

ORDINANCE No.

116897

COUNCIL BILL No.

109918

The City of Seattle--Legislative

REPORT OF COMMITTEE

AN ORDINANCE defining the term "intimidate" as used in defining the crime of Pedestrian Interference, redefining the offense of Unlawful Purchase, Acquisition or Possession of Liquor, changing the classification of this offense from a violation to a crime, and amending Section 12A.12.015, Section 12A.24.100, and Section 12A.24.150 of the Seattle Municipal Code.

Honorable President:

Your Committee on _____

to which was referred the within Council Bill No. _____ report that we have considered the same and respectfully recommend _____

Full Council Vote

Full Council Vote 8-0

Committee Chair

CONTROLLER FILE No.

Prepared: <u>9-27-93</u>	By: <u>PAGELEK</u>
Referred:	To: <u>Full Council</u>
Referred:	To:
Reported:	Second Reading:
Third Reading: <u>OCT 4 '93</u>	Signed: <u>OCT 4 '93</u>
Presented to Mayor: <u>OCT 8 '93</u>	Approved: <u>OCT 7 '93</u>
Returned to City Clerk: <u>OCT 7 '93</u>	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

ORDINANCE

116897

1 AN ORDINANCE defining the term "intimidate" as used in defining
2 the crime of Pedestrian Interference, redefining the
3 offense of Unlawful Purchase, Acquisition or Possession of
4 Liquor, changing the classification of this offense from a
5 violation to a crime, and amending Section 12A.12.015,
6 Section 12A.24.100, and Section 12A.24.150 of the Seattle
7 Municipal Code.

8 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

9 Section 1. Section 12A.12.015 of the Seattle Municipal
10 Code (Ordinance 113697, Section 1) is amended as follows:

11 12A.12.015 Pedestrian interference.

12 A. The following definitions apply in this section:

13 1. "Aggressively beg" means to beg with the intent
14 to intimidate another person into giving money or goods.

15 2. "Intimidate means to engage in conduct which
16 would make a reasonable person fearful or feel compelled.

17 ((2-)) 3. "Beg" means to ask for money or goods as a
18 charity, whether by words, bodily gestures, signs, or other
19 means.

20 ((3-)) 4. "Obstruct pedestrian or vehicular traffic"
21 means to walk, stand, sit, lie, or place an object in such a
22 manner as to block passage by another person or a vehicle, or to
23 require another person or a driver of a vehicle to take evasive
24 action to avoid physical contact. Acts authorized as an exer-
25 cise of one's constitutional right to picket or to legally
26 protest, and acts authorized by a permit issued pursuant to the
27 Street Use Ordinance, Chapters 15.02 through 15.50 of the
28 Seattle Municipal Code, shall not constitute obstruction of
pedestrian or vehicular traffic.

((4-)) 5. "Public place" means an area generally
visible to public view and includes alleys, bridges, buildings,
driveways, parking lots, parks, plazas, sidewalks and streets
open to the general public, including those that serve food or
drink or provide entertainment, and the doorways and entrances
to buildings or dwellings and the grounds enclosing them.

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1 B. A person is guilty of pedestrian interference if, in
2 a public place, he or she intentionally:

- 3 1. Obstructs pedestrian or vehicular traffic; or
4 2. Aggressively begs.

5 C. Among the circumstances which may be considered in
6 determining whether the actor intends to intimidate another
7 person into giving money or goods are that the actor:

- 8 1. touches the person solicited;
9 2. follows the person solicited;
10 3. directs profane or abusive language toward the
11 person solicited;
12 4. uses violent or threatening gestures toward the
13 person solicited; or
14 5. persists in begging after the person solicited
15 has given a negative response.

16 ((E-)) D. Pedestrian interference ((~~may be punished by a~~
17 ~~fine not to exceed five hundred dollars (\$500.00) or by~~
18 ~~imprisonment in jail for a term not to exceed ninety (90) days~~
19 ~~or by both such fine and imprisonment)) is a misdemeanor.~~

20 Section 2. Section 12A.24.100 (Ordinance 102843, Section
21 12A.40.160, as last amended by Ordinance 103993, Section 3) is
22 further amended as follows:

23 12A.24.100 Unlawful ((~~purchase, acquisition, or~~)
24 ~~possession, consumption, acquisition or~~
25 ~~purchase of liquor by a minor.~~

26 ((~~A person is guilty of unlawful purchase, acquisition or~~
27 ~~possession of liquor if he is under the age of twenty-one (21)~~
28 ~~years and except as provided in Section 12A.24.080 knowingly~~
29 ~~purchases, attempts to purchase, acquires, possesses or consumes~~
30 ~~any liquor.))~~

31 A. It is unlawful for any person under the age of twenty-
32 one (21) years to possess, consume or otherwise acquire liquor.

