for ten (10) days to comply with any order of the Director of Public Health or Fire Marshal requiring the place where the public laundry is carried on to be made sanitary and safe from fire, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than Ten Dollars (\$10.00) or more than One Hundred Dollars (\$100.00), or by imprisonment for not more than thirty (30) days or both such fine and imprisonment; and in case of a second conviction, the permit¹ for establishing, maintaining, and carrying on such public laundry shall be revoked, and the place of business may be abated as a public nuisance.
(Ord. 41908 § 15, 1921.)

¹Editor's Note: The sections of Ord. 41908 which provided for the issuance of a laundry or washhouse permit were repealed by Ord. 45633.

**Chapter 10.40
RENTING SHOES AND WEARING
APPAREL¹**

Sections:

- 10.40.010 Disinfecting required.**
- 10.40.020 Violation—Penalty.**

1. Editor's Note: References in this chapter to "Commissioner of Health" have been editorially changed to "Director of Public Health."

10.40.010 Disinfecting required.

All shoes and wearing apparel rented or furnished to the public shall, after each use, be disinfected in such manner as to prevent the spread of any contagious or infectious disease; provided, that any disinfectant or disinfectant agency approved by the Director of Public Health for such purpose and used as required by this chapter shall satisfy the requirements hereof.

(Ord. 74178 § 1, 1945.)

10.40.020 Violation—Penalty.

Any violations of, or failure to comply with, the provisions of this chapter shall be punishable by a penalty of not more than Three Hundred Dollars (\$300.00) or to imprisonment in the City Jail for not more than ninety (90) days, or by both such fine and imprisonment.

(Ord. 74178 § 2, 1945.)

**Chapter 10.42
COMMON DRINKING CUPS**

Sections:

10.42.010 Use prohibited.

10.42.020 Furnishing or allowing common cup to be used—Prohibited.

10.42.030 Violation—Penalty.

10.42.010 Use prohibited.

The use of public and common drinking cups, glasses or vessels of any kind to be used in common, for the purpose of drinking therefrom, in railway stations, either steam, electric or cable, in public or private schools, public buildings, halls, churches, theaters, markets, playgrounds, parks, stores, factories or manufacturing establishments in the City, is prohibited.

(Ord. 28383 § 1, 1911.)

10.42.020 Furnishing or allowing common cup to be used—Prohibited.

No person, copartnership or corporation, in charge or control of any railway station, either steam, electric or cable, public or private school,

public building, hall, church, theater, market, playground, park, store, factory or manufacturing establishment or any other public place whatsoever, shall furnish, provide, place or expose or allow to be furnished, provided, placed or exposed any cup, glass or any other drinking vessel at any place where the public or more than one (1) particular individual may or can have access to or the use of such vessels or where such vessels may or can be used in common by the public or by more than one (1) particular individual in any railway station, either steam, electric or cable, public or private school, public building, hall, church, theater, market, playground, park, store, factory or manufacturing establishment or any other place whatsoever, under his, her or its control, in the City.

(Ord. 28383 § 2, 1911.)

10.42.030 Violation—Penalty.

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and punished by a fine of not more than One Hundred Dollars (\$100.00) or by imprisonment, not to exceed thirty (30) days, or by both such fine and imprisonment, and each day's failure to comply with any of the provisions of this chapter shall constitute an additional and separate offense.

(Ord. 28383 § 3, 1911.)

**Chapter 10.44
WIPING AND ABSORBENT MATERIALS**

Sections:

10.44.010 Regulations generally.

10.44.020 Violation—Penalty.

10.44.010 Regulations generally.

It shall be unlawful for any person to use, or sell or offer for sale for such use, any material for wiping machinery, metal or utensils of any kind or character used or employed in any manufacturing plant, printing establishment or other industry, or in any kitchen or restaurant, or for the purpose of absorbing oil or grease in, on or about such machinery, metal or utensils, or for the purpose of cleaning or polishing such machinery, metal or utensils in the places in this section, unless such material has first been thoroughly washed and cleansed and is entirely free from all blood, pus or

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other obnoxious or unsanitary substances of any kind or character.
(Ord. 26022 § 1, 1911.)

10.44.020 Violation—Penalty.

Any person violating any of the provisions of Section 10.44.010 shall upon conviction be fined in any sum not exceeding One Hundred Dollars (\$100.00) or imprisoned in the City Jail for a term not exceeding thirty (30) days, or may be both fined and imprisoned.
(Ord. 26022 § 2, 1911.)

**Chapter 10.46
SEPTIC TANKS, CESSPOOLS AND
GREASE TRAPS**

Sections:

10.46.010 Permit for disposal required.

10.46.020 Authority to make rules and regulations.

10.46.030 Violation—Penalty.

10.46.010 Permit for disposal required.

It shall be unlawful for anyone to deposit or dispose of the cleanings of septic tanks, cesspools, grease traps and seepage pits within the City without a proper permit issued by the Director of Seattle Public Utilities authorizing the disposal of such cleanings at points to be specified by the Director of Seattle Public Utilities. The fee for such permit, which shall be issued only to the holder of a proper registration and inspection certificate to carry on or engage in the business of cleaning septic tanks, cesspools, grease traps and seepage pits issued by the Seattle-King County Health Department pursuant to law for carrying on such business, shall be Thirty Dollars (\$30.00) per month, payable in advance on the first day of each and every month to defray the costs of supervision of such waste disposal and in addition such permit holder shall deposit with the City Finance Director in the Guaranty Deposit Fund the sum of One Hundred Fifty Dollars (\$150.00) to guarantee compliance with the terms of Section 10.46.020.

(Ord. 118396 § 11(part), 1996: Ord. 116368 § 209, 1992: Ord. 84055 § 1, 1955.)

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10.46.020 Authority to make rules and regulations.

The Director of Seattle Public Utilities is authorized to promulgate rules and regulations governing the issuance of such permits, the dumping of such cleanings under the terms of this chapter, fixing the locations and times at which dumping of such cleanings shall be made.
(Ord. 118396 § 11(part), 1996: Ord. 84055 § 2, 1955.)

10.46.030 Violation—Penalty.

Any violation of or failure to comply with any of the provisions of this chapter or of the rules and regulations referred to in Section 10.46.020 shall subject the offender on conviction thereof to a fine in any sum not exceeding Three Hundred Dollars (\$300.00) or to imprisonment in the City Jail for a term not exceeding ninety (90) days or by both such fine and imprisonment and each day on which violation or failure to comply occurs shall constitute a separate offense.
(Ord. 118396 § 11(part), 1996: Ord. 84055 § 3, 1955.)

**Chapter 10.50
OFFENSIVE BUSINESSES¹**

Sections:

10.50.010 Offensive businesses designated.

10.50.020 Control of odors, gases and fumes.

10.50.030 Rendering of animal matter.

10.50.040 Approval of construction or repair of buildings.

10.50.050 Violation—Penalty.

¹Editor's Note: References in this chapter to "Commissioner of Health" have been editorially changed to "Director of Public Health."

10.50.010 Offensive businesses designated.

It shall be unlawful for any person, firm or corporation within the limits of the City to conduct any of the following businesses or to use any building or premises for any of the following uses, unless the businesses shall at all times be so conducted as to create no offense or nuisance:

A. Cement, lime, gypsum or plaster of paris manufacture;

B. Chlorine or hydrochloric, nitric, picric, sulphurous, or sulfuric acid manufacture;

C. Distillation of bones;

- D. Fat, tallow, or lard rendering;
- E. Fertilizer manufacture from organic materials or minerals;
- F. Glue, size or gelatine manufacture;
- G. Hair factory;
- H. Petroleum refining;
- I. Potash refining;
- J. Reduction of garbage, offal, dead animals or refuse;
- K. Slaughterhouses or packing plants;
- L. Smelting of copper, tin, zinc, or iron ores;
- M. Stockyards;
- N. Tannery;
- O. Wool pulling or scouring;
- P. Any other trade, industry or use which is or is likely to become similarly objectionable by reason of the emission of dangerous, unwholesome, foul, nauseous or offensive gases, odors or fumes.

