# SEATTLE CITY COUNCIL

## Legislative Summary

### CB 118576

**Record No.:** CB 118576 **Type:** Ordinance (Ord) **Status:** Passed

124949

**Version:** 1 **In Control:** City Clerk

**File Created:** 10/13/2015

**Final Action:** 12/17/2015

**Title:** AN ORDINANCE relating to the City's criminal code; amending Sections 6.36.020, 12A.06.120, 12A.06.180, 12A.06.195, 12A.14.080, 12A.16.030, 12A.20.100, 12A.24.010, 12A.24.150, 18.12.255, and 18.12.257 of the Seattle Municipal Code and adding Sections 12A.10.150, 12A.10.220, and 12A.24.105 to the Seattle Municipal Code to conform the Seattle Municipal Code with changes in state law and make technical corrections.

**Date**

**Notes:**

**Filed with City Clerk:**

**Mayor's Signature:**

**Sponsors:** Harrell

**Vetoed by Mayor:**

**Veto Overridden:**

**Veto Sustained:**

**Attachments:** Summary and Fiscal Note

**Drafter:** Emilia.Sanchez@seattle.gov

**Filing Requirements/Dept Action:**

**History of Legislative File** **Legal Notice Published:** ☐ Yes ☐ No

| Ver-sion: | Acting Body: | Date: | Action: | Sent To: | Due Date: | Return Date: | Result: |
|---|---|---|---|---|---|---|---|
| 1 | City Clerk | 10/20/2015 | sent for review | Council President's Office | | | |
| | **Action Text:** The Council Bill (CB) was sent for review. to the Council President's Office | | | | | | |
| | **Notes:** | | | | | | |
| 1 | Council President's Office | 10/21/2015 | sent for review | Public Safety, Civil Rights, and Technology Committee | | | |
| | **Action Text:** The Council Bill (CB) was sent for review. to the Public Safety, Civil Rights, and Technology Committee | | | | | | |
| | **Notes:** | | | | | | |
| 1 | Full Council | 11/23/2015 | referred | Public Safety, Civil Rights, and Technology Committee | | | |

**Action Text:** The Council Bill (CB) was referred. to the Public Safety, Civil Rights, and Technology Committee
**Notes:**

| | | | | | |
|---|---|---|---|---|---|
| 1 | Public Safety, Civil Rights, and Technology Committee | 12/02/2015 | pass | | Pass |

**Action Text:** The Committee recommends that Full Council pass the Council Bill (CB).
In Favor: 2 Member Bagshaw, Chair Harrell
Opposed: 0

| | | | | | |
|---|---|---|---|---|---|
| 1 | Full Council | 12/07/2015 | passed | | Pass |

**Action Text:** The Council Bill (CB) was passed by the following vote and the President signed the Bill:
**Notes:**

In Favor: 7 Council President Burgess, Councilmember Bagshaw, Councilmember Godden, Councilmember González , Councilmember Harrell, Councilmember Licata, Councilmember Rasmussen
Opposed: 0

| | | | | |
|---|---|---|---|---|
| 1 | City Clerk | 12/11/2015 | submitted for Mayor's signature | Mayor |

**Action Text:** The Council Bill (CB) was submitted for Mayor's signature. to the Mayor
**Notes:**

| | | | |
|---|---|---|---|
| 1 | Mayor | 12/17/2015 | Signed |

**Action Text:** The Council Bill (CB) was Signed.
**Notes:**

| | | | | |
|---|---|---|---|---|
| 1 | Mayor | 12/17/2015 | returned | City Clerk |

**Action Text:** The Council Bill (CB) was returned. to the City Clerk
**Notes:**

| | | | |
|---|---|---|---|
| 1 | City Clerk | 12/17/2015 | attested by City Clerk |

**Action Text:** The Ordinance (Ord) was attested by City Clerk.
**Notes:**

**CITY OF SEATTLE**

**ORDINANCE** 124949

COUNCIL BILL 118576

AN ORDINANCE relating to the City's criminal code; amending Sections 6.36.020, 12A.06.120, 12A.06.180, 12A.06.195, 12A.14.080, 12A.16.030, 12A.20.100, 12A.24.010, 12A.24.150, 18.12.255, and 18.12.257 of the Seattle Municipal Code and adding Sections 12A.10.150, 12A.10.220, and 12A.24.105 to the Seattle Municipal Code to conform the Seattle Municipal Code with changes in state law and make technical corrections.