33 B. Subsection A of this section shall not apply to:

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1 1. liquor given or permitted to be given to a person
2 under the age of twenty-one (21) years by a parent or guardian
3 and consumed in the presence of the parent or guardian:

4 2. liquor given for medicinal purposes to a person
5 under the age of twenty-one (21) years by a parent, guardian,
6 physician or dentist:

7 3. liquor given to a person under the age of twenty-
8 one (21) years when such liquor is being used in connection with
9 religious services and the amount consumed is the minimal amount
10 necessary for the religious service.

11 C. It is unlawful for any person under the age of twenty-
12 one (21) years to purchase or attempt to purchase liquor. A
13 person between the ages of eighteen (18) and twenty (20) years,
14 inclusive, who violates this subsection is guilty of a misde-
15 meanor and shall be punished by imprisonment for not more than
16 ninety (90) days or by a fine of not more than One Thousand
17 Dollars (\$1,000.00) or by both such imprisonment and fine;
18 provided, however, that a minimum fine of Two Hundred Fifty
19 Dollars (\$250.00) shall be imposed and any sentence requiring
20 community service shall require not fewer than twenty-five (25)
21 hours of such service.

22 Section 3. Section 12A.24.150 of the Seattle Municipal
23 Code (Ordinance 102843, Section 12A.40.260, as last amended by
24 Ordinance 110856, Section 2) is further amended as follows:

25 12A.24.150 Classification and penalty.

26 A. An offense under Sections 12A.24.050, ((12A.24.100))
27 12A.24.110, 12A.24.120, or 12A.24.130 is designated a violation
28 and punishment therefor shall be as provided in Section
29 12A.02.080.

30 B. Except as otherwise provided in this chapter, any
31 person who violates any provision of this chapter shall be
32 punished, upon the first such conviction, by a fine of not more

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than Five Hundred Dollars (\$500.00) or by imprisonment for not more than two (2) months or by both such fine and imprisonment, upon a second such conviction, by imprisonment for not more than six (6) months and, upon a third or subsequent such conviction, by imprisonment for not more than one (1) year. If the person convicted is a corporation, it shall be punished by a fine of not more than Five Thousand Dollars (\$5,000.00).

Section 4. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 5. 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 October, 1993, and signed by me in open session in authentication of its passage this 4th day of October, 1993.

Les Benson
President of the City Council

Approved by me this 7th day of October, 1993.

Norman B. Rice
Norman B. Rice, Mayor

Filed by me this 7th day of October, 1993.

Margaret Carter
Deputy Clerk

(SEAL)
Published _____

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

City of Seattle
ORDINANCE 116897

AN ORDINANCE defining the term "intimidate" as used in defining the crime of Pedestrian Interference, redefining the offense of Unlawful Purchase, Acquisition or Possession of Liquor, changing the classification of this offense from a violation to a crime, and amending Section 12A.12.015, Section 12A.24.100, and Section 12A.24.150 of the Seattle Municipal Code.

AS IT COMPLETED BY THE CITY OF SEATTLE, AS FOLLOWS:

Section 1. Section 12A.12.015 of the Seattle Municipal Code (Ordinance 112497, Section 1) is amended as follows:

12A.12.015 Pedestrian interference.

A. The following definitions apply in this section:

1. "Aggressively beg" means to beg with the intent to intimidate another person into giving money or goods.

2. "Intimidate" means to engage in conduct which would make a reasonable person fearful or feel compelled.

((b)) 2. "Beg" means to ask for money or goods as a bribe, whether by words, bodily gestures, signs, or other means.

((b)) 3. "Obstruct pedestrian or vehicular traffic" means to walk, stand, sit, lie, or place an object in such a manner as to block passage by another person or a vehicle, or to advise another person or a driver of a vehicle to take evasive action to avoid physical contact. Acts authorized as an exercise of one's constitutional right to picket or to legally picket, and acts authorized by a permit issued pursuant to the Street Use Ordinance, Chapters 15.02 through 15.99 of the Seattle Municipal Code, shall not constitute obstruction of pedestrian or vehicular traffic.

