

**SEATTLE**

**NIGHTLIFE**

**INITIATIVE**

**Seattle Nightlife Initiative**

**A Proposal for Creating a Safe and Vibrant Nighttime Economy**

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

The Mayor, along with the City Council and City Attorney will solicit public feedback and input on this plan from July 13 through September 15, 2010. The Mayor’s Office will coordinate outreach to all the Precinct Advisory Councils in the city, all the demographic advisory councils, as well as a number of community and neighborhood groups. The Mayor’s Office will solicit input via a widely disseminated online survey. All outreach will follow the Inclusive Outreach and Public Engagement Guidelines including people of diverse cultures, gender identities, sexual orientations and socioeconomic status to ensure the components of this initiative are implemented clearly and not misused outside the spirit which they are intended.

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**Priority 1**

**Develop an assistance and enforcement strategy with nightlife businesses.**

An interdepartmental and interagency Code Compliance Team (CCT) will be established by the City to provide nightlife business assistance and coordinate enforcement efforts among city, county and state agencies. A policy team will oversee the work of the CCT to ensure quick action is taken on critical issues and to look at long range solutions that support this effort.

**Priority 2**

**Develop a proposal for flexible liquor service hours.**

The City of Seattle is examining the potential impacts of a shift from the current 2:00 am closing requirement for alcoholic service beverage licenses to a “flexible hours” system. The change is being considered in response to the current system, which by unintended consequence encourages overindulgence while simultaneously pushing thousands of patrons on the streets with limited resources to effectively manage the activity. By transitioning to a flexible hours system, there may be an opportunity to improve Seattle’s quality of life by eliminating issues of public safety and nuisances associated with current closing times.

Unlike in many cities, the introduction of flexible hours for alcoholic beverage service in Seattle is part of a comprehensive, citywide nightlife management initiative that addresses many of the concerns and potential impacts from the change. Several intermediate evaluative steps must be taken before moving forward with a plan to extend liquor service hours in Seattle. Using the insights of other jurisdictions and experts in this field, recommendations are being made with the following considerations in mind:

Public Safety: Evaluate the potential risks associated with extending service hours and define procedures and resources required to monitor and manage impacts on public safety. Establish a baseline of impacts and costs for maintenance of public safety and measure periodically.

Venue Safety: Evaluate the potential risks associated with extending service hours and define procedures required of businesses seeking extended-hour licenses, including a safety action plan, benefits to the city or neighborhood and systems for monitoring and maintaining compliance with additional conditions or requirements.

Zoning: Assess implications of modifying zoning and construction requirements for venues operating with extended hours and identify potential restrictions on locations, venue modification, public notice, conflict resolution and other standards to be applied through local rules and regulations.

Economic Impact: Establish a process for collecting baseline data on economic benefits, including venues’ taxes and employment, with a means to measure both increased value and impacts on costs from extended hours.

Pilot and Educate Public: Propose a timeline for program implementation, including pilot areas of the city, public education and public input on impacts and concerns, with remedial action developed for full-scale implementation.

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**Priority 3**

**Adopt streamlined noise ordinance rules targeting chronic offenders.**

Proposed noise rules as required by Council Bill Number 116111, Ordinance Number 122614 relating to nighttime amplified noise control. We would make the following recommendations:

- 1) Call these rules “Nighttime Amplified Sound Rules” as opposed to “Nightlife Noise Rules.”
- 2) Investigations/evaluations should be complaint-based.
- 3) When a complaint is made, permissible noise threshold levels should not go beyond 80 dBC measured inside the receiving residence with all doors and windows closed. (Given that noise complaints from nightlife establishments result primarily from bass noise, which is measured on the dBC scale, it is recommended that no dBA limit be set at this time.)
- 4) Violations should be made as written in the ordinance:
  - First violation is a required warning
  - Second violation is \$1,000 fine
  - Third violation and beyond is a fine of \$2,000 per dayFines can be removed if the establishment proves it has spent an equal or greater amount of the fine to mitigate amplified sound issues.
- 5) In the event that it is not possible to obtain an indoor measurement due to safety concerns for enforcement staff or the resident’s refusal to admit them, outdoor decibel limits should be set at 80 dBC, measured at the property line outside the complainant’s residence.
- 6) In the event of a violation when measuring outside, only warnings and not a fine could be issued to the violating establishment.
- 7) Language should be added to the Seattle Building Code requiring mixed-use developers to use design that minimizes sound transfer to residential units above or near commercial space.

This proposal is being recommended after conducting five field tests, working with club owners and residents, talking to police officers, researching practices in other metropolitan cities and interviewing representatives from those metropolitan cities.

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**Priority 4**

**Require regular SPD security training classes as part of the state's Nightclub Liquor License approval and renewal.**

Ongoing training of service, security and management staff is crucial to the effective implementation of policies and procedures. Selecting the proper training requires an understanding of risk, the level of training required, appropriateness of curriculum to the needs of the business, qualifications of the instructors and the integrity of the agency or organization providing the training.

The Seattle Police Department offers a Security Training Program with classes open to the public several times a year. These classes are not just for security personnel. Security training is imperative for individuals who work physical security or screen patrons at the door. It is also beneficial to any employee who regularly interacts with clientele. Maintaining a highly trained staff, ready to deal with difficult situations, is vital to the safety of both venue patrons and employees.

