



SEATTLE CITY COUNCIL

Legislative Summary

CB 119277

Record No.: CB 119277

Type: Ordinance (Ord)

Status: Passed

Version: 2

Ord. no: Ord 125602

In Control: City Clerk

File Created: 06/05/2018

Final Action: 06/22/2018

Title: AN ORDINANCE relating to noise control; establishing an alternative enforcement 75-foot standard for determining excessive vehicle noise; and amending Section 25.08.430 of the Seattle Municipal Code.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Herbold

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: patrick.wigren@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Clerk	06/05/2018	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	06/06/2018	sent for review	Gender Equity, Safe Communities, New Americans, and Education Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Gender Equity, Safe Communities, New Americans, and Education Committee						
	Notes:						

- | | | | | | |
|---|---|------------|------------------------------------|--|------|
| 1 | City Council | 06/11/2018 | referred | Gender Equity,
Safe
Communities,
New Americans,
and Education
Committee | |
| | <p>Action Text: The Council Bill (CB) was referred. to the Gender Equity, Safe Communities, New Americans, and Education Committee</p> <p>Notes:</p> | | | | |
| 1 | Gender Equity, Safe
Communities, New
Americans, and
Education Committee | 06/13/2018 | pass | | Pass |
| | <p>Action Text: The Committee recommends that City Council pass the Council Bill (CB).</p> <p>In Favor: 4 Chair González , Vice Chair Mosqueda, Member Johnson, Herbold</p> <p>Opposed: 0</p> | | | | |
| 1 | City Council | 06/18/2018 | passed as
amended | | Pass |
| | <p>Action Text: The Motion carried, the Council Bill (CB) was passed as amended by the following vote, and the President signed the Bill:</p> <p>Notes: <u>ACTION 1:</u></p> <p>Motion was made by Councilmember Mosqueda, duly seconded and carried, to amend Council Bill 119277, by adding a new Section 2, as shown in the underlined language below, and renumbering the remaining sections accordingly:</p> <p><u>Section 2. The Seattle Police Department shall report to the City Council on the locations of citations, demographic information regarding citations, and disposition of citations. Reporting shall occur on at least a quarterly basis to the Chair and membership of the committee with oversight of public safety, beginning no later than January 31, 2019.</u></p> <p><u>ACTION 2:</u></p> <p>Motion was made and duly seconded to pass Council Bill 119277 as amended.</p> <p>In Favor: 8 Councilmember Bagshaw, Councilmember González , Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember Mosqueda, Councilmember O'Brien</p> <p>Opposed: 1 Councilmember Sawant</p> | | | | |
| 2 | City Clerk | 06/20/2018 | submitted for
Mayor's signature | Mayor | |
| 2 | Mayor | 06/22/2018 | Signed | | |
| | <p>Action Text: The Council Bill (CB) was Signed.</p> <p>Notes:</p> | | | | |
| 2 | Mayor | 06/22/2018 | returned | City Clerk | |
| | <p>Action Text: The Council Bill (CB) was returned. to the City Clerk</p> <p>Notes:</p> | | | | |

2 City Clerk 06/22/2018 attested by City Clerk

Action Text: The Ordinance (Ord) was attested by City Clerk.

Notes:

CITY OF SEATTLE

ORDINANCE 125602

COUNCIL BILL 119277

AN ORDINANCE relating to noise control; establishing an alternative enforcement 75-foot standard for determining excessive vehicle noise; and amending Section 25.08.430 of the Seattle Municipal Code.