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

Section 1. Section 6.36.020 of the Seattle Municipal Code, last amended by Ordinance 123361, is amended as follows:

**6.36.020 Massage premises, public bathhouse, and reducing salon licenses ((.))**

It is unlawful to conduct, manage, operate, or work in any massage premises, public bathhouse, or reducing salon unless such establishment is licensed as provided in this ((~~section~~)) Section 6.36.020.

* * *

F. It is unlawful for the owner, proprietor, manager, or such person in charge of any massage premises, with knowledge or criminal negligence, to allow or permit the unlicensed practice of massage to be committed within the massage premises. "Knowledge" and "criminal negligence" shall have the same meaning as in Section 12A.04.030. A first violation of this subsection 6.36.020.F is a misdemeanor and a second or subsequent violation is a gross misdemeanor, subject to the provisions of Chapters 12A.02 and 12A.04.

G. It is unlawful to advertise the giving of massages or public baths by an establishment, massage practitioner, or other person not licensed pursuant to this ((~~subtitle~~)) Subtitle I.

H. ((~~G.~~)) A record of all massage treatments showing the date given, the name and address of the recipient, and the name and address of the massage practitioner shall be kept and be open to inspection

by the Police Department, Finance and Administrative Services, and Health Department inspectors at all times.

Section 2. Subsection 12A.06.120.A of the Seattle Municipal Code, which section was last amended by Ordinance 117673, is amended as follows:

**12A.06.120 Domestic violence defined.**

((~~A.~~)) Unless the context requires otherwise, the following terms shall have the following meanings as used in this ((~~chapter~~)) Chapter 12A.06:

"Court" includes superior, district and municipal courts of the State of Washington.

"Dating relationship" means a social relationship of a romantic nature. Factors that the court may consider in making this determination include: (i) the length of time the relationship has existed; (ii) the nature of the relationship; and (iii) the frequency of interaction between the parties.

"Domestic violence" means a crime committed by one family or household member against the person or property of another family or household member.

"Electronic monitoring" means tracking the location of an individual, whether pretrial or posttrial, through the use of technology that is capable of determining or identifying the monitored individual's presence or absence at a particular location including, but not limited to:

1. Radio frequency signaling technology, which detects if the monitored individual is or is not at an approved location and notifies the monitoring agency of the time that the monitored individual either leaves the approved location or tampers with or removes the monitoring device; or

2. Active or passive global positioning system technology, which detects the location of the monitored individual and notifies the monitoring agency of the monitored individual's location.

"Essential personal effects" means those items necessary for a person's immediate health, welfare, and livelihood. "Essential personal effects" includes but is not limited to clothing, cribs, bedding, documents, and personal hygiene items.

((~~1.~~)) "Family or household member" means spouses, former spouses, persons who have a child in common regardless of whether they have been married or have lived together at any time, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past, persons ((~~sixteen (~~))16((~~)~~)) years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, persons ((~~sixteen (~~))16((~~)~~)) years of age or older with whom a person ((~~sixteen (~~))16((~~)~~)) years of age or older has or has had a dating relationship, and persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren.

((~~2. "Dating relationship" means a social relationship of a romantic nature. Factors that the court may consider in making this determination include: (i) the length of time the relationship has existed; (ii) the nature of the relationship; and (iii) the frequency of interaction between the parties.~~

~~3. "Domestic violence" means a crime committed by one (((1))) family or household member against the person or property of another family or household member.~~

~~4. "Court" includes superior, district and municipal courts of The State of Washington.~~

~~5.~~)) "Judicial day" does not include Saturdays, Sundays, or legal holidays.

