

RESOLUTION No. 30099

*ve*

A RESOLUTION ratifying and confirming a Mayoral Proclamation of Civil Emergency and civil emergency orders issued pursuant to that Proclamation.

Introduced: <u>12/6/99</u>	By: <u>Donaldson</u>
Referred: <u>12/6/99</u>	To: <u>Full Council</u>
Referred:	To:
Reported: <u>12-6-99</u>	
Passed: <u>12-6-99</u>	Signed: <u>12-6-99</u>
Filed: <u>12/19/99</u>	Published: <u>Little 1 pag.</u>

*12-6-99 Full Council  
No (Conlon, Licata  
Steinbrueck)*

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12-6-99 Full Council: Adopted  
6-3

No (Conlin, Licata,  
Steinbrueck)

RESOLUTION 30099

1 A RESOLUTION ratifying and confirming a Mayoral Proclamation of Civil Emergency and civil  
2 emergency orders issued pursuant to that Proclamation.

3 WHEREAS, by a Proclamation of Civil Emergency dated November 30, 1999, the Mayor has  
4 declared a civil emergency exists in the City of Seattle, and

5 WHEREAS, pursuant to that Proclamation, the Mayor has issued certain emergency orders, and

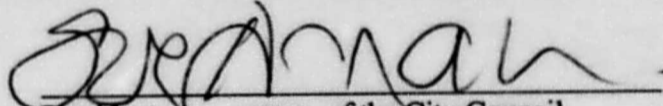
6 WHEREAS, it is necessary to use extraordinary measures to protect the public peace, safety, and  
7 welfare, and

8 WHEREAS, the civil emergency necessitates the utilization of emergency powers granted to the  
9 Mayor pursuant to SMC Chapter 10.02 and RCW 38.52, Now therefore,

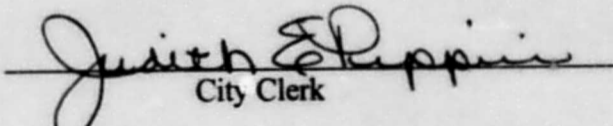
10 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE MAYOR**  
11 **CONCURRING:**

12 Section 1. The Council hereby ratifies and confirms the Mayoral Proclamation of Civil Emergency dated  
13 November 30, 1999, a copy of which is attached as Exhibit A, and the emergency orders which are  
14 attached hereto as Exhibits B through I.

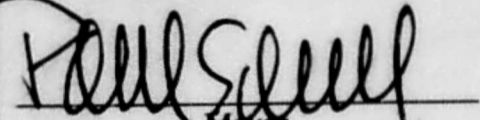
15 Adopted by the City Council the 6<sup>th</sup> day of December 1999, and signed by me in open  
16 session in authentication of its adoption this 6<sup>th</sup> day of December, 1999.

17   
18 President \_\_\_\_\_ of the City Council

19 Filed by me this 8 day of December, 1999.

20   
21 City Clerk

22 THE MAYOR CONCURRING:

23   
24 Mayor

(Seal)

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INDEX TO EXHIBITS

- Exhibit A Mayoral Proclamation of Civil Emergency
- Exhibit B Emergency Order (General Curfew, November 30, 1999)
- Exhibit C Emergency Order No. 2 (Gas Mask Restriction)
- Exhibit D Emergency Order No. 3 (Limited Curfew)
- Exhibit E Emergency Order No. 3 Revised (Revised Limited Curfew)
- Exhibit F Emergency Order (General Curfew, December 1, 1999)
- Exhibit G Emergency Order No. 2 Revised (Revised Gas Mask Restriction)
- Exhibit H Emergency Order No. 3 2<sup>nd</sup> Revised (Revised Limited Curfew)
- Exhibit I Mayoral Proclamation Terminating Civil Emergency

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**City of Seattle**

Paul Schell, Mayor  
Office of the Mayor



**MAYORAL PROCLAMATION OF CIVIL EMERGENCY**

**WHEREAS**, Seattle Emergency Management has reported to me that during the morning of November 30, 1999 the City has experienced civil disturbance; that the circumstances threaten the safety of citizens and public and private property; and that, as described in Section II of this proclamation, the situation is sufficiently serious that I need to declare a civil emergency and exercise the Mayor's civil emergency powers; and

**WHEREAS**, I have reviewed the situation, consulted with City Department Heads and verified the existence of the emergency cited below, and the necessity for me to take immediate, extraordinary action as outlined in the proclamation;  
**NOW, THEREFORE,**

**I, PAUL SCHELL, AS MAYOR OF THE CITY OF SEATTLE DO PROCLAIM THAT:**

**I. CIVIL EMERGENCY POWERS**

**A. A CIVIL EMERGENCY EXISTS REQUIRING ME TO EXERCISE THE EMERGENCY POWERS VESTED IN ME AS MAYOR BY RCW CHAPTER 38.52 and SEATTLE MUNICIPAL CODE CHAPTER 10.02 AS DESCRIBED IN THIS PROCLAMATION;**

**B. EFFECTIVE UPON MY SIGNING THIS PROCLAMATION, I WILL BE EXERCISING THAT AUTHORITY THROUGH THE ISSUANCE OF EXECUTIVE ORDERS AND THROUGH THE USE AND DIRECTION OF SERVICES AND EQUIPMENT; AND**

**C. IT IS UNLAWFUL FOR ANYONE TO FAIL OR REFUSE TO OBEY AN ORDER PROCLAIMED BY ME.**

600 Fourth Avenue, 12th Floor, Seattle, WA 98104-1873

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

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**EXHIBIT A**

## II. DETERMINATION OF EMERGENCY

Based on my review of the present circumstances, the report of Seattle Emergency Management, and my consultations with City Department Heads, I have determined that these circumstances result in or threaten to result in death or injury to people, or the destruction of property, or the disruption of local government to such an extent as to require me to exercise the authority assumed in Section I and to take the extraordinary measures in Section III in order to prevent death or injury of persons and to protect the public peace, safety and welfare, and alleviate damage, loss, hardship or suffering.

## III. CONTRACTING AND BORROWING AUTHORITY

A. Pursuant to SMC Section 10.02.030, I hereby assume the authority to enter into contracts and incur obligations necessary to relieve the emergency, protect the health and safety of persons and property, and provide emergency assistance to the victims, and to exercise them in light of the exigencies of the situation without regard to time-consuming procedures and formalities prescribed by ordinance (excepting mandatory constitutional requirements), including, but not limited to the following limitations and requirements:

The budget law (RCW 35.32A) and the adopted City budget;

Competitive bidding and the publication of notices pertaining to the performance of public works (RCW 35.22.620 et seq.; RCW Chapters 39.04 through 39.12; SMC Chapter 3.18; and SMC Chapter 20.48, etc.);

Entering into contracts;

Incurring of obligations;

Employment of temporary workers;

Rental of equipment;

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Purchase of supplies and materials (including Seattle Municipal Code Chapters 20.44 and 20.46);

Appropriation and expenditure of public funds; and

Use of streets, parks, and municipal building for shelter, for temporary storage, or as places of refuge.

