

ORDINANCE No. 117103

N4 Law Department

COUNCIL BILL No. 110109

The City of Seattle - Leg

AN ORDINANCE relating to sitting and lying down upon public sidewalks in downtown and neighborhood commercial zones during certain hours; amending Ordinance No. 116885 by adding a new section thereto, and amending Seattle Municipal Code Section 15.49.040.

REPORT OF CO

Honorable President:

Your Committee on _____

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

4/21/94 Divided Report Passed

Do not

Full Council Vote 8-

COMPTROLLER FILE No. _____

OK

Introduced: APR 10 1994	By: PAGELER
Referred: APR 10 1994	To: PUBLIC SAFETY COMMITTEE
Referred:	To:
Referred:	To:
Reported: APR 25 1994	Second Reading: APR 25 1994
Third Reading: APR 25 1994	S. 2: APR 25 1994
Presented to Mayor: APR 26 1994	Approved: APR 27 1994
Returned to City Clerk: APR 28 1994	Published:
Voted by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

Committee

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N4 Law Department

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1.48.040.

The City of Seattle--Legislative Department

Date Reported
and Adopted

REPORT OF COMMITTEE

Honorable President:

Your Committee on _____

to which was referred the within Council Bill No. _____

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

4/2/94 Divided Report Pass: ~~MP~~ JP - 2

Do NOT Pass: JS - 1

Full Council Vote 8-1 Street

OK

PAGELER

PUBLIC SAFETY
COMMITTEE

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Committee Chair

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ORDINANCE 117103

AN ORDINANCE relating to sitting and lying down upon public sidewalks in downtown and neighborhood commercial zones during certain hours; amending Ordinance No. 116885 by adding a new section thereto and amending Seattle Municipal Code Section 15.48.040.

WHEREAS, on March 10, 1994, the U.S. District Court for the Western District of Washington held that Ordinance 116885 was facially constitutional, and an appeal from that decision is pending; and

WHEREAS, the City Council wishes to reaffirm its legislative findings and intention with respect to Ordinance 116885, as made on the Council's behalf by its Public Safety Committee in 1993; and

WHEREAS, the Council wishes to clarify its intent that notice be provided by law enforcement officers before citations are written for violating the prohibition in SMC 15.48.040;

WHEREAS, parts of the Pioneer Square and International District zones were inadvertently omitted from the zones within which SMC 15.48.040 applies; and

WHEREAS, the word "walker" was inadvertently omitted from the list of exceptions to which the prohibition in SMC 15.48.040 shall not apply; NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. A new section is added to Ordinance No. 116885, as follows:

Section 3. **Statement of Legislative Intent.** The Seattle City Council Finds and Declares as follows:

(a) Public sidewalks in business districts are created and maintained for the primary purposes of enabling pedestrians to safely and efficiently move about from place to place, facilitating deliveries of goods and services, and providing potential customers with convenient access to goods and services.

(b) During normal business hours, the public sidewalks in downtown and neighborhood commercial areas are prone to

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1 congestion, and should be kept available to serve these
2 primary purposes.

3 (c) Except in places provided therefor or where reason-
4 ably necessary, sitting or lying on the public sidewalks in
5 downtown and neighborhood commercial areas during the hours of
6 greatest congestion interferes with the primary purposes of
7 the public sidewalks, threatens public safety, and damages the
8 public welfare.

9 (d) Pedestrians, particularly the elderly, disabled, or
10 vision-impaired, are put at increased risk when they must see
11 and navigate around individuals sitting or lying upon the
12 public sidewalk.

13 (e) The public welfare is promoted by economically
14 healthy downtown and neighborhood commercial areas which
15 attract people to shop, work and recreate. These areas
16 provide easily-accessible goods and services, employment
17 opportunities, the tax revenues necessary to support essential
18 public services, and the economic productivity necessary to
19 maintain and improve property within these areas.

20 (f) In some circumstances people sitting or lying on the
21 sidewalks deter many members of the public from frequenting
22 those areas, which contributes to undermining the essential
23 economic viability of those areas. Business failures and
24 relocations can cause vacant storefronts which contribute to a
25 spiral of deterioration and blight which harms the public
26 health, safety and welfare. An important factor in protecting
27 public safety is attracting people to the streets and side-
28 walks of the City's business districts, because the presence
of many law abiding citizens serves as a deterrent to crime
and increases the public's sense of security and the safety of
all.

