

ORDINANCE No. 111715

COUNCIL BILL No. 104198 *WP*

Law Department

The City of

AN ORDINANCE amending the City's "No Smoking" law, SMC 10.64 (Ordinance 111099 as last amended) to clarify areas in which smoking is permitted, and those in which it is prohibited; and amending SMC 10.64.060 to correct a typographical error.

Honorable President:

Your Committee on Environment

to which was referred the within Council report that we have considered the same

PASS

5/14/84 hold until June

COMPTROLLER FILE No. _____

Introduced: APR 9 1984	By: <i>Hildt</i>
Referred: APR 9 1984	To: <i>En. Man.</i>
Referred: MAY 14 1984	To: FULL COUNCIL
Referred:	To:
Reported: JUN 4 1984	Second Reading: JUN 4 1984
Third Reading: JUN 4 1984	Signed: JUN 4 1984
Presented to Mayor: JUN 5 1984	Approved: JUN 14 1984
Returned to City Clerk: JUN 14 1984	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

OK

[Signature]

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Date Reported
and Adopted

5/8/84

President:

Committee on Environmental Management

was referred the within Council Bill No. 104198

we have considered the same and respectfully recommend that the same:

PASS 5/8/84 (Ball, Hilde)
ABSTAIN (Benson)

1984 hold until June 15, 1984

Virginia Galle

Committee Chair

ORDINANCE 111715

1
2 AN ORDINANCE amending the City's "No Smoking" law, SMC 10.64 (Ordinance 111099 as last amended) to clarify areas in which smoking is permitted, and those in which it is prohibited; and amending SCM 10.64.060 to correct a typographical error.

3
4 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

5 Section 1. SMC 10.64.020 is amended as follows:

6
7 Section 10.64.020 Prohibition

8 Smoking is prohibited in the following public places:

9 A. Elevators

10 B. Mass transportation vehicles, such as buses; except on char-
11 tered buses for private hire or in taxicabs clearly desig-
12 nated by the operator to permit smoking.

13 C. Indoor facilities serving as museums, concert halls, thea-
14 ters, auditoriums and exhibition halls, whether owned or
15 occupied by the City of Seattle or by any other person; pro-
16 vided that smoking by performers as part of a theatrical pro-
17 duction is permitted; and provided further that smoking may
18 be permitted in designated areas ((of lobbies of the
19 lobbies)) including portions of lobbies, so long as such
20 areas are physically separated from the spectator areas, lob-
21 bies and all other public areas.

22 D. Indoor sports arenas, provided that smoking may be permitted
23 in designated areas of lobbies, if the lobbies are physically
24 separated from the spectator area.

25 E. Hallways and waiting rooms of every health care facility in-
26 cluding, but not limited to, hospitals, nursing homes, cli-
27 nics and health departments, provided that smoking may be
28 allowed in one or more designated, physically separate wait-
ing rooms.

1 F. ~~X~~. ((~~F~~-)) All areas open to the public in buildings owned
2 ((~~or occupied~~)) by The City of Seattle, provided that smoking
3 may be permitted in designated smoking areas of the Seattle
4 Center's "Center House((~~-~~))" ((~~The designated smoking areas~~
5 may)) not to exceed 30% of the common area of the Center House.

6 G. ~~X~~. All areas open to the public within premises leased or
7 rented by The City of Seattle.

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

13 I. ~~X~~. Classrooms and lecture halls of schools, colleges and
14 universities.

15 J. ~~X~~. Rooms in which meetings and/or hearings open to the
16 public are held.

17 K. ~~X~~. All public areas and waiting rooms of public trans-
18 portation facilities including but not limited to, bus, train,
19 airport and ferry facilities; provided that smoking may be
20 permitted in designated smoking areas that may not exceed 30%
21 of the waiting area.

22 L. ~~X~~. All public restrooms including, but not limited to
23 those found in all public places listed above.

24 m. ~~X~~. Libraries.

25 Section 2. SMC 10.64.060 (as last amended by Ordinance
26 11462) is further amended as follows:

27 Section 10.64.060. Penalty

28 An offense against Section ((~~10.67.030~~)) 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

(To be used for all Ordinances except Emergency.)

(Defenses) of the Seattle Criminal Code. Any person convicted of violating 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).

Section ³ This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 4th day of June, 1984, and signed by me in open session in authentication of its passage this 4th day of June, 1984.

[Signature]
President of the City Council.

Approved by me this 14th day of June, 1984.

[Signature]
Mayor.

Filed by me this 14th day of June, 1984.

Attest: *[Signature]*
City Comptroller and City Clerk.

(SEAL)

Published

By *[Signature]*
Deputy Clerk.

ORDINANCE _____

AN ORDINANCE amending the City's "No Smoking" law, SMC 10.64 (Ordinance 111099 as last amended) to clarify areas in which smoking is permitted, and those in which it is prohibited; and amending SMC 10.64.060 to correct a typographical error.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. SMC 10.64.020 is amended as follows:

Section 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, sports arenas 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 ((of lobbies if the lobbies)) which are physically separated from the spectator area, lobbies and all other public areas.

~~((D. Indoor sports areas, provided that smoking may be permitted in designated areas of lobbies, if the lobbies are physically separated from the spectator area.))~~

~~D. ((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.

AMERICAN  LUNG ASSOCIATION
of Washington

RECEIVED

MAY 11 1984

VIRGINIA GALLE

May 11, 1984

Councilwoman Virginia Galle
1106 Municipal Building
600 Fourth Avenue
Seattle, WA. 98104

Dear Councilwoman Galle,

The American Lung Association of Washington urges you to vote in favor of the prohibition of smoking in the lobbies of movie theaters, concert halls, museums, auditoriums and sports arenas. We support the provision of walled or physically separated areas which would be designated as the only areas where smokers would be permitted to smoke.

Our reasons for favoring the prohibition of smoking in these public places are summarized in the position statement on "Involuntary Smoking" which was prepared by our medical section, The Washington Thoracic Society. A copy is enclosed for your review.

Please call me if you need any further information.

Sincerely,



DAVID L. CHIVERS, M.P.H.
Regional Director

WASHINGTON THORACIC SOCIETY

Medical Section of the AMERICAN  LUNG ASSOCIATION
of Washington
The "Christmas Seal People"®

INVOLUNTARY SMOKING

This position statement of the Washington Thoracic Society was adopted by the Executive Committee July, 1983.

The effects of tobacco smoke on the nonsmoker have become of increasing concern in the past several years. The term "involuntary smoking" refers to both the exposure that a nonsmoker receives from mainstream smoke, that is smoke which is inhaled by the smoker and then exhaled into the environment, and sidestream smoke which goes directly into the air from the burning end of a cigarette, cigar, or pipe.