I intend to consult with the City Council wherever practical and present legislation to the City Council for review and appropriate action at the earliest practical time.

B. I delegate to the following City department heads and officials the authority under my supervision to take the actions identified for and on behalf of the City: To the Fire Chief and Police Chiefs, direction of any necessary population and property protection, as well as control of incidents and maintenance of public peace and order. Other departments and personnel will assist as requested.

C. I delegate to City department heads generally the authority to permit the use of City facilities and equipment under their control for supplying necessary food, clothing, medicines, shelter or transportation to care facilities for people in need of assistance; to reassign personnel from their ordinary duties to work deemed necessary for the emergency without regard to job classifications, and to require work beyond normal working hours; and to secure the assistance of volunteers and donations of supplies or the use of equipment in performing tasks that the department head deems most helpful in relieving the emergency.

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#### IV. CIRCULATION

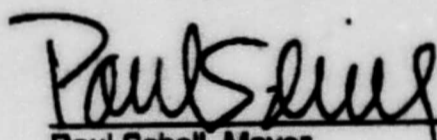
A copy of this Proclamation shall be delivered to the Governor of the State of Washington and to the County Executive of King County. To the extent practicable, notices of this Proclamation shall be made available to all news media within the City and to the general public.

#### V. PRESENTATION, RATIFICATION, TERMINATION

This Proclamation shall at the earliest practicable time be presented to the City Council for ratification and confirmation, modification, or rejection, and if rejected, shall be void.

This Proclamation shall be terminated by the issuance of another proclamation when I determine that the extraordinary measures are no longer required for the protection of the public peace, safety and welfare.

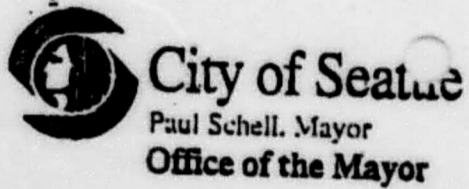
DATED this 30<sup>th</sup> day of November 1999.



Paul Schell, Mayor  
The City of Seattle

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LOCAL PROCLAMATION OF CIVIL EMERGENCY ORDER  
CITY OF SEATTLE

WHEREAS, the Mayor declared a civil emergency exists in the City of Seattle in the Proclamation Dated November 30, 1999; and

WHEREAS, the existence of persons in public areas in certain location at certain times contributes to the actions causing the civil emergency; and

WHEREAS, it is necessary to use extraordinary measures to protect the public peace, safety and welfare; and

WHEREAS, the civil emergency necessitates the utilization of emergency powers granted to the Mayor pursuant to Seattle Municipal Code, Chapter 10.02 and RCW Chapter 38.52. Therefore,

**BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF SEATTLE, THE HONORABLE PAUL SCHELL, THAT:**

**SECTION 1**

I, PAUL SCHELL, MAYOR OF THE CITY OF SEATTLE, ACTING UNDER THE AUTHORITY OF SEATTLE MUNICIPAL CODE SECTION 10.02.020 AND MY MAYORAL PROCLAMATION OF CIVIL EMERGENCY, DATED November 30, 1999, HEREBY ORDER:

1. A general curfew is imposed in the portion of the City described as follows: Denny Way on the north; The I-5 freeway on the east; Yesler Way on the south, and Elliott Bay on the west.

Commencing at 7: pm November 30, 1999, no person shall enter or remain in a public place as defined in SMC 15.02.046C within the above described curfew area. This general Curfew shall continue until 7:30 am, December 1, 1999, and shall be enforced by the Police Department.

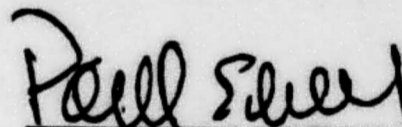
**SECTION 2**

Any person found to be in a public place within the designated location and during the designated time period, shall be in violation of this order and may be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for not more than One Hundred and Eighty (180) days or both such fine and imprisonment (SMC 10.02.110)

**SECTION 3**

At the earliest practical time this Proclamation shall be filed with the City Comptroller and presented to the City Council for ratification and confirmation, modification, or rejection. Page two of this proclamation shall reflect the decision of the City Council.

DATED this 30 day of November 1999

  
Paul Schell, Mayor  
City of Seattle, Washington

600 Fourth Avenue, 12th Floor, Seattle, WA 98104-1873  
Tel: (206) 684-4000, TDD: (206) 684-8811, Fax: (206) 684-5360, E-mail: mayors.office@ci.seattle.wa.us  
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EXHIBIT 8

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Having had this proclamation presented to the City Council Body this \_\_\_\_\_ day of \_\_\_\_\_  
we the undersigned affix our signatures as testimony of our ratification and confirmation.

\_\_\_\_\_  
\_\_\_\_\_  
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**LOCAL PROCLAMATION OF CIVIL EMERGENCY ORDER NUMBER 2  
CITY OF SEATTLE**

**WHEREAS**, the Mayor declared a civil emergency exists in the City of Seattle in the Proclamation Dated November 30, 1999; and

**WHEREAS**, the City continues to experience civil disturbances resulting in injury to persons and damage to property; and

**WHEREAS**, law enforcement's efforts to prevent such continued civil disturbances have included the use of tear gas and pepper spray; and

**WHEREAS**, law enforcement has observed that persons engaging in such civil disturbances have begun using gas masks to thwart law enforcement's efforts to maintain peace and order; and

**WHEREAS**, law enforcement has received information that efforts have been made, and will continue to be made, to purchase or otherwise obtain military equipment, such as gas masks, in order to continue to thwart law enforcement's efforts to maintain peace and order; and

**WHEREAS**, it is imminently necessary to use extraordinary measures to protect life and property; and

**WHEREAS**, the civil emergency necessitates the utilization of emergency powers granted to the Mayor pursuant to Seattle Municipal Code, Chapter 10.02 and RCW Chapter 38.52. Therefore,

**BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF SEATTLE, THE HONORABLE PAUL SCHELL, THAT:**

**I, PAUL SCHELL, MAYOR OF THE CITY OF SEATTLE, ACTING UNDER THE AUTHORITY OF SEATTLE MUNICIPAL CODE SECTION 10.02.020 AND MY MAYORAL PROCLAMATION OF CIVIL EMERGENCY, DATED November 30, 1999, HEREBY ORDER:**


**SECTION 1**

Until the proclamation of civil emergency, dated November 30, 1999, is terminated, no person or entity shall purchase, sell, convey, or transfer within the City limits, or possess or carry in a public place as defined in SMC 15.02.046C, any device commonly known as a gas mask. This prohibition shall not apply to law enforcement or the military.