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1 (g) There are numerous other places within the downtown
2 and neighborhood commercial areas where sitting or lying down
3 can be accommodated without unduly interfering with the safe
4 flow of pedestrian traffic, impairing commercial activity,
5 threatening public safety or harming the public welfare.
6 These other places include city parks and plazas, alleyways,
7 private plazas, arcades, and common areas open to the public,
8 and generally on private property with the permission of the
9 property owner. In addition, public sidewalks outside the
10 designated business districts and all sidewalks outside the
11 designated hours are available for sitting or lying down.

12 Therefore, the limited regulation of sitting or lying
13 down on sidewalks is both reasonably necessary and appro-
14 priately balances the public interest and individual rights.

15 Section 2. Section 15.48.040 of the Seattle Municipal
16 Code (Ordinance 116885, Section 2) is amended as follows:

17 **15.48.040 Sitting or lying down on public sidewalks in
18 downtown and neighborhood commercial zones.**

19 A. Prohibition. No person(~~(, after having been notified~~
20 ~~by a law enforcement officer that he or she is in violation of~~
21 ~~the prohibition in this section,)) shall sit or lie down upon
22 a public sidewalk, or upon a blanket, chair, stool, or any
23 other object placed upon a public sidewalk, during the hours
24 between 7:00 a.m. and 9:00 p.m. in the following zones:~~

25 1. The Downtown Zone, defined as the area bounded
26 by the Puget Sound waterfront on the west, South Jackson
27 Street on the south, Interstate 5 on the East, and Denny Way
28 and Broad Street on the North.

2. Neighborhood Commercial Zones, defined as areas
zoned as Pioneer Square Mixed (PSM), International District
Mixed (IDM), Commercial 1 (C1), Commercial 2 (C2), Neighbor-

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hood Commercial 1 (NC1), Neighborhood Commercial 2 (NC2), and Neighborhood Commercial 3 (NC3).

B. Exceptions. The prohibition in Subsection A shall not apply to any person:

- 1. sitting or lying down on a public sidewalk due to a medical emergency;
- 2. who, as the result of a disability, utilizes a wheelchair, walker, or similar device to move about the public sidewalk;
- 3. operating or patronizing a commercial establishment conducted on the public sidewalk pursuant to a street use permit; or a person participating in or attending a parade, festival, performance, rally, demonstration, meeting, or similar event conducted on the public sidewalk pursuant to a street use or other applicable permit;
- 4. sitting on a chair or bench located on the public sidewalk which is supplied by a public agency or by the abutting private property owner; or
- 5. sitting on a public sidewalk within a bus stop zone while waiting for public or private transportation.

Nothing in any of these exceptions shall be construed to permit any conduct which is prohibited by SMC 12A.12.015. ("Pedestrian Interference").

C. No person shall be cited under this section unless the person engages in conduct prohibited by this section after having been notified by a law enforcement officer that the conduct violates this section.

Section 3. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any

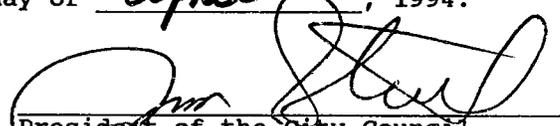
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person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

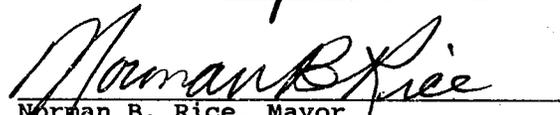
Section 4. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the City Charter.

Passed by the City Council the 25 day of April, 1994, and signed by me in open session in authentication of its passage this 25 day of April, 1994.



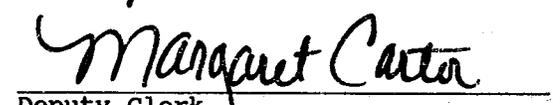
President of the City Council

Approved by me this 27 day of April, 1994.



Norman B. Rice, Mayor

Filed this 28 day of April, 1994.



Deputy Clerk

(SEAL)
Published _____

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

TIME AND DATE STAMP

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

Margaret Paylor

_____	_____
_____	_____
_____	_____
_____	_____

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE

STATE OF WASHINGTON - KING COUNTY

42976
City of Seattle, City Clerk

-ss.

No. 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

ORD: 117103

was published on
05/10/94

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

[Signature]

Subscribed and sworn to before me on

05/10/94

[Signature]

Notary Public for the State of Washington,
residing in Seattle

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

City of Seattle

AN ORDINANCE relating to sidewalks and public safety...

WHEREAS, on March 16, 1964, the City Council...

WHEREAS, the City Council wishes to clarify its legislative...

WHEREAS, the City Council wishes to clarify its intent that notice...