(Ord. 45312 § 1, 1923.)

10.50.020 Control of odors, gases and fumes.

All dangerous, unwholesome, nauseous or offensive odors, gases or fumes arising from or incidental to any of the businesses or uses enumerated in Section 10.50.010 or any part thereof shall be condensed or destroyed by some effective means and no such odors, gases or fumes shall be allowed to escape into the open air in such amounts as to be at any time disagreeably noticeable more than two hundred feet (200') from the building or premises whence said odors, gases or fumes emanated.

(Ord. 45312 § 2(part), 1923.)

10.50.030 Rendering of animal matter.

No animal matter shall be rendered after it becomes spoiled or putrid, nor shall any animal matter be rendered on any premises except such animal matter as shall be produced or accumulated from slaughtering or packing operations conducted upon such premises.

(Ord. 45312 § 2(part), 1923.)

10.50.040 Approval of construction or repair of buildings.

No permit for construction, reconstruction or repair of any building or structure used for any of the businesses enumerated in this chapter shall be issued by any department of the City until the plan therefor shall show adequate means for carrying out the provisions of this chapter and until

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Seattle Municipal Code
June, 1998 code update file

Text provided for historic reference only.

**See ordinances creating and amending
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**For current SMC, contact
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the plan shall have been approved by the Director of Public Health.

(Ord. 45312 § 3, 1923.)

10.50.050 Violation—Penalty.

Any person, firm or corporation who shall violate or fail to comply with any of the provisions of this chapter, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding One Hundred Dollars (\$100.00), or imprisoned in the City Jail for a term not exceeding thirty (30) days, or both so fined and imprisoned, and each day the person, firm or corporation shall continue to violate or fail to comply with any of the provisions of this chapter, shall be deemed and considered a separate offense, and in addition to the penalty provided in this section for the violation of this chapter, any failure, neglect or refusal to comply with any of the terms of this chapter, shall be deemed a nuisance and may be abated in the manner provided by the ordinances of the City for the abatement of nuisances.

(Ord. 45312 § 6, 1923.)

**Chapter 10.52
WEEDS AND VEGETATION**

Sections:

10.52.010 Definitions.

10.52.020 Nuisances designated.

10.52.030 Duties of owners and occupants.

10.52.040 Enforcement.

10.52.050 Notice of violation.

10.52.060 Time to comply.

10.52.070 Extension of compliance date.

10.52.080 Civil penalty.

10.52.090 Abatement.

10.52.100 Money collected.

10.52.010 Definitions.

A. "Alley" means a public way, paved or unpaved, which is intended to provide or which provides a roadway for vehicular and pedestrian access to abutting properties and is generally located to the rear or side of those properties, but not including such a public way in its natural and undeveloped state which cannot be used by vehicles.

B. "Director" means the Director of the Department of Construction and Land Use (DCLU), or the Director's designee.

C. "Fire hazard" means vegetation which is dry and combustible, including but not limited to weeds, grass or clippings, dead bushes or trees or their parts, and other combustible vegetative materials.

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D. "Health hazard" means vegetation or refuse providing a harborage for rats or other rodents, excluding squirrels, rodent runs and habitats, and vegetation which is poisonous or noxious, including but not limited to poison ivy, poison oak, poison hemlock, poison sumac, and nightshade, or which creates a danger of contamination or disease.

E. "Occupant" means any person occupying or having possession of property or any portion thereof.

F. "Owner" means any person who, alone or with others, has title or interest in property with or without accompanying actual possession thereof, and including any person who as agent, or as executor, administrator, trustee or guardian of an estate, has charge, care or control of any property.

G. "Person" means any individual, partnership, corporation, trust, unincorporated or incorporated association, marital community, joint venture, governmental entity, or other entity or group of persons however organized.

H. "Planting strip" means that part of a street right-of-way between the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.

I. "Property" means a specific parcel or parcels, platted or unplatted, of land or real estate.

J. "Safety hazard" means vegetation which overhangs the streets, sidewalk or alley in such a way as to impede the free and full use of the street, sidewalk or alley, and vegetation which obstructs the vision of drivers such that traffic regulation signs or view of an intersection is obstructed from a position of thirty feet (30') or closer to the intersection, and vegetation which creates injury to or the opportunity or risk for injury to passersby or the general public.

K. "Street" means a public or private way, other than an alley, used for public travel.

L. "Vegetation" means trees, shrubs, grass, weeds, bushes, vines, and other plant materials, including but not limited to clippings, fallen leaves, fruit or branches.

(Ord. 114355 § 2(part), 1989.)

10.52.020 Nuisances designated.

The following conditions are hereby declared nuisances within The City of Seattle:

- A. Vegetation constituting a fire hazard;
- B. Vegetation constituting a health hazard;
- C. Vegetation constituting a safety hazard.

(Ord. 114355 § 2(part), 1989.)

10.52.030 Duties of owners and occupants.

A. It is the duty of the owner of the property and of any occupant of the property wherein or whereon any such nuisance exists to abate the nuisance by destroying, removing or trimming vegetation, and removing or destroying any health, safety or fire hazard.

B. In addition to duties the owner or occupant may have to abate nuisances, the owner or occupant of property shall:

- 1. Remove vegetation in or on an abutting sidewalk;
- 2. Destroy, remove or trim vegetation or parts thereof on the property, and which are also overhanging any sidewalk within eight feet (8') measured vertically from any point on the sidewalk;
- 3. Destroy, remove or trim vegetation or any parts thereof on the property or on adjacent planting strips, which encroaches on or overhangs the travelled portion of the street or alley within fourteen feet (14') measured vertically from any point on the street or alley;
- 4. Remove vegetation constituting a safety hazard found on adjacent planting strips or alleys;
- 5. Remove vegetation constituting a fire hazard found on adjacent planting strips or alleys;
- 6. Remove vegetation constituting a health hazard found on adjacent planting strips or alleys.

(Ord. 114355 § 2(part), 1989.)

10.52.040 Enforcement.

A. It shall be the duty of the Director to enforce this chapter. The Director may call upon the police, fire, health or other appropriate City departments to assist in enforcement.

B. Upon presentation of proper credentials, the Director or duly authorized representative of the Director may, with the consent of the owner or occupier of a building or premises, or pursuant to a lawfully issued warrant, enter at reasonable times any building or premises subject to the

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consent or warrant to perform the duties imposed by this chapter.

C. This chapter shall be enforced for the benefit of the health, safety and welfare of the general public, not for the benefit of any particular person or class of persons.

D. It is the intent of this chapter to place the obligation of complying with its requirements upon the owner or occupier of the land and buildings within the scope of this chapter. No provision of or term used in this chapter is intended to impose any duty upon the City or any of its officers or employees which would subject them to damages in a civil action.

E. In identifying violations of this chapter and in specifying corrective action necessary to comply with this chapter, the Director shall take appropriate measures to ensure that environmental hazards and unsafe conditions are not created in environmentally sensitive areas and in property maintained in a wholly undeveloped and unimproved state.

F. Property which does not abut a street, alley or sidewalk and which is owned or maintained by the Seattle Department of Parks and Recreation is exempt from the requirements of this chapter.

(Ord. 114355 § 2(part), 1989.)

10.52.050 Notice of violation.

A. If after investigation the Director determines that a violation of this chapter has occurred, the Director may have a notice of violation served upon the owner, or occupant or other person believed to be responsible for the condition. The notice may be served by mailing a copy by United States mail addressed to the last known address of the owner, occupant or other person responsible for the condition. The notice shall state separately each violation of this chapter and what corrective action is necessary to comply with this chapter. A reasonable time for compliance shall be established in the notice.