**SECTION 2**

Any person found to be violation of this order may be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for not more than One Hundred and Eighty (180) days or both such fine and imprisonment (SMC 10.02.110)

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EXHIBIT 

**SECTION 3**

At the earliest practical time this Proclamation shall be filed with the City Clerk and presented to the City Council for ratification and confirmation, modification, or rejection. Page two of this proclamation shall reflect the decision of the City Council.

DATED this \_\_\_\_\_ day of \_\_\_\_\_.



Paul Schell, Mayor  
City of Seattle, Washington

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LOCAL PROCLAMATION OF CIVIL EMERGENCY ORDER NUMBER 3

CITY OF SEATTLE

ORIGINAL

**WHEREAS**, the Mayor declared a civil emergency exists in the City of Seattle ("the City") in the Proclamation Dated November 30, 1999; and

**WHEREAS**, after the issuance of the Proclamation and despite the deployment of hundreds of law enforcement officers, the City continued to experience civil disturbances resulting in injury to persons and damage to property; and

**WHEREAS**, the level of civil disturbances and danger to persons and property has been highest in those areas in which there are protests in the vicinity of World Trade Organization ("WTO") meetings; and

**WHEREAS**, the City understands its obligations to permit expressive activity pursuant to reasonable time, place and manner restrictions necessitated by the existing public safety concerns for WTO delegates, dignitaries, citizens, public safety employees and protesters; and

**WHEREAS**, the Chief of Police and other public safety officials have determined that the safety of WTO delegates, dignitaries, citizens, public safety employees and protesters cannot be preserved without reasonably limiting access to areas used by WTO personnel; and

**WHEREAS**, it is imminently necessary to use extraordinary measures to protect the public peace, safety and welfare; and

**WHEREAS**, the civil emergency necessitates the utilization of emergency powers granted to the Mayor pursuant to Seattle Municipal Code, Chapter 10.02 and RCW Chapter 38.52. Therefore,

**BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF SEATTLE, THE HONORABLE PAUL SCHELL, THAT:**

**SECTION 1**

I, PAUL SCHELL, MAYOR OF THE CITY OF SEATTLE, ACTING UNDER THE AUTHORITY OF SEATTLE MUNICIPAL CODE SECTION 10.02.020 AND MY MAYORAL PROCLAMATION OF CIVIL EMERGENCY, DATED November 30, 1999, HEREBY ORDER:

1. A limited curfew is imposed in the portion of the City within the following boundaries: Starting on the corner of 4<sup>th</sup> Avenue and Lenora Street, then proceeding south on 4<sup>th</sup> Avenue to Seneca Street, then east on Seneca Street to the I-5 freeway, then north along the I-5 freeway to Boren Avenue, then north on Boren Avenue to Pine Street, then west on Pine Street to 6<sup>th</sup> Avenue, then north on 6<sup>th</sup> Avenue to Lenora Street, then west on Lenora Street to, and concluding at, 4<sup>th</sup> Avenue and Lenora, as shown in the attached map.

Commencing immediately on December 1, 1999, no person shall enter or remain in a public place as defined in SMC 15.02.046C within the above described limited curfew area except the following:

Delegates and personnel authorized by the WTO to participate in official WTO functions;

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EXHIBIT



Employees and owners of businesses within the limited curfew area and other personnel necessary to the operation of those businesses;

Persons who reside within the limited curfew area; and

Emergency and public safety personnel.

This limited curfew shall continue until 12:00 midnight Friday, December 3, 1999, and shall be enforced by the Police Department and other law enforcement agencies.

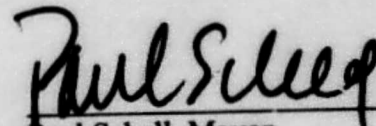
#### SECTION 2

Any person found to be in a public place within the designated location except as authorized by this Order during the designated time period, shall be in violation of this order and may be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for not more than One Hundred and Eighty (180) days or both such fine and imprisonment (SMC 10.02.110)

#### SECTION 3

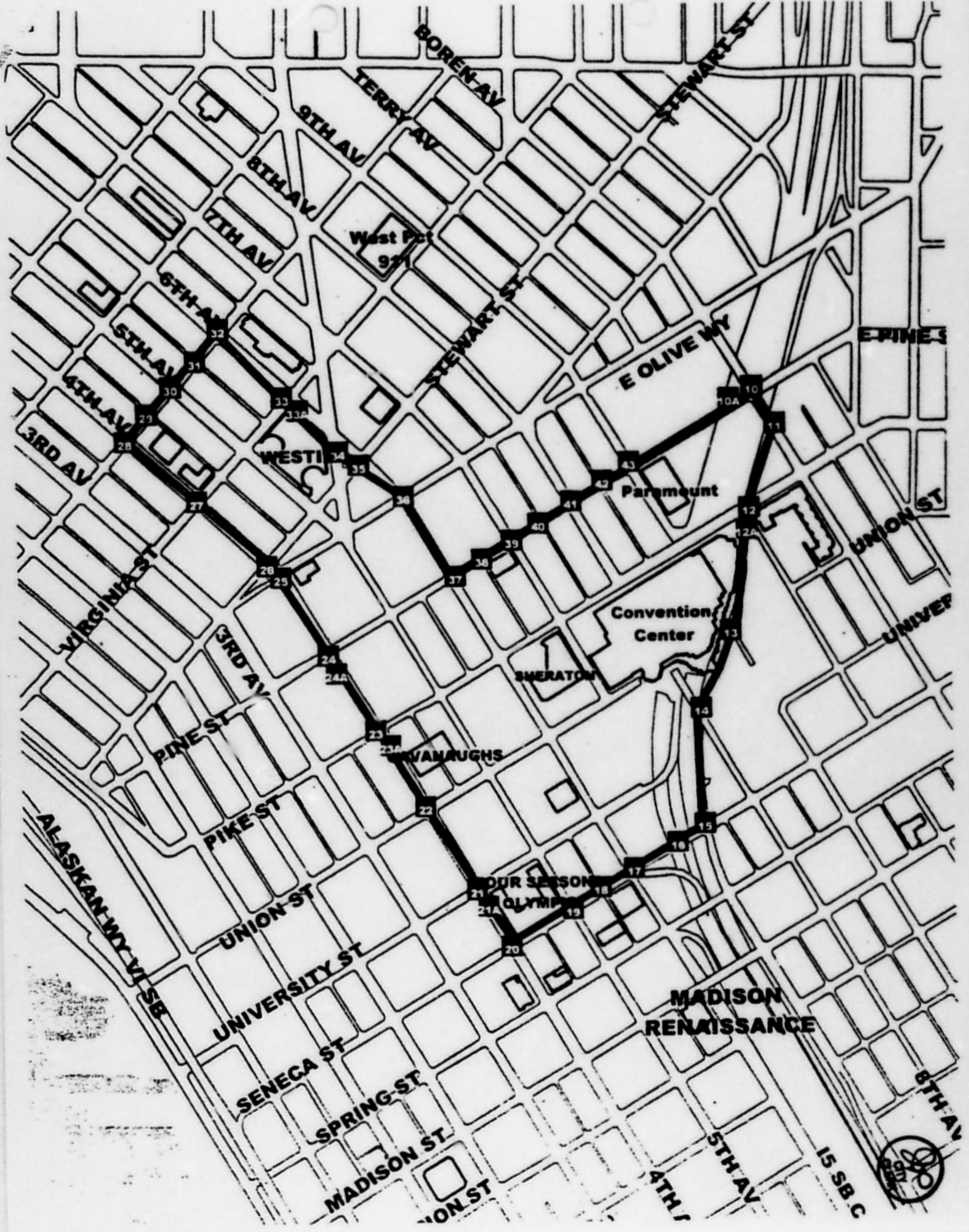
At the earliest practical time this Proclamation shall be filed with the City Clerk and presented to the City Council for ratification and confirmation, modification, or rejection.