WHEREAS, the City Council wishes to clarify its intent that notice...

WHEREAS, the word "sidewalk" was inadvertently omitted from the...

BE IT ORDAINED BY THE CITY OF SEATTLE...

Section 1. A new section 11.40.010 added to Ordinance No. 116885...

Section 2. Statement of Legislative Intent. The Seattle City Council finds and declares as follows:

(a) Public sidewalks in business districts are created and maintained for the primary purposes of enabling pedestrians to safely and efficiently move about from place to place...

(b) During normal business hours, the public sidewalks in downtown and neighborhood commercial areas are prone to congestion, and should be kept available to serve these primary purposes:

(c) Except in places provided therefor or other reasons, sitting or lying on the public sidewalks in downtown and neighborhood commercial areas during the hours of greatest congestion interferes with the primary purposes of the public sidewalks, threatens public safety, and damages the public welfare.

(d) Pedestrians, particularly the elderly, disabled, or vision-impaired, are put at increased risk when they must see and navigate around individuals sitting or lying upon the public sidewalk.

(e) The public welfare is promoted by economically healthy downtown and neighborhood commercial areas which attract people to shop, work and recreate. These areas provide easily-accessible goods and services, employment opportunities, the tax revenues necessary to support essential public services, and the economic productivity necessary to maintain and improve property within these areas.

(f) In some circumstances people sitting or lying on the sidewalks deter many walkers of the public from frequently using those areas, which contributes to undermining the essential economic viability of these areas. Business failures and relocations can cause many inconveniences which contribute to a spiral of deterioration and blight which harms the public health, safety and welfare. An important factor in protecting public safety is attracting people to the streets and sidewalks of the city's business districts, because they provide a means of enabling citizens to serve as a deterrent to crime and increases the public's sense of security and the safety of all.

(g) There are numerous other places within the downtown and neighborhood commercial areas where sitting or lying down can be accommodated without unduly interfering with the normal flow of pedestrian traffic, impairing commercial activity, threatening public safety or harming the public welfare. These other places include city parks and plazas, alleyways, private plazas, arcades, and common areas open to the public, and generally on private property with the permission of the property owner. In addition, public sidewalks outside the designated business districts and all sidewalks outside the designated hours are available for sitting or lying down.

Therefore, the limited regulation of sitting or lying down on sidewalks is both reasonably necessary and appropriate to privately balances the public interest and individual rights.

Section 2. Section 11.40.010 of the Seattle Municipal Code (Ordinance 116885, Section 2) is amended to read as follows:

"11.40.010. Sitting or lying down on public sidewalks in downtown and neighborhood commercial areas where sitting or lying down is prohibited. No person, other than those specifically exempted by an order of the city manager or other authorized official, shall sit or lie on a public sidewalk, or place any object, stool, or other object placed upon a public sidewalk, during the hours between 7:00 a.m. and 7:00 p.m. in the following areas:

(a) The downtown commercial area, defined as the area bounded by the West Second Street and the West First Street on the north, Interstate 5 and the West Third and Third Street on the south, Interstate 5 and the West Fourth and Fourth Street on the north.

(b) Neighborhood commercial areas, defined as areas zoned as Neighborhood Commercial 1 (NC1), Neighborhood Commercial 2 (NC2), Commercial 1 (C1), Commercial 2 (C2), Commercial 3 (C3), Commercial 4 (C4), Commercial 5 (C5), Commercial 6 (C6), Commercial 7 (C7), Commercial 8 (C8), Commercial 9 (C9), Commercial 10 (C10), Commercial 11 (C11), Commercial 12 (C12), Commercial 13 (C13), Commercial 14 (C14), Commercial 15 (C15), Commercial 16 (C16), Commercial 17 (C17), Commercial 18 (C18), Commercial 19 (C19), Commercial 20 (C20), Commercial 21 (C21), Commercial 22 (C22), Commercial 23 (C23), Commercial 24 (C24), Commercial 25 (C25), Commercial 26 (C26), Commercial 27 (C27), Commercial 28 (C28), Commercial 29 (C29), Commercial 30 (C30), Commercial 31 (C31), Commercial 32 (C32), Commercial 33 (C33), Commercial 34 (C34), Commercial 35 (C35), Commercial 36 (C36), Commercial 37 (C37), Commercial 38 (C38), Commercial 39 (C39), Commercial 40 (C40), Commercial 41 (C41), Commercial 42 (C42), Commercial 43 (C43), Commercial 44 (C44), Commercial 45 (C45), Commercial 46 (C46), Commercial 47 (C47), Commercial 48 (C48), Commercial 49 (C49), Commercial 50 (C50), Commercial 51 (C51), Commercial 52 (C52), Commercial 53 (C53), Commercial 54 (C54), Commercial 55 (C55), Commercial 56 (C56), Commercial 57 (C57), Commercial 58 (C58), Commercial 59 (C59), Commercial 60 (C60), Commercial 61 (C61), Commercial 62 (C62), Commercial 63 (C63), Commercial 64 (C64), Commercial 65 (C65), Commercial 66 (C66), Commercial 67 (C67), Commercial 68 (C68), Commercial 69 (C69), Commercial 70 (C70), Commercial 71 (C71), Commercial 72 (C72), Commercial 73 (C73), Commercial 74 (C74), Commercial 75 (C75), Commercial 76 (C76), Commercial 77 (C77), Commercial 78 (C78), Commercial 79 (C79), Commercial 80 (C80), Commercial 81 (C81), Commercial 82 (C82), Commercial 83 (C83), Commercial 84 (C84), Commercial 85 (C85), Commercial 86 (C86), Commercial 87 (C87), Commercial 88 (C88), Commercial 89 (C89), Commercial 90 (C90), Commercial 91 (C91), Commercial 92 (C92), Commercial 93 (C93), Commercial 94 (C94), Commercial 95 (C95), Commercial 96 (C96), Commercial 97 (C97), Commercial 98 (C98), Commercial 99 (C99), Commercial 100 (C100).

