Seattle Nightlife Initiative Community Report
Tuesday, December 28, 2010

This is a community report and status update on the Seattle Nightlife Initiative, a proposal with eight components to create a safe and vibrant nighttime economy.

A few highlights of this report include:

- Heard feedback from more than 2,400 residents
- Residents and business owners alike appreciate the Initiative's comprehensive approach to managing nightlife activity
- The Code Compliance Team has a 95 percent success rate resolving late-night club related issues
- The amplified sound threshold has been lowered to 65 dBC
- Three new late-night transportation alternatives are being launched
- Response to concerns regarding Race and Social Justice

The goals of the Nightlife Initiative are increasing public safety, growing the local economy and improving urban vibrancy. The original proposal includes these eight components:

1. **Code compliance enforcement:** Develop an assistance and enforcement strategy with nightlife businesses.
2. **Flexible liquor service hours:** Develop a proposal for flexible liquor service hours.
3. **Noise ordinance enforcement:** Adopt streamlined noise ordinance rules targeting chronic offenders.
4. **Security training requirements:** Require regular SPD security training classes as part of the state's Nightclub Liquor License approval and renewal.
5. **Precinct community outreach:** Schedule regular precinct community outreach with nightlife businesses and residents.
6. **Professional development:** Develop and encourage the adoption of best practices for nightlife businesses.
7. **Late-night transportation alternatives:** Create accessible and safe late-night transportation options.
8. **Targeting public nuisances:** Create a city ordinance to allow Seattle Police greater ability to manage patrons of nightlife establishments who contribute to public nuisances, disturbances and disorderly conduct.

Launch of the Seattle Nightlife Initiative

After soliciting input from community members, City Council, Seattle Nightlife and Music Association, and City Attorney Pete Holmes, Mayor Mike McGinn launched the Seattle Nightlife Initiative on July 13, 2010, at the Century Ballroom. At the launch, the Mayor announced the proposal (http://mayormcginn.seattle.gov/nightlife) as well as a study by Responsible Hospitality Institute.

Outreach process: The Mayor's Office held the following community meetings to discuss the Seattle Nightlife Initiative.

July 12, 2010	Representatives from Belltown Community Council, Chinatown ID-BIA, and Alliance for Pioneer Square	Mayor's Office
July 20, 2010	Southeast Asian Advisory Council	New Holly Library
July 20, 2010	LGBTQ Advisory Council	Central District
July 28, 2010	Filipino Advisory Council	Filipino Community Center
August 2, 2010	East District Council	Capitol Hill
August 10, 2010	Belltown Public Safety Forum	Belltown
August 11, 2010	West Precinct Advisory Council	West Precinct
August 18, 2010	South Precinct Advisory Council	New Holly
August 19, 2010	Capitol Hill Community Council	Capitol Hill
August 26, 2010	East Precinct Advisory Council	Central District
September 1, 2010	Stranger Nightlife Forum	Capitol Hill
September 2, 2010	Southwest Precinct Advisory Council	Southwest Precinct
September 13, 2010	Pioneer Square Community Forum	Pioneer Square
October 6, 2010	North Precinct Advisory Council	North Seattle Community College

The Mayor's Office also requested online feedback.

Public Feedback on the Seattle Nightlife Initiative

Our online feedback survey drew 2,223 respondents, with strong support for every element of the Initiative. Survey respondents included participants in community meetings concerning the Initiative, readers of the Seattle Times, The Stranger and neighborhood and community blogs; and people attending music and nightlife events like the Capitol Hill Block Party. There was a high concentration of respondents from Capitol Hill, but participation otherwise was fairly even distributed throughout Seattle. Specific concerns about elements of the Initiative were expressed during outreach to community groups, and that feedback has been incorporated into this report as well.

PRIORITIES

The highest priority for online respondents was activating the street environment and improving overall nightlife vibrancy (31.9 percent), followed by extending liquor service hours (28.4 percent), and improving nighttime public safety (21.4 percent). The lowest priorities were improving the business

environment for bar and club owners (12.1 percent) and strengthening enforcement of noise codes (6.2 percent).

