

Ordinance No. 121192

Council Bill No. 114491

AN ORDINANCE adding new sections to SMC Chapter 25.08 defining a Residential Disturbance, making it unlawful to allow real property to be used for a Residential Disturbance, providing penalties therefore, providing for abatement of properties where three or more incidents occur within a twelve-month period and amending Sections 25.08.660 and 25.08.820.

The City of Seattle
Council Bill/Ordinance

(w/3)

DO Passas am...
6-16-03 Pass...

CF No. _____

Date Introduced: <u>MAR 11 2003</u>		
Date 1st Referred: <u>MAY 12 2003</u>	To: (committee) <u>Finance, Budget, Business & Labor Committee</u>	
Date Re - Referred:	To: (committee) <u>Jand...</u>	
Date Re - Referred:	To: (committee)	
Date of Final Passage: <u>6-16-03</u>	Full Council Vote: <u>9-0</u>	
Date Presented to Mayor: <u>6-17-03</u>	Date Approved: <u>6/26/03</u>	
Date Returned to City Clerk: <u>6/30/03</u>	Date Published: <u>SRP</u>	T.O. <input checked="" type="checkbox"/> F.T. <input checked="" type="checkbox"/>
Date Vetoes by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

This file is complete and ready

Law Dept. Review

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: _____

Jan Progo

Councilmember

(w/ 2)

Committee Action:

CO Pass as amended 7-0 (JD, N, RM, B, RC, JA, TN)

6-16-03 Passed 9-0

This file is complete and ready for presentation to Full Council. Committee: _____

(initial/date)

Law Dept. Review

OMP
Review

LD
City Clerk
Review

Progo
6/16/03
Submitted
Full Text Loaded
Electronic
Copy Loaded

Indexed

ORDINANCE 121192

AN ORDINANCE adding new sections to SMC Chapter 25.08 defining a Residential Disturbance, making it unlawful to allow real property to be used for a Residential Disturbance, providing penalties therefore, providing for abatement of properties where three or more incidents occur within a twelve-month period and amending Sections 25.08.660 and 25.08.820.

WHEREAS, Seattle is a City comprised of various residential neighborhoods, all of which have their own unique characteristics adding to the vitality and unique nature of our City; and

WHEREAS, maintaining a high quality of life in our City is of utmost importance to our residents; and

WHEREAS, excessive noise in our residential neighborhoods diminishes that quality of life;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Finding of special conditions.

The problem of noise in the City has been studied since 1974 and noise control regulations for the City were first adopted by the City Council in 1977. On the basis of this experience and knowledge of conditions within the City of Seattle, the City Council hereby finds that special conditions exist within the City of Seattle, which make necessary any and all differences between this ordinance and the regulations adopted by the Department of Ecology.

Section 2. A new section is added to SMC Chapter 25.08 as follows:

25.08.225 Residential Disturbance.

“Residential Disturbance” means a gathering of more than one person at a residential property located in a Single Family or Multifamily zone, as defined in SMC 23.84.048 between the hours of 10:00 p.m. (11:00 p.m. on Friday and Saturday nights) and 7:00 a.m. at which noise associated with the gathering is frequent, repetitive or continuous and is audible to a person of normal hearing at a distance of seventy five (75) feet or more from the property.

Section 3. A new section is added to SMC Chapter 25.08 as follows:



1 **25.08.505 Residential Disturbance Violation.**

2 It is unlawful for any person to knowingly allow real property under one's possession or control
3 to be used for a Residential Disturbance, as defined in Section 25.08.225.

4 Section 4. A new section is added to SMC Chapter 25.08 to read as follows:

5 **25.08.508 Abatement of Chronic Violations.**

6 A. A residential property at which three or more violations of SMC 25.08.505 occur within any
7 twelve-month period constitutes a nuisance and is subject to an action for abatement pursuant to this
8 section; provided that the person or persons responsible for such violations were residents of the same
9 housing unit, as defined in SMC 22.204.090.

10 B. The City Attorney shall notify the owner and tenant(s) of any property when a tenant or other
11 person has been found to be in violation of Section 25.08.505 at the owner's property. All notices
12 pursuant to this subsection shall include notification that an action for abatement under this section may
13 be commenced if three or more violations of Section 25.08.505 occur at the property within a twelve-
14 month period and the person or persons responsible were residents of the same housing unit as defined
15 in SMC 22.204.090.

