

Ordinance No. 121389

Council Bill No. 114788

The City of Seattle

Council Bill/Ordinance

AN ORDINANCE related to vehicles and traffic, amending Section 11.16.125 of the Seattle Municipal Code to authorize the Director of Transportation to close or authorize closure of shoreline street ends from dusk to dawn.

12/14/03

CF No. _____

Date Introduced: <u>12-8-03</u>		
Date 1st Referred: <u>12-8-03</u>	To: (committee) <u>Transportation</u>	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage: <u>1-12-04</u>	Full Council Vote: <u>8-0</u>	
Date Presented to Mayor: <u>1-13-04</u>	Date Approved: <u>1/16/04</u>	
Date Returned to City Clerk: <u>1/20/04</u>	Date Published: <u>2/1/04</u>	T.O. <input type="checkbox"/> E.T. <input checked="" type="checkbox"/>
Date Vetoes by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

1-12-04 Pass

This file is complete and ready

Law Department

Law Dept. Review

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by:

Richard Conlin

Councilmember

Committee Action:

*12/14/03 passed unanimously 2-0 yes
Conlin, McIver*

(12)

12-04 Passed As Amended 8-0 (Excused: Conlin)

This file is complete and ready for presentation to Full Council.

Committee: *RC 12/16/03*

(initials)

Law Department

Law Dept. Review

OMP
Review

(12)
City Clerk
Review

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ORDINANCE 121389

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3 AN ORDINANCE related to vehicles and traffic, amending Section 11.16.125 of the Seattle
4 Municipal Code to authorize the Director of Transportation to close or authorize closure
of shoreline street ends from dusk to dawn.

5 WHEREAS, within the boundaries of the City of Seattle there are 149 shoreline street ends,
6 which are the land portions of public street segments that provide visual or physical
7 access to a body of water and its shoreline, or could do so if improved; and

8 WHEREAS, Seattle Transportation and the Seattle Police Department have received numerous
9 complaints of inappropriate and illegal use of certain street ends during evening and night
hours; and

10 WHEREAS, City personnel have verified that there is a need to address public safety and
11 nuisance issues that have arisen or may arise for those citizens who live next to or near a
shoreline street end due to inappropriate night-time use of street ends; and

12 WHEREAS, the Mayor and City Council wish to respond to these concerns by adopting
13 legislation intended to ameliorate the problem by authorizing the Director of
14 Transportation to close street ends, on a case by case basis, as the need arises; NOW,
15 THEREFORE,

16 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

17 Section 1. Section 11.16.125 of the Seattle Municipal Code, as last amended by
18 Ordinance 118409, is amended to add a new subsection D as follows:

19 **11.16.125 Director of Transportation – Authority – Street and alley closures.**

20 The Director of Transportation is authorized:

21 * * * * *

22
23 C. To designate any streets for one (1) way traffic and the required direction of such
24 traffic ((-));

25 D. To close or authorize the closure during hours of darkness of any shoreline street end,

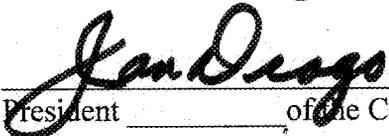
26 as defined at SMC 15.02.046, for entry, travel, or use by the general public, based on a
27



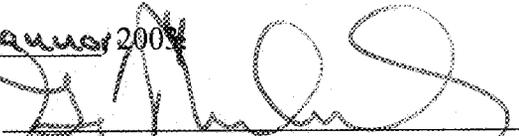
1 determination that such a closure is necessary to control or prevent unlawful or disorderly
2 behavior occurring in or emanating from the shoreline street end. The street end shall remain
3 open to owners and occupants of abutting property and their guests for access and parking
4 purposes, agents of utilities in the street end, government employees and emergency personnel in
5 the performance of their duties, and permittees under a street use permit issued pursuant to Title
6 15. Upon ordering the closure, the Director shall cause the street end to be posted with a sign
7 stating that the street end is closed from dusk to dawn, or such other hours as the Director deems
8 appropriate.

11 Section 2. This ordinance shall take effect and be in force thirty (30) days from and after
12 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
13 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

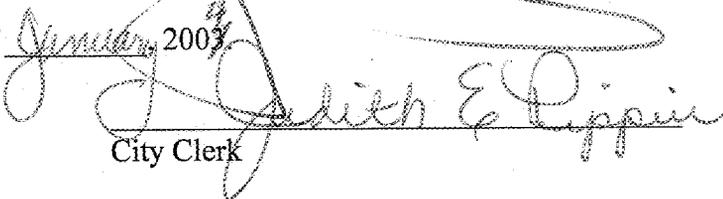
14 Passed by the City Council the 12th day of January, 2003, and signed by me in open
15 session in authentication of its passage this 12th day of January, 2003.