((~~6. "Electronic monitoring" means a program in which a person's presence at a particular location is monitored from a remote location by use of electronic equipment.~~

~~7. "Essential personal effects" means those items necessary for a person's immediate health, welfare, and livelihood. "Essential personal effects" includes but is not limited to clothing, cribs, bedding, documents, and personal hygiene items.~~))

((~~8.~~)) "Victim" means a family or household member who has been subjected to domestic violence.

Section 3. Section 12A.06.180 of the Seattle Municipal Code, last amended by Ordinance 124684, is amended as follows:

**12A.06.180 Violation – Penalty – Contempt**

A. Whenever an order is granted under this Chapter 12A.06, ((~~RCW Chapter~~)) chapters 7.90, 7.92, 9.94A, 9A.46, 10.99, 26.09, 26.10, 26.26, 26.50, or 74.34 ((~~or an equivalent ordinance by this court or any court of competent jurisdiction~~)) RCW, any temporary order for protection is granted under chapter 7.40 RCW pursuant to chapter 74.34 RCW or there is a valid foreign protection order as defined in RCW 26.52.020 and the respondent or person to be restrained knows of the order, a violation of any of the following provisions of the order is a gross misdemeanor:

1. the restraint provisions prohibiting acts or threats of violence against or stalking of a protected party, restraint provisions prohibiting contact with a protected party or restraint provisions prohibiting harassing, following, keeping under physical or electronic surveillance, cyberstalking or monitoring the actions, location or communication of a protected party, a protected party's children, or members of a protected party's household;

2. a provision excluding the person from a residence, workplace, school, or day care;

3. a provision prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location;

4. a provision prohibiting interfering with the protected party's efforts to remove a pet owned, possessed, leased, kept, or held by the petitioner, respondent, or a minor child residing with either the petitioner or respondent; or

5. a provision of a foreign protection order specifically indicating that a violation will be a crime.

Upon conviction, and in addition to any other penalties provided by law, the court may require that the convicted person submit to electronic monitoring. The court shall specify who shall provide the electronic monitoring services and the terms under which the monitoring shall be performed. The court may require that the convicted person pay the costs of the monitoring. The court shall consider the ability of the convicted person to pay for electronic monitoring. The court shall impose a fine of $15, in addition to any penalty or fine imposed, for violation of a domestic violence protection order issued under chapter 26.50 RCW. Revenue from this fine shall be collected by the clerk of the court and remitted monthly to the state treasury for deposit in the domestic violence prevention account.

B. A peace officer shall arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has violated an order that restrains the person or excludes the person from a residence, workplace, school, or day care or prohibits the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, if the person restrained knows of the order. Presence of the order in the law enforcement computer-based criminal intelligence information system is not the only means of establishing knowledge of the order.

C. A violation of an order issued under this Chapter 12A.06, ((~~RCW Chapter~~)) chapters 7.90, 7.92, 9.94A, 9A.46, 10.99, 26.09, 26.10, 26.26, 26.50, or 74.34 ((~~or an equivalent ordinance by this court or any court of competent jurisdiction~~)) RCW, or of a valid foreign protection order as defined in RCW 26.52.020 shall also constitute contempt of court ((~~,~~)) and is subject to the penalties prescribed by law.

D. Upon the filing of an affidavit by the petitioner or any peace officer alleging that the respondent has violated an order issued under this ((~~chapter~~)) Chapter 12A.06, ((~~RCW Chapter~~))

chapters 7.90, 7.92, 9.94A, 9A.46, 10.99, 26.09, 26.10, 26.26, 26.50, or 74.34 ((~~or an equivalent ordinance by this court or any court of competent jurisdiction~~)) RCW, or a valid foreign protection order as defined in RCW 26.52.020, the court may issue an order to the respondent, requiring the respondent to appear and show cause within 14 days why the respondent should not be found in contempt of court and punished accordingly.

