

**CITY OF SEATTLE**  
**ORDINANCE \_\_\_\_\_**

COUNCIL BILL \_\_\_\_\_

AN ORDINANCE related to the regulation of watercraft noise on Seattle waterways; amending by adding a section to 25.08.485 of the Seattle Municipal Code to authorize the Seattle Police Department to regulate noise from audio systems.

WHEREAS, every year in the summer months residents call the Seattle Police Department to report excessive noise that results from watercraft operated on Seattle waterways; and

WHEREAS, Section 25.08.485 of the Seattle Municipal Code only addresses the operation of watercraft and engine noise, not noise that results from audio equipment intended to amplify music and sound on watercraft; and

WHEREAS, SMC 25.08.485 requires a specific noise meter reading before enforcement action may be taken against excessive noise from the operation of watercraft, unlike the automobile counterpart section in SMC 25.08.515; and

WHEREAS, there is currently no effective way for Seattle Police Harbor Patrol to regulate noise that results from audio equipment on watercraft operated on Seattle waterways; and

WHEREAS, implementing a clearly audible ordinance for watercraft noise will streamline enforcement of audio systems and allow Seattle Police Department to effectively regulate excessive noise violations; NOW, THEREFORE,

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

Section 1. Section 25.08.485 of the Seattle Municipal Code, last amended by Ordinance 122923, is amended as follows:

A. It is unlawful for any person to negligently cause, make or allow to be made from audio equipment under such person's control or ownership sound from a watercraft that can be clearly heard by a person of normal hearing at a distance of three hundred (300) feet or more from the watercraft itself.

1           B. It is unlawful for any person to operate any watercraft in such a manner as to exceed  
2 the following exterior sound level limits when measured within 50 feet of the shoreline or  
3 anywhere within a receiving property:

4                   1. At any hour of the day or night, the limit for any receiving property is 74  
5 dB(A), except that;

6                   2. Between 10 p.m. and 7 a.m. the limit for any receiving property within a  
7 residential district is 64 dB(A).

8           ~~((B))~~C. It is unlawful for any person to operate any watercraft, except aircraft, that is not  
9 equipped with a functioning underwater exhaust or a properly installed and adequately  
10 maintained muffler. Any of the following defects in the muffling system is a violation of this  
11 subsection:

- 12                   1. The absence of a muffler;
- 13                   2. The presence of a muffler cutout, bypass, or similar device that is not standard  
14 or normal equipment for the exhaust system being inspected;
- 15                   3. Defects in the exhaust system including, but not limited to, pinched outlets,  
16 holes, or rusted-through areas of the muffler or pipes; and
- 17                   4. The presence of equipment that will produce excessive or unusual noise from  
18 the exhaust system. Dry stacks or water-injected stacks not containing a series of chambers or  
19 mechanical designs effective in reducing sound shall not be considered as adequately maintained  
20 mufflers.

21           ~~((C))~~D. The following exemptions apply to sounds created by watercraft or watercraft  
22 operations:

23                   1. Normal docking, undocking, and water skier pick-up and drop-off operations  
24 of all watercraft are exempt from the provisions in subsection 25.08.485.~~((A))~~ B;

25                   2. Sounds created by the operation of commercial, nonrecreational watercraft are  
26 exempt at all times from provisions of this chapter. These commercial activities include, but are  
27

1 not limited to, tugboats, fishing boats, ferries, and vessels engaged in intrastate, interstate, or  
2 international commerce;

3 3. Sounds created by boat races and regattas, and trials sanctioned by the Chief of  
4 Police acting as Port Warden pursuant to Section [16.20.160](#) as amended, are exempt from  
5 provisions in this section and in this chapter between the hours of 7 a.m. and 10 p.m. on  
6 weekdays and between the hours of 9 a.m. and 10 p.m. on weekends and legal holidays.

7 4. Sounds created by authorized watercraft participating in city sanctioned or  
8 permitted events.

9 5. Sounds created by vocal narration during a sightseeing tour.

10 ((D))E. Nothing in this section shall be construed to limit the powers of the Chief of  
11 Police enumerated in Section 16.12.010

12 Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2013, and  
13 signed by me in open session in authentication of its passage this  
14 \_\_\_\_ day of \_\_\_\_\_, 2013.

15 \_\_\_\_\_  
16 \_\_\_\_\_  
17 President \_\_\_\_\_ of the City Council

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19 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2013.

20 \_\_\_\_\_  
21 \_\_\_\_\_  
22 Michael McGinn, Mayor

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24 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2013.

Monica Martinez Simmons, City Clerk

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