- I. Indications point to important health risks associated with exposure to a variety of contaminants present in tobacco smoke. Sidestream smoke contains significantly more carbon monoxide, tar, nicotine, 3,4-benzopyrene, and cadmium than mainstream smoke. In addition to these compounds, tobacco smoke contains other hazardous substances such as nitrogen dioxide and hydrogen cyanide. The level of exposure to carbon monoxide in passive smoking reported by several researchers ranges from 10 ppm up to peak values of 90 ppm in poorly ventilated areas where moderately large numbers of people were smoking. Carbon monoxide is absorbed into the blood stream and can produce adverse health effects ranging from impaired psychomotor performance at lower levels of exposure to damage to the heart and brain at higher levels of exposure.
- II. Individuals who have already established pulmonary disease such as asthma, bronchitis, or emphysema may be particularly affected by short-term exposure to cigarette smoke. In an article in Chest from November of 1981, researchers studied both patients who have asthma and those who do not during exposure to cigarette smoke in an environmental chamber where the air exchange was considered to be comparable to that of a "well ventilated" room. The concentrations of carbon monoxide in the blood increased by 80% and the patients with previous histories of asthma had a significant increase in their airway constriction, many of them becoming symptomatic with coughing and shortness of breath. The conclusion of the authors was that nonsmokers with bronchial asthma are at risk of acute attacks of breathlessness when exposed to sidestream cigarette smoke.
- III. Another study looking at smoking exposure in the work place was supported in The New England Journal of Medicine in 1980. The authors studied a large group of nonsmokers exposed to sidestream smoke in their work place. They found that after a period of up to 20 years of involuntary smoking in the work place, the nonsmokers had airway function abnormalities which were comparable to those found in light smokers. They had significantly worse pulmonary function tests than a control group who were also nonsmokers but who worked in a smoke-free environment. The studies indicate that individuals who are working for prolonged periods in a work place which is moderately well ventilated but in which there is constant exposure to sidestream cigarette smoke is at risk of developing permanent changes in lung function.

IV. The risk of family members who are exposed to involuntary smoke has also been studied. In The American Journal of Epidemiology in 1979, pulmonary function abnormalities of children of smoking parents were studied and the children of heavy smokers had a greater degree of lung function abnormalities than those of children of light smokers or those who never smoked. It was felt, by the authors, that parents who smoke at home can aggravate symptoms of bronchitis in their children and can even trigger asthma attacks.

V. The Surgeon General's Report from 1982 on "Cancer and Smoking" quoted a study from Japan that showed death rates of nonsmoking women, married to smoking husbands, were twice as great as among women married to nonsmokers. Among causes of death of these women, the only one that was significantly increased was death from lung cancer in the spouses of smoking husbands. Other studies have suggested a similar trend toward higher risk of lung cancer among women married to smoking husbands, but their numbers are not yet sufficient enough to be considered significant.

In conclusion, involuntary smoking has several well documented deleterious effects on individuals who have preexisting lung disease in that their diseases may be made significantly worse with acute or short-term exposure to smoke. Secondly, individuals who are exposed over prolonged periods to involuntary smoke have well documented abnormalities in pulmonary function tests compared to nonsmokers who work in a smoke-free environment. And finally, children of smoking parents have significantly increased risk of bronchitis and other respiratory illnesses compared to children of nonsmoking parents. Perhaps the most alarming study is the indication that nonsmoking individuals with protracted exposure to involuntary smoke may be at risk of developing lung cancer over and above that of the normal population.

The evidence of a health hazard to nonsmokers from tobacco smoke is sufficient to justify continued legislation requiring the establishment of nonsmoking areas or prohibiting smoking in enclosed public places.

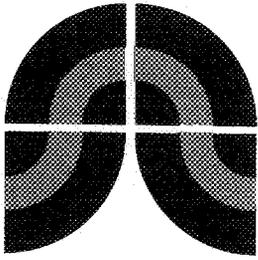
REFERENCES

1. "Smoking and Health", A Report of the Surgeon General 1979, U.S. Department of Health, Education, and Welfare.
2. Dahms TE, Ph.D., Bolin JF, M.D., Slavin RG, M.D., "Passive Smoking, Effects on Bronchial Asthma", Chest, 1981, 80:5, 530-534.
3. White JR, Ph.D., Froeb HF, M.D., "Small Airways Dysfunction in Nonsmokers Chronically Exposed to Tobacco Smoke", The New England Journal of Medicine, 1980, 302:720-23.
4. Tager IB, Weiss ST, Rosener B, and Spiezer RE, "Effect of Parental Cigarette Smoking on the Pulmonary Function of Children", The American Journal of Epidemiology, 1979, 110, 15-25.
5. "Health Consequences of Smoking; Cancer", A Report of the Surgeon General 1982, U.S. Department of Health and Human Services.

WTS ADVISORY COMMITTEE ON SMOKING

Rick Albert, M.D.
Jerome F. Beekman, M.D., Chairman
John Butler, M.D.
James de Maine, M.D.
Rolf Holle, M.D.
Leonard D. Hudson, M.D.

Fred Jackson, M.D.
Michael Lippman, M.D.
Donald W. Mitchell, M.D.
A. Bruce Montgomery, M.D.
David Pierson, M.D.
Robert Schoene, M.D.



Seattle Trade Center

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MAY 14 1984

VIRGINIA GALLE

May 9, 1984

Councilwoman Virginia Galle
Chairperson
Environmental Management Committee
Seattle City Council
11th Floor
Municipal Building
Seattle, Wa. 98104

Dear Councilwoman Galle:

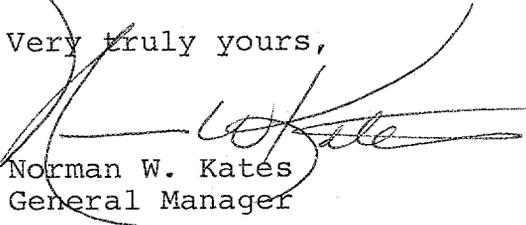
We recently became aware of the amendments being considered by your committee to the "No Smoking in Public Places" ordinance being proposed by Councilman Michael Hildt. I understand that public hearings are not planned on this proposed amendment since the City Council is viewing them as being clarification, rather than substantive changes.

My purpose in writing is to point out that certain portions of the proposed amendment are, indeed, substantive changes to the existing ordinance, such as the prohibition of smoking in all public areas of a public facility. This would even prohibit smoking in public restrooms, as I understand the amendment.

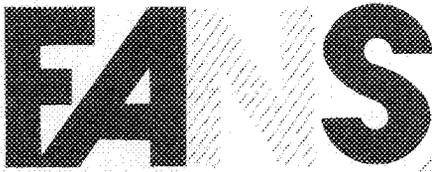
My organization is concerned that such prohibitive changes to the existing ordinance would have a detrimental effect on our ability to encourage trade shows and conventions to come to the City of Seattle. Therefore, I am writing to recommend that your committee and the Council not adopt the proposed amendment by Councilman Hildt.

