

ORDINANCE No. 118713

COUNCIL BILL No. 111856

PC

INDEXED

The City of

AN ORDINANCE relating to regulations for panoram facilities, amending Sections 6.42.110 and 6.42.130 of the Seattle Municipal Code, and revising regulations for panoram facilities.

Honorable President:

Your Committee on _____

to which was referred the within Council report that we have considered the same

COMPTROLLER FILE No. _____

| | |
|--------------------------------------|-----------------------------------|
| Introduced: AUG 2 5 1997 | By: NOLAND |
| Referred: AUG 2 5 1997 | To: PUBLIC SAFETY COMMITTEE |
| Referred: | To: |
| Referred: | To: |
| Reported: | Second Reading: |
| Third Reading: SEP - 2 1997 | Signed: SEP - 2 1997 |
| Presented to Mayor: SEP - 2 1997 | Approved: SEP - 4 1997 |
| Returned to City Clerk: SEP - 4 1997 | Published: <i>full 5pg.</i> |
| Vetoed by Mayor: | Veto Published: |
| Passed over Veto: | Veto Sustained: |

Passed Public
9/2/97 Full Co

NO DISK

The City of Seattle--Legislative Department

Date Reported
and Adopted

REPORT OF COMMITTEE

President:

Committee on _____

was referred the within Council Bill No. _____

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

Passed Public Safety 3-0

9/2/97 Full Council Action: Passed 8-0

(excused: choe)

Committee Chair

ORDINANCE 118713

1
2 AN ORDINANCE relating to regulations for panoram facilities, amending Sections 6.42.110 and
3 6.42.130 of the Seattle Municipal Code, and revising regulations for panoram facilities.

4 WHEREAS, because unprotected sexual activities in public places can contribute to public health
5 hazards and because information shows that such activities occur in facilities operating in
6 compliance with current regulations;

7 WHEREAS, the proposed regulations will contribute to reducing the conditions that create public health
8 hazards without restricting the content of material displayed in panorams, it is in the public
9 interest to further regulate the layout and construction of panoram facilities and the monitoring of
10 activities in panoram facilities;

11 WHEREAS, because the current layout and construction of panoram facilities and the current
12 monitoring of activities in panoram booths provide an opportunity for unlawful activity, it is in
13 the public interest to further regulate the layout, construction and monitoring of panoram
14 facilities; and

15 WHEREAS, the City Council wishes to clarify the definition of illegal activity in panoram booths; and
16 Now Therefore,

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

18 Section 1. Section 6.42.110 of the Seattle Municipal Code is amended to read as follows:

19 SMC 6.42.110 Specifications of premises.

20 A. Aisle Width. Except as provided in subsection D of this section pertaining to premises
21 having a preexisting nonconforming aisle width, the interior of the panoram or peepshow premises shall
22 be arranged in such a manner so that each booth or stall therein is entered from a continuous main aisle
23 at least six feet (6') in width.

24 B. View of Interior. The view from the continuous main aisle of any person area inside a
booth or stall shall not be obstructed except by a door, curtain or other screening device of no greater
dimensions than that permitted in this section; and in no event may the view from the continuous main

1 aisle into the booth or stall be obstructed, or the booth or stall be designed, in such a way as to prevent
2 the determination of the number of persons therein.

3 C. Line of Sight. A line of sight unobstructed by any door, curtain or other screening device
4 shall be provided from a point beginning sixty inches (60") in front of any sixty six inches (66") above
5 the center of the entrance to the booth or stall, to a line two inches (2") above the entire bottom of the
6 back wall of the booth or stall.

7 D. Line of Sight—Preexisting Aisle Widths. Premises having any continuous main aisle less
8 than six feet (6') in width as of June 1, 1986, but which is in compliance with applicable Seattle
9 Building Code requirements and specifications as of that date for such aisle, may comply with the
10 minimum aisle width and line of sight requirements in subsection C of this section by providing an
11 unobstructed line of sight from a point beginning twelve inches (12") out from the aisle wall directly
12 across from the center of the entrance to the booth or stall and sixty-six inches (66") above the aisle
13 floor, to a line two inches (2") above the entire bottom of the back wall of the booth or stall.