16 C. In addition to any other remedies provided by this Chapter or any other law, an action to
17 abate chronic violations of Section 25.08.505, may be commenced by the City Attorney against the
18 owner and/or tenant(s) of a property following a third or subsequent violation of SMC 25.08.505 at the
19 property within a twelve month period where the person or persons responsible for such violations were
20 residents of the same housing unit as defined in SMC 22.204.090. An action shall not be commenced
21 under this section until at least thirty (30) days after the mailing of a notice of a finding of a third
22 violation which occurs within a twelve month period. If during this thirty (30) day period an owner
23 provides written notice to the City Attorney that the owner has filed a legal proceeding to evict the
24



1 person or persons responsible for three or more violations of Section 25.08.505 and the City Attorney is
2 satisfied the owner will diligently prosecute such eviction action, an action against the owner under this
3 section shall not be filed. If the court determines that three or more violations of Section 25.08.505 have
4 occurred at a property within any twelve-month period, the court may order any remedy that is reasonably
5 likely to abate future violations, providing that the court should not enter an order prohibiting the rental of a
6 housing unit or units unless other remedies have failed to abate future violations.

7 D. Notices required by this section shall be in writing. Notice to an owner is sufficient if sent to the
8 address of the owner listed in the records of the King County Recorder. If the City Attorney knows that a
9 property is managed by a third party property manager, notices required by the section may be sent to such
10 third party property manager. No inference shall be drawn in a private dispute between a landlord and a
11 tenant or tenants solely because of the lack of a notice from the City Attorney as contemplated by this
12 section.

13 Section 5. Section 25.08.660 is amended as follows:

14 **SMC 25.08.660 Authority of Administrator and Chief of Police.**

15 Unless provided otherwise by this chapter, the Chief of Police shall be responsible for enforcing
16 Sections 25.08.500, 25.08.505 and 25.08.515, the Chief of Police and the Administrator shall be responsible
17 for enforcing Subchapter IV of this chapter, and the Administrator shall be responsible for enforcing the
18 remaining provisions of this chapter. Upon request by the Administrator or the Chief of Police, all other
19 City departments and divisions are authorized to assist them in enforcing this chapter.

20 Section 6. A new section is added to SMC Chapter 25.08 to read as follows:

21 **25.08.805 Residential Disturbance Penalties.**

22 A. Except as provided in subsection B of this section, conduct made unlawful by Section 25.08.505
23 shall be a Class 1 civil infraction as contemplated by RCW Chapter 7.80 and is subject to a monetary
24



peb/tr

5/14/03

residential noise ordinance proposed redraft519cleanversion
(Ver. 2)

1 penalty and a default amount of Two Hundred Fifty Dollars (\$250.00), plus any statutory assessments.

2 A civil infraction under this section shall be processed in the manner set forth in RCW Chapter 7.80.

3 B. A person who continues to be in violation of Section 25.08.505 after receiving a notice of
4 infraction pursuant to subsection A of this section, or who again violates Section 25.08.505 within twenty-
5 four hours after receiving a notice of infraction pursuant to subsection A of this section commits a
6 misdemeanor and any person who is convicted thereof shall be punished by a fine not to exceed Five
7 Hundred Dollars (\$500), or by imprisonment in the City Jail for a term not to exceed six (6) months, or by
8 both such fine and imprisonment.

9 Section 7. Section 25.08.820 is amended as follows:

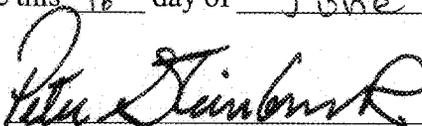
10 **SMC 25.08.820 Penalties cumulative.** The penalties imposed by Sections 25.08.800, 25.08.805
11 and 25.08.810 shall be in addition to any other sanction or remedial injunctive procedure that may be
12 available at law or equity.



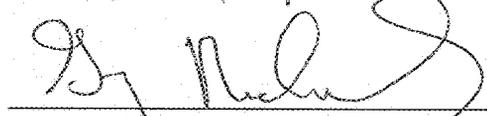
1 Section 8. The Seattle Police Department and the City Attorney shall provide a report to the
 2 Council Finance, Budget, Business and Labor Committee regarding the implementation of this
 3 ordinance by June 30, 2004. This report shall include: the total number of noise complaints recorded,
 4 the total number of incident reports filed, the number and type of violations, the location of violations,
 5 and the number of abatement proceedings filed and the outcome of such filings occurring under this
 6 ordinance.