WHEREAS, excessive noise is a form of pollution that has direct and harmful effects upon the health and welfare of persons exposed to such sound and generally adversely affects the livability, peace, and comfort of the impacted neighborhoods and the City as a whole; and

WHEREAS, excessive noise is especially disruptive from motor vehicles, particularly when occurring in or near vehicular traffic, because it presents a distraction and danger to traffic safety; and

WHEREAS, excessive noise from motor vehicles occurring within the City's park system hinders the use and enjoyment of park areas by other park users, discourages many from utilizing certain park areas, and has caused said noise pollution harmful effects upon adjacent private properties, persons, and neighborhoods; and

WHEREAS, noise from motor vehicle audio equipment that can be clearly heard 75 feet or more from the source of the sound is in excess of the maximum permissible sound levels allowed to be generated or received in either residential or commercial areas of the City; and

WHEREAS, the City Council in 1989 passed Ordinance 114656, which enacted a 75-foot sound standard to address technology that had allowed the proliferation of commercially accessible types of audio equipment, both portable and installed in motor vehicles; and

WHEREAS, the Seattle Police Department (SPD) indicated in a memo dated March 16, 2018 that existing ordinances, technology, and operational prioritization have combined to make effective enforcement of excessive motor vehicle sound difficult; and

WHEREAS, Seattle Municipal Code Section 25.08.430 makes it unlawful for motor vehicle exhaust noise to exceed 95 decibels, but the noise must be measured by a standard procedure that employs a noise meter; and

WHEREAS, SPD has indicated that police officers do not carry noise meters, noise meters require proof of calibration and that the time necessary to properly use noise meters would make it difficult to enforce given other law enforcement priorities; and

WHEREAS, the City Council desires to provide more tools to law enforcement to combat motor vehicle noise pollution by expanding the situations where law enforcement may use distance-based noise measurement; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 25.08.430 of the Seattle Municipal Code, last amended by Ordinance 122923, is amended as follows:

25.08.430 Sounds created by operation of motor vehicles

It is unlawful for any person to operate upon any highway any motor vehicle or any combination of motor vehicles under any conditions of grade, load, acceleration, or deceleration in such a manner that the motor vehicle's exhaust noise or engine noise:

A. ((exceeds)) Exceeds 95 decibels as measured by the Society of Automotive Engineers (SAE) test procedure J1169 (May 1998); or

B. Can be clearly heard by a person of normal hearing at least 75 feet away from the vehicle.

Section 2. The Seattle Police Department shall report to the City Council on the locations of citations, demographic information regarding citations, and disposition of citations. Reporting shall occur on at least a quarterly basis to the Chair and membership of the committee with oversight of public safety, beginning no later than January 31, 2019.

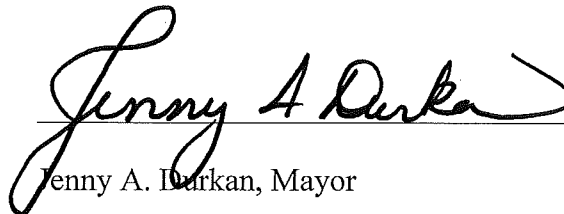
Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 18th day of JUNE, 2018,
and signed by me in open session in authentication of its passage this 18th day of
JUNE, 2018.

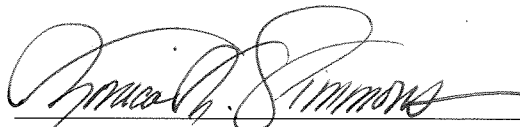


President _____ of the City Council

Approved by me this 22nd day of JUNE, 2018.


Jenny A. Durkan, Mayor

Filed by me this 22nd day of JUNE, 2018.



Monica Martinez Simmons, City Clerk

1 (Seal)

STATE OF WASHINGTON -- KING COUNTY

--SS.

363936

No.

CITY OF SEATTLE, CLERKS OFFICE

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.

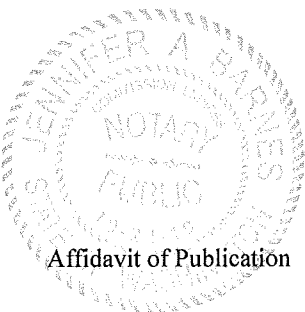
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:125601-125604 TITLE

was published on

07/13/18

The amount of the fee charged for the foregoing publication is the sum of \$149.08 which amount has been paid in full.