17 
18 President _____ of the City Council

19 Approved by me this 14 day of January, 2003

21 
22 Gregory J. Nickels, Mayor

23 Filed by me this 20th day of January, 2003

24 
25 City Clerk

26 (Seal)



City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

December 1, 2003

Honorable Peter Steinbrueck
President
Seattle City Council
City Hall, 2nd Floor

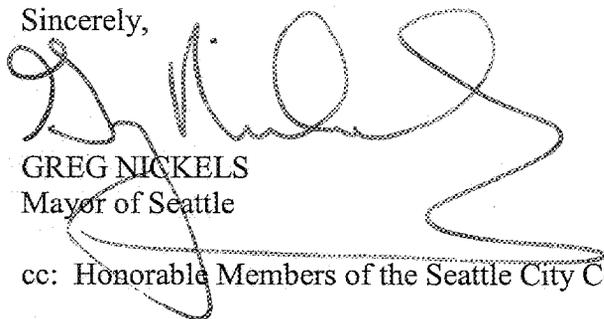
Dear Council President Steinbrueck:

The attached proposed ordinance will allow Seattle Transportation to reduce public use of shoreline street ends that have significant, documented public safety problems. Because shoreline street ends are legally designated as streets, current regulations require them to be open 24 hours a day. The proposed legislation is an attempt to ensure public safety at open shoreline street end sites by limiting access at documented, troublesome street ends to daylight hours only.

Over the summer, the Seattle Police Department and Seattle Transportation received complaints from local residents concerned about illegal and disorderly conduct occurring at the East Harrison Street end, which provides water access to Lake Washington. While this street end is appropriately and frequently enjoyed by neighbors during the day, residents are negatively affected by illegal activity at night and are concerned for their safety. Seattle Transportation has received similar complaints about other shorelines street ends as well. Requests for nighttime closure of several sites were made in 1999 during the public comment period for Ordinance 119673, which authorized the opening of shoreline street ends. This legislation will allow the Police Department to better monitor and control illegal activities at our street ends.

Thank you for your consideration of this legislation. Should you have questions, please contact Richard Richmire, Street Use Manager at 684-0391.

Sincerely,



GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7th Floor, Seattle, WA 98104-8154

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, E:mail: mayors.office@ci.seattle.wa.us

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FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department: Seattle Transportation	Contact Person/Phone: Richard Richmire, 4-0391	DOF Analyst/Phone: Jennifer Devore, 5-1328
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Legislation Title:

An Ordinance related to vehicles and traffic, amending Section 11.16.125 of the Seattle Municipal Code to authorize the Director of Transportation to close or authorize closure of shoreline street ends during hours of darkness.

• **Summary of the Legislation:**

This legislation will allow Seattle Transportation to reduce public use of shoreline street ends that have significant, documented public safety problems, to daylight hours.

• **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):*

In 1999, Ordinance 119673 created a street use permit and fee for private use of the shoreline street end; those fees were to be used to continue improving and maintaining street ends. Since 2000, communities and Seattle Transportation have opened more than 30 street end sites which are used by neighbors in those areas. Because these street ends are legally designated as streets, current regulations require them to be open 24 hours a day.

Over the summer, the City received complaints from local residents concerned about the illegal and disorderly conduct occurring at the East Harrison Street end, which provides water access to Lake Washington. While this street end is appropriately and frequently enjoyed by neighbors during the day, residents are negatively affected by illegal activity at night and are concerned for their safety. Because East Harrison Street end is legally designated as a street, current regulations require it to be open 24hrs. a day. The proposed legislation is an attempt to ensure public safety at open shoreline street end sites by limiting access to daylight hours only.

• *Please check one of the following:*

This legislation does not have any financial implications. There will be a very nominal cost of manufacturing and placing signs at appropriate shoreline street ends.



amendment on p. 2

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ORDINANCE _____

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AN ORDINANCE related to vehicles and traffic, amending Section 11.16.125 of the Seattle Municipal Code to authorize the Director of Transportation to close or authorize closure of shoreline street ends from dusk to dawn.

WHEREAS, within the boundaries of the City of Seattle there are 149 shoreline street ends, which are the land portions of public street segments that provide visual or physical access to a body of water and its shoreline, or could do so if improved; and

WHEREAS, Seattle Transportation and the Seattle Police Department have received numerous complaints of inappropriate and illegal use of certain street ends during evening and night hours; and

WHEREAS, City personnel have verified that there is a need to address public safety and nuisance issues that have arisen or may arise for those citizens who live next to or near a shoreline street end due to inappropriate night-time use of street ends; and

WHEREAS, the Mayor and City Council wish to respond to these concerns by adopting legislation intended to ameliorate the problem by authorizing the Director of Transportation to close street ends, on a case by case basis, as the need arises; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 11.16.125 of the Seattle Municipal Code, as last amended by Ordinance 118409, is amended to add a new subsection D as follows:

11.16.125 Director of Transportation – Authority – Street and alley closures.

The Director of Transportation is authorized:

C. To designate any streets for one (1) way traffic and the required direction of such traffic ((-));

D. To close or authorize the closure during hours of darkness of any shoreline street end,

as defined at SMC 15.02.046, for entry, travel, or use by the general public, based on a

new language

1 determination that such a closure is necessary to control or prevent unlawful or disorderly
2 behavior occurring in or emanating from the shoreline street end. The street end shall remain
3 open to owners and occupants of abutting property and their guests for access and parking
4 purposes, agents of utilities in the street end, government employees and emergency personnel in
5 the performance of their duties, and permittees under a street use permit issued pursuant to Title
6 15. Upon ordering the closure, the Director shall cause the street end to be posted with a sign
7 stating that the street end is closed from dusk to dawn, ~~or~~ such other hours as the Director deems
8 appropriate.