14 E. Booth Doors—Minimum Height From Floor. In addition to providing an unobstructed line
15 of sight as required by subsections C and D of this section, the bottom of any door, curtain or screening
16 device shall be not less than twenty-four inches (24") above the floor of the panoram booth or stall.

17 F. Seating. No panoram booth or stall having a door, curtain or other screening device at its
18 entrance shall contain any chair or other seating surface unless the door, curtain or screening device has,
19 at a location between sixty six inches (66") and seventy-eight inches (78") above the floor, an opening
20 twelve inches (12") in height and at least twenty-four inches (24") in width which provides an
21 unobstructed view through either open space or clear and clean window glass, to the side walls and back
22 wall of the booth or stall. Any chair or seating surface in such panoram booth or stall shall not provide a
23
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1 seating surface more than eighteen inches (18") in either length or width and shall not be higher than the
2 bottom of the door, curtain or other screening device. The cumulative width of the legs or support for
3 each such chair or seating surface shall not obstruct more than five (5) horizontal inches of the sight line
4 required by subsections C and D of this section and there shall be no more than one (1) such chair or
5 seating device in any panoram booth or stall.

6 G. Floors. The entire floor area of a panoram booth or stall must be level with the continuous
7 main aisle. No steps or risers are allowed in any such booth or stall.

8 H. Locked Doors. The licensee shall not permit any doors to public areas on the premises to be
9 locked during business hours.

10 I. Illumination. The licensee shall maintain illumination generally distributed in all parts of the
11 premises available for use by the public, in compliance with the Seattle Building Code, at all times when
12 the panoram is open or when any member of the public is permitted to enter and remain therein.
13 Illumination within each panoram booth or stall must be sufficient to allow the determination of the
14 number of persons therein by viewing from a continuous main aisle as provided in subsections C, D and
15 F of this section.

16 J. Signs. The licensee shall permanently post and maintain on the interior and exterior of each
17 booth or stall on the panoram premises a sign stating:

18 Occupancy of this booth is at all times limited to only one person.
19 Violators are subject to criminal prosecution under Seattle Municipal Code
20 6.42.130.

21 Each sign shall be conspicuously posted. The letters and numerals shall be on a contrasting background
22 and be no smaller than three-fourths inch (3/4") in height.
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1 K. Warning Devices. The licensee shall not operate or maintain any warning system or device,
2 of any nature or kind, for the purpose of warning customers or patrons or any other persons occupying
3 panoram booths or stalls located on the licensee's premises that police officers or City health, fire,
4 licensing or building inspectors are approaching or have entered the licensee's premises.

5 L. Ventilation and Other Holes. All ventilation devices between booths and stalls must be
6 covered by a permanently affixed ventilation cover. Ventilation holes may be located only within one
7 foot from the top of the wall of the panoram booth or stall or within one foot from the bottom of the
8 walls of the booth or stall. The licensee shall not permit any other holes or openings between the booths
9 or stalls.

10 Section 2. Section 6.42.130 of the Seattle Municipal Code is amended to read as follows:

11 SMC 6.42.130 Unlawful acts.

12 A. A panoram booth or stall subject to the requirements of this chapter may only be occupied by
13 one (1) person at any one time. It is unlawful for any person to occupy such a booth or stall at the same
14 time it is occupied by any other person. The meaning of the word "occupy" shall include the presence of
15 the person, or the insertion of any part of his or her body or any instrument held by him or her.

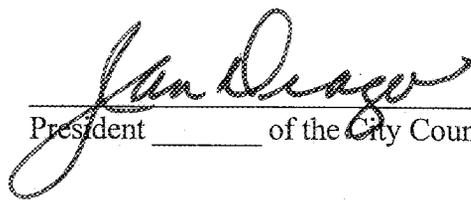
16 B. It is unlawful to stand or kneel on any chair or seating surface in a panoram booth or stall.

17 C. It is unlawful for any owner, operator, manager, employee or other person in charge of
18 premises for which a panoram location license is required, to warn, or aid and abet the warning of,
19 customers or patrons or any other persons occupying panoram booths or stalls located on the licensee's
20 premises that police officers or city health, fire, licensing or building inspectors are approaching or have
21 entered the licensee's premises.