E. When a party alleging a violation of an order for protection states that the party is unable to afford private counsel and asks the City Attorney for assistance, the City Attorney shall initiate and prosecute a contempt proceeding if there is probable cause to believe that the violation occurred. In this action, the court may require the violator of the order to pay the costs incurred in bringing the action, including a reasonable attorney's fee.

F. Any proceeding under this ((~~chapter~~)) Chapter 12A.06 is in addition to other civil or criminal remedies.

G. Willful violation of a court order entered under RCW 26.44.063 is a misdemeanor. In addition, any person having actual notice of the existence of a restraining order issued by a court of competent jurisdiction under RCW 26.44.063 who refuses to comply with the provisions of such order is guilty of a misdemeanor. The notice requirement of the preceding sentence may be satisfied by a peace officer giving oral or written evidence to the person subject to the order by reading from or handing to that person a copy certified by a notary public or the clerk of the court to be an accurate copy of the original court order which is on file. The copy may be supplied by the court or any party.

H. Every person convicted of violating a sexual assault protection order issued under chapter 7.90 RCW ((~~Chapter 7.90~~)) shall have a biological sample collected for purposes of DNA identification analysis, as provided in RCW 43.43.754, and shall pay a fee of $100, as provided in RCW 43.43.7541.

Section 4. Subsection 12A.06.195.G of the Seattle Municipal Code, as enacted by Ordinance 124684, is amended as follows:

**12A.06.195 Court order requiring surrender of firearm, dangerous weapon or concealed pistol license**

* * *

G. A party ordered to surrender firearms, dangerous weapons, and ((~~his or her~~)) the party's concealed pistol license must file with the clerk of the court a proof of surrender and receipt form or a declaration of nonsurrender form within five judicial days of the entry of the order. Violation of this subsection 12A.06.195.G is a misdemeanor.

Section 5. A new Section 12A.10.150 is added to the Seattle Municipal Code as follows:

**12A.10.150 Disclosing intimate images**

A. A person commits the crime of disclosing intimate images when the person knowingly discloses an intimate image of another person and the person disclosing the image:

1. Obtained it under circumstances in which a reasonable person would know or understand that the image was to remain private;

2. Knows or should have known that the depicted person has not consented to the disclosure; and

3. Knows or reasonably should know that disclosure would cause harm to the depicted person.

B. This Section 12A.10.150 does not apply to:

1. Images involving voluntary exposure in public or commercial settings; or

2. Disclosures made in the public interest including, but not limited to, the reporting of unlawful conduct, or the lawful and common practices of law enforcement, criminal reporting, legal proceedings, or medical treatment.

C. This Section 12A.10.150 does not impose liability upon the following entities solely as a result of content provided by another person:

1. An interactive computer service, as defined in 47 U.S.C. Section 230(f)(2);

2. A provider of air-to-ground radio telephone services, cellular radio telecommunications services, offshore radio, rural radio service, public or private land mobile telephone service, and other common carrier radio communications services; or

3. A telecommunications network or broadband provider.

D. It shall be an affirmative defense to a violation of this Section 12A.10.150, which the defendant must prove by a preponderance of the evidence, that the defendant is a family member of a minor and did not intend any harm or harassment in disclosing the images of the minor to other family members or friends of the defendant. This affirmative defense shall not apply to matters defined under RCW 9.68A.011.

E. For purposes of this Section 12A.10.150:

"Disclosing" includes transferring, publishing, or disseminating, as well as making a digital depiction available for distribution or downloading through the facilities of a telecommunications network or through any other means of transferring computer programs or data to a computer;

"Intimate image" means any photograph, motion picture film, videotape, digital image, or any other recording or transmission of another person who is identifiable from the image itself or from information displayed with or otherwise connected to the image, and that was taken in a private setting, is not a matter of public concern, and depicts:

a. Sexual activity, including sexual conduct as defined in Section 12A.02.150; or

b. A person's intimate body parts, whether nude or visible through less than opaque clothing, including the genitals, pubic area, anus, or post-pubescent female nipple.