Thank you for your consideration of this matter.

Very truly yours,


Norman W. Kates
General Manager

NWK:rr



FRESH AIR FOR NONSMOKERS

P.O. Box 24052, Seattle, WA 98124 • (206) 282-5565

P.O. Box 1357, Spokane, WA 99201 • (509) 922-3915

1110 W. Spruce, Yakima, WA 98902 • (509) 248-3975

5436½ So. Tacoma Way, Tacoma, WA • (206) 474-9547

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May 14 1984

VIRGINIA GALLE

May 14, 1984

To: Michael Hildt

Re: Seattle Ordinance 111099

From: Michael Wright, Fresh Air for Nonsmokers (FANS)

On behalf of the non-smoking population of Seattle, I applaud your recent efforts to extend the influence of Seattle's Nonsmoking Ordinance to include places like the Kingdome.

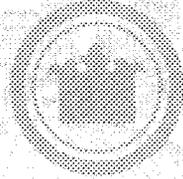
A majority of Seattle's population, some 74%, has chosen not to smoke, yet unless the Seattle ordinance includes your proposals, thousands of us will be forced to continue to smoke against our will, as we'll continue to be exposed to the health hazards of the "sidestream" cigarette smoke in the concession area and lobby in the Kingdome.

I suspect thousands of people who are sports fans are also staying away from the Kingdome because they are bothered by the effects of the heavy tobacco smoke that accompanies sports and other events at this facility.

The City of Seattle has a responsibility to provide its citizens a safe and healthy environment. Banning smoking in this facility will help to insure the safety of the non-smoking majority in this city.

The right to breathe clean, unpolluted air certainly overrules the alleged right to foul the public air in the name of a personal pleasure.

cc: George Benson
Virginia Galle ✓
Paul Kraabel
Norm Rice
Dolores Sibonga
Sam Smith
Jim Street
Jeanette Williams



RECEIVED

MAY 14 1984

VIRGINIA GALLE

King County Executive
Randy Revelle

Department of Stadium Administration
E.O. Ted Bowsfield, Director

May 14, 1984

The Honorable Virginia Galle
Seattle City Council
Municipal Building, Eleventh Floor
600 4th Avenue
Seattle, WA 98104

RE: Proposed Amendments of Ordinance 111099,
Prohibiting Smoking in Certain Public Areas

Dear Councilwoman Galle:

As a followup to the May 8 Environmental Management Committee meeting regarding proposed amendments to City Ordinance 111099 on prohibiting smoking in certain public places, I would like to restate once again the serious concerns the Stadium Administration Department has with the proposed amendments.

It is our opinion that the present ordinance on prohibiting smoking in certain public places is effective and is showing positive results in the elimination of smoking in the seating and restroom areas of the Kingdome. We feel it is effective because it provides a reasonable alternative to the smoking patron by allowing that person to smoke in readily accessible, segregated lobby areas of a climate controlled nature such as the Kingdome concourse areas. We feel the proposed amendments to the smoking ordinance eliminates this reasonable alternative for smokers by forcing them outside the Kingdome into, at times, adverse weather conditions. We are concerned that the smokers faced with this situation will begin, once again, smoking in the seating and restroom areas of the Kingdome and therefore defeat the very purpose of the smoking ordinance.

We feel there will be significant operational problems created by the implementation of the proposed amendments. Because of the high levels of attendance experienced at certain Kingdome events, we do not believe it is realistic to expect one third or more of the spectators who are smokers to continually exit and re-enter the Kingdome to smoke. As an example, for a 65,000 crowd at a Seahawks game this could equate to 20,000 or more smokers in attendance.

Our final concerns relate to the potential impact the proposed smoking amendments could have on our operational revenues and expenses. Based on recent calls we have received from citizens who smoke, we are concerned that if the amendments are implemented some patrons who smoke will no longer attend Kingdome events. The results are lost ticket,

The Honorable Virginia Galle

May 14, 1984

Page Two

concession and parking revenues to the Kingdome and its tenants, and lost admission and business tax receipts for the City. By not allowing smoking in the concourse areas of the Kingdome, we also feel our concession sales will decrease because the smoking patron many times enjoys eating or drinking a concession product as they smoke in the concourse area. Potentially increased operational costs could also be incurred by requiring more event staff for monitoring and re-entry checking purposes.

We sincerely appreciate the opportunity to express our serious concerns on the proposed amendments to the smoking ordinance and we respectfully request your consideration to these concerns.

Sincerely,

A handwritten signature in cursive script, appearing to read "E. O. Ted Bowsfield for".

E. O. Ted Bowsfield, Director
Department of Stadium Administration

svb

cc: Seattle City Council Members

2647 NW 57th Street
Seattle, Washington 98107
10 May 1984

Virginia Galle
Seattle City Council
600 Fourth Avenue
Seattle, Washington 98104

RECEIVED

MAY 11 1984

VIRGINIA GALLE

Dear Mrs. Galle:

I have once again opened my newspaper to grim tidings for smokers. I have suffered many such attacks in the recent past with stoic calm, firmly believing that, indeed, nonsmokers have every right not to be placed in a situation over which they have no control in which they will be subjected to prolonged and unremitting quantities of noxious vapors. However, I can remain stoic and calm no longer in response to Michael Hildt's currently proposed "amendments" to Seattle's antismoking ordinance now slated for a full council vote on either 14 or 21 May. I am angry -- angrier than I have been regarding any piece of public policy within recent memory. Michael Hildt and his ilk of viperous, mean-spirited, neo-prohibitionist and insufferably self-righteous keepers of the public health and morals have become a hazard to my mental health and sense of well-being.

After a perusal of the latest vindictive proposals -- to ban smoking in all theatre lobbies (whether built and maintained with public funds or no) as well as all indoor areas of the Kingdome's vast reaches -- I (still seeing red) attended a performance of Seattle Opera's current production at the Opera House. Perhaps an overview of smoking policies at this facility is in order as a demonstration of the deleterious effects of such "blanket" proposals as Mr. Hildt now advocates. The Opera House used to have a smoking policy which reflected an appropriate degree of balance between smoking and nonsmoking interests. Smoking has always been prohibited in three self-contained areas: the house itself, and the lobbies of the loge and balcony levels. Additionally, the upper tier of the entrance lobby which leads directly into the house has always been off-limits to smokers. The smokers were permitted to smoke in the entrance lobby, the coffee bar and the champagne bar, all on the ground level. These were the pre-antismoking rules. Beginning in November 1983, the first of an epidemic surge of new, obviously costly, "no smoking" signs began to appear in areas that smokers had come to think of as friendly territory. By January 1984 we were told that there was no longer any place inside the Opera House's ample spaces where we would be permitted to smoke -- ushers directed us out to the "breezeway" -- a dismal, windswept area where the box office is located. This area, however, is similarly and liberally littered with "no smoking" signs. Given the sudden appearance of four new ashtrays outside the north and south entrance doors to the breezeway, the only logical conclusion, from one who makes a sincere attempt to be as honest and law-abiding as possible, is that it is our lot to be reduced to taking intermission breaks outside in the rain and howling wind. Oh yes, there is approximately three feet worth of cover outside each entrance, exclusive of the covered walkway to the parking garage which, in its turn, is quite worthless as protection from our pastoral midwinter (September to May) wind and rain. The place has the look and feel of a parking lot. Lest I be remiss in cataloguing one further space available for the outcasts of this ordinance, let me not fail to mention the al fresco space