(c) The downtown commercial area, defined as the area bounded by the West Second Street and the West First Street on the north, Interstate 5 and the West Third and Third Street on the south, Interstate 5 and the West Fourth and Fourth Street on the north.

(d) Neighborhood commercial areas, defined as areas zoned as Neighborhood Commercial 1 (NC1), Neighborhood Commercial 2 (NC2), Commercial 1 (C1), Commercial 2 (C2), Commercial 3 (C3), Commercial 4 (C4), Commercial 5 (C5), Commercial 6 (C6), Commercial 7 (C7), Commercial 8 (C8), Commercial 9 (C9), Commercial 10 (C10), Commercial 11 (C11), Commercial 12 (C12), Commercial 13 (C13), Commercial 14 (C14), Commercial 15 (C15), Commercial 16 (C16), Commercial 17 (C17), Commercial 18 (C18), Commercial 19 (C19), Commercial 20 (C20), Commercial 21 (C21), Commercial 22 (C22), Commercial 23 (C23), Commercial 24 (C24), Commercial 25 (C25), Commercial 26 (C26), Commercial 27 (C27), Commercial 28 (C28), Commercial 29 (C29), Commercial 30 (C30), Commercial 31 (C31), Commercial 32 (C32), Commercial 33 (C33), Commercial 34 (C34), Commercial 35 (C35), Commercial 36 (C36), Commercial 37 (C37), Commercial 38 (C38), Commercial 39 (C39), Commercial 40 (C40), Commercial 41 (C41), Commercial 42 (C42), Commercial 43 (C43), Commercial 44 (C44), Commercial 45 (C45), Commercial 46 (C46), Commercial 47 (C47), Commercial 48 (C48), Commercial 49 (C49), Commercial 50 (C50), Commercial 51 (C51), Commercial 52 (C52), Commercial 53 (C53), Commercial 54 (C54), Commercial 55 (C55), Commercial 56 (C56), Commercial 57 (C57), Commercial 58 (C58), Commercial 59 (C59), Commercial 60 (C60), Commercial 61 (C61), Commercial 62 (C62), Commercial 63 (C63), Commercial 64 (C64), Commercial 65 (C65), Commercial 66 (C66), Commercial 67 (C67), Commercial 68 (C68), Commercial 69 (C69), Commercial 70 (C70), Commercial 71 (C71), Commercial 72 (C72), Commercial 73 (C73), Commercial 74 (C74), Commercial 75 (C75), Commercial 76 (C76), Commercial 77 (C77), Commercial 78 (C78), Commercial 79 (C79), Commercial 80 (C80), Commercial 81 (C81), Commercial 82 (C82), Commercial 83 (C83), Commercial 84 (C84), Commercial 85 (C85), Commercial 86 (C86), Commercial 87 (C87), Commercial 88 (C88), Commercial 89 (C89), Commercial 90 (C90), Commercial 91 (C91), Commercial 92 (C92), Commercial 93 (C93), Commercial 94 (C94), Commercial 95 (C95), Commercial 96 (C96), Commercial 97 (C97), Commercial 98 (C98), Commercial 99 (C99), Commercial 100 (C100).