DATED this 1<sup>st</sup> day of December.

  
Paul Schell, Mayor  
City of Seattle, Washington

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LOCAL PROCLAMATION OF CIVIL EMERGENCY ORDER NUMBER 3 (Revised)  
CITY OF SEATTLE

ORIG

WHEREAS, the Mayor declared a civil emergency exists in the City of Seattle ("the City") in the Proclamation Dated November 30, 1999; and

WHEREAS, after the issuance of the Proclamation and despite the deployment of hundreds of law enforcement officers, the City continued to experience civil disturbances resulting in injury to persons and damage to property; and

WHEREAS, the level of civil disturbances and danger to persons and property has been highest in those areas in which there are protests in the vicinity of World Trade Organization ("WTO") meetings; and

WHEREAS, the City understands its obligations to permit expressive activity pursuant to reasonable time, place and manner restrictions necessitated by the existing public safety concerns for WTO delegates, dignitaries, citizens, public safety employees and protesters; and

WHEREAS, the Chief of Police and other public safety officials have determined that the safety of WTO delegates, dignitaries, citizens, public safety employees and protesters cannot be preserved without reasonably limiting access to areas used by WTO personnel; and

WHEREAS, it is imminently necessary to use extraordinary measures to protect the public peace, safety and welfare; and

WHEREAS, the civil emergency necessitates the utilization of emergency powers granted to the Mayor pursuant to Seattle Municipal Code, Chapter 10.02 and RCW Chapter 38.52. Therefore,

BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF SEATTLE, THE HONORABLE PAUL SCHELL, THAT:

SECTION 1

I, PAUL SCHELL, MAYOR OF THE CITY OF SEATTLE, ACTING UNDER THE AUTHORITY OF SEATTLE MUNICIPAL CODE SECTION 10.02.020 AND MY MAYORAL PROCLAMATION OF CIVIL EMERGENCY, DATED November 30, 1999, HEREBY ORDER:

1. A limited curfew is imposed in the portion of the City within the following boundaries: Starting on the corner of 4<sup>th</sup> Avenue and Lenora Street, then proceeding south on 4<sup>th</sup> Avenue to Seneca Street, then east on Seneca Street to the I-5 freeway, then north along the I-5 freeway to Boren Avenue, then north on Boren Avenue to Pine Street, then west on Pine Street to 6<sup>th</sup> Avenue, then north on 6<sup>th</sup> Avenue to Lenora Street, then west on Lenora Street to, and concluding at, 4<sup>th</sup> Avenue and Lenora b, as shown in the attached map.

Commencing immediately on December 1, 1999, no person shall enter or remain in a public place as defined in SMC 15.02.046C within the above described limited curfew area except the following:

Delegates and personnel authorized by the WTO to participate in official WTO functions



DEC-01-99 16:51 FROM

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Employees and owners of businesses within the limited curfew area and other personnel necessary to the operation of those businesses;

Persons who reside within the limited curfew area;

Representatives of the press with proper credentials,

City officials with valid identification, and;

Emergency and public safety personnel.

This limited curfew shall continue until 12:00 midnight Friday, December 3, 1999, and shall be enforced by the Police Department and other law enforcement agencies.

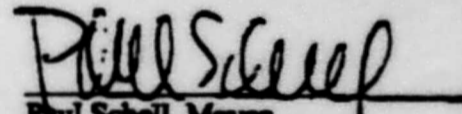
**SECTION 2**

Any person found to be in a public place within the designated location except as authorized by this Order during the designated time period, shall be in violation of this order and may be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for not more than One Hundred and Eighty (180) days or both such fine and imprisonment (SMC 10.02.110)

**SECTION 3**

At the earliest practical time this Proclamation shall be filed with the City Clerk and presented to the City Council for ratification and confirmation, modification, or rejection.

DATED this 1 day of December

  
Paul Schell, Mayor  
City of Seattle, Washington

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LOCAL PROCLAMATION OF CIVIL EMERGENCY ORDER

CITY OF SEATTLE

WHEREAS, the Mayor declared a civil emergency exists in the City of Seattle in the Proclamation Dated November 30, 1999; and

WHEREAS, the existence of persons in public areas in certain locations at certain times contributes to the actions causing the civil emergency; and

WHEREAS, it is necessary to use extraordinary measures to protect the public peace, safety and welfare; and

WHEREAS, the civil emergency necessitates the utilization of emergency powers granted to the Mayor pursuant to Seattle Municipal Code, Chapter 10.02 and RCW Chapter 38.52. Therefore,

BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF SEATTLE, THE HONORABLE PAUL SCHELL, THAT:

SECTION 1

I, PAUL SCHELL, MAYOR OF THE CITY OF SEATTLE, ACTING UNDER THE AUTHORITY OF SEATTLE MUNICIPAL CODE SECTION 10.02.020 AND MY MAYORAL PROCLAMATION OF CIVIL EMERGENCY, DATED November 30, 1999, HEREBY ORDER:

- 1. A general curfew is imposed in the portion of the City described as follows: Denny Way on the north; The I-5 freeway on the east; Yesler Way on the south, and Elliott Bay on the west.

Commencing at 7: pm. December 1, 1999, no person shall enter or remain in a public place as defined in SMC 15.02.046C within the above described curfew area. This general Curfew shall continue until 7:30 am, December 2, 1999, and shall be enforced by the Police Department.

SECTION 2

Any person found to be in a public place within the designated location and during the designated time period, shall be in violation of this order and may be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for not more than One Hundred and Eighty (180) days or both such fine and imprisonment (SMC 10.02.110)

SECTION 3

At the earliest practical time this Proclamation shall be filed with the City Clerk and presented to the City Council for ratification and confirmation, modification, or rejection. Page two of this proclamation shall reflect the decision of the City Council.