B. The notice of violation may be amended by the Director to cite additional authority for the state condition or to correct clerical errors.

(Ord. 114355 § 2(part), 1989.)

10.52.060 Time to comply.

When calculating a reasonable time for compliance, the Director shall take into consideration:

A. The type and degree of violation cited in the notice;

B. The intent of a responsible party to comply if an intent has been expressed.

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(Ord. 114355 § 2(part), 1989.)

10.52.070 Extension of compliance date.

An extension of time for compliance with a notice of violation may be granted by the Director upon receipt of a written request therefor. The Director may, without a written request, grant an extension of time after finding that required actions have been started and that the work is progressing at a satisfactory rate.

(Ord. 114355 § 2(part), 1989.)

10.52.080 Civil penalty.

A. In addition to any other sanction or remedial procedure which may be available, any person failing to comply with a notice of violation of this chapter shall be subject to a cumulative penalty in the amount of Twenty-five Dollars (\$25.00) per day for each violation, from the date set for compliance until the notice of violation is complied with; provided persons failing to comply with a notice of violation issued with respect to property which is not used for residential purposes shall be subjected to a cumulative penalty in the amount of One Hundred Dollars (\$100.00) per day; and provided further that the penalty for failure to comply with a notice of violation where the City has abated the nuisance, shall be increased to include the actual cost of such removal, plus administrative cost which shall be defined to be fifteen percent (15%) of the actual cost or removal and shall include interest on the amount at the rate allowed for judgments.

B. The penalty imposed by this section shall be collected by civil action brought in the name of the City. The Director shall notify the City Attorney in writing of the name of any person subject to the penalty and the City Attorney shall, with the assistance of the Director, take appropriate action to collect the penalty.

(Ord. 114355 § 2(part), 1989.)

10.52.090 Abatement.

Any property on which violations of this chapter remain uncorrected after issuance of a notice of violation may be abated in any manner otherwise provided by law or in accordance with the following procedures:

A. The City Council may, after a report filed by the Director, by resolution require a property owner, in addition or alternative to the penalties prescribed by Section 10.52.080, to abate the

nuisance by removal or destruction at his or her cost and expense within a time specified in the resolution; and if the removal or destruction is not made by such owner within the time specified, the Director may abate the same as provided in subsection C of this section.

B. The resolution shall not be passed until the property owner is given at least five (5) days' notice of the pendency of the proposed resolution. Such notice shall be given by the Director by mailing a copy of the notice to the owner as shown upon the records of the County Treasurer and at the address shown thereon. If no owner and address is shown on such records, a copy of the notice shall be posted upon the property, and shall also be published in one (1) issue of the official newspaper. The mailing, posting and publication shall be made at least five (5) days before the resolution is adopted and proof shall be made by affidavit of the Director filed with the City Clerk. The notice shall include the resolution number and shall describe the property involved and the nature of the condition constituting the nuisance.

C. If the nuisance is not abated by the property owner within the time fixed in the resolution, the Director may abate the same and mail a bill to the property owner covering the cost to the City of such abatement, including the Director's expense. If the property owner fails or refuses to pay the bill immediately, the Director shall file a lien therefor against the property, which lien shall be in the same form, filed with the same officer and within the same time and manner and enforced and foreclosed as is provided by law for liens for labor and material.

(Ord. 114355 § 2(part), 1989.)

10.52.100 Money collected.

Sums recovered by the City as reimbursement for costs incurred by the City for the abatement of nuisance, and fines and penalties collected pursuant to this chapter, shall be paid into the Housing and Abatement Revolving Fund.

(Ord. 114355 § 2(part), 1989.)

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**Chapter 10.54
FUMIGATORS AND EXTERMINATORS**

Sections:

- 10.54.010** Definitions.
- 10.54.020** Permit required.
- 10.54.030** Exemption from chapter requirements.
- 10.54.040** Grounds for summary suspension or revocation.
- 10.54.050** Requirements for certified fumigator or certified exterminator permits.
- 10.54.060** Requirements for certified applicator permits.
- 10.54.070** Compliance with chapter required.
- 10.54.080** Storage requirements.
- 10.54.090** Notification of fumigation—Record of extermination.
- 10.54.100** Protection of the public—Notification of occupant.
- 10.54.110** Fumigation of a ship.
- 10.54.120** Danger signs—Preparation of premises.
- 10.54.130** Watchers.
- 10.54.140** Two persons to perform fumigation.
- 10.54.150** Airing out and ventilation.
- 10.54.160** First aid kit—Knowledge of CPR.

10.54.010 Definitions.

Unless the context otherwise requires:

A. “Applicant” means an individual or entity formally requesting a certified exterminator and/or certified fumigator permit from the Seattle-King County Department of Public Health.

B. “Apprentice” means a person who works directly under the supervision of a certified fumigator, certified exterminator, fumigator, or exterminator as a sealer, watcher or helper.

C. “Certified applicator” means any individual who is licensed as a pesticide applicator, pesticide operator, public operator, private commercial applicator, or any other individual who is certified by the Director of the Washington State Department of Agriculture to use or supervise the use of any pesticide which is classified by the Environmental Protection Agency as a restricted

use pesticide or by the state as restricted to use by certified applicators only.

D. “Certified Exterminator” means a person who has passed the City of Seattle’s Master Exterminator exam and has a current Seattle-King County Health Department extermination permit.

E. “Certified Fumigator” means a person who has passed The City of Seattle’s Certified Fumigator exam and has a current Seattle-King County Health Department fumigation permit.

F. “Director” means the Director of the Seattle-King County Department of Public Health or his representative.

G. “Direct supervision by a certified exterminator or certified fumigator” means application of pesticides by a person acting under the instruction and control of a certified exterminator or certified fumigator who is available if and when needed, even though such certified exterminator or certified fumigator is not physically present at the time the pesticide is applied.

H. “Extermination” or “exterminate” means

the use of powder, spray or bait for the destruction of rodents, vermin, fungi, insects or other pests.

I. "Exterminator" means a person employed by a certified exterminator who applies the powder, spray or bait for the destruction of rodents, vermin, fungi, insects, or other pests.

J. "Fumigant" means and includes any substance which by itself or in combination with any other substance emits or liberates a gas, fume or vapor used for the destruction or control of insects, fungi, vermin, germs, rodents or other pests, and is distinguished from insecticides and disinfectants which are essentially effective in this solid or liquid phase.

K. "Fumigation" or "fumigate" means the use of fumigants in buildings, vessels or enclosed spaces for the destruction or control of insects, fungi, vermin, germs, rodents or other pests.

L. "Fumigator" means a person employed by a certified fumigator who liberates any fumigant in fumigating any building, vessel or enclosed space. (Ord. 112908 § 1, 1986; Ord. 109932 § 1(part), 1981.)

10.54.020 Permit required.

A. It is unlawful for any person to engage in the business of certified fumigator or certified exterminator without first obtaining a permit as required by this chapter.

B. It is unlawful for any person to work as a fumigator, exterminator or apprentice without first obtaining any permits that may be required by the State of Washington and King County. (Ord. 112908 § 2, 1986; Ord. 109932 § 1 (part), 1981.)

10.54.030 Exemption from chapter requirements.

No certified fumigator or certified exterminator permit is required for:

A. Fumigation of or extermination in greenhouses, mushroom houses, or horticulture or farm fumigation or extermination, or fumigation of or extermination in grain in bins or elevators, truck trailers or railroad cargo cars or of flouring mills; provided, that if such fumigation or extermination is done by an individual other than the owner, including an employee of the owner, the individual shall obtain the appropriate permit prior to commencement of fumigation or extermination;

B. Fumigation or extermination under the direction and supervision of the United States

Public Health Service or other federal or state authority;

C. The owner or occupant using upon his/ her premises any powder, spray or bait for the destruction of rodents, vermin, fungi, insects or other pests.