on the southeast side of the building which overlooks the underside of the Memorial Stadium stands; this space is usable an average of two out of four nights of the midsummer Wagner Festival for dining and cocktails, but with a cover it could resemble something vaguely hospitable -- at least in the eyes of the smoking underclass. At present, however, the ambience is set by the two trash dumpsters which greet the patrons on either side of the doors which give egress to this area. It truly gives one the feeling of having arrived in a world-class city with world-class facilities and services. I can hardly wait for the coterie of international high-flyers who arrive every late July for the Wagner Festival (a high percentage of whom are smokers) to discover that not only have they been severely restricted, but "booted out" altogether. Speight Jenkins et al. will have more than their share of ruffled feathers to soothe this summer.

Just how well are the current regulations working? I have seen more people angry, upset, disgusted, bewildered, amazed -- and, yes, violent -- than at any time that I have attended events in this city over the past six years. One or two ushers on duty in the entrance lobby have apparently been delegated the sole responsibility for enforcing these rules. They try. They are also trying to enforce something that the majority of patrons who frequent the entrance lobby area strongly resist and find personally affrontive. It is not working and is not going to work because there are (still) enough people who feel strongly that they have a reasonable right to be accommodated in their desire for an intermission smoke untrammelled by special interest group politics on the part of the City Council. Mr. Hildt blandly suggests that since most theatre productions are "only about two hours" that we should be content with not having a smoke at the interval provided (at least in part) for that purpose. He would leave us with two choices: not smoke and be allowed full benefit of the range of services available for patrons; or take our smoking out to the woodshed and be denied these benefits. The current situation has, obviously, done much to distract me from my main purpose in attending the Opera House -- to hear a performance. The fact that Seattle has a major symphony, an opera and a ballet were major factors in my choice of Seattle as a place to live. Mr. Hildt and his supporters may become a major factor in my decision to look elsewhere for a more humane (and hence, "livable") city in which to pursue life than Seattle.

I would ask Council members to consider the proposed amendments in light of some of the Council's other stated priorities. One of those priorities includes the marketing of Seattle as a worldly, upscale location for meeting and convention siting. I submit that in backing such a punitive ordinance, you are creating a public relations boondoggle that will lump Seattle in a class with Salt Lake City (where I have also resided, for three years) once the word goes abroad that Seattle is a place where one must go outside in the wind and rain for an intermission smoke at the symphony or opera. Presumably, the Council hopes to attract a broad range of meetings to fill our recently built overstock of luxury hotels and yet-to-be-built convention center -- or should I assume that it is the Council's attention to limit such participants to nonsmokers only? Have you considered the effects of such an ordinance on Seattle's much-touted "tolerance" (an execrable term in itself, which assumes superiority on the part of those doing the "tolerating") of diversity? What of the effect on international visitors who do not share our view of public smoking? (I refer specifically to the Japanese, whose society recognizes virtually no social sanctions against smoking, but there are many others, as well.) I shudder to think of the complexities involved

in enforcing such an ordinance in such a space as a convention center. I have been in theatres and concert halls in all parts of the United States and Canada. In no other city is the situation quite so blatantly unfriendly toward smokers as it is at the Seattle Opera House under current ordinances. I would suggest sending a study team to the Portland Opera House to observe how a creative arrangement of smoking and nonsmoking areas allows equal access to facilities for all, without the acrimony now much in evidence at the Seattle Opera House. Seattle is (with the help of Mr. Hildt's ordinance) rapidly pushing itself into the "bush league" of artistic centers, right along with Everett and Tacoma and the myriad communities that are forced to use public school property for any community artistic event. What an image for Seattle as a cultural and artistic center. Vancouver, B.C. is miles ahead and pulling out of sight rapidly.

Smokers have become the "in" group to "dump" on in the 1980s. Much like the prohibitionist fervor of the early twentieth century, there are those who would reduce all of society's problems to one great "evil" -- tobacco. Health concerns are the reasons brought forth for the fierceness and intensity of this zealotry. Yet, I fear there is a darker side to much of this noise. Smokers give nonsmokers something to "look down" upon, something which makes them feel virtuous, upright and intensely "moral." There has been a rationale expounded for every discriminatory action against an "out" group which has made those of the "in" group comfortable with their bigotry. Smokers have replaced others at the "back of the bus." It is now outré (in "sophisticated," white-wine-drinking, nonsmoking, Urban Professional circles, at least) to dump on the traditional groups which have been dumped on in the past. They have been replaced with smokers. Listen to the rhetoric and compare: "Smokers are so dumb...." "Smokers smell so bad...." "Smokers are so filthy...." "I could never rent to a smoker...." "I wouldn't hire a smoker...." "I certainly couldn't marry one...." Apparently American society simply must have an approved group about whom it can say these things, since only the object of these statements has changed over the last century.

I would also suggest to the Council that the statistics on who the smokers are need to be assessed. I believe that even a cursory review of demographic data will reveal that there is a high proportion of smokers to be found among minority populations -- ethnic and sexual. Is it a priority of the Council to enact ordinances which disproportionately impact minority groups? The reasons for this disproportionate distribution include (but are not limited to) the degree of stress and pressure felt by minorities in the midst of an essentially hostile society. Arts institutions have been hounded for decades to increase their services (and the relevance of those services) to attract a higher proportion of minority patrons. Mr. Hildt's ordinance proposal is certainly a help in this regard. First arts organizations beat their brains out trying to attract, package and sell their product via outreach programs, lecture-demonstrations, school programs, and myriad other government-funded efforts, and are then stabbed in the backs because Mr. Hildt's antismoking ordinance is also an antiminority ordinance. Indeed, by one analytic process, it may be easily viewed as catering almost exclusively to a very bourgeois, "YUPPIE" constituency, a preeminently heterosexual, WASPish constituency, which is content to puff itself about its presumed "tolerance" for diversity as long as that diversity may be viewed and speculated upon from an anti-septic perspective. Mr. Hildt and his ordinance betray a grievously short-sighted perspective on minority sensibilities: those who have previously been "dumped" on for being ethnic or sexual minorities are unlikely to perceive

discriminatory treatment for smoking as anything other than the same old WASPish bigotry with a slightly different emphasis. As noted above, much of the rhetoric remains the same.