7 Section 9. This ordinance shall take effect and be in force on whichever is the later of: the
 8 effective date of approval by the Department of Ecology; or thirty (30) days from and after its approval
 9 by the Mayor, but if not approved and returned by the Mayor within ten (10) days after its presentation,
 10 it shall take effect as provided by Municipal Code Section 1.04.020.

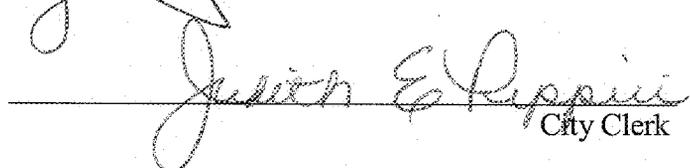
11 Passed by the City Council the 16th day of June, 2003, and signed by me in open
 12 session in authentication of its passage this 16th day of June, 2003.

13 
 14 _____
 15 President _____ of the City Council

16 Approved by me this 26 day of June, 2003

17 
 18 _____
 19 Mayor

20 Filed by me this 30th day of June, 2003.

21 
 22 _____
 23 City Clerk

24 (Seal)





Seattle City Attorney

Thomas A. Carr

FILED
CITY OF SEATTLE

2003 SEP 24 AM 9:15

Phil Brenneman
Assistant City Attorney
206-684-8224

September 24, 2003

CITY CLERK

Mr. Ernie Dornfeld
Information Manager
Office of the City Clerk
City Hall, 3rd Floor
600 4th Avenue
Seattle, WA 98104

RE: Effective Date of Ordinance Number 121192

Dear Ernie:

The effective date of Ordinance Number 121192 (Council Bill 114491) relating to Residential Disturbance Noise is October 3, 2003.

As you know, Section 9 of the ordinance provides as follows:

Section 9. This ordinance shall take effect and be in force on whichever is the later of: the effective date of approval by the Department of Ecology; or 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 its presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Attached is a copy of a letter from the Department of Ecology (DOE) confirming that the official date that agency received this ordinance was July 3, 2003 and that the ordinance will be "deemed approved" by DOE pursuant to Chapter 70.107 RCW on October 3, 2003. Therefore, pursuant to Section 9, the ordinance will be effective on October 3, 2003.

Sincerely,

THOMAS A CARR
Seattle City Attorney

By

Phillip E. Brenneman
Assistant City Attorney



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600 • (206) 407-6000 • TDD Only (Hearing Impaired) (206) 407-6006

July 17, 2003

Phillip E. Brenneman
Assistant City Attorney
Office of the City Attorney
600 4th Avenue
Seattle, WA 98104-1877

COPY RECEIVED
03 JUL 21 AM 11:19
SEATTLE CITY ATTORNEY

Re: City of Seattle Residential Disturbance Ordinance, Council Bill 114491

Dear Mr. Brenneman:

Thank you for submitting a copy of the City of Seattle residential disturbance ordinance signed and dated June 26, 2003 for review and approval by the Department of Ecology. Ecology no longer has resources with which to review city or county ordinances for completeness and consistency with the State Noise Control Act (Chapter 70.107 RCW) and the rules adopted pursuant to it. Ecology will not respond to a submittal and it will be "deemed approved" after ninety days (refer to Chapter 70.107.060 as amended in 1987). The official date received for the City of Seattle residential disturbance ordinance, council bill 114491 is July 3rd, 2003. Please feel free to contact me at the Office of Regulatory Assistance if you have any further questions.

Sincerely,

Randi Cole
Office of Regulatory Assistance
Department of Ecology



City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

February 18, 2003

Honorable Peter Steinbrueck
President
Seattle City Council
Municipal Building, 11th Floor

Dear Council President Steinbrueck:

The attached ordinance creates new restrictions on noise in residential neighborhoods and provides a better enforcement mechanism for noise violations.

