

2/23/41

ORDINANCE No. 114582

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COUNCIL BILL No. 107361

*Law Department*

The City of

AN ORDINANCE relating to the Seattle Food Code; amending SMC Chapter 10.11 by the addition of Section 10.11.696 requiring the posting of warning signs or notices in establishments serving alcoholic beverages.

Honorable President:

Your Committee on Pu

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

COMPTROLLER FILE No. \_\_\_\_\_

Introduced: <u>May 30 1989</u>	By: <u>NOI/mvd</u>
Referred: <u>May 30 1989</u>	To: <u>Public Safety</u>
Referred:	To:
Referred:	To:
Reported: <u>JUL 3 1989</u>	Second Reading: <u>JUL 3 1989</u>
Third Reading: <u>JUL 3 1989</u>	Signed: <u>JUL 3 1989</u>
Presented to Mayor: <u>JUL 5 1989</u>	Approved: <u>JUL 13 1989</u>
Returned to City Clerk: <u>JUL 14 1989</u>	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

P 10

Vote 7-0

**OK**

Department

# The City of Seattle--Legislative Department

## REPORT OF COMMITTEE

Date Reported  
and Adopted

6-23-89

President:

Committee on

Public Safety

as referred the within Council Bill No.

109361

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

Pass

3-0

Vote 7-0

Jane M. Bland

Committee Chair

GBD:bjw  
4/25/89

ORDINANCE 114582

AN ORDINANCE relating to the Seattle Food Code; amending SMC Chapter 10.11 by the addition of Section 10.11.696 requiring the posting of warning signs or notices in establishments serving alcoholic beverages.

WHEREAS, the Surgeon General of the United States has advised women who are pregnant, or considering pregnancy, not to drink alcoholic beverages or smoke cigarettes; and

WHEREAS, recent research indicates that alcohol consumption during pregnancy, especially in the early months, can harm the fetus, and result in birth defects including mental retardation, facial abnormalities and other defects involving heart and bone structure; and

WHEREAS, research indicates that maternal cigarette smoking during pregnancy slows fetal growth, lowers birth weight and increases the risk of stillbirths; and

WHEREAS, The City of Seattle finds that strategically located warnings to deter consumption of alcohol and cigarette smoking by pregnant women will reduce the incidence of these health effects and seeks to educate the public of this health problem; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Seattle Food Code (Seattle Municipal Code Chapter 10.11) is amended by adding thereto new section 10.11.696, as follows:

10.11.696. WARNING SIGNS OR NOTICES

A. Signs or notices, warning of the effects of alcohol consumption and cigarette smoking during pregnancy, shall be posted in all food service establishments serving any alcoholic beverage for consumption on premises. For the purpose of this section, the term "alcoholic beverage" means and includes wine, beer, malt beverage, liquor, and distilled spirits, each as defined in RCW Ch. 66.04.

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B. Each such sign or notice shall read as follows:

"WARNING: DRINKING DISTILLED SPIRITS, BEER, WINE, COOLERS AND OTHER ALCOHOLIC BEVERAGES OR SMOKING CIGARETTES DURING PREGNANCY MAY CAUSE BIRTH DEFECTS."

C. Each such sign or notice shall be of the following size: at least two inches (2") high if printed or included in a menu; at least three inches by three inches (3" x 3") per side if set forth on a single, double, or multi-sided placard or display "tent" on any table provided for the establishment's customers; and not less than eight and one-half inches by eleven inches (8½" x 11") if included on a sign that is posted conspicuously at a bar or other point of sale that is clearly visible to the public.

(To be used for all Ordinances except Emergency.)

Section 2..... 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 3<sup>rd</sup> day of July, 1989,  
and signed by me in open session in authentication of its passage this 3<sup>rd</sup> day of July, 1989.

*[Signature]*  
President..... of the City Council.

Approved by me this 13<sup>th</sup> day of July, 1989,  
*[Signature]*  
Mayor.

Filed by me this 13<sup>th</sup> day of July, 1989.

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

(SEAL)

Published.....

By *[Signature]*  
Deputy Clerk.

# City of Seattle

Executive Department-Office of Management and Budget

James P. Ritch, Director  
Charles Royer, Mayor



April 17, 1989

#10,496

COPY RECEIVED

The Honorable Douglas Jewett  
City Attorney  
City of Seattle

*Davidson*

APR 18 1989

*Okoy*  
*[Signature]*

SEATTLE CITY ATTORNEY

Dear Mr. Jewett:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING  
DEPARTMENT: Health Department

SUBJECT: An ordinance relating to posting warning signs in establishments serving alcohol beverages; amending SMC Chapter 10.11 by adding a new Section 10.11.696 thereto.

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

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to Alan Painter. Any specific questions regarding the legislation can be directed to Alan Painter.