(Ord. 112908 § 3, 1986; Ord. 109932 § 1(part), 1981.)

10.54.040 Grounds for summary suspension or revocation.

In addition to grounds for summary suspension or revocation of permits in Chapter 10.01, a certified fumigator or certified exterminator permit may be summarily suspended or revoked if a certified applicator, fumigator, exterminator, or apprentice under contract to or employed by the permittee is not under the direct supervision of a certified exterminator or a certified fumigator.

(Ord. 112908 § 4, 1986; Ord. 109932 § 1(part), 1981.)

10.54.050 Requirements for certified fumigator or certified exterminator permits.

The following requirements must be met by the applicant before the Director shall issue either a certified fumigator or certified exterminator permit:

A. The applicant shall be no less than eighteen (18) years of age;

B. The applicant must have furnished proof satisfactory to the Director of two (2) years' actual full-time experience in the field in which the applicant is applying for the permit, or one (1) year's actual full-time experience in the field in which the applicant is applying for the permit and completion of a course of study approved by the Director training applicants in the pertinent technology;

C. The applicant shall obtain and maintain a general public liability insurance policy in full force and effect for the term of the permit. Evidence of such policy must be filed by the applicant with the City Clerk. This policy shall be conditioned as required in Chapter 10.01, and shall:

Provide liability insurance in the minimum amount of One Hundred Thousand Dollars (\$100,000.00), and a minimum aggregate amount of not less than Five Hundred Thousand Dollars

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(\$500,000.00) for all claims arising during any one (1) year;

D. The applicant shall pass a written examination administered by the Director, in which he/she shall be required to exhibit knowledge about fumigants, rodenticides and insecticides, and any other substance or mechanical devices, under whatever name known, for the destruction or control of insects, vermin, rodents, fungi, or other pests, and their uses, and antidotes; as to the hazards involved, precautionary and safety measures; the use of gas masks; the effects, residual and otherwise, upon foods and commodities; dosages and exposure periods; provisions for adequate ventilation and safe occupancy; first aid methods; the rules and regulations of the City relating to the use of fumigants and insecticides;

E. Certified exterminator and certified fumigator permits shall expire annually on December 31st, but may be renewed annually for up to five (5) years from the date of the applicant's successful passage of the examination without re-examination, provided that the applicant demonstrates to the satisfaction of the Director that he/she has accumulated annually five (5) continuing education credits at courses, seminars, conferences or workshops approved by the Washington State Department of Agriculture. (Ord. 116368 § 210, 1992; Ord. 112908 § 6, 1986; Ord. 109932 § 1(part), 1981.)

10.54.060 Requirements for certified applicator permits.

The applicant for a certified applicator permit shall pass an examination administered by the Washington State Department of Agriculture in accordance with RCW Chapter 17.21. No Seattle-certified applicator permit or examination is required. (Ord. 112908 § 7, 1986; Ord. 109932 § 1(part), 1981.)

10.54.070 Compliance with chapter required.

No person shall keep, store or use any fumigant, inflammable liquid, poisonous solid liquid, powder, spray or bait used to fumigate or exterminate without complying with this chapter and all other ordinances of the City and all laws governing their keeping, storing or use. (Ord. 112908 § 8, 1986; Ord. 109932 § 1(part), 1981.)

10.54.080 Storage requirements.

No fumigant shall be stored by a certified fumigator, certified exterminator or certified applicator in any place other than a separate, well-ventilated room, approved for the purpose by the Chief of the Fire Department and the Director. On all doors leading to any such room, there shall be posted a conspicuous sign bearing a skull and crossbones and the words "DANGER! FUMIGANT STORAGE" in red letters not less than two inches (2") high on a white background. No certified fumigator, certified exterminator or certified applicator shall store any flammable liquid, or poisonous solid or liquid used for extermination in any place other than a separate room approved for the purpose by the Chief of the Fire Department and the Director; provided, that such substances for use only on the premises where stored may be kept in a separate locker approved by the Director and the Chief of the Fire Department, and that on all doors leading to the room or locker there shall be posted conspicuous signs bearing the skull and crossbones, and the words "DANGER! STORAGE OF INFLAMMABLES AND POISONS" in red letters not less than two inches (2") high on a white background, and that any room or locker shall at all times when a competent person is not present be securely locked against entry. (Ord. 112908 § 9, 1986; Ord. 109932 § 1(part), 1981.)

10.54.090 Notification of fumigation—Record of extermination.

A. No certified fumigator, certified exterminator or certified applicator shall fumigate any building or enclosed space without giving at least twenty-four (24) hours' written notice thereof to the Director, Chief of the Fire Department and Chief of Police of the City, stating the location, character and the use of such building or space, type of fumigant to be used and the time when fumigation is to be performed.

B. No certified fumigator, certified exterminator or certified applicator shall fumigate any vessel without giving at least four (4) hours' written notice thereof to the Director, Chief of the Fire Department and Chief of Police of the City, stating the location of such vessel, type of

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fumigant to be used and the time when fumigation is to be performed.

C. Each certified exterminator shall keep a record of each premises on which extermination work has been done under his/her direction which shall show the address of such premises and the date of application of exterminating substances used. Such records shall be open to examination by the Director or his/her authorized representative on request.

(Ord. 112908 § 10, 1986; Ord. 109932 § 1(part), 1981.)

10.54.100 Protection of the public—Notification of occupant.

A. The Director shall prohibit any fumigation when, in his/her judgment, such action is necessary to protect the public health and safety.

B. No person shall remain in any building, vessel or enclosed space during the period of fumigation thereof; provided, that where the part to be fumigated is locked and warning signs posted as elsewhere herein provided, persons may remain in other parts when deemed by the Director to be safe. At least twenty-four (24) hours prior to fumigation, the certified fumigator shall notify in writing every occupant of the premises to be fumigated and every person within any surrounding area in which human life may be endangered by the fumigation of the time of fumigation. The fumigator shall, immediately prior to fumigation, cause a careful examination to be made of all parts of the place to be fumigated and of the surrounding area in which human life may be endangered by the fumigation to see that no persons remain.

C. The Director may require the use of five-percent (5%) chloropicrin or any warning gas in conjunction with a fumigant.

(Ord. 112908 § 11, 1986; Ord. 109932 § 1(part), 1981.)

10.54.110 Fumigation of a ship.

No ship shall be fumigated until the captain or other commanding officer shall have mustered the crew and caused its members and all other persons in or on it to leave and remain away from the ship during the process of fumigation; provided, that, where a part of a ship is not immediately adjoining or does not communicate with an occupied portion of the ship, and where

after an investigation conducted by the Director and fumigator, it appears to the satisfaction of the Director and fumigator that such portion may be fumigated without danger to life or health, or without creating a fire hazard, the Director may, in his/her discretion, grant permission to a certified fumigator to perform fumigation without requiring all persons in other parts of the ship to leave it, subject to such conditions and restrictions as the Director may impose.

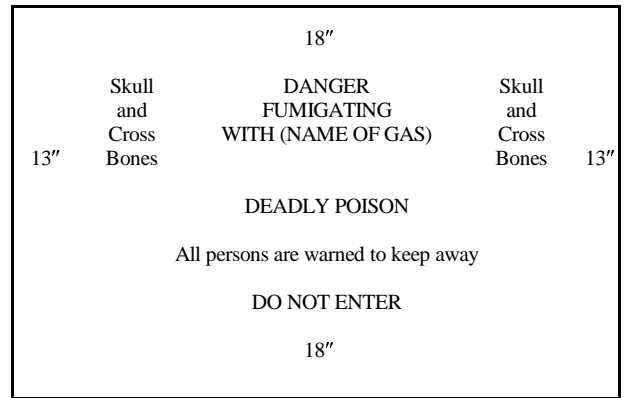
(Ord. 112908 § 12, 1986; Ord. 109932 § 1(part), 1981.)