Above and beyond this, however, it will be the arts organizations, the theatre owners and operators, and the major tenants of Seattle Center facilities who will "take it in the neck" from this proposed ordinance. They will be sniped at by angry patrons, boycotted by irate former season ticketholders, and be forced to listen to countless complaints from both sides, smokers and non-smokers. I understand very well that they are not to blame; they are merely the pawns, the hapless and unwilling enforcers of what Mr. Hildt would like to see renewed and intensified. I fear I cannot thank Mr. Hildt for his contribution toward renewed tension, strife and mental health problems.

I would hope that the Council will reconsider what the deleterious effects of the current ordinance have been to date before adding another layer to it. Mr. Hildt himself allows that smokers have rights too. What "rights" he would allow us (the right to feel dumped on, the right to feel like third class citizens, the right to be scorned with impunity, the right to be kicked out in the wind and rain, the right to pay the same price as everyone else yet be denied the full benefit of the facilities, among others, perhaps?) remain unclear.

I eagerly await your response at your earliest convenience.

Yours very truly,



Francis Eugene Timlin
Doctor of Musical Arts
2647 NW 57th Street
Seattle, Washington 98107
783-4672

George and Emerlina Cunningham
1419 N 46th Street
Seattle, WA 98103
634-0844

10 May 1984

RECEIVED

MAY 11 1984

VIRGINIA GALLE

Jeanette Williams
President, Seattle City Council
600 4th Avenue
Seattle, WA 98104

RE: PROPOSED ORDINANCE RESTRICTING SMOKING IN PUBLIC AREAS

Dear Mrs. Williams and other Council members:

We strongly support the proposed ordinance restricting smoking in public areas.

The fundamental point is that a person smoking poses a significant and involuntary health hazard to everyone near them.

Smokers have no more "right" to smoke in public areas than they have to scatter asbestos fiber in those areas. The effect on public health is about the same in either case.

No argument about smokers "rights" or the convenience of a business operation can change the fact that people smoking in public areas are a significant threat to the health of all of us.

Please vote YES on this ordinance.

Yours:

George Cuyler
Emerlina Cunningham
George and Emerlina Cunningham

cc: Sam Smith
George Benson
Paul Kraabel
Dolores Sibonga
Norm Rice

Ms. Galle — Thanks for your efforts.

Pearson-Metzgar & Associates

16 W. Harrison St., Seattle, WA 98119, (206) 283-9801

RECEIVED

MAY 11 1984

VIRGINIA GALLE

May 10, 1984

Councilwoman Virginia Galle
City of Seattle

I wish to register my opposition to the banning of smoking in the KingDome.

It seems to me that the non-smokers are creating a mountain out of a mole-hill in this instance. The airconditioning system at the KingDome works very well. I attend most of the Seahawk and Sonic games and I have yet to see any real air problem while I have been there.

A place is needed for people like me to smoke as we wish. If that place is not provided, I will not go.

Sincerely yours,

Pat Metzgar
Pat Metzgar

PM/r

LAW OFFICES OF

PETERSON, BRACELIN, YOUNG, PUTRA & FLETCHER, INC., P.S.

JAN ERIC PETERSON
ELIZABETH J. BRACELIN
CHRISTOPHER E. YOUNG
BRIAN A. PUTRA
KELBY D. FLETCHER

2500 SMITH TOWER
SEATTLE, WASHINGTON 98104

AREA CODE 206
624-6800

11 May 1984

RECEIVED

MAY 11 1984

VIRGINIA GALLE

Virginia Galle
11th Floor, Municipal Building
Seattle, Washington 98104

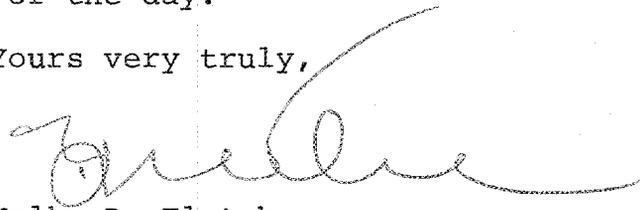
Re: Smoking in Public Places

Dear Ms. Galle:

I sincerely hope you each can vote in favor of council-member Hildt's proposal to limit smoking in public places. The proposal is sound and, in my opinion, necessary.

If we care enough about our air to require automobiles to be tested for their emissions contents, it seems to me we can do the same with respect to the content of the air in public places. I dare say that the air in lobbies of many public places is likely more polluted than the air above Freeway Park during most hours of the day.

Yours very truly,



Kelby D. Fletcher

KDF:srm



PUBLIC AFFAIRS ASSOCIATES, INC.

Government Relations • Public Relations • Advertising

2600 Fairview Avenue East, Dock No. 11
Seattle, Washington 98102
Phone: (206) 325-9870

May 10, 1984

Councilwoman Virginia Galle
Seattle City Council
600 4th Avenue
Seattle, Wa. 98104

RECEIVED

MAY 11 1984

VIRGINIA GALLE

Dear Councilwoman Galle:

There has always been some friction between smokers and non-smokers. But lately this friction has become more heated, fueled by questionable reports which claim that "second-hand smoke" in a general environment has adverse effects on the health of non-smokers. This has led to the point where governmental decision-makers such as yourself are being pressed to enact new laws prohibiting smoking in public places based upon such questionable reports and attendant rumors.

A case in point is the rationale being used by the proponents of the proposed amendment (C.B. 104198) to the City of Seattle's "No Smoking in Public Places" ordinance 11099. These amendments would, for all practical purposes, eliminate smoking in most theaters, sports arenas, convention centers, exhibit halls, and other such facilities in the City of Seattle unless the owners and operators of these facilities are willing and able to invest substantial amounts of money to construct segregated smoking rooms which are physically separated from the spectator area, lobbies and all other public areas.

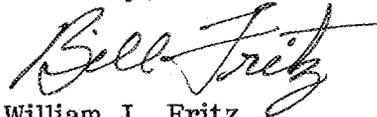
The prime sponsor of the amendments has been quoted in the newspapers as saying, "The public health of patrons is in jeopardy... It is well-documented, from the surgeon general and so forth, that there are severe and quite certain health problems for the non-smoker who is inadvertently exposed." As legislative consultant for the Tobacco Institute, I wish to set the record straight by referring you to the enclosed documents which point out that there is no evidence--and certainly no conclusive scientific evidence--that cigarette smoke causes disease among non-smokers. While cigarette smoking can be very annoying to non-smokers, the effect of passive smoking on health is really a political matter, not a main issue in terms of public health. Therefore, I respectfully suggest that your decision regarding the proposed amendments to the No Smoking Ordinance be based upon your perspective of the truly relevant facets of the issue, such as the economic impact and discriminatory social policy that will result from enactment of the proposed amendments, rather than the very questionable public health issue.