Noise is a very sensitive issue for the residents of Seattle. In a high density urban environment there is often tension between allowing a variety of activities that generate noise and preserving the peace and tranquility of our citizens' homes. The City currently has a noise ordinance which adequately addresses most of the existing noise complaints. However, there has been a growing noise problem in some residential neighborhoods, such as University Park, where the current ordinance has been less effective and where enforcement has been problematic.

The noise problems come primarily from homes in residential neighborhoods that are rented out to large numbers of individuals, often students. In the evenings and particularly on weekends, these homes have noisy parties which generate many complaints from their neighbors. Unfortunately, in this type of situation, the existing noise ordinance makes it difficult for the police to enforce the law and it creates an additional burden on the neighbors who just want the noise to stop.

This new residential disturbance ordinance will allow the police to more effectively enforce the noise restrictions, provide a meaningful deterrent, enhance accountability for both landlords and tenants and reduce the burden placed on the complaining witnesses. It is important to note that the new ordinance applies only to residential properties in residentially zoned neighborhoods and it will not impact commercial or recreational establishments.

Thank you for your consideration of this legislation. Should you have questions please contact Bob Scales, Senior Policy Analyst, Office of Policy and Management at 684-8050.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Nickels", written over a circular stamp.

GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 12th Floor, Seattle, WA 98104-1873

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, E:mail: mayors.office@ci.seattle.wa.us

An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon request.



Fiscal Note

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Office of Policy & Mgmt	Bob Scales 684-8050	Karl Stickel 684-8085

Legislation Title:

AN ORDINANCE adding new sections to SMC Chapter 25.08 defining a Residential Disturbance, making it unlawful to allow real property to be used for a Residential Disturbance, providing penalties therefore, providing for abatement of properties where three or more incidents occur within a twelve-month period and amending Sections 25.08.660 and 25.08.820.

Summary of the Legislation:

Adds verbiage to the SMC by creating a new violation for frequent, repetitive or continuous noise coming from residential property that is audible to a person of normal hearing at a distance of seventy-five (75) feet or more from the property. Establishes initial violation as an infraction with \$250 fine. Also, provides notification to the property owner and tenants of the property when a violation occurs and allows the City Attorney to commence abatement proceedings for repeated violations.

Appropriations (in \$1,000's):

Fund Name and Number	Department	Budget Control Level*	2003 Appropriation	2004 Anticipated Appropriation
TOTAL			0	0

** This is line of business for operating budgets, and program or project for capital improvements*

Notes: None.

Expenditures (in \$1,000's):

Fund Name and Number	Department	Budget Control Level*	2003 Expenditures	2004 Anticipated Expenditures
TOTAL			0	0

** This is line of business for operating budgets, and program or project for capital improvements*

Notes: None.



Anticipated Revenue/Reimbursement (in \$1,000's):

Fund Name and Number	Department	Revenue Source	2003 Revenue	2004 Revenue
TOTAL			TBD	TBD

Notes: Although issuing a fine may provide a greater deterrent to future violations, if SPD were to issue many tickets under this provision it could have a positive fiscal impact on City revenue. These estimates have yet to be determined.

Total Permanent Positions Created Or Abrogated Through Legislation, Including FTE Impact; Estimated FTE Impact for Temporary Positions:

Fund Name and Number	Department	Position Title*	2003 FTE	2004 FTE
TOTAL			0	0

* List each position separately

Do positions sunset in the future? (If yes, identify sunset date):

N/A

Background (Include brief description which states the purpose and context of legislation and include record of previous legislation and funding history, if applicable):

The stated policy of Seattle's existing noise ordinance, SMC 25.08.010, is as follows:

"It is the policy of the City to minimize the exposure of citizens to the physiological and psychological dangers of excessive noise and to protect, promote and preserve the public health, safety and welfare. It is the express intent of the City Council to control the level of noise in a manner which promotes commerce; the use, value and enjoyment of property; sleep and repose; and the quality of the environment."

The current noise ordinance in SMC Chapter 25.08 adequately addresses most of the City's noise complaints. However, there has been a growing noise problem in some residential neighborhoods, such as University Park, where the current ordinance has been less effective and where enforcement has been problematic.

The noise problems come primarily from homes in residential neighborhoods that are rented out to large numbers of individuals, often students. In the evenings and particularly on weekends, these homes have noisy parties which generate a number of complaints from their neighbors.