(e) The downtown commercial area, defined as the area bounded by the West Second Street and the West First Street on the north, Interstate 5 and the West Third and Third Street on the south, Interstate 5 and the West Fourth and Fourth Street on the north.

(f) Neighborhood commercial areas, defined as areas zoned as Neighborhood Commercial 1 (NC1), Neighborhood Commercial 2 (NC2), Commercial 1 (C1), Commercial 2 (C2), Commercial 3 (C3), Commercial 4 (C4), Commercial 5 (C5), Commercial 6 (C6), Commercial 7 (C7), Commercial 8 (C8), Commercial 9 (C9), Commercial 10 (C10), Commercial 11 (C11), Commercial 12 (C12), Commercial 13 (C13), Commercial 14 (C14), Commercial 15 (C15), Commercial 16 (C16), Commercial 17 (C17), Commercial 18 (C18), Commercial 19 (C19), Commercial 20 (C20), Commercial 21 (C21), Commercial 22 (C22), Commercial 23 (C23), Commercial 24 (C24), Commercial 25 (C25), Commercial 26 (C26), Commercial 27 (C27), Commercial 28 (C28), Commercial 29 (C29), Commercial 30 (C30), Commercial 31 (C31), Commercial 32 (C32), Commercial 33 (C33), Commercial 34 (C34), Commercial 35 (C35), Commercial 36 (C36), Commercial 37 (C37), Commercial 38 (C38), Commercial 39 (C39), Commercial 40 (C40), Commercial 41 (C41), Commercial 42 (C42), Commercial 43 (C43), Commercial 44 (C44), Commercial 45 (C45), Commercial 46 (C46), Commercial 47 (C47), Commercial 48 (C48), Commercial 49 (C49), Commercial 50 (C50), Commercial 51 (C51), Commercial 52 (C52), Commercial 53 (C53), Commercial 54 (C54), Commercial 55 (C55), Commercial 56 (C56), Commercial 57 (C57), Commercial 58 (C58), Commercial 59 (C59), Commercial 60 (C60), Commercial 61 (C61), Commercial 62 (C62), Commercial 63 (C63), Commercial 64 (C64), Commercial 65 (C65), Commercial 66 (C66), Commercial 67 (C67), Commercial 68 (C68), Commercial 69 (C69), Commercial 70 (C70), Commercial 71 (C71), Commercial 72 (C72), Commercial 73 (C73), Commercial 74 (C74), Commercial 75 (C75), Commercial 76 (C76), Commercial 77 (C77), Commercial 78 (C78), Commercial 79 (C79), Commercial 80 (C80), Commercial 81 (C81), Commercial 82 (C82), Commercial 83 (C83), Commercial 84 (C84), Commercial 85 (C85), Commercial 86 (C86), Commercial 87 (C87), Commercial 88 (C88), Commercial 89 (C89), Commercial 90 (C90), Commercial 91 (C91), Commercial 92 (C92), Commercial 93 (C93), Commercial 94 (C94), Commercial 95 (C95), Commercial 96 (C96), Commercial 97 (C97), Commercial 98 (C98), Commercial 99 (C99), Commercial 100 (C100).

(g) The downtown commercial area, defined as the area bounded by the West Second Street and the West First Street on the north, Interstate 5 and the West Third and Third Street on the south, Interstate 5 and the West Fourth and Fourth Street on the north.