Councilwoman Galle
May 10, 1984
Page 2

It is our position and that of others who testified against the amendments at the May 8 meeting of the Environmental Management Committee that the existing No Smoking Ordinance which was passed one year ago, is working well and shouldn't be tampered with at this point in time--particularly for disputable reasons of "public health".

Thank you for your consideration of our views on this important issue.

Sincerely,

A handwritten signature in cursive script that reads "Bill Fritz". The signature is written in dark ink and is positioned above the printed name.

William J. Fritz
Legislative Consultant

WJF/ca

Enc.



**MOTION PICTURE
EXHIBITORS**

of Washington, Alaska, Northern Idaho

1644 116th NE Bellevue, WA 98004 • (206) 455-0440

MAY 5, 1984

RECEIVED

MAY 8 1984

VIRGINIA GALLE

Environmental Management Committee
Virginia Galle, Chair
Seattle City Council
Eleventh Floor, Municipal Building
Seattle, Washington 98104

Smoking in Theatres

Dear Mrs. Galle:

We are writing in opposition of the proposed amendments to Ordinance 111099 by Councilman Michael Hildt on behalf of the Theatre Owners with motion picture theatres in the City of Seattle.

We believe that Councilman Hildt has misstated the Council's intent when they passed the Ordinance a year ago. It was not the intention at that time, expressed or unexpressed, that smoking would be banned from theatre lobbies. In fact, the Ordinance was very clear on its face that smoking would be permitted in portions of the lobbies that were separated from the spectator (or patron) area. That particular portion of the Ordinance reads:

"provided further that smoking may be permitted in designated areas of lobbies if the lobbies are physically separated from the spectator area."

The greatest problem we have with the proposed amendment to prohibit smoking in any area of a lobby is not the inconvenience that it would pose to those of our patrons who prefer to smoke, but rather, the danger that it will bring to all of our patrons. Smoking has been prohibited in theatre auditoriums for years because of the high fire danger which it would produce, especially since theatres are necessarily dark to view the film. With smoking prohibited from all parts of the lobby it will drive those whose desire or need for a cigarette outweighs their sense of law and order to find other places not so public to smoke in. The proposed amendment would serve to drive the smoker right back into the one place where he or she can smoke without being seen - the darkened theatre auditorium!

We cannot always count on another patron to report the offender to our ushers. The ushers are unable to identify the patron who may be smoking by the smoke, and it is quite easy to conceal the glow of the ember, as any soldier who has snuck a cigarette at night while on guard duty can tell you. We are then faced with the additional hazard of what do they do with the still burning butt? In the lighted lobby, we can provide ash trays, and our staff is able to see that they are used. In the dark auditorium, the smoker ends up dropping his butt to the floor, where the patrons' flammable trash has a tendency to collect during the show.

To my knowledge, we have received no complaints from our patrons about the present ordinance, either from smokers or non-smokers. We ask, why the need to change a policy which has only been in effect for a year, and which is producing no problems?

Don't increase the hazards for theatre patrons - we urge you, the members of your committee, and the Council as a whole to reject this ill-advised amendment.

Sincerely,



D. Bruce Gardiner

cc:Council members

Your
Seattle
Center

RECEIVED

MAY 2 1984

VIRGINIA GALLE



May 2, 1984

MEMORANDUM

To: ✓ Councilmember Virginia Galle, Chair
Environmental Management Committee
Councilmember Michael Hildt

From: Ewen C. Dingwall *E. Dingwall*

Subject: Council Bill 104198 (smoking regulations)

We have reviewed this proposed ordinance and I am glad to agree that the language seems to dispel an apparent ambiguity in Ordinance 111099. The steps we have taken in the Opera House and the Bagley Wright Theatre, as reported in my letter of February 21, 1984, have received fine public cooperation in both houses and they are in line, I believe, with your new language.

With respect to the Playhouse, our new procedure is somewhat different owing entirely to the configuration of the house. In this case we earlier designated the east lobby (nearest the Exhibition Hall) for smoking. This lobby is visually separated quite well from the other lobbies, but is not actually physically separated, nor do we have an inside space in Playhouse so separated. I will be interested in your reaction to this situation.

The public reaction to the new procedures in Playhouse seems to have been positive, as with the other two houses.

Thank you both very much for your initiatives in these matters.

ECD:c1

**Your
Seattle**
Department of Administrative Services



George Pernsteiner, Director
Charles Royer, Mayor

M E M O R A N D U M

April 30, 1984

VIA: Gary Zarker, Budget Director *juce*

TO: Betty Curneen, Legislative Staff Assistant
City Council

FROM: John Franklin, Administrator *John Franklin*
Facility Services Division

SUBJECT: No Smoking Ordinance

In response to your request, I have had my staff review the proposed amendments to Ordinance 111099, the "No Smoking" Ordinance. The facility-related amendments would primarily redefine areas in which smoking is allowed and clarify the Ordinance's application to properties "occupied" by the City.

As currently written, Ordinance 111099, Sections 10.64.020 C and D, requires that smoking be restricted to designated areas of lobbies in certain indoor facilities. Amended Section 10.64.020 C would require that the designated smoking areas of these facilities be physically separated from all public areas, including lobbies. The practical effect of this change would be to require a second, physically separate, lobby area for smokers. Providing a physically separate smoking area could be costly or, due to insufficient space at smaller facilities, difficult to provide and, therefore, objections to this proposed amendment should be anticipated.

The second of the proposed facility-related amendments most directly impacts Department of Administrative Services activities in leasing and managing privately owned property for City occupancy. Ordinance 111099, Section 10.64.020 F, currently provides that smoking is prohibited in "all areas open to the public and in buildings owned or occupied by the City of Seattle." Accordingly, should the City occupy any portion of a privately-owned building, smoking is prohibited in all public areas of that building. In many instances the City leases only a small portion of a multi-tenant building and application of a no smoking policy to all public areas of the building exceeds normal tenant rights which may generate reluctance on the part of building owners to lease space to the City. Amendment of the Ordinance to prohibit smoking in areas "open to the public within premises leased or rented by the City of Seattle" would limit the effect of the Ordinance to those areas for which the City has exclusive right of occupancy and control and would prevent any conflict of landlord-tenant rights and responsibilities.

826379

Betty Curneen
No Smoking Ordinance
April 30, 1984
Page 2

In our opinion, the second of the above-discussed proposed amendments is a needed clarification and would prevent the possibility of litigation over the City's rights as a lessee under current lease agreements. The first amendment discussed could have significant implications, financially and politically, and determination as to the desirability of its passage is a City Council policy decision.