Under the existing noise ordinance it is unlawful for any person in possession of property to knowingly allow or originate from the property, unreasonable noise which disturbs another, and to refuse or intentionally fail to cease the unreasonable noise when ordered to do so by Police. The proposed Residential Disturbance ordinance would address the specific problems associated with noise disturbances at residences:



1. The ordinance allows the police to enforce the law without having to contact the complaining witness. If the noise is audible to the officer when standing more than 75 feet away from the property then a violation has occurred. This is the same standard that is used for noise emanating from motor vehicles under the existing ordinance (SMC 25.08.515).
2. The ordinance makes the first offense an infraction punishable by a civil fine of \$250. The second offense within a 24 hour period is a misdemeanor offense as it is under the current law.
3. The ordinance permits the City to institute abatement proceedings against properties where there are three or more incidents of Residential Disturbance that occur within any twelve-month period. Many of the residences that have noise problems have tenants who reside there for short periods of time. In order to encourage property owners to play a role in preventing noise problems on their properties an abatement provision was added to the ordinance.

This residential disturbance ordinance will allow the police to more effectively enforce the noise restrictions, provide a meaningful deterrent, enhance accountability for both landlords and tenants and reduce the burden placed on the complaining witnesses.

It should be emphasized that this ordinance only applies to noise disturbances coming from private residential property located in a Single Family or Multifamily zones. Therefore, other commercial or recreational establishments such as night clubs, concert halls and sports facilities would not be affected.

The financial cost of not implementing the legislation (Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs if the legislation is not implemented):

None

Possible alternatives to the legislation which could achieve the same or similar objectives (Include any potential alternatives to the proposed legislation, including using an existing facility to fulfill the uses envisioned by the proposed project, adding components to or subtracting components from the total proposed project, contracting with an outside organization to provide the services the proposed project would fill, or other alternatives):

N/A

Is the legislation subject to public hearing requirements (If yes, what public hearings have been held to date):

No.

Other Issues (including long-term implications of the legislation):

None at this time.

ORDINANCE _____

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WHEREAS, Seattle is a City comprised of various residential neighborhoods, all of which have their own unique characteristics adding to the vitality and unique nature of our City; and

WHEREAS, maintaining a high quality of life in our City is of utmost importance to our residents; and

WHEREAS, excessive noise in our residential neighborhoods diminishes that quality of life;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Finding of special conditions.

The problem of noise in the city has been studied since 1974 and noise control regulations for the City were first adopted by the City Council in 1977. On the basis of this experience and knowledge of conditions within the City of Seattle, the City Council hereby finds that special conditions exist within the City of Seattle, which make necessary any and all differences between this ordinance and the regulations adopted by the Department of Ecology.

Section 2. A new section is added to SMC Chapter 25.08 as follows:

25.08.225 Residential Disturbance.

“Residential Disturbance” means a gathering of more than one person at a private residential property located in a Single Family or Multifamily zone, as defined in SMC 23.84.048 between the hours of 10:00 p.m. (11:00 p.m. on Friday and Saturday nights) and 7:00 a.m. at which noise associated with the gathering is frequent, repetitive or continuous and is audible to a person of normal hearing at a distance of seventy five (75) feet or more from the property.



1 Section 3. A new section is added to SMC Chapter 25.08 as follows:

2 **25.08.505 Residential Disturbance Violation.**

3 It is unlawful for any person to knowingly allow real property under one's possession or control
4 to be used for a Residential Disturbance, as defined in Section 25.08.225.

5 Section 4. A new section is added to SMC Chapter 25.08 to read as follows:

6 **25.08.508 Abatement of Chronic Violations.**

7 A. A residential property at which three or more incidents of Residential Disturbance occur
8 within any twelve-month period is subject to an action for abatement pursuant to this section.

9 B. The City Attorney shall notify the owner and tenant(s) of any property when a tenant or other
10 person has been found to be in violation of Section 25.08.505 at the owner's property.

11 C. In addition to any other remedies provided by this Chapter or any other law, an action to
12 abate chronic violations of Section 25.08.505, may be commenced by the City Attorney against the
13 owner and/or tenant(s) of a property following a third or subsequent incident of Residential Disturbance
14 at the property within a twelve month period, which occurs subsequent to a written notice from the City
15 Attorney to the owner and tenant(s) of the property that two or more previous incidents of Residential
16 Disturbance have occurred at the property and that the property is subject to an action for abatement
17 under this section if three or more violations of Section 25.08.505 occur at the property within a twelve-
18 month period. If the court determines that three or more violations of Section 25.08.505 have occurred at a
19 property within any twelve-month period, the court may order any remedy that is reasonably likely to abate
20 future violations.