SAFETY

Despite the high priority placed on nightlife public safety, more than half of respondents (60.4 percent) reported that they agree or strongly agree with the statement, "I feel safe on the streets during nightlife hours." Only 14.7 percent reported that they felt unsafe. In response to the open-ended questions at the end of the survey, many respondents expressed support for community policing, specifically more foot patrols and beat officers with established ties to neighborhoods. Many respondents noted that they had seen positive results from the Mayor's Late Night Safety Initiative, and would like to see more of the same. Participants in community outreach meetings expressed concerns about an increase in drunk driving, and uncertainty that our current police staffing levels can accommodate service hour changes. Also, many respondents asked that parking meters be reprogrammed to allow drivers to pay for parking in advance, so that nightlife patrons can spend the night without receiving a ticket early in the morning. We heard this concern, and intend to enact this policy. For more information on pre-paid parking options, see section 7.c.

LATE-NIGHT TRANSPORTATION

Support for late-night transportation options other than driving was widespread. Nearly 90 percent of respondents agreed or strongly agreed with the statement, "People would be less likely to drive under the influence if there were late-night forms of transportation like taxi stands and public transit available after bars close." In addition, more than 30 percent of people who answered the first open-ended question at the end of the survey mentioned late-night transit options as a priority, among a wide diversity of responses. Only late-night transit rose out as a nearly universal theme of the nearly 1,000 open-ended comments we received. Many comments, recognizing funding limitations at Metro, called for a new approach to late-night transportation that combines the flexibility and private funding of taxi service with the low cost and reliability of bus service. See section 7.a.III of the status update component of this report for more details on our response to this expressed need.

FLEXIBLE SERVICE HOURS

Support for flexible liquor service hours was second only to late-night transit; more than 80 percent of online respondents agreed or strongly agreed that, "Extending service hours will make our streets safer." Community meeting participants were supportive as well, with the caveat that all other elements of the Initiative should be completed before making changes to service hours. There was widespread support for the comprehensive approach taken by the Initiative team.

A small subset of respondents were strongly opposed to any extension of liquor service hours, some of whom suggested that service hours should be rolled back to midnight or 10 p.m. Objections included concerns about increased noise, street disorder, violence and drunk driving. At public meetings the

concern was expressed that Seattle would attract late-night car traffic from around the region as bars close in other municipalities. For information on how these concerns were incorporated into the planning for a flexible service-hours proposal, see Section 2 of the status update.

NOISE

Though concerns about the proposed noise ordinance and nightlife noise in general were expressed in the open-ended section as well as in community meetings, only 6 percent of respondents reported having a significant problem with nightlife-related noise at least once per month. And 65.8 percent reported that they had never experienced this problem. Community meetings participants, however, had strong concerns about the 80-decibel threshold for the noise ordinance. Those concerns are being addressed as we move forward with the next stage of the Initiative.

RACE AND SOCIAL JUSTICE

Throughout the public input process, race and social justice was a common theme of concern. Enforcement of the public nuisance ordinance raised questions in particular. Ongoing concerns about uneven enforcement against minority-owned and attended clubs and bars also came out in the course of the input process. Specifically, members of the African-American community commented at several meetings that clubs with live hip-hop acts were shut down at a disproportionate rate, and asked what the Nightlife Initiative would do to address the issue. Online, many were concerned about the relationships the Seattle Police Department and Washington State Liquor Control Board have with gay and lesbian nightlife venues. Respondents asked that officers with pro-gay values be assigned to enforcement at gay clubs and bars, and that more effort be made to crack down on anti-gay harassment and street violence, particularly in Capitol Hill. In response to these concerns, the Mayor requested an audit of the Code Compliance team's enforcements to be completed by the city's nightlife coordinator. The security trainers will be incorporating cultural competency into their training program. The City Council clearly articulated the intent of the public nuisance ordinance and the Police Department's training will carry out that intent. The Mayor's Office will continue to evaluate progress as the public brings concerns.

OTHER COMMENTS AND SUGGESTIONS

Other common themes of concern and suggestions included:

- *More and better pedestrian lighting on streets to improve public safety*: Respondents pointed to new LED lights as an improvement and called for more to be installed.
- *Access to late-night food*: Respondents called on the City to encourage the proliferation of mobile food trucks through deregulation and small business support. They noted that mobile food vendors increase the vitality of streets, and that access to late-night food helps reduce public intoxication.

- *Soundproofing and good neighbor agreements*: There was much support for soundproofing requirements for new commercial residential development, in order to make bars and residents better able to live side by side. Many respondents also supported requiring new residents to sign a "good neighbor agreement" acknowledging the realities of noise that come when choosing to live in a vibrant nightlife district.
- *Greater patron responsibility*: Respondents and meeting participants called for a greater focus on accountability for bar patrons, as opposed to business owners. This is addressed in part by the "meathead" ordinance, but also rose out as a general theme of concern.