I hope the above comments have been of assistance. If you'd like to discuss this matter further, feel free to give me a call at 2185.

JF:mw:cbm

RECEIVED

MAY 7 1984

VIRGINIA GALLE

King County Executive
Randy Revelle
Department of Stadium Administration
E.O. Ted Bowsfield, *Director*

May 7, 1984

The Honorable Virginia Galle
Seattle City Council
Municipal Building, Eleventh Floor
600 Fourth Avenue
Seattle, WA 98104

RE: Proposed Amendments to Ordinance 111099,
Prohibiting Smoking in Certain Public Areas

Dear Councilwoman Galle:

Kingdome management has been informed that the Environmental Management Committee will be considering the proposed amendments submitted by Councilman Michael Hildt to Ordinance 111099, prohibiting smoking in certain public areas, on Tuesday, May 8, 1984 at 2 PM.

The purpose of this letter is to advise you and the committee of the serious concerns the Stadium Administration Department has in regard to the proposed amendments to this ordinance. The new language proposed by Mr. Hildt affects the operation of the Kingdome and our capability of being able to handle smokers in our facility, especially in large crowds such as 65,000+ for football games.

Ron Cline, Kingdome Facilities Manager, and I will be attending the hearing on Tuesday, and we would appreciate the opportunity of being involved in any other hearings, public or otherwise, that may take place in the future on this subject.

Your consideration is sincerely appreciated.

Sincerely,



E.O. Ted Bowsfield, Director
Department of Stadium Administration

sas
cc: City Council Members

Seattle City Council



Jeanette Williams
President of Council
625-2453

George E. Benson
Chair
Transportation Committee
625-2441

Virginia Galle
Chair
City Operations and
Utilities Committee
625-2445

Michael Hildt
Chair
Energy Committee
625-2443

Paul Kraabel
Chair
Land Use Committee
625-2447

Norman B. Rice
Chair
Finance Committee
625-2436

Jack N. Richards
Chair
Public Safety and
Health Committee
625-2438

Dolores Sibonga
Chair
Parks and Community
Resources Committee
625-2451

Sam Smith
Chair
Housing and Community
Services Committee
625-2455

April 25, 1984

To: Interested Persons

From: Michael Hildt

Subject: Proposed amendments to Ordinance 111099,
prohibiting smoking in certain public areas.

A year has passed since the City Council enacted the "no smoking in public places ordinance", intended to protect non-smokers from inhalation of harmful tobacco smoke in most public places. The attached draft ordinance (C.B. 104198) has been introduced by me to correct problems that have become apparent in implementation of the ordinance:

1. Though the Council's intent was to require that smoking areas in museums, concert halls, theaters, auditoriums, sports arenas and exhibition halls be physically separated from the lobby, the ordinance language was ambiguous. The proposed amendment (p. 1, lines 17-20) is to clearly prohibit smoking in these facilities, including lobbies, though a physically separate smoking room may be provided.
2. The ordinance prohibits smoking in all areas open to the public in buildings owned by the City of Seattle. That had the unintended result of prohibiting the establishment of smoking rooms at theaters, museums, sports arenas, etc., owned by the City. The proposed amendment (P. 1, lines 15 & 16) is to treat these facilities equally, whether or not owned by the City.
3. The last amendment (P. 2, paragraph F) is proposed to make clear that smoking is also prohibited in public areas of buildings leased or rented by the City of Seattle.

Also enclosed, is a copy of Ordinance 111099.

- 1 of 2 -

April 25, 1984
Proposed Amendments to No-Smoking Ordinance
Page 2

The Environmental Management Committee, Virginia Galle, Chair, will consider these proposed amendments at 2:00 p. m. on Tuesday, May 8. As these are minor, clarifying amendments, a public hearing has not been scheduled. Should you have opinions or concerns, however, the Committee would like to hear of them and would appreciate a letter addressed to Mrs. Galle by May 8th. If you wish to address the Committee, please call Betty Curneen, 625-2445, to make arrangements.

Please call me on 625-2443, if you have questions. Thank you for your interest and attention.

Yours,



Michael Hildt
City Councilmember

MH:ddc

A Contemporary Theatre
100 West Roy
Seattle, Washington 98119

Civic Light Opera/Rehearsal
Hall
2611 Northeast 125th
Seattle, Washington 98125

The Group Theatre
3940 Brooklyn Avenue Northeast
Seattle, Washington 98105

Admiral Twin Theatres
2343 California Avenue SW
Seattle, Washington 98116

Coliseum Theatre
Fifth and Pike
Seattle, Washington 98101

Guild 45th Street Theatre
2115 North 45th
Seattle, Washington 98103

Apple Theatre
1508 Boren
Seattle, Washington 98101

Discovery Theatre
201 North 70th
Seattle, Washington 98103

Harvard Exit
807 East Roy
Seattle, Washington 98102

Aurora Cinema I and II
13000 Linden North
Seattle, Washington 98133

Downtown Theatre
1506 First Avenue
Seattle, Washington 98101

Intiman Theatre
801 Pike
Seattle, Washington 98101

Bathhouse Theatre
7312 West Green Lake Drive N.
Seattle, Washington 98103

Egyptian Theatre
801 East Pine
Seattle, Washington 98122

King Cinema
2130 Sixth Avenue
Seattle, Washington 98121

Bay Theatre
2044 Northwest Market
Seattle, Washington 98107

Empty Space Theatre
919 East Pike
Seattle, Washington 98122

Kokusai Theatre
412 Maynard South
Seattle, Washington 98104

Brass Ring Theatre
115 Bell
Seattle, Washington 98121

Ethnic Cultural Center Theatre
3940 Brooklyn Northeast
Seattle, Washington 98105

Kuo Hwa Theater
410 Fifth South
Seattle, Washington 98104

Broadway Performance Hall
1625 Broadway
Seattle, Washington 98122

Fifth Avenue Theatre
1308 Fifth Avenue
Seattle, Washington 98101

Lake City Theatre
3120 Northeast 125th
Seattle, Washington 98125

Broadway Theatre
201 Broadway East
Seattle, Washington 98102

Glenn Hughes Playhouse
4045 University Way Northeast
Seattle, Washington 98105

La Pensee Discovery Theatre
201 North 70th
Seattle, Washington 98103

Cinerama Theatre
2100 Fourth Avenue
Seattle, Washington 98104

Golden Harvest Theatre
220 South Mead
Seattle, Washington 98108

Lou's Arcade
1406 First Avenue
Seattle, Washington 98101

CityStage Theatre
2318 Fourth Avenue
Seattle, Washington 98121

Grand Illusion Cinema
1403 Northeast 50th
Seattle, Washington 98105

Midtown Theatre
1923 First Avenue
Seattle, Washington 98101

The Moore Theater
1932 Second Avenue
Seattle, Washington 98101

Omnimax
Omnidome, Pier 59
Seattle, Washington 98101

Seattle Children's Theater/
Poncho Theater
North 50th and Fremont North
Seattle, Washington 98103