DATED this 1 day of December 1999

*Paul Schell*  
Paul Schell, Mayor  
City of Seattle, Washington

EXHIBIT 

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

FROM: A

FAX NO. 1 2222

12-02-99 11:14A P.03

Having had this proclamation presented to the City Council Body this \_\_\_\_\_ day of \_\_\_\_\_  
we the undersigned affix our signatures as testimony of our ratification and confirmation.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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## LOCAL PROCLAMATION OF CIVIL EMERGENCY ORDER NUMBER 2 (REVISED)

## CITY OF SEATTLE

**WHEREAS**, the Mayor declared a civil emergency exists in the City of Seattle in the Proclamation Dated November 30, 1999; and

**WHEREAS**, the City continues to experience civil disturbances resulting in injury to persons and damage to property; and

**WHEREAS**, law enforcement's efforts to prevent such continued civil disturbances have included the use of tear gas and pepper spray; and

**WHEREAS**, law enforcement has received information that efforts have been made, and will continue to be made, to purchase or otherwise obtain military equipment, such as gas masks, in order to continue to thwart law enforcement's efforts to maintain peace and order; and

**WHEREAS**, law enforcement has observed that persons engaging in such civil disturbances have begun using gas masks to thwart law enforcement's efforts to maintain peace and order; and

**WHEREAS**, it is imminently necessary to use extraordinary measures to protect life and property; and

**WHEREAS**, the civil emergency necessitates the utilization of emergency powers granted to the Mayor pursuant to Seattle Municipal Code, Chapter 10.02 and RCW Chapter 38.52. Therefore.

**BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF SEATTLE, THE HONORABLE PAUL SCHELL, THAT:**

I, PAUL SCHELL, MAYOR OF THE CITY OF SEATTLE, ACTING UNDER THE AUTHORITY OF SEATTLE MUNICIPAL CODE SECTION 10.02.020 AND MY MAYORAL PROCLAMATION OF CIVIL EMERGENCY, DATED November 30, 1999, HEREBY ORDER:

**SECTION 1**

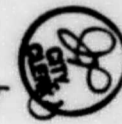
Until the proclamation of civil emergency, dated November 30, 1999, is terminated, no person or entity shall purchase, sell, convey, or transfer within the City limits, or possess or carry in a public place as defined in SMC 15.02.046C, any device commonly known as a gas mask. This prohibition shall not apply to law enforcement or the military, or representatives of the press with proper credentials.

**SECTION 2**

Any person found to be violation of this order may be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for not more than One Hundred and Eighty (180) days or both such fine and imprisonment (SMC 10.02.110)

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

EXHIBIT



**SECTION 3**

At the earliest practical time this Proclamation shall be filed with the City Clerk and presented to the City Council for ratification and confirmation, modification, or rejection. Page two of this proclamation shall reflect the decision of the City Council.

DATED this 15<sup>th</sup> day of December.

Paul Schell

Paul Schell, Mayor  
City of Seattle, Washington

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FROM: A

FAX NO.: 2222

12-02-99 11:14A P.06

Having had this proclamation presented to the City Council Body this \_\_\_\_\_ day of \_\_\_\_\_, we the undersigned affix our signatures as testimony of our ratification and confirmation.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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Rec'd 12:11  
9:01 AM  
D

LOCAL PROCLAMATION OF CIVIL EMERGENCY ORDER NUMBER 3 (2<sup>nd</sup> Revised)

CITY OF SEATTLE

WHEREAS, the Mayor declared a civil emergency exists in the City of Seattle ("the City") in the Proclamation Dated November 30, 1999; and

WHEREAS, after the issuance of the Proclamation and despite the deployment of hundreds of law enforcement officers, the City continued to experience civil disturbances resulting in injury to persons and damage to property; and

WHEREAS, the level of civil disturbances and danger to persons and property has been highest in those areas in which there are protests in the vicinity of World Trade Organization ("WTO") meetings; and

WHEREAS, the City understands its obligations to permit expressive activity pursuant to reasonable time, place and manner restrictions necessitated by the existing public safety concerns for WTO delegates, dignitaries, citizens, public safety employees and protesters; and

WHEREAS, the Chief of Police and other public safety officials have determined that the safety of WTO delegates, dignitaries, citizens, public safety employees and protesters cannot be preserved without reasonably limiting access to areas used by WTO personnel; and

WHEREAS, it is imminently necessary to use extraordinary measures to protect the public peace, safety and welfare; and

WHEREAS, the civil emergency necessitates the utilization of emergency powers granted to the Mayor pursuant to Seattle Municipal Code, Chapter 10.02 and RCW Chapter 38.52. Therefore,

BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF SEATTLE, THE HONORABLE PAUL SCHELL, THAT:


SECTION 1

I, PAUL SCHELL, MAYOR OF THE CITY OF SEATTLE, ACTING UNDER THE AUTHORITY OF SEATTLE MUNICIPAL CODE SECTION 10.02.020 AND MY MAYORAL PROCLAMATION OF CIVIL EMERGENCY, DATED November 30, 1999, HEREBY ORDER:

1. A limited curfew is imposed in the portion of the City within the following boundaries: Starting on the corner of 4<sup>th</sup> Avenue and Pine Street, then proceeding south on 4<sup>th</sup> Avenue to Seneca Street, then east on Seneca Street to the I-5 freeway, then north along the I-5 freeway to Boren Avenue, then north on Boren Avenue to Pine Street, then west on Pine Street to, and concluding at, 4<sup>th</sup> Avenue and Pine, as shown in the attached map.

Commencing immediately on December 2, 1999, no person shall enter or remain in a public place as defined in SMC 15.02.046C within the above described limited curfew area except the following:

Delegates and personnel authorized by the WTO to participate in official WTO functions;

Exhibit 

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Employees and owners of businesses within the limited curfew area and other personnel necessary to the operation of those businesses;

Persons who reside within the limited curfew area;

Representatives of the press with proper credentials,

City officials with valid identification, and;

Emergency and public safety personnel.

This limited curfew shall supercede Local Proclamation Of Civil Emergency Order Number 3 (Revised) and shall continue until 12:00 midnight Friday, December 3, 1999, and shall be enforced by the Police Department and other law enforcement agencies.