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1 Section 5. Section 25.08.660 is amended as follows:

2 **SMC 25.08.660 Authority of Administrator and Chief of Police.**

3 Unless provided otherwise by this chapter, the Chief of Police shall be responsible for enforcing
4 Sections 25.08.500, 25.08.505 and 25.08.515, the Chief of Police and the Administrator shall be responsible
5 for enforcing Subchapter IV of this chapter, and the Administrator shall be responsible for enforcing the
6 remaining provisions of this chapter. Upon request by the Administrator or the Chief of Police, all other
7 City departments and divisions are authorized to assist them in enforcing this chapter.

8 Section 6. A new section is added to SMC Chapter 25.08 to read as follows:

9 **25.08.805 Residential Disturbance Penalties.**

10 A. Except as provided in subsection B of this section, conduct made unlawful by Section 25.08.505
11 shall be a Class 1 civil infraction as contemplated by RCW Chapter 7.80 and is subject to a monetary
12 penalty and a default amount of Two Hundred Fifty Dollars (\$250.00), plus any statutory assessments.
13 A civil infraction under this section shall be processed in the manner set forth in RCW Chapter 7.80.

14 B. A person who continues to be in violation of Section 25.08.505 after receiving a notice of
15 infraction pursuant to subsection A of this section, or who again violates Section 25.08.505 within twenty-
16 four hours after receiving a notice of infraction pursuant to subsection A of this section commits a
17 misdemeanor and any person who is convicted thereof shall be punished by a fine not to exceed Five
18 Hundred Dollars (\$500), or by imprisonment in the City Jail for a term not to exceed six (6) months, or by
19 both such fine and imprisonment.

20 Section 7. Section 25.08.820 is amended as follows:

21 **SMC 25.08.820 Penalties cumulative.** The penalties imposed by Sections 25.08.800, 25.08.805
22 and 25.08.810 shall be in addition to any other sanction or remedial injunctive procedure that may be
23 available at law or equity.



1 Section 8. This ordinance shall take effect and be in force on whichever is the later of: the
2 effective date of approval by the Department of Ecology; or thirty (30) days from and after its approval
3 by the Mayor, but if not approved and returned by the Mayor within ten (10) days after its presentation,
4 it shall take effect as provided by Municipal Code Section 1.04.020.

5 Passed by the City Council the ____ day of _____, 2003, and signed by me in open
6 session in authentication of its passage this ____ day of _____, 2003.

7

8

President ____ of the City Council

9

10

Approved by me this ____ day of _____, 2003.

11

Mayor

12

13

Filed by me this ____ day of _____, 2003.

14

15

City Clerk

16 (Seal)

17

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19

20

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22

23

24



STATE OF WASHINGTON – KING COUNTY

--SS.

160745
City of Seattle, Clerk's Office

No.

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:121192 ORD. IN FULL

was published on

7/11/2003

J. J.

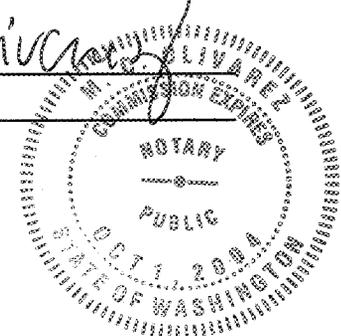
Subscribed and sworn to before me on

7/11/2003

Macrivora

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication



State of Washington, King County

City of Seattle

ORDINANCE 121192

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25.08.508 Abatement of Chronic Violations.

A. A residential property at which three or more violations of SMC 25.08.505 occur within any twelve-month period constitutes a nuisance and is subject to an action for abatement pursuant to this section, provided that the person or persons responsible for such violations were residents of the same housing unit, as defined in SMC 22.204.090.

B. The City Attorney shall notify the owner and tenant(s) of any property when a tenant or other person has been found to be in violation of Section 25.08.505 at the owner's property. All notices pursuant to this subsection shall include notification that an action for abatement under this section may be commenced if three or more violations of Section 25.08.505 occur at the property within a twelve-month period and the person