(h) Neighborhood commercial areas, defined as areas zoned as Neighborhood Commercial 1 (NC1), Neighborhood Commercial 2 (NC2), Commercial 1 (C1), Commercial 2 (C2), Commercial 3 (C3), Commercial 4 (C4), Commercial 5 (C5), Commercial 6 (C6), Commercial 7 (C7), Commercial 8 (C8), Commercial 9 (C9), Commercial 10 (C10), Commercial 11 (C11), Commercial 12 (C12), Commercial 13 (C13), Commercial 14 (C14), Commercial 15 (C15), Commercial 16 (C16), Commercial 17 (C17), Commercial 18 (C18), Commercial 19 (C19), Commercial 20 (C20), Commercial 21 (C21), Commercial 22 (C22), Commercial 23 (C23), Commercial 24 (C24), Commercial 25 (C25), Commercial 26 (C26), Commercial 27 (C27), Commercial 28 (C28), Commercial 29 (C29), Commercial 30 (C30), Commercial 31 (C31), Commercial 32 (C32), Commercial 33 (C33), Commercial 34 (C34), Commercial 35 (C35), Commercial 36 (C36), Commercial 37 (C37), Commercial 38 (C38), Commercial 39 (C39), Commercial 40 (C40), Commercial 41 (C41), Commercial 42 (C42), Commercial 43 (C43), Commercial 44 (C44), Commercial 45 (C45), Commercial 46 (C46), Commercial 47 (C47), Commercial 48 (C48), Commercial 49 (C49), Commercial 50 (C50), Commercial 51 (C51), Commercial 52 (C52), Commercial 53 (C53), Commercial 54 (C54), Commercial 55 (C55), Commercial 56 (C56), Commercial 57 (C57), Commercial 58 (C58), Commercial 59 (C59), Commercial 60 (C60), Commercial 61 (C61), Commercial 62 (C62), Commercial 63 (C63), Commercial 64 (C64), Commercial 65 (C65), Commercial 66 (C66), Commercial 67 (C67), Commercial 68 (C68), Commercial 69 (C69), Commercial 70 (C70), Commercial 71 (C71), Commercial 72 (C72), Commercial 73 (C73), Commercial 74 (C74), Commercial 75 (C75), Commercial 76 (C76), Commercial 77 (C77), Commercial 78 (C78), Commercial 79 (C79), Commercial 80 (C80), Commercial 81 (C81), Commercial 82 (C82), Commercial 83 (C83), Commercial 84 (C84), Commercial 85 (C85), Commercial 86 (C86), Commercial 87 (C87), Commercial 88 (C88), Commercial 89 (C89), Commercial 90 (C90), Commercial 91 (C91), Commercial 92 (C92), Commercial 93 (C93), Commercial 94 (C94), Commercial 95 (C95), Commercial 96 (C96), Commercial 97 (C97), Commercial 98 (C98), Commercial 99 (C99), Commercial 100 (C100).

(i) The downtown commercial area, defined as the area bounded by the West Second Street and the West First Street on the north, Interstate 5 and the West Third and Third Street on the south, Interstate 5 and the West Fourth and Fourth Street on the north.

(j) Neighborhood commercial areas, defined as areas zoned as Neighborhood Commercial 1 (NC1), Neighborhood Commercial 2 (NC2), Commercial 1 (C1), Commercial 2 (C2), Commercial 3 (C3), Commercial 4 (C4), Commercial 5 (C5), Commercial 6 (C6), Commercial 7 (C7), Commercial 8 (C8), Commercial 9 (C9), Commercial 10 (C10), Commercial 11 (C11), Commercial 12 (C12), Commercial 13 (C13), Commercial 14 (C14), Commercial 15 (C15), Commercial 16 (C16), Commercial 17 (C17), Commercial 18 (C18), Commercial 19 (C19), Commercial 20 (C20), Commercial 21 (C21), Commercial 22 (C22), Commercial 23 (C23), Commercial 24 (C24), Commercial 25 (C25), Commercial 26 (C26), Commercial 27 (C27), Commercial 28 (C28), Commercial 29 (C29), Commercial 30 (C30), Commercial 31 (C31), Commercial 32 (C32), Commercial 33 (C33), Commercial 34 (C34), Commercial 35 (C35), Commercial 36 (C36), Commercial 37 (C37), Commercial 38 (C38), Commercial 39 (C39), Commercial 40 (C40), Commercial 41 (C41), Commercial 42 (C42), Commercial 43 (C43), Commercial 44 (C44), Commercial 45 (C45), Commercial 46 (C46), Commercial 47 (C47), Commercial 48 (C48), Commercial 49 (C49), Commercial 50 (C50), Commercial 51 (C51), Commercial 52 (C52), Commercial 53 (C53), Commercial 54 (C54), Commercial 55 (C55), Commercial 56 (C56), Commercial 57 (C57), Commercial 58 (C58), Commercial 59 (C59), Commercial 60 (C60), Commercial 61 (C61), Commercial 62 (C62), Commercial 63 (C63), Commercial 64 (C64), Commercial 65 (C65), Commercial 66 (C66), Commercial 67 (C67), Commercial 68 (C68), Commercial 69 (C69), Commercial 70 (C70), Commercial 71 (C71), Commercial 72 (C72), Commercial 73 (C73), Commercial 74 (C74), Commercial 75 (C75), Commercial 76 (C76), Commercial 77 (C77), Commercial 78 (C78), Commercial 79 (C79), Commercial 80 (C80), Commercial 81 (C81), Commercial 82 (C82), Commercial 83 (C83), Commercial 84 (C84), Commercial 85 (C85), Commercial 86 (C86), Commercial 87 (C87), Commercial 88 (C88), Commercial 89 (C89), Commercial 90 (C90), Commercial 91 (C91), Commercial 92 (C92), Commercial 93 (C93), Commercial 94 (C94), Commercial 95 (C95), Commercial 96 (C96), Commercial 97 (C97), Commercial 98 (C98), Commercial 99 (C99), Commercial 100 (C100).