1 Section 3. The provisions of this ordinance are declared to be separate and severable. The
2 invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the
3 invalidity of the application thereof to any person or circumstance, shall not affect the validity of the
4 remainder of this ordinance, or the validity of its application to other persons or circumstances.

5 Section 4. This ordinance shall take effect and be in force thirty (30) days from and after its
6 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after
7 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

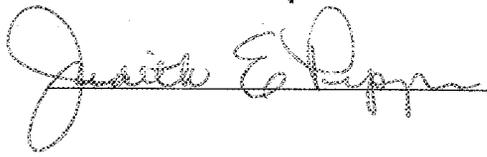
8 Passed by the City Council the 2nd day of September 1997, and signed by me in
9 open session in authentication of its passage this 2nd day of September, 1997.

10
11 
12 _____
13 President _____ of the City Council

14 Approved by me this 4th day of September, 1997.

15 
16 _____
17 Mayor

18 Filed by me this 4 day of September, 1997.

19 
20 _____
21 City Clerk

22 (Seal)

ORDINANCE _____

AN ORDINANCE relating to regulations for panoram facilities, amending Sections 6.42.110 and 6.42.130 of the Seattle Municipal Code, and revising regulations for panoram facilities

WHEREAS, because unprotected sexual activities in public places can contribute to public health hazards and because information shows that such activities occur in facilities operating in compliance with current regulations;

WHEREAS, the proposed regulations will contribute to reducing the conditions that create public health hazards without restricting the content of material displayed in panorams, it is in the public interest to further regulate the layout and construction of panoram facilities and the monitoring of activities in panoram facilities;

WHEREAS, because the current lay out and construction of panoram facilities and the current monitoring of activities in panoram booths provide an opportunity for unlawful activity, it is in the public interest to further regulate the layout, construction and monitoring of panoram facilities; and

WHEREAS, the City Council wishes to clarify the definition of illegal activity in panoram booths.

NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 6.42.110 of the Seattle Municipal Code is amended to read as follows:

SMC 6.42.110 Specifications of premises.

A. Interior configuration. Except as provided in subsection C of this section, pertaining to premises having a pre-existing nonconforming configuration, the interior of panoram premises shall be arranged in such a manner so that each booth or stall therein is open to an adjacent public room and so that the area inside the booth or stall is visible by direct line of sight to persons in the adjacent public room.

1 B. Employees. Except as provided in subsection C of this section, there must be at least one employee
2 on duty and situated in the public room adjacent to the panoram booths or stalls at all times that any
3 patron, member, or customer is present inside the booth, stalls, or public room adjacent to them.

4 C. Pre-existing nonconforming configuration.

5 1. Premises in operation under valid panoram licenses at the time this ordinance becomes
6 effective and also in compliance with subsection A of S.M.C. 6.42.110, requiring Aisle Width. Except as
7 provided in subsection D of this section pertaining to premises having a preexisting noneonforming aisle
8 width, the interior of the panoram or peepshow premises shall to be arranged in such a manner so that
9 each booth or stall therein is entered from a continuous main aisle at least six feet (6') in width, may
10 remain in compliance with that provision until December 31, 1997, after which time it shall comply with
11 subsections A and B of this section.

12 2. Premises in operation under valid panoram licenses at the time this ordinance becomes
13 effective and also in compliance with subsection D of S.M.C. 6.42.110 prior to its amendment by this
14 ordinance, authorizing the operation of premises having any continuous main aisle width less than six
15 feet (6') in width as of June 1, 1986, but which is in compliance with applicable Seattle Building Code
16 requirements as of that date for such aisle, may remain in compliance with that provision until December
17 31, 1997, after which time it shall comply with subsections A and B of this section.

18 BD. View of Interior. The unobstructed view into the panoram booths or stalls from the adjacent public
19 room, or from the continuous main aisle of premises operating under subsection C, by direct line of sight
20 shall be maintained at all times. The view from the adjacent public room, or from the continuous main
21 aisle of premises operating under subsection C, of any person the area inside a panoram booth or stall
22 shall not be obstructed except by a door, curtain, merchandise, display rack or other screening device of

1 no greater dimensions than that permitted in this section; and in no event may the view from the
2 continuous main aisle into the booth or stall be obstructed, nor shall the booth or stall be designed, in
3 such a way as to prevent the determination of the number of persons view of the area therein.