Sincerely,

Charles Royer  
Mayor

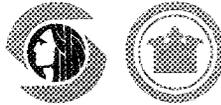
by

*for* *[Signature]*  
JAMES P. RITCH  
Budget Director

JR/ap/nc

Enclosure

cc: Director, Health Department



City of Seattle      King County  
Charles Royer, Mayor      Tim Hill, Executive

**Seattle-King County Department of Public Health**  
Bud Nicola, M.D., M.H.S.A., Director

April 12, 1989

Ken Bounds, Acting Director  
Office of Management and Budget  
City of Seattle

**ATTENTION:** Alan Painter

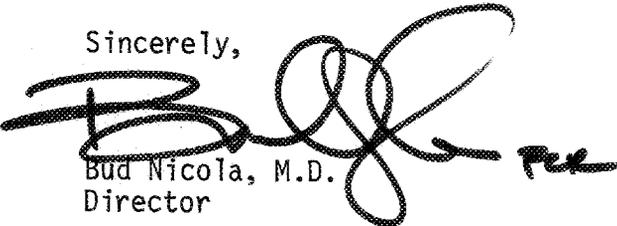
**RE:** Ordinance Requiring Warning Signs in Establishments  
Serving Alcoholic Beverages

Dear Mr. Bounds:

The attached ordinance requires establishments serving alcoholic beverages to post signs that warn the public of the effects of alcohol consumption and cigarette smoking during pregnancy. This proposed legislation is modeled on King County Board of Health Rule and Regulation No. 42 that became effective on February 1, 1989.

If you have any questions concerning this ordinance, please contact Chuck Kleeberg, Director of the Environmental Health Division, at 296-4731.

Sincerely,

  
Bud Nicola, M.D.  
Director

BN:JN:ss  
Attachment

cc: Bruce Miyahara  
Jack Thompson  
Chuck Kleeberg

# City of Seattle

OF ORDINANCE 114587

AN ORDINANCE relating to the Seattle Food Code, amending SMC Chapter 10.11 by the addition of Section 10.11.696 requiring the posting of warning signs or notices in establishments serving alcoholic beverages.

WHEREAS, the Surgeon General of the United States has advised women who are pregnant, or considering pregnancy, not to drink alcoholic beverages or smoke cigarettes; and

WHEREAS, recent research indicates that alcohol consumption during pregnancy, especially in the early months, can harm the fetus, and result in birth defects including mental retardation, facial abnormalities and other defects involving heart and bone structure; and

WHEREAS, research indicates that maternal cigarette smoking during pregnancy slows fetal growth, lowers birth weight and increases the risk of stillbirths; and

WHEREAS, The City of Seattle finds that strategically located warnings to deter consumption of alcohol and cigarette smoking by pregnant women will reduce the incidence of these health effects and seeks to educate the public of this health problem. Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Seattle Food Code (Seattle Municipal Code Chapter 10.11) is amended by adding thereto new section 10.11.696, as follows:

## 10.11.696. WARNING SIGNS OR NOTICES

A. Signs or notices, warning of the effects of alcohol consumption and cigarette smoking during pregnancy, shall be posted in all food service establishments serving any alcoholic beverage for consumption on premises. For the purpose of this section, the term "alcoholic beverage" means and includes wine, beer, malt beverage, liquor, and distilled spirits, each as defined in RCW Ch. 66.04.

B. Each such sign or notice shall read as follows: "WARNING: DRINKING DISTILLED SPIRITS, BEER, WINE, COFFEES AND OTHER ALCOHOLIC BEVERAGES OR SMOKING CIGARETTES DURING PREGNANCY MAY CAUSE BIRTH DEFECTS."

C. Each such sign or notice shall be of the following size: at least two inches (2") high if printed or included in a menu, at least three inches by three inches (3" x 3") per side if set forth on a single, double, or multi-sided placard or display "tent" on any table provided for the establishment's customers; and not less than eight and one-half inches by eleven inches (8 1/2" x 11") if included on a sign that is posted conspicuously at a bar or other point of sale that is clearly visible to the public.

Section 2. 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 3rd day of July, 1989, and signed by me in open session in authentication of its passage this 3rd day of July, 1989.

SAM SMITH,  
President of the City Council.  
Approved by me this 13th day of July, 1989.

CHARLES ROYER,  
Mayor.  
Filed by me this 13th day of July, 1989.  
Attest: MORWARD J. BROOKS,  
City Comptroller and City Clerk.  
(Seal) By THERESA DUNBAR,  
Deputy Clerk.

Publication ordered by MORWARD J. BROOKS, Comptroller and City Clerk.  
Date of official publication by 1989  
Journal of Commerce, Seattle, July 21,  
1989. (1761)

STATE OF WASHINGTON - KING COUNTY

17612  
City of Seattle

—ss.

No.

Affidavit of Publication

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

ORD/114582

was published on

07/21/89

The amount of the fee charged for the foregoing publication is the sum of \$ \_\_\_\_\_, which amount has been paid in full.

Subscribed and sworn to before me on

JUL 21 1989

Notary Public for the State of Washington,  
residing in Seattle