(k) The downtown commercial area, defined as the area bounded by the West Second Street and the West First Street on the north, Interstate 5 and the West Third and Third Street on the south, Interstate 5 and the West Fourth and Fourth Street on the north.

(l) Neighborhood commercial areas, defined as areas zoned as Neighborhood Commercial 1 (NC1), Neighborhood Commercial 2 (NC2), Commercial 1 (C1), Commercial 2 (C2), Commercial 3 (C3), Commercial 4 (C4), Commercial 5 (C5), Commercial 6 (C6), Commercial 7 (C7), Commercial 8 (C8), Commercial 9 (C9), Commercial 10 (C10), Commercial 11 (C11), Commercial 12 (C12), Commercial 13 (C13), Commercial 14 (C14), Commercial 15 (C15), Commercial 16 (C16), Commercial 17 (C17), Commercial 18 (C18), Commercial 19 (C19), Commercial 20 (C20), Commercial 21 (C21), Commercial 22 (C22), Commercial 23 (C23), Commercial 24 (C24), Commercial 25 (C25), Commercial 26 (C26), Commercial 27 (C27), Commercial 28 (C28), Commercial 29 (C29), Commercial 30 (C30), Commercial 31 (C31), Commercial 32 (C32), Commercial 33 (C33), Commercial 34 (C34), Commercial 35 (C35), Commercial 36 (C36), Commercial 37 (C37), Commercial 38 (C38), Commercial 39 (C39), Commercial 40 (C40), Commercial 41 (C41), Commercial 42 (C42), Commercial 43 (C43), Commercial 44 (C44), Commercial 45 (C45), Commercial 46 (C46), Commercial 47 (C47), Commercial 48 (C48), Commercial 49 (C49), Commercial 50 (C50), Commercial 51 (C51), Commercial 52 (C52), Commercial 53 (C53), Commercial 54 (C54), Commercial 55 (C55), Commercial 56 (C56), Commercial 57 (C57), Commercial 58 (C58), Commercial 59 (C59), Commercial 60 (C60), Commercial 61 (C61), Commercial 62 (C62), Commercial 63 (C63), Commercial 64 (C64), Commercial 65 (C65), Commercial 66 (C66), Commercial 67 (C67), Commercial 68 (C68), Commercial 69 (C69), Commercial 70 (C70), Commercial 71 (C71), Commercial 72 (C72), Commercial 73 (C73), Commercial 74 (C74), Commercial 75 (C75), Commercial 76 (C76), Commercial 77 (C77), Commercial 78 (C78), Commercial 79 (C79), Commercial 80 (C80), Commercial 81 (C81), Commercial 82 (C82), Commercial 83 (C83), Commercial 84 (C84), Commercial 85 (C85), Commercial 86 (C86), Commercial 87 (C87), Commercial 88 (C88), Commercial 89 (C89), Commercial 90 (C90), Commercial 91 (C91), Commercial 92 (C92), Commercial 93 (C93), Commercial 94 (C94), Commercial 95 (C95), Commercial 96 (C96), Commercial 97 (C97), Commercial 98 (C98), Commercial 99 (C99), Commercial 100 (C100).

(m) The downtown commercial area, defined as the area bounded by the West Second Street and the West First Street on the north, Interstate 5 and the West Third and Third Street on the south, Interstate 5 and the West Fourth and Fourth Street on the north.

