



Department

# The City of Seattle--Legislative Department

## REPORT OF COMMITTEE

Date Reported  
and Adopted

President:

Committee on

Public Safety

was referred the within Council Bill No.

102199

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

Do Pass

Vote 6-0



Committee Chair

ORDINANCE 113565

AN ORDINANCE relating to the Department of Parks and Recreation; adding a new section to the Seattle Municipal Code; making it unlawful to possess an unopen container of liquor in a park and providing exceptions thereto; and amending SMC 18.12.255 to make criminal the consuming, the possessing of an open container holding, and the opening of a container holding, liquor in a park; and specifying the penalties therefor.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. There is added to the Seattle Municipal Code a new section, § 18.12.257, as follows:

18.12.257 Unlawful possession of liquor in a public park.

It is unlawful in a park to possess an unopen container of liquor, as defined in S.M.C. 12A.24.010C except:

A. Pursuant to permits respectively issued by the Superintendent and Washington State Liquor Control Board; or

B. Pursuant to rules or regulations adopted by the Superintendent; or

C. During the direct and immediate transportation of liquor in the retailer's original package, accompanied by an original receipt therefor, through a park to a place where liquor can be lawfully consumed or to a vehicle outside a park.

D. An offense under this section is designated a violation the punishment for which shall be as specified in S.M.C. 12A.02.080.

Section 2. Section Municipal Code Section 18.12.255 (Section 15 of Ordinance 113435) is amended as follows:

It is unlawful in a park to consume, or to possess an open container holding, or to open a container holding, any liquor

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5/8-113436 Eua

1 as defined in S.M.C. § 12A.24.010C except pursuant to permits  
2 respectively issued by the Superintendent and the Washington  
3 State Liquor Control Board or its successor. ((Notwith-  
4 standing the provisions S.M.C. § 12A.02.080, conduct made  
5 unlawful by this section shall constitute a violation  
6 punishable by a civil fine or forfeiture of not more than One  
7 Hundred Dollars (~~\$100.00~~.) Conduct made unlawful by this  
8 section shall constitute a crime subject to the provisions of  
9 Chapters 12A.02 and 12A.04 of the Seattle Municipal Code, the  
10 punishment for which shall be as specified in SMC 12A.02.070.

(To be used for all Ordinances except Emergency.)

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 24<sup>th</sup> day of August, 1987,  
and signed by me in open session in authentication of its passage this 24<sup>th</sup> day of August, 1987.

*[Signature]*  
President of the City Council.

Approved by me this 1<sup>st</sup> day of September, 1987.

*[Signature]*  
Mayor.

Filed by me this 1<sup>st</sup> day of September, 1987.

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

(SEAL)

Published

By *[Signature]*  
Deputy Clerk.

DO NOT PUBLISH  
CITY ATTORNEY *[Signature]*

Office Of The Mayor  
City of Seattle

Charles Royer, Mayor



June 10, 1987

698

The Honorable Douglas Jewett  
City Attorney  
City of Seattle

Dear Mr. Jewett:

I am proposing to the City Council that the enclosed legislation be adopted.

REQUESTING DEPARTMENT: Mayor's Office

SUBJECT: AN ORDINANCE relating to the Department of Parks and Recreation; amending Seattle Municipal Code, Chapter 18.12 (the Park Code), by adding a new section 18.12.25 making it unlawful to possess unopen containers of liquor in any park and providing exceptions; and further amending SMC 18.12.255 to make the penalty for consuming or possessing an open container of liquor in a park the same as the penalty for consuming or possessing an open container of liquor in any other public place under SMC 12A.24.025 and 12A.02.070.

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation directly to your office for review and drafting.

After reviewing this request and drafting appropriate legislation, file the legislation with the City Clerk for formal introduction to the City Council as an Executive Request.

Sincerely,

Charles Royer

Enclosure

Office Of The Mayor  
City of Seattle

Charles Royer, Mayor



June 10, 1987

M E M O R A N D U M

TO: Councilmember Norm Rice  
Chair, Public Safety Committee

FROM: Charles Royer *Charles Royer*

SUBJECT: Attached Legislation

Attached is a set of proposed ordinance changes designed to enhance the ability of our police officers to respond effectively to the public safety issues which face us today. These are part of a larger strategy we are pursuing that involves systematic changes in our treatment system for alcoholics, mentally ill, drug abusers, and in our criminal justice system.

As we deploy more beat officers on our streets and in our neighborhoods, we must give them the tools which will allow them to enforce a standard of behavior that respects the rights of all citizens in our community. I have already proposed, and the Council has recently passed, a set of ordinance changes directed toward similar problems occurring in our parks.

I appreciate your interest in these proposals, and look forward to working with you to ensure their speedy passage.

C-980-X

# Affidavit of Publication

## STATE OF WASHINGTON KING COUNTY—SS.

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. 113565

.....  
was published on September 4, 1987

.....  
Subscribed and sworn to before me on

.....  
September 4, 1987

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

# City of Seattle

## ORDINANCE 113581

AN ORDINANCE relating to the Department of Parks and Recreation, adding a new section to the Seattle Municipal Code, making it unlawful to possess an unopened container of liquor in a park and providing exceptions thereto, and amending SMC 18.12.255 to make criminal the consuming, the possessing of an open container holding, and the opening of a container holding liquor in a park; and specifying the penalties therefor.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. There is added to the Seattle Municipal Code a new section, §18.12.257, as follows:

### 18.12.257 UNLAWFUL POSSESSION OF LIQUOR IN A PUBLIC PARK.

It is unlawful in a park to possess an unopened container of liquor, as defined in S. M. C. 12A.24.010C except:

A. Pursuant to permits respectively issued by the Superintendent and Washington State Liquor Control Board; or

B. Pursuant to rules or regulations adopted by the Superintendent; or

C. During the direct and immediate transportation of liquor in the retailer's original package, accompanied by an original receipt therefor, through a park to a place where liquor can be lawfully consumed or to a vehicle outside a park.

D. An offense under this section is designated a violation the punishment for which shall be as specified in S. M. C. 12A.02.080.

Section 2. Section Municipal Code Section 18.12.255 (Section 15 of Ordinance 113435) is amended as follows:

It is unlawful in a park to consume, or to possess an open container holding, or to open a container holding, any liquor as defined in S. M. C. §12A.24.010C except pursuant to permits respectively issued by the Superintendent and the Washington State Liquor Control Board or its successor. (Notwithstanding the provisions S. M. C. §12A.02.080, conduct made unlawful by this section shall constitute a violation punishable by a civil fine or forfeiture of not more than One Hundred Dollars (\$100.00).) CONDUCT MADE UNLAWFUL BY THIS SECTION SHALL CONSTITUTE A CRIME SUBJECT TO THE PROVISIONS OF Chapters 12A.02 AND 12A.04 OF THE SEATTLE MUNICIPAL CODE. THE PUNISHMENT FOR WHICH SHALL BE AS SPECIFIED IN SMC 12A.02.070.

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 24th day of August, 1987, and signed by me in open session in authentication of its passage this 24th day of August, 1987.

SAM SMITH,  
President of the City Council.

Approved by me this 1st day of September, 1987.

CHARLES ROYER,  
Mayor.

Filed by me this 1st day of September, 1987.

Attest: NORWARD J. BROOKS,  
City Comptroller and City Clerk.

(Seal) By THERESA DUNBAR,  
Deputy Clerk.

Publication ordered by NORWARD J. BROOKS, Comptroller and City Clerk.

Date of official publication in Daily Journal of Commerce, Seattle, September 1, 1987. (C 988-X)