((b)) 4. "Public place" means an area generally accessible to public view and includes alleys, bridges, buildings, streets, parking lots, parks, plazas, sidewalks and streets accessible to the general public, including those that serve food or provide entertainment, and the doorways and entrances to buildings or dwellings and the grounds enclosing them.

A person is guilty of pedestrian interference if, in a public place, he or she intentionally:

1. Obstructs pedestrian or vehicular traffic; or
2. Aggressively begs.

C. Among the circumstances which may be considered in determining whether the actor intends to intimidate another person into giving money or goods are that the actor:

1. Touches the person solicited;
2. Follows the person solicited;
3. Directs profane or abusive language toward the person solicited;
4. Uses violent or threatening gestures toward the person solicited; or
5. Persistents in begging after the person solicited has given a negative response.

((b)) 2. Pedestrian interference ((may be punished by a fine not to exceed five hundred dollars (\$500.00) or by imprisonment in jail for a term not to exceed ninety (90) days or by both such fine and imprisonment)) is a misdemeanor.

Section 2. Section 12A.24.100 (Ordinance 102843, Section 12A.40.160, as last amended by Ordinance 103993, Section 3) is further amended as follows:

12A.24.100 Unlawful ((purchase, acquisition, or possession, consumption, acquisition or purchase of liquor by a minor.

((A person is guilty of unlawful purchase, acquisition or possession of liquor if he is under the age of twenty-one (21) years and except as provided in Section 12A.24.050 knowingly purchases, attempts to purchase, acquires, possesses or consumes any liquor))

A. It is unlawful for any person under the age of twenty-one (21) years to possess, consume or otherwise acquire liquor.

B. Subsection A of this section shall not apply to:

1. Liquor given or permitted to be given to a person under the age of twenty-one (21) years by a parent or guardian and consumed in the presence of the parent or guardian;

2. Liquor given for medicinal purposes to a person under the age of twenty-one (21) years by a parent, guardian, physician or dentist;

3. Liquor given to a person under the age of twenty-one (21) years when such liquor is being used in connection with religious services and the amount consumed is the minimal amount necessary for the religious service.

C. It is unlawful for any person under the age of twenty-one (21) years to purchase or attempt to purchase liquor. A person between the ages of sixteen (16) and twenty (20) years, inclusive, who violates this subsection is guilty of a misdemeanor and shall be punished by imprisonment for not more than ninety (90) days or by a fine of not more than One Thousand Dollars (\$1,000.00) or by both such imprisonment and fine; provided, however, that a minimum fine of Two Hundred Fifty Dollars (\$250.00) shall be imposed and any sentence requiring community service shall require not fewer than twenty-five (25) hours of such service.

Section 3. Section 12A.24.150 of the Seattle Municipal Code (Ordinance 102843, Section 12A.40.260, as last amended by Ordinance 110856, Section 2) is further amended as follows:

12A.24.150 Classification and penalty.

A. An offense under Sections 12A.24.050, ((22A.40.100)) 12A.24.110, 12A.24.120, or 12A.24.130 is designated a violation and punishment therefor shall be as provided in Section 12A.02.080.

B. Except as otherwise provided in this chapter, any person who violates any provision of this chapter shall be punished, upon the first such conviction, by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for not more than two (2) months or by both such fine and imprisonment. Upon a second such conviction, by imprisonment for not more than six (6) months and, upon a third or subsequent such conviction, by imprisonment for not more than one (1) year. If the person convicted is a corporation, it shall be punished by a fine of not more than Five Thousand Dollars (\$5,000.00).

Section 4. The provisions of this ordinance are declared

to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 5. 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 October, 1993, and signed by me in open session in authentication of its passage this 4th day of October, 1993.

GEORGE E. BENSON,
President of the City Council.
Approved by me this 7th day of October, 1993.
NORMAN B. BICE,
Mayor.

Filed by me this 7th day of October, 1993.
(Seal) MARGARET CARTER,
Deputy Clerk.
Publication ordered by JUDITH PIPPIN, City Clerk.
Date of official publication in Daily Journal of Commerce, Seattle, October 14, 1993.
10/14(88778)

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