11 Section 2. This ordinance shall take effect and be in force thirty (30) days from and after
12 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
13 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

14 Passed by the City Council the ____ day of _____, 2003, and signed by me in open
15 session in authentication of its passage this ____ day of _____, 2003.

18 _____
19 President _____ of the City Council

19 Approved by me this ____ day of _____, 2003.

21 _____
22 Gregory J. Nickels, Mayor

23 Filed by me this ____ day of _____, 2003.

24 _____
25 City Clerk

25 (Seal)

1 determination that such a closure is necessary to control or prevent unlawful or disorderly
2 behavior occurring in or emanating from the shoreline street end. The street end shall remain
3 open to owners and occupants of abutting property and their guests for access and parking
4 purposes, agents of utilities in the street end, government employees and emergency personnel in
5 the performance of their duties, and permittees under a street use permit issued pursuant to Title
6 15. Upon ordering the closure, the Director shall cause the street end to be posted with a sign
7 stating that the street end is closed from dusk to dawn.

9
10 Section 2. This ordinance shall take effect and be in force thirty (30) days from and after
11 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
12 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

13 Passed by the City Council the 12th day of January, 2003, and signed by me in open
14 session in authentication of its passage this 12th day of January, 2003.

15
16
17 _____
18 President _____ of the City Council

19 Approved by me this ____ day of _____, 2003.

20 _____
21 Gregory J. Nickels, Mayor

22 Filed by me this ____ day of _____, 2003.

23 _____
24 City Clerk

25 (Seal)



STATE OF WASHINGTON – KING COUNTY

--SS.

167606
City of Seattle, Clerk's Office

No. ORDINANCE IN FULL

Affidavit of Publication

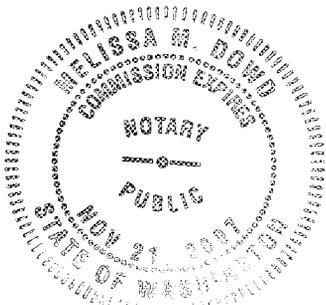
The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published 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

CT:121389 ORD IN FULL

was published on

1/23/2004



Affidavit of Publication

Joseph P. [Signature]

Subscribed and sworn to before me on

1/23/2004

Melissa Dowd [Signature]

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

ORDINANCE 121349

AN ORDINANCE related to vehicles and traffic, amending Section 11.16.125 of the Seattle Municipal Code to authorize the Director of Transportation to close or authorize closure of shoreline street ends from dusk to dawn.

WHEREAS, within the boundaries of the City of Seattle there are 149 shoreline street ends, which are the land portions of public street segments that provide visual or physical access to a body of water and its shoreline, or could do so if improved; and

WHEREAS, Seattle Transportation and the Seattle Police Department have received numerous complaints of inappropriate and illegal use of certain street ends during evening and night hours; and

WHEREAS, City personnel have verified that there is a need to address public safety and nuisance issues that have arisen or may arise for those citizens who live next to or near a shoreline street and due to inappropriate night-time use of street ends; and

WHEREAS, the Mayor and City Council wish to respond to these concerns by adopting legislation intended to ameliorate the problem by authorizing the Director of Transportation to close street ends, on a case by case basis, as the need arises; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 11.16.125 of the Seattle Municipal Code, as last amended by Ordinance 116488, is amended to add a new subsection D as follows:

11.16.125 Director of Transportation - Authority - Street and alley closures.

The Director of Transportation is authorized:

* * * * *

C. To designate any streets for one (1) way traffic and the required direction of such traffic (b);

D. To close or authorize the closure during hours of darkness of any shoreline street end, as defined at SMC 11.02.145, for entry, travel, or use by the general public, based on a determination that such a closure is necessary to control or prevent unlawful or disorderly behavior occurring in or emanating from the shoreline street end. The street end shall remain open to owners and occupants of abutting property, and their guests for access and parking purposes, agents of utilities in the street end, government employees and emergency personnel in the performance of their duties, and permittees under a street use permit issued pursuant to Title 15. Upon ordering the closure, the Director shall cause the street end to be posted with a sign stating that the street end is closed from dusk to dawn, or such other hours as the Director deems appropriate.

Section 2. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 12th day of January, 2004, and signed by me in open session in authentication of its passage this 12th day of January, 2004.

Jan Drago

President of the City Council

Approved by me this 18th day of January, 2004.

Gregory J. Nickels, Mayor

Filed by me this 20th day of January, 2004.

(Seal) [Illegible]