F. Nothing in this section is construed to:

1. Alter or negate any rights, obligations, or immunities of an interactive service provider under 47 U.S.C. Section 230; or

2. Limit or preclude a plaintiff from securing or recovering any other available remedy.

Section 6. Section 12A.14.080 of the Seattle Municipal Code, last amended by Ordinance 124684, is amended as follows:

**12A.14.080 Unlawful use of weapons**

It is unlawful for a person ((~~knowingly~~)) to:

A. ((~~Sell~~)) Knowingly sell, manufacture, purchase, possess or carry any blackjack, sand-club, metal knuckles, switchblade knife, chako stick, slungshot, or throwing star; or

B. ((~~Carry~~)) Knowingly carry concealed or unconcealed on ((~~his or her~~)) such person any dangerous knife, or carry concealed on ((~~his or her~~)) such person any deadly weapon other than a firearm; or

C. ((~~Possess~~)) Knowingly possess a firearm in any stadium or convention center operated by a city, county, or other municipality, except that such restriction shall not apply to:

1. Any pistol in the possession of a person licensed under RCW 9.41.070 or exempt from the licensing requirement by RCW 9.41.060, or

2. Any showing, demonstration, or lecture involving the exhibition of firearms.

D. ((~~Sell~~)) Knowingly sell or give away to any person under ((~~eighteen (~~))18((~~)~~)) years of age any dangerous knife or deadly weapon other than a firearm, or for any person under ((~~eighteen (~~))18((~~)~~)) years of age to knowingly purchase any dangerous knife or deadly weapon other than a firearm, or for any person under ((~~eighteen (~~))18((~~)~~)) years of age to knowingly possess any dangerous knife or deadly weapon other than a firearm except when under the direct supervision of an adult.

E. ((~~Use~~)) Knowingly use any contrivance or device for suppressing the noise of any firearm unless the suppressor is legally registered and possessed in accordance with federal law.

F. Furtively carry with intent to conceal any pistol.

Section 7. A new Section 12A.14.220 is added to the Seattle Municipal Code as follows:

**12A.14.220 Dangerous exhibitions**

Every proprietor, lessee, or occupant of any place of amusement, or any plat of ground or building, who knowingly allows it to be used for the exhibition of skill in throwing any sharp instrument or in shooting any bow gun or firearm of any description, at or toward any human being, is guilty of a misdemeanor.

Section 8. Section 12A.16.030 of the Seattle Municipal Code, enacted by Ordinance 102843, is amended as follows:

**12A.16.030 Escape ((.))**

A. "Official detention" means:

1. Restraint pursuant to a lawful arrest for an offense or an order of a court; ((~~or~~))

2. Lawful confinement in a ((~~the City Jail~~)) jail; or

3. Custody for purposes incident to the foregoing including but not necessarily limited to:

a. Transportation ((,)) ; or

b. Medical diagnosis or treatment ((,)) ; or

c. Court appearances ((,)) ; or

d. Work and recreation.

B. A person is guilty of escape if, without lawful authority, ((~~he~~)) the person intentionally removes himself or herself from official detention or fails to return to official detention following temporary leave granted for a specified purpose or limited period.

C. Escape is a misdemeanor, except that if the person has one or more prior convictions for escape under subsection 12A.16.030 or escape third degree under RCW 9A.76.130, then escape is a gross misdemeanor.

Section 9. Section 12A.20.100 of the Seattle Municipal Code, last amended by Ordinance 124684, is amended as follows:

**12A.20.100 Opening or consuming marijuana products in public**

A. It is unlawful to open a package containing or consume marijuana, useable marijuana, ((~~or a~~)) marijuana-infused products, or marijuana concentrates, reasonably identifiable by sight or smell as marijuana or a product derived from marijuana, in view of the general public or in a public place. A person who violates this section is guilty of a class 3 civil infraction under chapter 7.80 RCW ((~~Chapter 7.80~~)). The penalty shall be set by Municipal Court local rule and be consistent with the penalty for public consumption of alcohol (((~~RCW 69.50.445~~))).