10.54.120 Danger signs—Preparation of premises.

Before any person commences a fumigation, the following regulations shall be complied with:

A. Danger Signs. Prior to fumigation, warning signs shall be posted on all doors, entrances, and exits to the premises to be fumigated, and upon all gangplanks and ladders from the dock, pier, or land to the ship as follows:

1. Signs shall be eighteen (18) inches by thirteen (13) inches, printed in red on white background with letters in headlines at least two (2) inches in height;
2. Signs shall conform substantially with the following format;



3. At night signs shall be illuminated so that they are plainly readable.

B. Where the Director permits the presence of persons in any portion of a building while another portion is being fumigated, all doors and entrance ways to the portion to be fumigated shall be posted as above required.

C. All moist food and liquids, if not sealed in

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gas-proof containers or compartments, shall be removed from the place to be fumigated.

D. The fumigator in charge of the work on the premises to be fumigated shall make a personal inspection and examination of the premises, and cause a thorough cleanup, removing all refuse, oily waste, and other needless combustible material prior to the sealing of the premises, and cause a proper and secure sealing of all cracks, crevices, openings and apertures in the walls, ceilings and floors in such manner as to confine the fumigant exclusively to the building, ship or other similar enclosed space intended to be fumigated, and take all other practical precautions necessary to protect and safeguard persons that may be exposed.

E. All fires, oil burners, flames, pilot lights, and similar sources of ignition shall be eliminated from the space under fumigation.

F. If a fire occurs in the immediate vicinity, the Fire Chief of the City may at his/her discretion cause the building under fumigation to be immediately ventilated by the fumigator. Ventilation shall take place at points furthest from the fire.

(Ord. 109932 § 1(part), 1981.)

10.54.130 Watchers.

During fumigation, except fumigation in a gastight vault or tank, a capable, alert watcher or watchers shall remain on duty at the entrance or entrances to the building, ship or enclosed space being fumigated, who shall be supplied with an efficient gas mask of the type approved by the Director and who shall continue on duty until after the fumigation is completed, the premises properly ventilated, again safe for human occupancy, and released and approved for occupancy by the Director. Sufficient watchers shall be provided to prevent any person without being observed from entering the building, ship or enclosed space under fumigation.

(Ord. 109932 § 1(part), 1981.)

10.54.140 Two persons to perform fumigation.

Two persons, working together, shall do the fumigating and ventilation. No person shall be allowed in the building, ship or enclosed space under fumigation during the placing of chemicals, during fumigation and until the same is properly ventilated and declared safe for occupancy by the Director, unless he/she wears a properly tested gas mask suitable for protection from the particular gas or fumes used.

(Seattle 12-86)

(Ord. 109932 § 1(part), 1981.)

10.54.150 Airing out and ventilation.

A. The fumigator shall, after fumigation, cause all pillows, mattresses, bedding, curtains, rugs, upholstered furniture, clothing and other similar articles to be thoroughly aired before the fumigated place is again occupied. These articles shall be well ventilated until methyl orange test papers indicate absence of cyanide gas. The Director may require such other tests to indicate presence of other dangerous gas he/she deems advisable.

B. After fumigation of any place, all doors and windows shall be opened and kept open until clearing and ventilation is completed. Mechanical ventilation by means of electric fans or blower or suction type shall be employed as required by the Director. Clearing and ventilation shall be conducted with due regard to the hazard to persons outside the building in the vicinity of ventilation openings. Whenever required by the Director the space fumigated after it has been once cleared and ventilated shall be heated to seventy-five (75) degrees Fahrenheit and again ventilated and cleared until no dangerous gases are indicated by tests required herein.

C. No fumigated building, space or vessel shall be released for occupancy nor shall the watcher be discharged or the danger or warning signs removed until the building, space, or vessel has been inspected and approved for occupancy by the Director.

D. The fumigator shall dispose of all empty containers, pails, tubs, canvas or other devices used in fumigation as required by the Director.

(Ord. 109932 § 1 (part), 1981.)

10.54.160 First aid kit—Knowledge of CPR.

A. Any fumigator shall have as a part of his/her equipment, a first aid kit and a medical aid kit consisting of:

1. Antidotes with instructions on how to use, for all fumigant(s) used;
2. Testing equipment for each fumigant in use; and
3. A gas mask that will allow emergency entry into an area where a fumigant is being administered.

**Seattle Municipal Code
June, 1998 code update file
Text provided for historic reference only.**

**See ordinances creating and amending
sections for complete text, graphics,
and tables and to confirm accuracy of
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B. Each fumigator shall have a "Heartsaver" certificate dated within the past two (2) years showing successful completion of a cardiopulmonary resuscitation training course, as approved by the Director.

(Ord. 109932 § 1(part), 1981.)

**Chapter 10.56
SWIMMING AND SPA POOL CODE**

Sections:

- 10.56.010 Citation.**
- 10.56.020 Definitions.**
- 10.56.030 Permit required.**
- 10.56.040 Plans and specifications for construction, alteration or renovation.**
- 10.56.045 Operation and maintenance.**
- 10.56.050 Water quality.**
- 10.56.060 Disinfection.**
- 10.56.070 Recirculation and filtration.**
- 10.56.080 Waste.**
- 10.56.090 Cross-connections.**
- 10.56.100 Operating records.**
- 10.56.110 Alternate materials, equipment or procedures.**

Severability: The provisions of this chapter are declared to be

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Seattle Municipal Code

June, 1998 code update file

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(Seattle 12-86)

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separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this chapter, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this chapter or the validity of its application to other persons or circumstances.
(Ord. 110180 § 5, 1981.)

10.56.010 Citation.

This chapter may be cited and referred to, and shall be known as the "Seattle Swimming and Spa Pool Code."
(Ord. 110180 § 1(part), 1981.)

10.56.020 Definitions.

As used in this chapter, unless the context clearly requires another meaning,

A. "Approved" means approved, in writing, by the Director.

B. "Director" means the Director of the Seattle-King County Department of Public Health or his designee.

C. "Private pool" means any swimming, wading, spa or spray pool maintained by an individual, the use of which is confined to members of his/her family or invited guests.

D. "Public pool" means any swimming or spa pool, together with buildings and appurtenances in connection therewith, that is available to the general public, with or without payment of an admission charge, for the use of same; and shall include any swimming pool of fifteen thousand (15,000) square feet or more in surface area, whether or not available to the general public.

E. "Semipublic pool" means any swimming or spa pool less than fifteen hundred (1,500) square feet in surface area, the use of which is provided for and limited to defined persons, or multiple-family or cooperative groups such as, but not limited to, the guests, patrons, and members of hotels, motels, mobile home parks, apartments, condominiums, subdivisions, community clubs, private clubs, institutions, and schools, and their invited guests.

F. "Spa pool" means a unit designed for recreational or therapeutic use that is not drained, cleaned or refilled for each user. It may include, but not be limited to hydrojet circulation, hot water, cold water, mineral baths, air induction bubbles, or any combination thereof. Industry terminology for a spa includes, but is not limited to, "therapeutic pool," "hydrotherapy pool," "whirlpool," "hot spa," "hot tubs," etc. This definition excludes pools in medical health-care facilities licensed by the State of Washington Department of Social and Health Services or its successor.

G. "Spray pool" means any pool or artificially constructed depression into which water is

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sprayed but is not allowed to pond in the bottom of the pool.

H. "Swimming pool" means any structure, basin, chamber, or tank containing an artificial body of water for swimming, diving, or recreational bathing and having a depth of two (2) feet or more at any point and including all facilities incidental thereto.

I. "Wading pool" means any artificial pool of water intended and constructed for wading purposes that is not over two (2) feet in depth at any point.