(n) Neighborhood commercial areas, defined as areas zoned as Neighborhood Commercial 1 (NC1), Neighborhood Commercial 2 (NC2), Commercial 1 (C1), Commercial 2 (C2), Commercial 3 (C3), Commercial 4 (C4), Commercial 5 (C5), Commercial 6 (C6), Commercial 7 (C7), Commercial 8 (C8), Commercial 9 (C9), Commercial 10 (C10), Commercial 11 (C11), Commercial 12 (C12), Commercial 13 (C13), Commercial 14 (C14), Commercial 15 (C15), Commercial 16 (C16), Commercial 17 (C17), Commercial 18 (C18), Commercial 19 (C19), Commercial 20 (C20), Commercial 21 (C21), Commercial 22 (C22), Commercial 23 (C23), Commercial 24 (C24), Commercial 25 (C25), Commercial 26 (C26), Commercial 27 (C27), Commercial 28 (C28), Commercial 29 (C29), Commercial 30 (C30), Commercial 31 (C31), Commercial 32 (C32), Commercial 33 (C33), Commercial 34 (C34), Commercial 35 (C35), Commercial 36 (C36), Commercial 37 (C37), Commercial 38 (C38), Commercial 39 (C39), Commercial 40 (C40), Commercial 41 (C41), Commercial 42 (C42), Commercial 43 (C43), Commercial 44 (C44), Commercial 45 (C45), Commercial 46 (C46), Commercial 47 (C47), Commercial 48 (C48), Commercial 49 (C49), Commercial 50 (C50), Commercial 51 (C51), Commercial 52 (C52), Commercial 53 (C53), Commercial 54 (C54), Commercial 55 (C55), Commercial 56 (C56), Commercial 57 (C57), Commercial 58 (C58), Commercial 59 (C59), Commercial 60 (C60), Commercial 61 (C61), Commercial 62 (C62), Commercial 63 (C63), Commercial 64 (C64), Commercial 65 (C65), Commercial 66 (C66), Commercial 67 (C67), Commercial 68 (C68), Commercial 69 (C69), Commercial 70 (C70), Commercial 71 (C71), Commercial 72 (C72), Commercial 73 (C73), Commercial 74 (C74), Commercial 75 (C75), Commercial 76 (C76), Commercial 77 (C77), Commercial 78 (C78), Commercial 79 (C79), Commercial 80 (C80), Commercial 81 (C81), Commercial 82 (C82), Commercial 83 (C83), Commercial 84 (C84), Commercial 85 (C85), Commercial 86 (C86), Commercial 87 (C87), Commercial 88 (C88), Commercial 89 (C89), Commercial 90 (C90), Commercial 91 (C91), Commercial 92 (C92), Commercial 93 (C93), Commercial 94 (C94), Commercial 95 (C95), Commercial 96 (C96), Commercial 97 (C97), Commercial 98 (C98), Commercial 99 (C99), Commercial 100 (C100).

NOTICE TO THE PUBLIC... THE CITY OF SEATTLE... JIM STREET, Mayor... NORMAN B. RICE, Deputy Mayor... MARGARET CARTER, Deputy Clerk... Date of official publication in Daily Journal of Commerce, Seattle, May 10, 1964.

...in downtown and neighborhood commercial areas...
(b) The public welfare is promoted by economically healthy downtown and neighborhood commercial areas which attract people to shops, work and services...
(c) Pedestrians, particularly the elderly, disabled and vision-impaired, are put at increased risk when they must see and navigate around individuals sitting or lying on public sidewalks.

(d) The public welfare is promoted by economically healthy downtown and neighborhood commercial areas which attract people to shops, work and services...
(e) There are numerous other places within the downtown and neighborhood commercial areas where sitting or lying down can be accommodated without unduly interfering with the safe flow of pedestrian traffic...

Therefore, the limited regulation of sitting or lying down on sidewalks is both reasonably necessary and appropriate to properly balance the public interest and individual rights.

Section 2. Section 15.48.040 of the Seattle Municipal Code (Ordinance 116888, Section 2) is amended to read as follows:

15.48.040 Sitting or lying down on public sidewalks in downtown and neighborhood commercial zones.

A. Prohibition. No person, after having been notified by law enforcement officer that he or she is in violation of the prohibition in this section, shall sit or lie down upon a public sidewalk, or upon a blanket, chair, stool, or any other object placed upon a public sidewalk, during the hours between 7:00 a.m. and 7:00 p.m. in the following zone:

The downtown zone, defined as the area bounded by the Puget Sound waterfront on the west, Broadway Street on the south, Interstate 5 on the east, and Broad Street on the north.

2. Neighborhood commercial zones, defined as zones zoned as Pioneer Square Mixed (PSM), International District Mixed (IDM), Commercial 1 (C1), Commercial 2 (C2), Neighborhood Commercial 1 (NC1), Neighborhood Commercial 2 (NC2), Neighborhood Commercial 3 (NC3), and Neighborhood Commercial 4 (NC4).

B. Exceptions. The prohibition in subsection A shall not apply to any person:

- sitting or lying down on a public sidewalk for a medical emergency;
- who, as the result of a disability, is unable to use a wheelchair, walker, or similar device to move on a sidewalk;
- operating or participating in a commercial establishment conducted on the public sidewalk pursuant to a use permit, or a person participating in or attending a parade, festival, performance, rally, demonstration, meeting, or similar event conducted on the public sidewalk pursuant to a street use or other public event permit;