B. For purposes of this Section 12A.20.100:

"Marijuana" means all parts of the plant Cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. "Marijuana" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

((~~"Useable marijuana" means dried marijuana flowers, but does not include either marijuana-infused products or marijuana concentrates.~~

~~"Marijuana-infused products" means products that contain marijuana or marijuana extracts, are intended for human use, and have a THC concentration greater than 0.3 percent and no greater than 60 percent, but does not include either useable marijuana or marijuana concentrates.~~))

"Marijuana concentrates" means products consisting wholly or in part of the resin extracted from any part of the plant Cannabis and having a THC concentration greater than 60 percent.

"Marijuana-infused products" means products that contain marijuana or marijuana extracts, are intended for human use, and have a THC concentration greater than 0.3 percent and no greater than 60 percent, but does not include either useable marijuana or marijuana concentrates.

"Public place" means and includes any street or alley in the City, or state or county highway or road; any building or grounds used for school purposes; any public dance hall or grounds adjacent thereto; any part of an establishment where beer may be sold under Title 66 RCW, soft-drink establishment, public building, public meeting hall, lobby, hall, or dining room of any hotel, restaurant, theater, store, garage or filling station which is open to and is generally used by the public and to which the public is permitted to have unrestricted access; any railroad train, stage or other public conveyance of any kind or character, and any depot or waiting room used in conjunction therewith that is open to unrestricted use and access by the public; any publicly owned bathing beach, park or playground; and any other place of like or similar nature to which the general public has unrestricted right of access, and that is generally used by the public.

"THC concentration" means percent of delta-9 tetrahydrocannabinol content per dry weight of any part of the plant Cannabis, or per volume or weight of marijuana product, or the combined percent of delta-9 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant Cannabis regardless of moisture content. (((~~(RCW 69.50.101)~~)))

"Useable marijuana" means dried marijuana flowers but does not include either marijuana-infused products or marijuana concentrates.

Section 10. Section 12A.24.010 of the Seattle Municipal Code, enacted by Ordinance 102843, is amended as follows:

**12A.24.010 Definitions ((.))**

For the purposes of this ((~~chapter~~)) Chapter 12A.24, and unless the context otherwise requires:

((~~A.~~)) "Alcohol" means that substance known as ethyl alcohol, hydrated oxide of ethyl or spirit of wine, ((~~which is~~)) commonly produced by the fermenting or distillation of grain, starch, molasses, or sugar, or other substances, including all dilutions and mixtures of said substance.

((~~B.~~)) "Beer" means any beverage obtained by the alcoholic fermentation of an infusion or decoction of hops, or extract hops and barley malt or other grain or cereal in water, including ale, stout, and porter, containing ((~~one-half (½) of one (1)~~)) 0.5 percent or more of alcohol by volume.

((~~C.~~)) "Liquor" includes the four (((~~4~~))) varieties of liquor defined in this ((~~section~~)) Section 12A.24.010 (alcohol, spirits, wine and beer), and all fermented, spirituous, vinous, or malt liquor, or any combination or mixture thereof containing ((~~one-half (½) of one (1)~~)) 0.5 percent ((~~,~~)) or more ((~~,~~)) of alcohol by volume.

((~~D.~~)) "Manufacture" means the production or preparation of liquor for sale.

((~~E.~~)) "Person" means an individual, copartnership, association, or corporation.

"Powdered alcohol" means any powder or crystalline substance containing alcohol that is produced for direct use or reconstitution.

((~~F.~~)) "Spirits" means any beverage obtained by distillation which contains ((~~one-half (½) of one (1)~~)) 0.5 percent ((~~,~~)) or more ((~~,~~)) of alcohol by volume.

((~~G.~~)) "Wine" means any alcoholic beverage obtained by fermentation of fruits or other agricultural products containing sugar, or any such beverage to which any saccharine substance may have been added before, during, or after fermentation, or any such beverage to which may have been added any spirits, wine spirits, or alcohol, which contains ((~~one-half (½) of one (1)~~)) 0.5 percent ((~~,~~)) or more ((~~,~~)) of alcohol by volume.

