

MEMO

Date: August 1, 2012

To: Councilmember Bruce Harrell

From: The City's Code Compliance Policy Team: James Keblas, Denise Movius, Carl Marquardt, Michele Scoleri, Deputy Chief Nick Metz, John Schochet and Bill Reddy

Re: Seattle Nightlife Initiative - Update

This memorandum provides background and a progress-to-date report on the City's efforts to ensure Seattle has a safe and vibrant nighttime economy.

Background:

The Seattle Nightlife Initiative is a comprehensive approach to managing Seattle's nighttime economy. Its three critical goals are increasing public safety, growing the local economy and improving urban vibrancy.

The Seattle Nightlife Initiative arises as a new approach to an age-old issue in Seattle. It aims to ensure that neighborhoods are livable, support a vibrant nightlife industry and leverage the economic contributions that nightlife brings to the city. This initiative sets out to develop a proactive and strategic approach to managing areas of nighttime activity in order to reduce antisocial behavior, noise, public disturbances and other problems.

It emphasizes integrated action across local policies and activities, reducing costs and allowing for responsible growth in the nighttime economy. This plan envisions a full suite of actions that together provide a balanced approach: they require nightlife establishments, patrons, the City and residents all to play a role in creating and supporting a safe and vibrant nightlife within Seattle. The components of the plan work together, and each is necessary for the success of this effort.

While making public safety the highest priority, we will take advantage of the economic and social rewards nighttime businesses bring in making Seattle a destination city. The City can use its resources to facilitate cooperation among stakeholders and strive for economic, employment and social benefits, while minimizing public-safety risks and other problems for urban residents.

The priorities of the Seattle Nightlife Initiative include:

- 1. Code compliance enforcement**
- 2. Professional development**
- 3. Precinct community outreach**
- 4. Security training requirements**
- 5. Noise ordinance enforcement**
- 6. Late-night transportation alternatives**
- 7. Targeting public nuisances**
- 8. Flexible liquor service hours**

Work to Date:

The City has completed seven of its proactive and strategic steps to manage areas of nighttime activity. Areas for highlighting include: police training for all security personnel in nightclubs; a nuisance ordinance that allows police to issue a civil citation for disorderly behavior; a code compliance team to coordinate communication among key agencies; a new amplified noise standard, with escalating penalties for non-compliance; a prepaid parking program, which allows nightlife patrons to leave their cars parked on city streets until 10 a.m. the next morning; extended public transit with a circulator route among neighborhoods; a campaign to increase awareness of taxi availability through designating more taxi-zones in parts of the city with concentrated nightlife destinations; and using the comprehensive efforts of the CCT to get 87% of businesses back into compliance.

Seattle is in the forefront of many cities in coordinating resources to meet these needs as its neighborhoods evolve, integrating the services of code compliance agencies, business district development organizations and neighborhood networks. The transition of 9-5 institutional work hours and accompanying systems to a 24/7 global economy has begun across North America and Seattle is embracing this transition to make the city a more attractive place to live, work, study and play.

Nightlife Code Compliance Team (CCT)

2011 and YTD 2012 Report

Background

The City established a Joint Enforcement Team (JET) to provide a framework for nightlife enforcement and regulatory assistance by a number of different city, county, state departments and agencies. To accord with new initiatives the name of the team was changed in 2011 to Code Compliance Team (CCT). A Policy Team oversees the work of the CCT and provides policy and program guidance. These teams were established to ensure proper coordination among departments and agencies and to provide comprehensive regulatory and enforcement tools to address the complex issues surrounding nightlife.

The CCT meets every month to discuss nightlife activity including street food vending, enforcement actions and to develop recommendations for the Policy Team to consider. The Policy Team meets once a month and tracks trends and developments, and makes recommendations regarding new city policies such as noise and sound ordinances, density, zoning, food service, new licensing programs, deployment, definitions, etc.

CCT Activities

The Office of Economic Development (OED) has available a Nightlife Technical Assistance Program and a handbook designed to 1) assist nightlife establishment owners navigate and understand government rules and regulations by clearly laying out what is expected of them, 2) providing access to the resources, tools and training opportunities to maintain compliance, and 3) describing the consequences and penalties for falling out of compliance. The business assistance office also helps coordinate technical assistance meetings with business owners and relevant City departments to address various issues related to nightlife

SPD and OED have been promoting SPD's Security Training Program for Nightlife Employees. SPD made some minor changes to their Security Training for Nightlife Employees. These changes allowed a reduction in the minimum class size resulting in less class cancelations. In 2011, 27 employees completed the training program. Year to date for 2012, 75 nightlife employees have undertaken the training. A total of 548 persons have been trained since the start of the project. Feedback from the nightclub community about the training is very positive.

Nightlife noise complaints rose from 409 in 2010 to 464 in 2011, an increase of 22%. Noise complaints are included within the figures provided below.

2011 CCT Enforcement Report

For 2011, there were 1,506 on premise (meaning permitted to sell and consume alcohol on site), liquor licensed establishments in the City of Seattle. This is a reduction from 1,766 in 2010 and to slightly above parity with 2009 at 1,497.

For year 2011, 200 establishments had non-compliance* issues addressed. This number is very close to 2010 of 208 establishments.

194 (or 97%) of the 200 businesses have worked with CCT members to bring to resolution their non-compliance issues. 6 establishments remained the focus of CCT attention at the end of 2011.

	Liquor License Establishments with Violations		
Precinct	Establishments Out of Compliance	Back In Compliance	In Progress
East	38	37	1
North	73	72	1
South	20	17	3
Southwest	19	19	0
West	50	49	1
Totals	200	194	6

2012 Year to Date CCT Enforcement Report

2012, year to date, 72 establishments (or 87%) of the 82 businesses have worked with CCT members to bring to resolution their non-compliance issues. 10 establishments remain the focus of CCT attention.

There have been 158 nighttime noise incidents year to date. The majority of establishments correct their noise issue cooperatively. However, a small number of establishments have intractable noise issues that cause a large number of complaints.

	2012 YTD		
Precinct	Establishments Out of Compliance	Back In Compliance	In Progress
East	18	17	1
North	29	27	2
South	12	9	3
Southwest	3	3	0
West	20	17	3
YTD Totals	82	72	10

“Non-compliance” is defined as nighttime operating establishments that violate issues of: public safety attributable to the establishment, legal violations of health, noise, licensing, taxing or permitting. A business is deemed to be back in compliance when the violating establishment has returned to operating in a legal manner for four continuous weeks.