

CITATION PENALTY UPDATE

In August 2019, we're sending the Seattle City Council a legislative proposal to update our Street Use citation penalties. Since the citation section was first adopted in 2002, we have made minor updates, but we have not carried out a holistic review of penalties.

What is going to happen?

We are adjusting our citation penalty amounts and creating a new citation penalty schedule for violations of the Street and Sidewalk Use Code (Seattle Municipal Code Title 15). Citation penalties will be based on the type of right-of-way use and the adjacent zoning to ensure that the fees encourage compliance, but do not disproportionately affect individuals and small business owners. Additionally, the penalty amounts will be adjusted annually with the Consumer Price Index (CPI).

Who will be affected by these changes?

Only those that work without a permit or outside the terms and conditions of their permit will be affected. Citation penalties will decrease for certain permitted activities (such as vending, sidewalk cafés, block parties, urban forestry, and building maintenance), while penalties will increase for utility permit and code violations. There is no change to penalties for construction permit and code violations in single family zones, while penalties will increase in all other zones.

Permit Type	Single-Family Zones	All Other Zones
Public Space Management Vending Maintenance	Action: Reduce citation fees in all zones of the city Proposed: \$250 /\$500/\$1,000 (for first/second/third violation)	
Utility	Action: Increase citation fees in all zones of the city Proposed: \$1,000/\$2,000/\$4,000 (for first/second/third violation)	
Construction	Action: Maintain citation fees in SF zones Proposed: \$250/\$500/\$1,000 (for first/second/third violation)	Action: Increase citation fees in all other zones Proposed: \$1,000/\$2,000/\$4,000 (for first/second/third violation)

Why are these changes being proposed?

Our goals with this proposed legislation are to:

- 1) Make our citation penalties more equitable
- 2) Create an escalation scale prior to issuing a stop work order
- 3) Simplify the penalty sections of the Street Use code

Currently, the citation penalty is now lower than the cost of obtaining a typical permit to use the right-of-way for construction or utility work. This means that there is little incentive to obtain a permit. Additionally, citation fees are the same in all parts of the city, and do not account for the higher and lower impact activities in the right-of-way. To help minimize disproportionate impacts on small and minority owned businesses, we will be lowering penalty amounts for some permit types.



Seattle
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When will this take effect?

We hope to adopt the new fees in early October.