Section 11. A new Section 12A.24.105 is added to the Seattle Municipal Code as follows:

**12A.24.105 Unlawful use, purchase, sale, or possession of powdered alcohol**

A. It is unlawful for a person to use, offer for use, purchase, offer to purchase, sell, offer to sell, or possess powdered alcohol.

B. Subsection 12A.24.105.A does not apply to the use of powdered alcohol for bona fide research purposes by a health care provider that operates primarily for the purposes of conducting scientific research, a state institution of higher education, as defined in RCW 28B.10.016, a private college or university, or a pharmaceutical or biotechnology company.

Section 12. Subsection 12A.24.150.C of the Seattle Municipal Code, which section was last amended by Ordinance 124684, is amended as follows:

**12A.24.150 Classification and penalty**

* * *

C. An offense under Sections 12A.24.105, 12A.24.110, 12A.24.120 and 12A.24.130 is a misdemeanor, except that for a violation of Section 12A.24.130 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-fine (~~))25((~~)~~)) hours of such service.

* * *

Section 13. Section 18.12.255 of the Seattle Municipal Code, last amended by Ordinance 122789, is amended as follows:

**18.12.255 Liquor offenses ((.))**

It is unlawful in a park to consume, or to possess an open container holding, or to open a container holding liquor as defined in ((~~Subsection~~)) Section 12A.24.010 ((~~C~~)) except pursuant to permits respectively issued by the Superintendent and the Washington State Liquor ((~~Control~~)) and Cannabis Board or its successor. Conduct made unlawful by this ((~~section~~)) Section 18.12.255 shall constitute a class 3 infraction punishable under chapter 7.80 RCW ((~~Chapter 7.80~~)).

Section 14. Section 18.12.257 of the Seattle Municipal Code, enacted by Ordinance 113565, is amended 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 ((~~SMC~~)) Section 12A.24.010 ((~~C~~)), except:

A. Pursuant to permits respectively issued by the Superintendent and Washington State Liquor ((~~Control~~)) and Cannabis 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 therefore, 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~~)) Section 18.12.257 is ((~~designated~~)) a violation, the punishment for which shall be as specified in ((~~SMC~~)) Section 12A.02.080.

Section 15. This ordinance shall take effect and be in force 30 days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Section 1.04.020.

Passed by the City Council the 7th day of December, 2015, and signed by me in open session in authentication of its passage this 7th day of December, 2015.

President _____ of the City Council

Approved by me this 17th day of December, 2015.

Edward B. Murray, Mayor

Filed by me this 17th day of December, 2015.

Monica Martinez Simmons, City Clerk

(Seal)

**STATE OF WASHINGTON -- KING COUNTY**

--ss.

331978 No.

CITY OF SEATTLE,CLERKS OFFICE

# 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:124944-955 TITLE ONLY

was published on

01/04/16

The amount of the fee charged for the foregoing publication is the sum of $207.35 which amount has been paid in full.

JENNIFER A. BARNES
COMMISSION EXPIRES
6-24-19
STATE OF WASHINGTON

Subscribed and sworn to before me on

01/04/2016

Notary public for the State of Washington,
residing in Seattle

# State of Washington, King County

## City of Seattle

The full text of the following legislation, passed by the City Council on December 7, 2015, and published below by title only, will be mailed upon request, or can be accessed at http://clerk.seattle.gov. For information on upcoming meetings of the Seattle City Council, please visit http://www.seattle.gov/council/calendar. Contact: Office of the City Clerk at (206) 684-8344.

**Ordinance 124955**

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to enter into an Interlocal Agreement with Kitsap County to acquire Light Detection and Ranging data; and ratifying and confirming certain prior acts.