4 ~~C. Line of Sight. A line of sight unobstructed by any door, curtain or other screening device shall be~~
5 ~~provided from a point beginning sixty inches (60") in front of and sixty-six inches (66") above the center~~
6 ~~of the entrance to the booth or stall, to a line two inches (2") above the entire bottom of the back wall of~~
7 ~~the booth or stall.~~

8 ~~D. Line of Sight Preexisting Aisle Widths. Premises having any continuous main aisle less than six feet~~
9 ~~(6') in width as of June 1, 1986, but which is in compliance with applicable Seattle Building Code~~
10 ~~requirements and specifications as of that date for such aisle, may comply with the minimum aisle width~~
11 ~~and line of sight requirements in subsection C of this section by providing an unobstructed line of sight~~
12 ~~from a point beginning twelve inches (12") out from the aisle wall directly across from the center of the~~
13 ~~entrance to the booth or stall and sixty-six inches (66") above the aisle floor, to a line two inches (2")~~
14 ~~above the entire bottom of the back wall of the booth or stall.~~

15 ~~E. Booth Doors Minimum Height From Floor. In addition to providing an unobstructed line of sight as~~
16 ~~required by subsections C and D of this section, the bottom of any door, curtain or screening device shall~~
17 ~~be not less than twenty-four inches (24") above the floor of the panoram booth or stall.~~

18 ~~F. Seating. No panoram booth or stall having a door, curtain or other screening device at its entrance~~
19 ~~shall contain any chair or other seating surface unless the door, curtain or screening device has, at a~~
20 ~~location between sixty-six inches (66") and seventy-eight inches (78") above the floor, an opening~~
21 ~~twelve inches (12") in height and at least twenty-four inches (24") in width which provides an~~
22 ~~unobstructed view through either open space or clear and clean window glass, to the side walls and back~~

1 wall of the booth or stall. Any chair or seating surface in such panoram booth or stall shall not provide a
2 seating surface more than eighteen inches (18") in either length or width and shall not be higher than the
3 bottom of the door, curtain or other screening device. The cumulative width of the legs or support for
4 each such chair or seating surface shall not obstruct more than five (5) horizontal inches of the sight line
5 required by subsections C and D of this section and there shall be no more than one (1) such chair or
6 seating device in any panoram booth or stall.

7 GE. Floors. The entire floor area of a panoram booth or stall must be level with the public room
8 adjacent to the panoram booth or stall or with the continuous main aisle for premises operating under
9 subsection C. No steps or risers are allowed in any such booth or stall.

10 F. Ventilation and Other Holes. All ventilation devices between booths and stalls must be covered by a
11 permanently affixed ventilation cover. Ventilation holes may be located only one foot from the top of
12 the wall of the panoram booth or stall or one foot from the bottom of the walls of the booth or stall. The
13 licensee shall not permit any other holes or openings between the booths or stalls.

14 HG. Locked Doors. The licensee shall not permit any doors to public areas on the premises to be
15 locked during business hours.

16 IH. Illumination. The licensee shall maintain illumination generally distributed in all parts of the
17 premises available for use by the public, in compliance with the Seattle Building Code, at all times when
18 the panoram is open or when any member of the public is permitted to enter and remain therein.

19 Illumination within each panoram booth or stall must be sufficient to allow the determination of the
20 number of persons therein by viewing from the adjacent public room required by subsection A, or from
21 a continuous main aisle as provided in subsections C, D and F of this section.

22 IJ. Signs. The licensee shall permanently post and maintain on the interior and exterior of each booth or
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1 patrons or any other persons occupying panoram booths or stalls located on the licensee's premises that
2 police officers or city health, fire, licensing or building inspectors are approaching or have entered the
3 licensee's premises. (Ord. 112900 § 7(part), 1986.)

4 Section 3. The provisions of this ordinance are declared to be separate and severable. The
5 invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the
6 invalidity of the application thereof to any person or circumstance, shall not affect the validity of the
7 remainder of this ordinance, or the validity of its application to other persons or circumstances.

8 Section 4. This ordinance shall take effect and be in force thirty (30) days from and after its
9 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after
10 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

11 Passed by the City Council the _____ day of _____, 1997~~1997~~, and signed by me in open
12 session in authentication of its passage this _____ day of _____, 1997~~1997~~.