Topics of instruction include:

- Starting your shift – Including proper equipment and pre-shift checks
- Screening patrons – Maintaining line queues, checking ID, dress-code enforcement, weapon checks, etc.
- Maintaining a safe environment – Interior patrol tactics, stopping problems before they start
- Handling problem situations – Understanding appropriate use of force, deescalating situations, calling 9-1-1, writing reports
- Rolling/Soft Closes – Shutting down and dispersing patrons

**Priority 5**

**Schedule regular precinct community outreach with nightlife businesses and residents.**

Improving communication and collaboration between the Seattle Police Department and nightlife establishments is critical to achieving a safe and vibrant nightlife in Seattle.

Relationships between nightlife establishments and the SPD have been strained at times. Some establishments avoid calling the police for fear that any call is perceived as a negative mark against their establishment. More recently establishments and the police have taken steps to improve communications and collaborate on nightlife-related issues. For example, SPD has hosted community meetings in the West and East precincts as a way to promote communication and build relationships with nightlife establishments.

SPD is also modifying how it assigns officers to shifts so they can be more responsive to the specific needs of each precinct. These efforts are encouraging, but more can be done. For example, SPD currently does its own internal tracking of nightlife events via multiple sources (websites, flyers, etc.) to help allocate resources. If establishments provided event calendars to SPD, the department could spend less time tracking events and could more proactively assign officers.

Finally, establishments and SPD could cooperate better on the issue of crowd management at closing, especially in areas with a high concentration of venues or areas with high-occupancy establishments. Through regularly scheduled meetings between SPD and nightlife businesses, the discussion can advance beyond assigning responsibility and move toward a combined effort to find workable solutions.

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**Priority 6**

**Develop and encourage the adoption of best practices for nightlife businesses.**

Help nightlife establishments learn best practices and relatively simple guidelines to minimize conflicts and problems. The City will promote these best practices using a variety of methods, including:

- Outreach via the City of Seattle’s Office of Film + Music, incorporating the Nightlife Establishment Handbook
- Connecting businesses to associations, such as the Washington Restaurant Association and the Seattle Nightlife and Music Association
- Inclusion of the best practices on the Washington State Liquor Control Board’s (WSLCB) website and in its online liquor license orientation
- Requiring technical assistance and training for nightlife establishments that have been cited or have been the source of multiple complaints
- Encouraging enrollment in nightlife educational opportunities provided by national associations such as the Responsible Hospitality Institute

**Priority 7**

**Create accessible and safe late-night transportation options.**

Providing accessible and safe transportation options will enhance Seattle’s nightlife experience for neighborhoods, hosting establishments, patrons, employees, as well as reduce alcohol-related accidents and injuries.

Noise, fights, public urination and other disorderly conduct can be addressed through enforcement but can also be minimized through late night transportation. Public transit that closes before midnight and long waits for cabs can fuel impacts. The faster nightlife patrons can be routed safely out of a neighborhood, the less potential for traffic jams, parking lot parties, noise and disorderly conduct from individuals loitering after closing time.

The City’s leadership will assess demand and advocate for a comprehensive network of public transportation services operating late at night, facilitate private sector support such as “safe ride” programs and increase taxi stands; all working together to create a path to reach our enhanced transportation goals.

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**Priority 8**

**Create a city ordinance to allow Seattle Police greater ability to manage patrons of nightlife establishments contributing to public nuisances, disturbances and disorderly conduct.**

Undesirable behavior by patrons after they leave nightlife establishments is an ongoing concern. As defined, this behavior includes but is not limited to illegally consuming intoxicating liquor, publicly urinating, causing fear of bodily injury, engaging in acts of violence (including fighting), discharging firearms, creating unreasonable noise that disturbs others and intentionally obstructing pedestrian or vehicular traffic.

Public nuisances and disturbances are difficult to deal with as they often cannot be directly controlled by establishments. Due to current city laws, police also have limited tools to deal with them. Because this undesirable behavior often occurs in a public setting late at night, it can affect an entire neighborhood and lead to negative perceptions of nightlife establishments (“they are promoting drunken behavior!”) and the police (“they are just ignoring the problem!”).

While it is impossible to control all behavior, the ability of officers to enforce the public nuisances and disturbances violations through citations provides a tangible means to address this problem.

We recommend revising city ordinances to allow Seattle Police greater ability to enforce public nuisances and disturbances violations, specifically fighting and disorderly conduct. Provisions should be made to allow officers to issue a warning for individuals to voluntarily correct or cease the behavior and for officers to issue a citation in the form of a ticket to those who do not correct or cease the behavior.

**Conclusion**

Seattle is incorporating a greater mix of commercial, residential and recreational uses into its urban design and infrastructure. Yet the true life and energy of the city come not from the physical structures but from the opportunities for people to meet and socialize. As Seattle's nighttime economy grows, it is important that development is intentional and sustainable, and that the city does not merely respond to what transpires on the streets. By responsibly encouraging and facilitating such interaction, the City can help attract a creative class of innovators and progressive thinkers who drive the local economy and quality of life.