**Ordinance 124954**

AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights relating to drainage and wastewater facility easements within the City of Seattle as being surplus to City utility needs; authorizing the Director of Seattle Public Utilities to relinquish such easement rights and accepting new easements for City-owned drainage and wastewater facilities; placing the real property rights and interests conveyed by the easements under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

**Ordinance 124953**

AN ORDINANCE relating to Seattle Public Utilities; accepting an easement situated adjacent to Seward Park granted to The City of Seattle for construction and abandoning in-place of horizontal construction tiebacks; placing the easement under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

**Ordinance 124952**

AN ORDINANCE relating to land use; amending Sections 22.170.190, 23.41.018, 23.43.008, 23.43.010, 23.43.012, 23.44.014, 23.44.022, 23.44.024, 23.44.034, 23.45.516, 23.45.518, 23.45.522, 23.45.536, 23.47A.009, 23.47A.014, 23.47A.016, 23.47A.024, 23.49.019, 23.49.036, 23.49.041, 23.50.034, 23.57.008, 23.75.140, 23.84A.014, and 23.84A.028 of the Seattle Municipal Code to integrate low impact development into land development codes, standards, and rules.

**Ordinance 124951**

AN ORDINANCE relating to street and sidewalk use; addressing low impact development requirements in the City of Seattle's Phase I Municipal Stormwater National Pollutant Discharge Elimination System general permit issued by the Washington State Department of Ecology; correcting typographical errors and section references, clarifying regulations, and making minor amendments; and amending Sections 15.02.042, 15.02.044, 15.02.046, 15.04.010, 15.04.035, 15.06.060, 15.20.070, 15.22.060, 15.22.080, 15.22.100, 15.22.110, 15.32.160, 15.36.010, 15.44.030, 15.46.020, 15.70.030, 15.72.010, and 15.91.016 of the Seattle Municipal Code.

**Ordinance 124950**

AN ORDINANCE relating to the City's traffic code; amending Sections 11.14.055, 11.14.184, 11.23.380, 11.23.400, 11.31.020, 11.34.020, 11.56.020, 11.56.025, 11.56.320, 11.56.350, 11.56.355, 11.57.310, 11.72.065, and 11.84.380 of the Seattle Municipal Code, adding Section 11.58.435 to the Seattle Municipal Code, and repealing Section 11.14.185 of the Seattle Municipal Code to conform the Seattle Municipal Code with changes in state law and make technical corrections.

**Ordinance 124949**

AN ORDINANCE relating to the City's criminal code; amending Sections 6.36.020, 12A.06.120, 12A.06.180, 12A.06.195, 12A.14.080, 12A.16.030, 12A.20.100, 12A.24.010, 12A.24.150, 18.12.255, and 18.12.257 of the Seattle Municipal Code and adding Sections 12A.10.160, 12A.10.220, and 12A.24.105 to the Seattle Municipal Code to conform the Seattle Municipal Code with changes in state law and make technical corrections.

**Ordinance 124948**

AN ORDINANCE relating to affordable housing; authorizing the Director of the Office of Housing to enter into and administer an Interlocal Cooperation Agreement with King County, Pierce County, Snohomish County, and the cities of Bellevue, Issaquah, Kenmore, Kirkland, Mercer Island, Redmond, and Woodinville to create and operate a Regional Equitable Development Initiative Fund (REDI Fund) for the Puget Sound Region; and providing that 2015 appropriations for the REDI Fund shall automatically carry forward into the 2016 fiscal year.

**Ordinance 124947**

AN ORDINANCE relating to land use and zoning, amending Section 23.47A.004 of the Seattle Municipal Code to allow for the expansion of up to 20,000 square feet of existing medical services uses in Neighborhood Commercial 1 zones.

**Ordinance 124946**

AN ORDINANCE relating to the Seattle Streetcar; amending Ordinance 122424 to revise reporting requirements of operating streetcar lines.

**Ordinance 124945**

AN ORDINANCE relating to the Construction and Land Use Fund; adding a new Section 22.202.070 to the Seattle Municipal Code.

**Ordinance 124944**

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

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