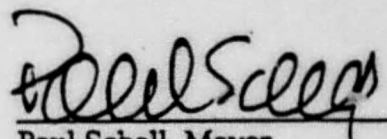
#### SECTION 2

Any person found to be in a public place within the designated location except as authorized by this Order during the designated time period, shall be in violation of this order and may be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for not more than One Hundred and Eighty (180) days or both such fine and imprisonment (SMC 16.02.110)

#### SECTION 3

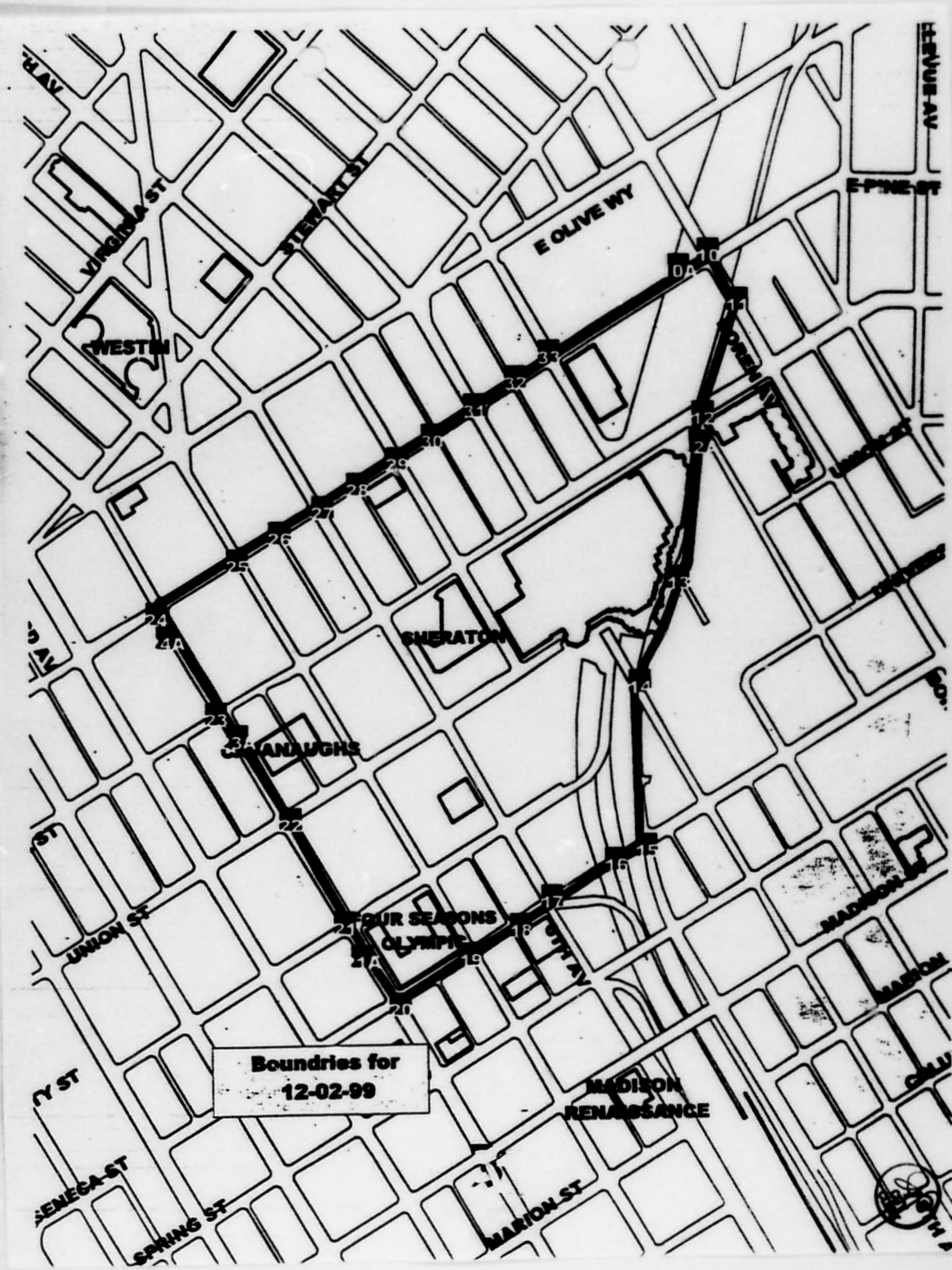
At the earliest practical time this Proclamation shall be filed with the City Clerk and presented to the City Council for ratification and confirmation, modification, or rejection.

DATED this 2 day of December

  
Paul Schell, Mayor  
City of Seattle, Washington

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## MAYORAL PROCLAMATION TERMINATING CIVIL EMERGENCY

**WHEREAS**, I proclaimed a civil emergency on November 30, 1999, to order to provide for additional resources to support our law enforcement personnel and to provide additional response to disturbances that were resulting in injuries and damage to property in connection with the World Trade Organization Conference; and

**WHEREAS**, time, place and manner restrictions were necessitated by the public safety concerns for WTO delegates, dignitaries, citizens, public safety employees and protestors in connection with and during the World Trade Organization Conference; and

**WHEREAS**, extraordinary efforts and activities were made by Seattle Police personnel and other City, County, and State employees including the National Guard in responding to such civil and other disturbances, and the resulting danger to persons and property; and

**WHEREAS**, the restoration of civil order has progressed sufficiently that my exercise of emergency powers is no longer needed; Now, Therefore,

**I, PAUL SCHELL, MAYOR OF THE CITY OF SEATTLE PROCLAIM THAT:**

1. The civil emergency proclaimed on November 30, 1999, as a result of the City's need for additional assistance has terminated and the exercise of the emergency authority vested in me as Mayor by RCW Chapter 38.52 and Seattle Municipal Code Chapter 10.02 is no longer necessary.
2. The powers assumed under my Proclamation of Civil Emergency are hereby relinquished.



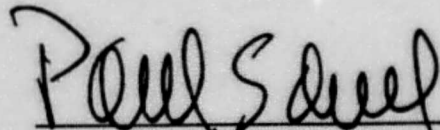
*Exhibit I*

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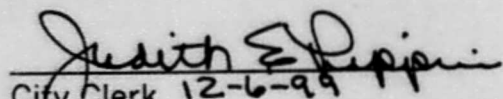
3. The extraordinary authorities delegated to city departments in that proclamation are hereby rescinded.

4. This proclamation shall take effect upon my signature, and thereupon my authority under the November 30, 1999 proclamation shall be of no further effect. The termination of my proclamation of civil emergency and the relinquishment of my emergency authority shall not affect the validity of any contracts executed by the City, any debts incurred, any expenditures made, or any actions taken while it was in effect.

DATED this 4th day of December, 1999, at 12 p.m.

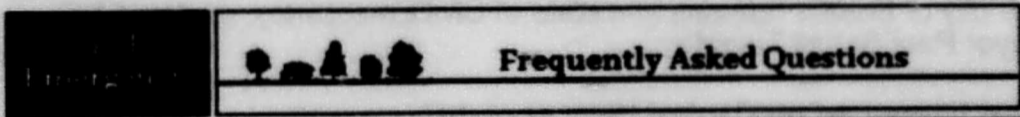
  
\_\_\_\_\_  
Paul Schell, Mayor  
The City of Seattle

Filed:

  
City Clerk 12-6-99

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**FREQUENTLY ASKED QUESTIONS – CIVIL EMERGENCY**

Thursday, December 2, 1999, 6 p.m.