13
14 _____
15 President _____ of the City Council

16 Approved by me this _____ day of _____, 1997.

17 _____
18 Mayor

19 Filed by me this _____ day of _____, 1997.

20 _____
21 City Clerk

22 (Seal)

23

24

1 stall on the panoram premises a sign stating:

2
3 Occupancy of this booth is at all times limited to only one
4 person. Violators are subject to criminal prosecution under Seattle Municipal Code 6.42.130.

5
6 Each sign shall be conspicuously posted. The letters and numerals shall be on a contrasting background
7 and be no smaller than three-fourths inch (3/4") in height.

8 ~~JK.~~ Warning Devices. The licensee shall not operate or maintain any warning system or device, of any
9 nature or kind, for the purpose of warning customers or patrons or any other persons occupying panoram
10 booths or stalls located on the licensee's premises that police officers or City health, fire, licensing or
11 building inspectors are approaching or have entered the licensee's premises.

12 Section 2. Section 6.42.130 of the Seattle Municipal Code is amended to read as follows:

13
14 SMC 6.42.130 Unlawful acts.

15 A. A panoram booth or stall subject to the requirements of this chapter may only be occupied by one
16 (1) person at any one time. It is unlawful for any person to occupy such a booth or stall at the same time
17 it is occupied by any other person. Occupy shall include the presence of the person, or the insertion of
18 any part of his or her body or any instrument held by him or her.

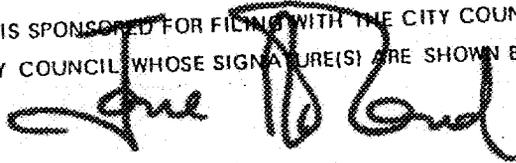
19 B. It is unlawful to stand or kneel on any chair or seating surface in a panoram booth or stall.

20 C. It is unlawful for any owner, operator, manager, employee or other person in charge of premises for
21 which a panoram location license is required, to warn, or aid and abet the warning of, customers or
22
23
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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 WHOSE SIGNATURE(S) ARE SHOWN BELOW:



| | |
|-------|-------|
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| _____ | _____ |

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE

3. C.B. —

AN ORDINANCE relating to regulations for panoram facilities, amending Sections 6.42.110 and 6.42.130 of the Seattle Municipal Code, and revising regulations for panoram facilities.

DISCUSSION
AND VOTE

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:

June B. Bond

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE

STATE OF WASHINGTON - KING COUNTY

84719
City of Seattle, City Clerk

—ss.

No. ORDINANCE IN

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period, The annexed notice, a

CT:ORD 118713

was published on

09/10/97

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

R. Patterson
Subscribed and sworn to before me on
09/10/97
McClintock
Notary Public for the State of Washington,
residing in Seattle

City of Seattle

ORDINANCE 118713

AN ORDINANCE relating to regulations for panoram facilities amending Sections 6.42.110 and 6.42.130 of the Seattle Municipal Code, and adding regulations for panoram facilities.

WHEREAS, because unprotected sexual activities in public places can contribute to public health hazards and because information shows that such activities occur in facilities operating in compliance with current regulations;

WHEREAS, the proposed regulations will contribute to reducing the conditions that create public health hazards without ANY INSTRUMENTAL HAZARDS;

B. It is unlawful to stand or kneel on any chair or seating surface in a panoram booth or stall.

C. It is unlawful for any owner, operator, manager, employee or other person in charge of premises for which a panoram location license is required, to warn, or aid and abet the warning of, customers or patrons or any other persons occupying panoram booths or stalls located on the licensee's premises that police officers or city health, fire, licensing or building inspectors are approaching or have entered the licensee's premises.

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

Passed by the City Council the 2nd day of September, 1997, and signed by me in open session in authentication of its passage this 2nd day of September, 1997.

JAN DRAGO
President of the City Council
Approved by me this 4th day of September, 1997.

NORMAN B. RICE,
Mayor
Filed by me this 4th day of September, 1997.

JUDITH E. PIPPIN,
City Clerk
Publication ordered by JUDITH PIPPIN, City Clerk.

Date of official publication in Daily Journal of Commerce, Seattle, September 9, 1997.
2/1084738

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