Affidavit of Publication

A handwritten signature in dark ink, appearing to be "M. J. Barnes", written over a horizontal line.

Subscribed and sworn to before me on

07/13/2018

A handwritten signature in dark ink, appearing to be "Jennifer A. Barnes", written over a horizontal line.

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on June 18, 2018, and published below by title only, will be mailed upon request, or can be accessed at <http://seattle.legistar.com>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Ordinance 125601

Council Bill 119275

AN ORDINANCE amending Ordinance 125493, which amended the 2018 Budget (Ordinance 125475); changing appropriations to various departments and budget control levels; and creating positions in the Human Services Department.

Ordinance 125602

Council Bill 119277

AN ORDINANCE relating to noise control; establishing an alternative enforcement 75-foot standard for determining excessive vehicle noise; and amending Section 25.08.430 of the Seattle Municipal Code.

Ordinance 125603

Council Bill 119269

AN ORDINANCE relating to land use and zoning; correcting typographical errors, correcting section references, clarifying regulations, and making minor amendments; amending Sections 22.206.130, 23.24.040, 23.28.020, 23.28.030, 23.30.020, 23.41.004, 23.41.012, 23.42.040, 23.42.048, 23.44.006, 23.44.008, 23.44.010, 23.44.012, 23.44.014, 23.44.016, 23.44.022, 23.44.041, 23.45.510, 23.45.514, 23.45.518, 23.45.536, 23.45.545, 23.45.570, 23.46.002, 23.47A.008, 23.47A.009, 23.47A.013, 23.47A.014, 23.47A.016, 23.48.005, 23.48.020, 23.48.220, 23.48.225, 23.48.231, 23.48.240, 23.48.245, 23.48.250, 23.48.620, 23.48.640, 23.48.645, 23.48.722, 23.48.735, 23.49.008, 23.49.011, 23.49.015, 23.49.023, 23.49.032, 23.49.106, 23.49.108, 23.49.164, 23.50.014, 23.50.016, 23.50.030, 23.50.032, 23.51A.002, 23.53.015, 23.53.030, 23.54.015, 23.54.030, 23.61.014, 23.66.030, 23.66.332, 23.72.004, 23.73.024, 23.75.085, 23.75.160, 23.76.004, 23.76.006, 23.76.012, 23.76.022, 23.76.028, 23.76.034, 23.84A.002, 23.84A.004, 23.84A.032, 23.84A.046, 23.86.002, 23.86.006, 23.86.007, 23.86.032, 25.05.030, 25.05.610, 25.05.800, 25.08.940, 25.09.090, 25.11.070, and 25.11.080 of the Seattle Municipal Code; adding a new Section 23.22.059 to the Seattle Municipal Code; repealing Section 23.50.029 of the Seattle Municipal Code; and amending Section 510 of the 2015 Seattle Building Code.

Ordinance 125604

Council Bill 119258

AN ORDINANCE relating to regular property taxes; providing for the submission to the qualified electors of the City at an election to be held on November 6, 2018, a proposition to lift the limit on regular property taxes under chapter 84.55 RCW and authorize the City to levy additional taxes for up to seven years for the purpose of providing education services designed to improve access to early learning and high-quality preschool, K-12 school and community-based investments, K-12 school health, and post-secondary and job readiness opportunities for Seattle students; implementing exemptions for low income seniors, disabled veterans, and other people who are disabled as defined in RCW 84.36.381; authorizing a creation of a designated fund; directing the application of levy proceeds; establishing eligibility requirements for partners; establishing accountability and reporting structures; providing for the facilitation of communication between the City and stakeholders; providing for partnership agreements with Seattle School District and Seattle Colleges District; requiring a forthcoming Implementation and Evaluation Plan; proposing a ballot title; and authorizing the implementation of agreements for this levy lid lift which will be com-

monly known as the Families, Education, Preschool, and Promise Levy.

Date of publication in the Seattle Daily Journal of Commerce, July 13, 2018.

7/13(363936)