*On Tuesday, November 30, Seattle Mayor Paul Schell signed a Declaration of Civil Emergency as a result of WTO-related demonstrations that turned violent in downtown Seattle.*

*The curfew area boundaries are Denny Way on the north, Yesler Way on the south, I-5 to the east, and Elliott Bay on the west. No unofficial traffic is allowed in downtown during the curfew hours.*

*The Mayor has reduced the boundaries of a limited curfew, effective today and in effect until midnight, Friday, Dec. 3, 1999, in the area within the following boundaries:*

***From the corner of 4<sup>th</sup> Avenue and Pine Street south to Seneca Street,***

***East on Seneca Street to the I-5 freeway,***

***North along the I-5 freeway to Boren Avenue,***

***North on Boren Avenue to Pine Street,***

***West on Pine Street to, and concluding at, Fourth Avenue and Pine***

*The Mayor also signed a proclamation prohibiting the purchase, sale, conveyance, transfer within the city limits, or possession or carrying of a gas mask until the end of the declared period of civil emergency.*

**What is a State of Civil Emergency?**

This extraordinary measure is taken to prevent death or injury of persons, to protect the public peace, safety and welfare, and to alleviate damage, loss, hardship or suffering. The Seattle Municipal Code provides that, whenever riot, unlawful assembly, natural disaster, or other disturbances occur in the City - or when there is imminent threat of that type of situation - and this results in or threatens to result in the death or injury of persons, the destruction of property, or the disruption of local government, the Mayor may proclaim the existence of a civil emergency. (Reference: Seattle Municipal Code, section 10.02.010)

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The Proclamation of Civil Emergency issued by Mayor Schell on November 30 remains in effect. Examples of past declarations of civil emergencies include the winter storms and landslides of 1996/97, a large electrical outage in 1994, and the Inaugural Day storm of 1992. The city of Seattle remains in a state of Civil Emergency, declared by Mayor Paul Schell Tuesday.

**What happened on Capitol Hill last night?**

It was a several-hour standoff between police and demonstrators on Capitol Hill Wednesday night that included property damage and six arrests.

At approximately 7 p.m. the streets of downtown Seattle were cleared of protestors. Then 200-300 people went to the Broadway area of Capitol Hill. They blocked the streets at two main intersections: Broadway Avenue and East Olive Way and Broadway Avenue and Pine Street. Officers were deployed to disperse the group, and faced off with the group for the next several hours.

Agitators in the crowd threw rocks and bottles at officers. Some officers reported that some agitators in the group had Molotov Cocktails. There was a sense of urgency and concern, particularly in light of the fact that the City has seen property damage, fires and injuries over the past few days. Property damage was reported on Broadway Wednesday night, but a damage estimate is not available.

Some of the protesters charged at the police line. Police provided numerous public safety warnings and an order to disperse over a loudspeaker, prior to deploying pepper spray and CS gas (commonly referred to as tear gas). A number of the protesters dispersed and then moved on to Pine Street near 12<sup>th</sup> Avenue and the Seattle Police Department's East Precinct.

The crowd grew larger. At 1 a.m., 300 people remained on Pine Street. Officers continued to give the order to disperse. The 911 communications center received several calls from people threatening to retrieve weapons and return to Broadway. Due to the numbers of people, police reinforcements were called consisting of a number of mutual aid agencies and the National Guard. Another order to disperse was issued over a loudspeaker, with a notification that chemical restraint would be used. As a matter of policy, after that is done, the crowd is given an opportunity to disperse. CS gas was deployed, as well as less lethal rubber pellets. The crowd was dispersed at approximately 2 a.m. Six people were arrested.

**What does a State of Civil Emergency mean to our city and how should citizens behave?**

Simply put, it means no business as usual. We are committed to restoring peace and ask for everyone's cooperation with law enforcement personnel. They will be enforcing curfew zones, asking groups to disperse if necessary, and taking other actions with the aim of restoring peace. During this time citizens need to remain flexible

and willing to adjust their plans and comply with curfews and avoid dangerous situations.

**How can citizens participate in a protest?**

First of all, there is a clear distinction between protestors and vandals. People involved in protest need to take personal responsibility and use best judgment. If you decide to participate in a protest, be prepared to cooperate with law enforcement and avoid confrontations with police and other enforcement officials. You should also avoid joining up with vandals or anyone engaged in unlawful behavior. Comply with all curfew zones, police lines and other measures designed to restore peace. If asked to disperse, comply immediately.

**What are examples of unlawful behavior?**

Unlawful behavior includes blocking streets, painting graffiti, rock or bottle throwing, looting, and not dispersing when asked.

**How can citizens help clean up?**

The Downtown Seattle Association is accepting offers of assistance in cleaning up. Citizens can call 623-0340. Or you may want to offer your assistance directly to a property owner who has suffered property damage. To help clean up graffiti vandalism on private property, make sure you consult the property owner to offer your help and to make sure you use the proper materials. To report graffiti on public property, such as street signs or utility boxes, call the Graffiti Hotline at 684-7587. It's always helpful to pick up litter and garbage, but be sure to do so safely, e.g., wear gloves.

**What are CS Gas and OC? What do they do?**

CS gas is commonly known as tear gas. OC is commonly known as pepper spray. Recipients of a charge of CS or OC spray should be rendered incapable of serious aggression for 10-20 minutes after exposure. Symptoms associated with exposure are irritation of the eyes, skin, mouth, nose, or lungs. These agents act directly on the mucous membranes to produce irritation, burning, and pain in the eyes, nose, throat and respiratory tract. These effects are noted immediately and persist from 5-20 minutes after removal from the contaminated atmosphere. Effects of CS and OC, while severe at the time of exposure, are short lived. It is unlikely that a person exposed to CS or OC will suffer long-term effects.

**What about curfews?**

Only official traffic will be authorized in the general curfew area, bounded by Denny on the north, Yesler on the south, I-5 to the east and Elliott Bay on the west.

The Mayor has also established a limited curfew area in downtown Seattle to be in effect until midnight Friday, Dec. 3.

Within the limited curfew area, the only people allowed are delegates

and personnel authorized by the WTO to participate in official WTO functions, employers and owners of businesses within the limited curfew area and other personnel necessary to the operation of those businesses, persons who reside within the limited curfew area, representatives of the press with proper credentials, City officials with valid identification, and emergency and public safety personnel. As signed, the declaration makes no exception for others coming into the area. Violation is a misdemeanor punishable by a fine of up to \$500 and six months in jail.

**What about METRO buses?**

METRO and other transit operators are rerouting buses. METRO advises riders to expect congestion and delays on Third Avenue. For up-to-date Metro bus information, please call the METRO Transit Hotline at (206) 553-3000, or go to their Web site at [transit.metrokc.gov](http://transit.metrokc.gov).

