

ORDINANCE No. 117104

NR Law Department

COUNCIL BILL No. 110110

The City of Seattle

AN ORDINANCE relating to the crime of Pedestrian Interference, amending Section 12A.12.015 of the Seattle Municipal Code.

REPORT OF C

Honorable President:
Your Committee on

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

Walter Pado 3-0

Full Council vote 2-4

CONTROLLER FILE No. OK

Introduced: <u>APR 14 1991</u>	By: <u>PAGELER</u>
Referred: <u>APR 15 1991</u>	To: <u>PUBLIC SAFETY COMMITTEE</u>
Referred:	To:
Referred:	To:
Reported: <u>APR 25 1991</u>	Second Reading: <u>APR 25 1991</u>
Voted Reading: <u>APR 25 1991</u>	Signed: <u>APR 25 1991</u>
Presented to Mayor: <u>APR 26 1991</u>	Approved: <u>APR 27 1991</u>
Returned to City Clerk: <u>APR 28 1991</u>	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

04

NR Law Department

The City of Seattle--Legislative Department

Name of
Committee
Seattle

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:

4/21/94 Pass 3-0

Full Council vote 7-0

PAGELER

OK

PUBLIC SAFETY
COMMITTEE

Meeting:
APR 25 1994

APR 25 1994

APR 27 1994

Meeting:

Meeting:

Committee Chair

ORDINANCE 117104

1 AN ORDINANCE relating to the crime of Pedestrian Interference,
2 amending Section 12A.12.015 of the Seattle Municipal Code.

3 WHEREAS, on March 10, 1994, the U.S. District Court for the
4 Western District of Washington held that Ordinance 116897
was facially constitutional, but struck therefrom
subsection C of Section 12A.12.015 of the Seattle Municipal
Code; and

5 WHEREAS, the City wishes to conform its municipal code to the
6 ruling by the federal district court; NOW THEREFORE,

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

8 Section 1. Section 12A.12.015 of the Seattle Municipal
9 Code (Ordinance 113697, Section 1, as last amended by Ordinance
10 116897, Section 1) is further amended as follows:

11 **12A.12.015 Pedestrian interference.**

12 A. The following definitions apply in this section:

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

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

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

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

27 5. "Public place" means an area generally visible to
28 public view and includes alleys, bridges, buildings, driveways,
parking lots, parks, plazas, sidewalks and streets open to the

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1 general public, including those that serve food or drink or
2 provide entertainment, and the doorways and entrances to
3 buildings or dwellings and the grounds enclosing them.

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

- 6 1. Obstructs pedestrian or vehicular traffic; or
- 7 2. Aggressively begs.

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

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

19 ((D-)) C. Pedestrian interference is a misdemeanor.

20 Section 2. The provisions of this ordinance are declared
21 to be separate and severable. The invalidity of any clause,
22 sentence, paragraph, subdivision, section or portion of this
23 ordinance, or the invalidity of the application thereof to any
24 person or circumstance shall not affect the validity of the
25 remainder of this ordinance, or the validity of its application
26 to other persons or circumstances.

27 Section 3. This ordinance shall take effect and be in
28 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.

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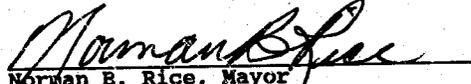
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Passed by the City Council the 25 day of April,
1994, and signed by me in open session in authentication of its
passage this 25 day of April 1994.



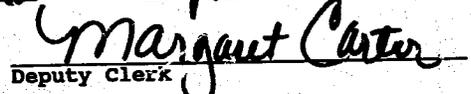
President of the City Council

Approved by me this 27 day of April, 1994.



Norman B. Rice, Mayor

Filed by me this 28 day of April, 1994.



Deputy Clerk

(SEAL)
Published _____

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TIME AND DATE STAMP

SPONSORSHIP

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

Margaret Pappas

_____	_____
_____	_____
_____	_____
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_____	_____

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE

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STATE OF WASHINGTON - KING COUNTY

42977
CITY OF SEATTLE, King County, Washington

-s.

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: 117104

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.

[Handwritten signature]

Subscribed and sworn to before me on
05/10/94

[Handwritten signature]

Notary Public for the State of Washington,
residing in Seattle

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