The Movie House
204 North 85th
Seattle, Washington 98103

On the Boards Washington Hall
Performance Gallery
153 - 14th
Seattle, Washington 98102

Seattle Mime Theatre
915 East Pine
Seattle, Washington 98122

Music Box Theatre
1414 Fifth Avenue
Seattle, Washington 98101

One Reel Vaudeville Show
2414 Second Avenue
Seattle, Washington 98121

Seattle Repertory Theatre
Bagley Wright Theatre
155 Mercer Street
Seattle, Washington 98109

Musicomedy Northwest
1508 - 11th
Seattle, Washington 98101

Pacific Science Center
200 Second North
Seattle, Washington 98109

Second Stage Theatre
1419 - 8th Avenue
Seattle, Washington 98101

Neat's New Faces Theatre
1100 East Pike
Seattle, Washington 98122

Palace Theatre
512 Second Avenue
Seattle, Washington 98104

Seven Gables Theater
911 Northeast 50th
Seattle, Washington 98105

Neptune Theatre
1303 Northeast 45th
Seattle, Washington 98105

Paramount Theatre
907 Pine
Seattle, Washington 98101

Showboat Theatre
University of Washington
Seattle, Washington 98195

New City Theatre
1634 - 11th
Seattle, Washington 98101

Pike Place Cinema
1428 Post Alley
Seattle, Washington 98101

Straight Arrow Cinema, Inc.
5001 Brooklyn Northeast
Seattle, Washington 98105

Nippon Kan Theater
628 South Washington
Seattle, Washington 98104

Pioneer Square Theatre
107 Occidental South
Seattle, Washington 98104

Sultan's Cinema
1313 First Avenue
Seattle, Washington 98101

Northgate Theatre
10 Northgate Plaza
Seattle, Washington 98125

Preview Theater
1020 John
Seattle, Washington 98109

Town Theatre
515 Pike
Seattle, Washington 98101

Northwest Educational Acting
Theatre
1100 East Pike
Seattle, Washington 98122

Ridgmont Theatre
7720 Greenwood North
Seattle, Washington 98103

Toyo Cinema
5608 Rainier Avenue South
Seattle, Washington 98118

Off the Wall Players
4040 Woodland Park North
Seattle, Washington 98103

Paul Robson Community Theater
Group
500 - 30th South
Seattle, Washington 98144

UA Cinema
6th and Blanchard
Seattle, Washington 98121

University Cinema
5510 University Way NE
Seattle, Washington 98105

Langston Hughes Cultural Arts
Center
104 - 17th Avenue South
Seattle, Washington 98144

Meany Way Hall for the
Performing Arts
University of Washington
Seattle, Washington 98195

Nordic Heritage Museum
3014 Northwest 67th Street
Seattle, Washington 98117

Penthouse Theatre
University of Washington
Seattle, Washington 98195

Seattle Art Museum
Volunteer Park
Seattle, Washington 98112

Uptown Theatre
511 Queen Anne Avenue North
Seattle, Washington 98109

Gerald R. Smith, M.D.
Radiology, Dept. Group Health
Cooperative
200 - 15th Avenue East
Seattle, Washington 98112

Varsity Theatre
4329 University Way Northeast
Seattle, Washington 98105

Fresh Air for Nonsmokers
Post Office Box 24052
Seattle, Washington 98124

Wometco Lathrop
2033 - 6th Avenue
Seattle, Washington 98121

George Pernsteiner, Director
Department of Administrative
Services
09-05-01

Art Center Gallery
Seattle Pacific University
3307 Third Avenue West
Seattle, Washington 98119

Ewen Dingwall, Director
Seattle Center
70-02-01

Cornish Institute
710 East Roy Street
Seattle, Washington 98102

Burke Museum
17th NE and NE 45th
Seattle, Washington 98105

Daybreak Star Arts Center
Post Office Box 99253
Discovery Park
Seattle, Washington 98199

Frye Art Museum
704 Terry
Seattle, Washington 98109

Henry Gallery
University of Washington
Seattle, Washington 98195

Ted Bowsfield, Director
Kingdome
201 South King Street
Seattle, Washington 98104

Museum of History and Industry
2161 East Hamlin Street
Seattle, Washington 98112

C-551

Affidavit of Publication

STATE OF WASHINGTON
KING COUNTY—SS

1984 JUN 23
CITY OF SEATTLE
OFFICE OF THE CLERK

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a
Ordinance No. 111715

was published on June 23, 1984

B. Blauri
Subscribed and sworn to before me on

June 23, 1984

Arthur P. Jones
Notary Public for the State of Washington,
residing in Seattle.

City of Seattle

ORDINANCE 117715

AN ORDINANCE amending the City's "No Smoking" law, SMC 10.64 (Ordinance 111099 as last amended) to clarify areas in which smoking is permitted, and those in which it is prohibited; and amending SMC 10.64.060 to correct a typographical error.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. SMC 10.64.020 is amended as follows:

Section 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 ((of lobbies at the lobbies)) 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. ((F-)) All areas open to the public in buildings owned ((or occupied)) by The City of Seattle, provided that smoking may be permitted in designated smoking areas of the Seattle Center's "Center House ((-))" ((The designated smoking areas may)) not to exceed 30% of the common area of the Center House.
- 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 30% of the waiting area.

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

M. Libraries.

Section 2. SMC 10.64.060 (as last amended by Ordinance 11462) is further amended as follows:

Section 10.64.060. Penalty

An offense against Section ((10-67-030)) 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 10.64.030 or Section 10.64.040 may be punished by a civil fine or forfeiture not to exceed One Hundred Dollars (\$100.00).

Section 3. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 4th day of June, 1984,
and signed by me in open session in authentication of its passage this 4th day of June, 1984.

Approved by me this 14th day of June, 1984.

Filed by me this 14th day of June, 1984.

Attest: Jim Hill
City Comptroller and City Clerk

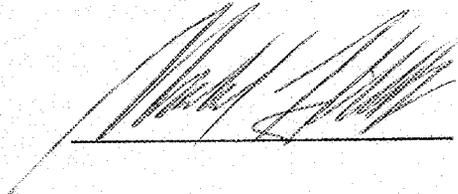
(SEAL)

By: Theresa Dunbar
Deputy Clerk

Publication ordered by TIM HILL, Comptroller and City Clerk.
Date of official publication in Daily Journal of Commerce, Seattle, June 23, 1984. (C-351)

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

	_____
_____	_____
_____	_____
_____	_____

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO:

Public Safety

PRESIDENT'S SIGNATURE