**Who pays for property damage to downtown businesses?**

The Seattle Law Department expects that in almost all cases the businesses are covered by private insurance. Business owners should file claims with their insurance providers. If the individuals who damaged the property can be identified, a civil or criminal action can be taken against those persons and compensation for the damages can be sought from them.

**How is a curfew order enacted?**

The Mayor declares the emergency, which must be presented to the City Council at the earliest practical time for ratification, modification, or rejection.

**Can the curfew order be changed, canceled or extended?**

Yes. The curfew location or time may be modified or canceled by order of the Mayor if, in the Mayor's judgment, such action is warranted.

**What does a no protest zone mean? Can protestors protest in a no-protest zone as long as they are not impeding access?**

The term "no protest zone" is a misnomer. The City established a "limited curfew zone" or buffer zone in several blocks around the Convention Center and nearby hotels housing WTO delegates. In short, the proclamation provides that only WTO delegates, residents, business owners and employees, media, local officials and public safety personnel may enter the zone. Anyone permitted in the zone may lawfully exercise their First Amendment rights.

**How are citizens being notified of the parameters of the limited curfew zone?**

By providing information to local media, by publication of the terms of

and willing to adjust their plans and comply with curfews and avoid dangerous situations.

**How can citizens participate in a protest?**

First of all, there is a clear distinction between protestors and vandals. People involved in protest need to take personal responsibility and use best judgment. If you decide to participate in a protest, be prepared to cooperate with law enforcement and avoid confrontations with police and other enforcement officials. You should also avoid joining up with vandals or anyone engaged in unlawful behavior. Comply with all curfew zones, police lines and other measures designed to restore peace. If asked to disperse, comply immediately.

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The Mayor has also established a limited curfew area in downtown Seattle to be in effect until midnight Friday, Dec. 3.

Within the limited curfew area, the only people allowed are delegates

the proclamation in local media, through the WTO Public information Line (615-1333), and this Web site.

**What laws are protesters and violators being arrested under?**

Arrests have primarily been for specific criminal behavior such as failure to disperse after receiving a public safety order to disperse, pedestrian interference, property destruction, and assault.

**How many violators have been arrested?**

Approximately 475 people have been arrested since November 26.

**What is the process: who is being taken to Sand Point?**

The significant majority of those arrested are being processed at Sand Point. After they are processed they are transported to the King County Jail.

**What are we doing to be assured that the processing at Sand Point is not violating personal rights, i.e. if processing is taking longer than anticipated, what are the circumstances?**

The public defender's office brought motions seeking relief from Judge Spearman of the King County Superior Court regarding SPD's use of the Sand Point facility for those arrested. Judge Spearman denied all relief sought other than an order to make telephones available so that those arrested who are cooperating with processing may contact counsel. A large number of cell phones have been provided. Many of those arrested are not cooperating with processing, for example refusing to get off the buses, refusing to walk and refusing to provide identification. Pursuant to court rules and standard practice, all of those arrested will be brought before a judge the day following their arrest.

**Who is determining the penalties? Is there a system for sorting different violations?**

All arrests for misdemeanors will be reviewed by assistant city prosecutors to determine what, if any, charges should be filed. For felony arrests, this function will be performed by the King County Prosecutor's Office. If charges are filed, the conditions of release or custody status or penalties, if a person is found guilty, will be determined by a judge. Penalties for crimes defined in the Seattle Municipal Code are set in the Code and penalties for crimes defined in the Revised Code of Washington (RCW) are set in the RCWs. Typically, judges have discretion to sentence within the maximum penalties.

**What progress is being made in arresting vandals and looters?**

All footage generated by the media will be reviewed and compared with current arrests, then charges will be amended if appropriate.

**Where can citizens go for the latest information?**

Citizens may call the WTO public information line at (206) 615-1333. They may also find information on the City's WTO information web site at <http://cityofseattle.net/wto>.

[Gateway to WTO Home](#) | [Getting Around Town](#) | [City Services](#) | [News & Stories](#)

If you have questions or comments about the information on this web site, contact our Citywide WTO Communication coordinator via e-mail.

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City of Seattle  
Seattle City Council

## Media Alert

**For Immediate Release:** December 3, 1999

**Contact:** Michael Nank, Public Information Office, 206-684-8159  
Sara Levin, Office of Council President Sue Donaldson, 206-684-8806

### **CITY COUNCIL WILL HOLD SPECIAL EMERGENCY MEETING**

**WHO:** The Seattle City Council

**WHAT:** The Seattle City Council will hold a Special Emergency Meeting to vote on a resolution to ratify and confirm the Mayor's Declaration of Civil Emergency that was issued on Tuesday, November 30, 1999.

**WHEN:** Monday, December 6, 1999 \*\* 11:00 a.m. \*\*

**WHERE:** City Council Chambers, 11<sup>th</sup> Floor Municipal Building, 600 4<sup>th</sup> Ave.

**STATE OF WASHINGTON - KING COUNTY**

113187  
City of Seattle, City Clerk

-s-

No. RESOLUTION T

**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

CTRT: 30088, 91, 93, 99

was published on

12/23/99

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  
12/23/99

*[Signature]*  
Notary Public for the State of Washington,  
residing in Seattle

Affidavit of Publication

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## City of Seattle

### TITLE-ONLY PUBLICATION

The full text of the following resolutions, passed by the City Council on December 6, 1999, and published here by title only, will be mailed upon request, or can be accessed electronically at <http://clerk.ci.seattle.wa.us>. For further information, contact the Seattle City Clerk at 624-6344.

#### RESOLUTION NO. 30088

A RESOLUTION establishing follow-up activities for Seattle Public Utilities and the Department of Construction and Land Use related to the 1999-2002 schedule of solid waste rates that has been approved by the City Council.

#### RESOLUTION NO. 30091

A RESOLUTION amending Resolution 29977 concerning the Cedar River Watershed Habitat Conservation Plan, authorizing certain changes in the Plan.

#### RESOLUTION NO. 30093

A RESOLUTION adopting policies to guide the development of City programs relating to drainage, surface water management and aquatic habitat protection, requesting that Seattle Public Utilities develop an implementation plan for a surface water management program for further consideration by the Council, and amending the 1995 Comprehensive Drainage Plan.

#### RESOLUTION NO. 30096

A RESOLUTION ratifying confirming a Mayoral Proclamation of Civil Emergency and civil emergency orders issued pursuant to that Proclamation.

#### RESOLUTION NO. 30098

A RESOLUTION establishing a sister city relationship between the City of Sihanoukville, Cambodia, and the City of Seattle, Washington, USA.

Publication ordered by JUDITH PIPPIN, City Clerk.

Date of official publication in Daily Journal of Commerce, Seattle, December 23, 1999. 12/23/113187

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