(Ord. 110180 § 1(part), 1981.)

10.56.030 Permit required.

It shall be unlawful for any person to operate a swimming or spa pool without a valid permit issued to such person by the Director.

(Ord. 110180 § 1(part), 1981.)

10.56.040 Plans and specifications for construction, alteration or renovation.

A. No person shall commence the construction, alteration, or renovation of any public or semipublic swimming, wading, spray, or spa pool or any appurtenance thereto, without first having obtained the Director's approval of the plans and specifications for such construction, alteration or renovation.

B. 1. Plans and specifications for the construction, alteration or renovation of a public or semipublic swimming, spray, wading, or spa pool or any appurtenance thereto, shall be submitted, in duplicate, to the Director for review and approval prior to the commencement of any such construction, alteration, or renovation. Plans and specifications for new public or semipublic swimming, spray, wading or spa pools shall be prepared by an architect or professional engineer qualified in the proposed work and licensed to practice such profession under the laws of the State of Washington. Plans shall be accompanied by a plan review fee specified in SMC 10.03.056.

2. Plans shall be drawn to scale. Specifications shall include details on all recirculation and chemical equipment, including pumps, disinfection equipment, chemical feeders, filters, meters, strainers, overflow channels and/or skimming facilities and related equipment, to facilitate a comprehensive engineering review of such plans and specifications including piping and hydraulic details. If, upon examination of such plans and specifications, the Director finds that the proposed construction, alteration or renovation will comply with the provisions of this chapter and applicable departmental rules and regulations established in accordance herewith, he/she shall approve the same; otherwise such plans and specifications shall be disapproved. The Director may condition his/her approval of plans and specifications upon making of such modifications in such plans and specifications as the public health or safety may require.

C. The construction, alteration or renovation of any public or semipublic swimming, wading, spray, or spa pool or appurtenance thereto shall be made only in accordance with approved plans and specifications therefor; provided, that changes or modifications in such approved plans and specifications that are consistent with the public health and safety may be made with the written approval of the director.

D. Upon completion of any such construction, alteration, or modification, the owner or operator of such pool, or the agent of either, shall notify the Director of its readiness for inspection. No such pool shall be opened for use or allowed or caused to be used until it has been inspected by the Director and found to have been constructed, altered or remodeled consistent with the approved plans and specifications therefor, and to be in compliance with the provisions of this chapter and applicable rules and regulations established in accordance herewith.

(Ord. 110180 § 1(part), 1981.)

10.56.045 Operation and maintenance.

A. All public or semipublic swimming, spray, wading and spa pools and all components thereof, appurtenances thereto, and the premises thereof, shall be maintained in a clean and sanitary condition at all times such pool is open to users.

B. The person to whom a pool permit is issued shall be responsible for the maintenance, operation and proper use of the public or semi-

public pool for which such permit is issued, and shall provide one (1) or more operators or attendants at such times as shall be necessary for the maintenance and operation of such pool in compliance with the provisions of this chapter and applicable rules and regulations established in accordance herewith. All such operators and attendants shall be familiar with the equipment and appurtenances of such pool and the principles of pool operation.

(Ord. 110180 § 1(part), 1981.)

10.56.050 Water quality.

The water in all public or semipublic swimming, spa, wading and spray pools, at all times shall meet such standards of chemical, physical and bacteriological quality as the Director shall establish, by rule, to ensure that persons using such pools shall not be exposed to toxic or irritating chemical conditions, or disease-producing organisms.

(Ord. 110180 § 1(part), 1981.)

10.56.060 Disinfection.

A disinfecting process or procedure shall be used to maintain in all public or semipublic swimming, and wading pools, and spray pools using recirculated water, a minimum free-chlorine residual of 1.0 ppm and in spa pools, a minimum free-chlorine residual of 2.0 ppm; provided, that upon written application, the Director may approve the use of other processes or procedures found to ensure adequate and continuous disinfection of water throughout such pools during the period such pools are in use.

(Ord. 110180 § 1(part), 1981.)

10.56.070 Recirculation and filtration.

Recirculation and filtration equipment adequate to recirculate and filter the entire volume of water at least once every six (6) hours shall be provided for every public swimming pool; and at least once every twelve (12) hours for every semipublic swimming or wading pool; and at least once every thirty (30) minutes for every spa pool. Such equipment shall be in operation at all times such pool is open for use; provided, that such recirculation and filtration equipment need not be provided for a flow-through pool in which the

supply of water meets the water quality requirements of Section 10.56.050, hereof, and the disinfection requirements of Section 10.56.060, hereof; and such supply is sufficient to provide a complete change of water within the time period required by this section; and the introduction of such water supply into the pool is accomplished by the same type of inlet design required for recirculation pools. Where more than one pool is located on the same premises, each must have an independent recirculation and filtration system.

(Ord. 110180 § 1(part), 1981.)

10.56.080 Waste.

All water from backwash, filter residues, and other waste in any public or semipublic pool shall be disposed of in a safe and sanitary manner approved by the Director.

(Ord. 110180 § 1(part), 1981.)

10.56.090 Cross-connections.

No piping arrangement shall be installed or used in any public or semipublic, spray, or wading pool such that under any condition, sewage or waste water will be permitted to enter the recirculation system of the pool, or water from the recirculation system or the pool will be permitted to enter the potable water supply or make-up water supply.

(Ord. 110180 § 1(part), 1981.)

10.56.100 Operating records.

At all public or semipublic swimming, spa, and wading pools, and spray pools using recirculating water, complete daily records shall be kept of the times each filter is backwashed or cleaned and of the results of all tests made as to water quality and disinfectant residual. Such records shall be made available at any reasonable time for examination by the Director.

(Ord. 110180 § 1(part), 1981.)

10.56.110 Alternate materials, equipment or procedures.

For the purpose of temporarily evaluating equipment, materials, or procedures, and to meet any temporary emergency condition, the Director, consistent with the needs of the public health and safety, may permit the use of materials, equipment and procedures not specifically prescribed by this chapter and applicable departmental rules and regulations established in accordance herewith.

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(Ord. 110180 § 1(part), 1981.)

Chapter 10.58

**SCHOOL INSPECTIONS, REVIEWS OF
PLANS AND SPECIFICATIONS, AND
INVESTIGATIONS**

Sections:

10.58.010 School inspections, reviews, and investigations.

10.58.010 School inspections, reviews, and investigations.

Upon receipt of a request or direction from the chief administrator of a public or private school, the governing board of education of any public school, the State Department of Social and Health Services, or the Superintendent of Public Instruction, the Director of Health is authorized to do the following:

A. Review final plans and specifications for construction of any new school facility and any new addition to or major alteration of an existing facility or any of the utilities connected thereto, and make recommendations for any necessary or appropriate changes therein to secure compliance with, and otherwise implement, Chapter 248-64 WAC;

B. Conduct preoccupancy inspections of new school construction, and major alterations and additions to existing school facilities to determine conformance with, and to otherwise implement, Chapter 248-64 WAC;

C. Inspect private school facilities to certify compliance with the provisions of Chapter 248-64 WAC to implement RCW 28A.02.201(5);

D. Investigate whether any exemption from the provisions of Chapter 248-64 WAC should be made by the State Board of Health pursuant to WAC 248-64-360.

(Ord. 110265 § 1, 1981.)

Chapter 10.60

PERSONAL HEALTH CARE PROGRAMS

Sections:

10.60.010 Authority to provide personal health care.

10.60.010 Authority to provide personal health care.

The Director of Public Health is authorized to provide personal health care services to eligible recipients thereof, as follows:

- A. Treatment for sexually transmitted diseases;
 - B. Treatment under maternal and child health programs contemplated under Title V of the Social Security Act, as amended;
 - C. Dental care for adults and children;
 - D. Comprehensive care through the North District Family Health Clinic;
 - E. Treatment for diseases related to travel abroad; and
 - F. Treatment received at Health Department clinics for diseases related to the public health of the community.
- (Ord. 110902 § 1, 1982; Ord. 110272 § 1, 1981.)

