



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**October 15, 2013**

**Ordinance 17674**

**Proposed No. 2013-0384.3**

**Sponsors Lambert**

1           AN ORDINANCE creating the offense of urinating or  
2           defecating in public; adding a new chapter to K.C.C. Title  
3           12 and prescribing penalties.

4           BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

5           SECTION 1. Findings:

6           A. Public urination and defecation is injurious to public sanitation, indecent or  
7           offensive to the senses interferes with the comfortable enjoyment of life or property and  
8           is therefore contrary to the public health, safety and welfare.

9           B. RCW 9.91.025 and K.C.C. 28.96.010 prohibit urination on transit property  
10          other than in a public restroom. Under state law violation, such conduct is a  
11          misdemeanor, while it is a civil infraction under the King County Code. No other King  
12          County Code section expressly prohibits urination or defecation in other public places or  
13          makes it an offense.

14          C. The sheriff's office enforces county code in the unincorporated areas of the  
15          county, including both urban and non-urban areas. The areas outside of the county's  
16          urban growth boundary are considered rural, nonurban areas.

17          D. Recent large public events in the rural areas of the county have resulted in  
18          numerous complaints of individuals intentionally urinating in public view without regard

19 to those whose property was fouled or to the impact on those viewing the improper  
20 behavior.

21 E. While these behaviors have been reported in the rural unincorporated areas  
22 during large public events, the complaints in the county's urban unincorporated areas are  
23 much more likely to be associated with individuals with mental disabilities or who lack  
24 ready access to housing. As a result, a prohibition in these areas is likely to result in  
25 disproportionate enforcement actions against those individuals.

26 F. Therefore, it is in the public interest to provide an enforcement mechanism to  
27 address the existing problem of improper behavior in the unincorporated non-urban areas  
28 of the county but it is not now necessary to impose similar sanctions in the urban  
29 unincorporated areas of the county.

30 SECTION 2. Sections 3 through 5 of this ordinance should constitute a new  
31 chapter in K.C.C. Title 12.

32 NEW SECTION. SECTION 3. There is hereby added to the new chapter created  
33 in section 1 of this ordinance a new section to read as follows:

34 A. It is unlawful for any person over twelve years old to intentionally urinate or  
35 defecate in a public place in the unincorporated portions of the county outside of the  
36 county's urban growth boundaries.

37 B. For the purposes of this section, "public place" means an area generally visible  
38 to public view and includes, but is not limited to, streets, sidewalks, bridges, alleys,  
39 plazas, parks, bike trails, driveways, parking lots, automobiles whether moving or not,  
40 vacant land and buildings open to the general public, including but not limited to those  
41 that serve food or drink or provide entertainment, and the doorways and entrances to

42 buildings or dwellings and the grounds enclosing them, and all other places of like or  
43 similar nature to which the general public has unrestricted right of access, and which are  
44 generally used by the public. However, "public place" does not include a washroom,  
45 toilet room, golf course, in a navigable waterway or on a person's own private property.  
46 Further, public urination on transit property shall continue to be punishable pursuant to  
47 RCW 9.91.025 and K.C.C. 28.96.010.

48 NEW SECTION. SECTION 4. A violation of this chapter is a class 2 civil  
49 infraction punishable under chapter 7.80 RCW.

50            NEW SECTION. SECTION 5. The sheriff shall enforce this chapter, through  
51 means including but not limited to K.C.C. Title 23.  
52

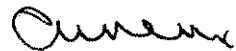
Ordinance 17674 was introduced on 8/19/2013 and passed by the Metropolitan King County Council on 10/14/2013, by the following vote:

Yes: 8 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague,  
Ms. Patterson, Ms. Lambert, Mr. Dunn and Mr. Dembowski  
No: 1 - Mr. McDermott  
Excused: 0


KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

  
Larry Gossett, Chair

ATTEST:

  
Anne Noris, Clerk of the Council

APPROVED this 24 day of OCTOBER, 2013.

  
Dow Constantine, County Executive

Attachments: None