**Chapter 10.62
WHOLESALE OF DRUGS AND
SUPPLIES**

Sections:

10.62.010 Authorization for wholesaling.

10.62.010 Authorization for wholesaling.

The Director of Public Health is authorized to sell drugs and supplies to community clinics with which contracts have been executed for or on the behalf of the City, for the procurement of health care services for the public, which sales shall be at rates equal to the Health Department's cost for such drugs and supplies plus ten percent (10%) of such cost to reimburse the Department for its administrative overhead associated with such activity.

(Ord. 110270 § 1, 1981.)

**Chapter 10.64
NO-SMOKING AREAS**

Sections:

- 10.64.010 Definitions.**
- 10.64.020 Prohibition.**
- 10.64.030 No smoking areas in restaurants.**
- 10.64.040 Designation of "Smoking" and "No Smoking" areas.**
- 10.64.050 Enforcement.**
- 10.64.060 Penalty.**

10.64.010 Definitions.

A. "Public place" as used in this chapter shall mean any building or vehicle used by, and open to, the public regardless of whether such building or vehicle is owned in whole or in part by private persons or entities, or by The City of Seattle or other public entity, and regardless of whether a fee is charged for admission to the place.

B. "Smoke" or "smoking" as used in this chapter means the carrying or smoking of any kind of lighted pipe, cigar, cigarette or any other form of ignited tobacco or lighted smoking or material equipment.

(Ord. 111099 § 1(part), 1983.)

10.64.020 Prohibition.

Smoking is prohibited in the following public places:

- A. Elevators;
- B. Mass transportation vehicles, such as buses; except on chartered buses for private hire or in taxicabs clearly designated by the operator to permit smoking;
- C. Indoor facilities serving as museums, concert halls, theaters, auditoriums and exhibition halls, whether owned or occupied by The City of Seattle or by any other person; provided that smoking by performers as part of a theatrical production is permitted; and provided further that smoking may be permitted in designated areas including portions of lobbies, so long as such areas are physically separated from the spectator areas, lobbies and all other public areas;
- D. Indoor sports arenas, provided that smoking may be permitted in designated areas of lobbies, if the lobbies are physically separated from the spectator area;
- E. Hallways and waiting rooms of every health care facility including, but not limited to, hospitals, nursing homes, clinics and health departments, provided that smoking may be allowed in one or more designated, physically separate waiting rooms;

F. All areas open to the public in buildings owned by The City of Seattle, provided that smoking may be permitted in designated smoking areas of the Seattle Center's "Center House" not to exceed thirty percent (30%) of the common area of the Center House;

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G. All areas open to the public within premises leased or rented by The City of Seattle;

H. Public places which are part of shopping centers, retail stores and financial institutions, including, but not limited to department stores, banks, laundromats and barbershops; provided, that smoking may be allowed in the common areas of shopping malls;

I. Classrooms and lecture halls of schools, colleges and universities;

J. Rooms in which meetings and/or hearings open to the public are held;

K. All public areas and waiting rooms of public transportation facilities including but not limited to bus, train, airport and ferry facilities; provided that smoking may be permitted in designated smoking areas that may not exceed thirty percent (30%) of the waiting area;

L. All public restrooms including, but not limited to those found in all public places listed above;

M. Libraries.

(Ord. 111715 § 1(part), 1984: Ord. 111099 § 1(part), 1983.)

10.64.030 No Smoking areas in restaurants.

Restaurants with food service capacity of seventy-five (75) persons and over shall provide and post notice to customers of the availability of food service seating where tobacco smoking will not be permitted.

(Ord. 111099 § 1(part), 1983.)

10.64.040 Designation of “Smoking” and “No Smoking” areas.

A. The rightful occupant of each public place in which smoking is prohibited shall post signs prohibiting smoking. Signs shall be posted conspicuously at every entrance and in prominent locations throughout the buildings, rooms, and public places in which smoking is prohibited; provided, that signs shall not be posted in violation of other laws or ordinances.

B. It is unlawful for any person to remove, deface, or destroy any sign posted in compliance with this chapter.

(Ord. 111099 § 1(part), 1983.)

10.64.050 Enforcement.

The Seattle Fire Department is authorized to enforce Section 10.64.040; the Seattle-King

County Health Department is authorized to enforce Section 10.64.030.

(Ord. 111099 § 1(part), 1983.)

10.64.060 Penalty.

An offense against Section 10.64.020, Section 10.64.030 or Section 10.64.040 is a violation, subject to the provisions of Chapter 12A.02 (General Provisions) and Chapter 12A.04 (Defenses) of the Seattle Criminal Code. Any person convicted of violating Section 10.64.020, Section 10.64.030 or Section 10.64.040 may be punished by a civil fine or forfeiture not to exceed One Hundred Dollars (\$100.00).

(Ord. 113907 § 1, 1988: Ord. 111715 § 2, 1984: Ord. 111462 § 1, 1983: Ord. 111099 § 1(part), 1983.)

**Chapter 10.72
PET KENNELS**

Sections:

10.72.010 Definitions.

10.72.020 Permit required.

10.72.030 Permit applications.

10.72.040 Nuisance or offensive condition—Permit revocation.

10.72.010 Definitions.

A. “Commercial kennel” means any establishment or premises other than “veterinary hospital” or “pet shop” as defined in this section, where four (4) or more dogs or cats or aggregate thereof are kept for commercial purposes, including but not limited to board, propagation and treatment.

B. “Director” means Director of the Seattle-King County Department of Public Health.

C. “Pet kennel” means any establishment or premises where four (4) or more dogs or cats or aggregate thereof over four (4) months of age, are kept for noncommercial or for any purpose other than as defined in “commercial kennel,” “veterinary hospital” or “pet shop.”

D. “Pet shop” means any establishment or premises maintained for the purchase, sale or exchange of domestic pets of any type.

E. “Veterinary hospital” means any establishment or premises operated under the supervision of a duly licensed veterinarian for surgical or

medical treatment of domestic animals and pets. (Ord. 111834 § 1(part), 1984; Ord. 111649 § 1(part), 1984.)

10.72.020Permit required.

A. It is unlawful to keep or maintain a commercial kennel, veterinary hospital, pet shop, or pet kennel within the City, without first having a permit therefor.¹

B. A separate permit shall be required for each location and activity as defined in this chapter. Each permit shall expire on midnight, December 31st, of the year for which issued. Holders of unexpired pet kennel permits on the effective date of this chapter² may be allowed a pro rata credit on the fee for permits issued under this chapter.

(Ord. 111834 § 1(part), 1984; Ord. 111649 § 1(part), 1984.)

1.Editor's Note: Pet kennel permit fees are codified at Section 10.03.170 of this Code.

2.Editor's Note: Ordinance 111649 was passed on April 30, 1984; Ordinance 111834 was passed August 13, 1984. Ordinance 112107 extended the expiration date for the 1984 permit year to midnight, January 31, 1985.

10.72.030Permit applications.

A. Applications for kennel permits required by this chapter shall be made to the Director and, in the case of applications for new permits only, shall include a determination by the Director of the Department of Construction and Land Use that the proposed use is consistent with Seattle zoning laws.

B. The Director shall, upon receipt of any application for a pet kennel permit or commercial kennel permit, cause to be posted in a conspicuous place at or near the proposed location of such kennel, notice advising the public of such application, and in addition shall give written notice of such application to the owner or occupant nearest to such proposed location on each side.

C. Any owner or occupant of property within eight hundred feet (800') of such proposed location may within ten (10) days of the date of such notice file a written protest with the Director, which protest shall contain the address of the property occupied or owned by the protestor. The Director shall consider such protests, if any, in determining whether to issue or deny the permit.

D. After reviewing and considering all pertinent information, the Director may issue or deny

the permit in accordance with the provisions of this chapter.

E. When an application for a commercial kennel, veterinary hospital, pet shop or pet kennel permit is received by the Director, he or she shall inspect the proposed premises. If the same are found by him or her to be insanitary, not suitable for sanitary use as a kennel, pet shop or veterinary hospital, or otherwise to adversely affect the health, safety or welfare of the public, no permit shall be issued until the premises are sanitary and do not adversely affect the public health and safety.

F. The Director may adopt such standards for the design, construction, and maintenance of kennels, pet shops and veterinary hospitals as are necessary to ensure their sanitary condition.

G. The Director shall promulgate the implementing rules pursuant to the Administrative Code of the City.¹

H. The Director may inspect premises permitted under this chapter to protect the public health and safety.

(Ord. 111834 § 1(part), 1984; Ord. 111649 § 1(part), 1984.)

1.Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.

10.72.040Nuisance or offensive condition—Permit revocation.

It is unlawful for any person, whether or not a licensee, to keep, use or maintain within the City, any commercial kennel, veterinary hospital, pet shop, or pet kennel in such manner that the same is found to be insanitary, adversely affecting health and safety, nauseous, foul or offensive, or a public or private nuisance. After hearing, and upon such finding (whether or not a person has been convicted of the offense), the Director may revoke a permit.

(Ord. 111834 § 1(part), 1984; Ord. 111649 § 1(part), 1984.)

**Chapter 10.76
HAZARDOUS WASTE MANAGEMENT
COORDINATION COMMITTEE**

Sections:

10.76.010 Findings and authority.

10.76.020 Definitions.

10.76.030 Consistency with state law.

**10.76.040 Hazardous Waste Management
Committee.**

10.76.050 Powers of the Committee.

10.76.060 Fees.

10.76.010 Findings and authority.

A. The City of Seattle finds that it is in the interest of the preservation and promotion of public health that moderate risk wastes not be commingled with other solid waste nor placed into sewage disposal systems through which underground and surface waters may be contaminated. The City finds that enhanced public education and enforcement of existing regulations will reduce the quantity of moderate risk wastes entering the regular solid waste stream and sewage disposal systems, and that additional funding is required for these enhancements. The City finds that a regional intergovernmental approach is best suited to these enhancements as described in the Local Hazardous Waste Management Plan for Seattle-King County.

B. Authority for this chapter is contained in RCW 70.05.060 and 70.95.160. (Ord. 115620 § 1(part), 1991.)

10.76.020 Definitions.

A. "Certified hauler" means any person engaged in the business of solid waste handling having a certificate granted by the Washington Utilities and Transportation Commission for that purpose.

B. "Committee" means the Hazardous Waste Management Committee established in Section 10.76.040 of this chapter.

C. "Department" means the Department of Public Health.

D. "Landfill" means a disposal facility or part of a facility at which solid waste is placed in or on land and which is not a land treatment facility.

E. "Moderate risk waste" shall have the same meaning ascribed in RCW 70.105.010(17).

F. "Passenger licensed vehicle" means any motor vehicle licensed by the State of Washington as a passenger vehicle.

G. "Recyclable materials" means those solid wastes that are separated for recycling or reuse, such as papers, metals and glass, that are identified as recyclable material pursuant to the City of Seattle's Comprehensive Solid Waste Plan.

H. "Self hauler" means and includes all vehicles that are neither passenger licensed vehicles nor vehicles used by certified haulers in their solid waste handling operations.

I. "Septage" means a semisolid consisting of settled sewage solids combined with varying amounts of water and dissolved materials generated from a septic tank system.

J. "Sewage" means any liquid or liquid-borne waste from the ordinary living processes, or liquid or liquid-borne waste which contains animal or vegetable matter in suspension or solution, or any liquid or liquid-borne waste which contains chemicals in suspension or solution, and which may be lawfully discharged into a public sanitary sewer.

K. "Solid waste" means all putrescible and nonputrescible solid and semisolid wastes, including but not limited to garbage, rubbish, ashes, industrial wastes, infectious waste, swill, demolition and construction wastes, abandoned vehicles or parts thereof, discarded commodities, or contaminated excavated solid/fills material. This includes all liquid, solid and semisolid materials which are not the primary product of public or private industrial, commercial, mining, and agricultural operations, except that for the purposes of this chapter "solid waste" does not include source-separated recyclable materials.

L. "Suburban city" means any incorporated city or town whose boundaries include territory within King County and has entered into a Solid Waste Interlocal Agreement with King County pursuant to Chapter 10.08.130, King County Code.

M. "Transfer station" means a staffed, fixed, supplemental collection and transportation facility used by persons and route collection vehicles to deposit collected solid waste from off-site into a larger transfer vehicle for transport to a permanent disposal site.

(Ord. 117260 § 1, 1994; Ord. 115620 § 1(part), 1991.)

10.76.030 Consistency with state law.

Unless the context clearly indicates otherwise, the words and phrases used in this title shall be construed so as to make it consistent with Chapter 70.105 RCW (“Hazardous Waste Management”), and with applicable rules and regulations promulgated thereunder.
(Ord. 115620 § 1(part), 1991.)

10.76.040 Hazardous Waste Management Committee.

The Seattle/King County Hazardous Waste Management Coordination Committee is hereby established. The Committee shall be composed of five (5) members:

- A. The Director of the King County Public Works Department or his/her designee;
 - B. The Director of Seattle Public Utilities or his/her designee;
 - C. A representative appointed by the Suburban Cities Association;
 - D. The Director of Metro or his/her designee; and
 - E. The Director of the Seattle-King County Health Department or his/her designee.
- (Ord. 118396 § 12, 1996: Ord. 115620 § 1(part), 1991.)

10.76.050 Powers of the Committee.

The Committee shall be responsible for:

- A. Accepting and recommending a management plan and budget for the reduction of moderate risk waste generation, its entry into the solid waste stream, entry into the liquid waste (sewage) stream, into storm drainage or surface waters, and evaporation into the air. The Management Coordination Committee will develop an annual plan and budget and reach agreement on it through consensus of the entire Committee. Lacking a consensus, a majority and a minority report will be forwarded to the Seattle City Council and King County Board of Health;
 - B. Recommending contracts with the suburban cities, Metro, sewer districts located entirely or partially within King County, and King County, to implement portions of the management plan.
- (Ord. 115620 § 1(part), 1991.)

10.76.060 Fees.

The following fees, which shall be remitted to the Department on a quarterly basis, are estab-

lished to provide funds for the implementation of the Local Hazardous Waste Management Plan:

- A. The City of Seattle, Seattle Public Utilities shall pay to the Department from the Solid Waste Fund an amount of One Million, One Hundred Two Thousand Two Hundred Fifty-nine Dollars (\$1,102,259.00) in 1994. Effective January 1, 1995, the City of Seattle, Seattle Public Utilities shall pay to the Department from the Solid Waste Fund an amount equivalent to Sixty Cents (\$0.60) per month for each residential customer.
 - B. The City of Seattle, Seattle Public Utilities shall pay to the Department from the Solid Waste Fund an amount equivalent to Two Dollars and Sixty-one Cents (\$2.61) per ton for each self hauler load of solid waste brought to a transfer station operated by the City.
 - C. Each privately owned transfer station or landfill located within the City shall pay to the Department an amount equivalent to Two Dollars and Sixty-one Cents (\$2.61) per ton for each load of solid waste brought to such transfer station or landfill.
- (Ord. 118396 § 13, 1996: Ord. 117260 § 2, 1994: Ord. 116841 § 1, 1993: Ord. 115620 § 1(part), 1991.)

For current SMC, contact the Office of the City Clerk