Status Update on each component of the Seattle Nightlife Initiative

1. CODE COMPLIANCE TEAM
Background on Code Compliance Team

The City's Code Compliance Team (CCT) meets monthly to discuss issues including street-food vending and code enforcement at liquor establishments, and to develop recommendations for an overseeing Policy Team to consider. The Policy Team meets once a month and tracks trends and developments, and makes recommendations regarding new city policies such as noise and sound ordinances, density, zoning, food service, new licensing programs, deployment, definitions, etc.

a) **CCT Activities**

The CCT and Policy Team are using the Department of Finance and Administrative Services (FAS) LiquorStat database to share information among city departments and improve public safety in and around nightlife establishments.

b) **CCT Enforcement Report**

For 2009, there were 1,497 establishments permitted to sell and consume alcohol in the City of Seattle. In 2010 that number increased by 18 percent to 1,766 establishments. This year, CCT addressed noncompliance issues at 208 establishments. Of those, 197 businesses have worked with CCT to resolve their problems. Eleven establishments remain the focus of attention.

Liquor License Establishments with Compliance Issues

Precinct	**Non-compliance Issues**	**Back In Compliance**	**In Progress**
East	48	45	3
North	52	51	1
South	25	21	4
Southwest	10	9	1
West	73	71	2
Totals	**208**	**197**	**11**

2. FLEXIBLE LIQUOR SERVICE HOURS

Flexible liquor service hours: While a full proposal will take longer to develop and present to the state Liquor Control Board, we know from public feedback that there is support for exploring flexible liquor service hours, with these conditions:

1. **Conditional license**
2. **Privilege for bar owners**
3. **Started as a pilot**
4. **Use of data throughout the process**
5. **Reduces police resources**
6. **Resolution of City Council needed for adoption**

3. NOISE ORDINANCE ENFORCEMENT

In 2007 the City Council passed Ordinance 122614 creating a new nightlife disturbance offense. It is unlawful for any nightclub to produce amplified noise between the hours of 10 p.m. and 7 a.m. that is plainly audible to a person of normal hearing when measured inside a dwelling unit. The ordinance directs the FAS director to develop a rule to set the standard for **amplified noise** plainly audible to a person of normal hearing, which can be measured using a sound level meter. The proposed rules include:

- Investigations/evaluations should be complaint-based.
- When a complaint is made, permissible noise threshold levels should not go beyond 65 dBC measured inside the receiving residence with all doors and windows closed.
- Violations will be made as required by ordinance:
    - First violation is a required warning
    - Second violation is $1,000 fine
    - Third violation and beyond is a fine of $2,000 per day
- 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.
- In the event of a violation when measuring outside, only warnings and not a fine could be issued to the violating establishment.

These rules are being recommended after conducting many field tests, working with residents and club owners, talking to police officers, researching practices in other metropolitan cities and considering how amplified sound needs to be measured as we move forward on all the components of the entire Seattle Nightlife Initiative.

4. TRAINING REQUIREMENTS

Seattle Police Department and the Office of Economic Development have been promoting SPD's Security Training Program for Nightlife Employees. SPD has reduced the minimum class size resulting in less class cancelations. In 2010, 44 employees completed the training program for a total of 446 people trained since the start of the project. Feedback from the nightclub community about the training is positive.

Currently there is no requirement for nightclubs to participate in the security training. However, the City has asked the Liquor Control Board to add security training as a requirement on the new Nightclub Liquor License. To date, the Liquor Control Board has denied the City's requests and the City is appealing those denials.

5. PRECINCT COMMUNITY OUTREACH

Quarterly meetings to discuss nightlife are scheduled in conjunction with Precinct Advisory Councils in the West and East Precincts and as needed in the North, South and Southwest Precincts.

6. PROFESSIONAL DEVELOPMENT

This work is continuing on progress. 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:

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

7. LATE NIGHT TRANSPORTATION ALTERNATIVES

Providing accessible and safe transportation options is one of the highest priorities of the Seattle Nightlife Initiative because it enhances Seattle's nightlife experience for neighborhoods, hosting establishments, patrons and employees, as well as reducing alcohol-related accidents and injuries.

While noise, disorderly conduct and driving while intoxicated can be addressed through enforcement, they also can be minimized through improving late-night transportation options and choices. For example, public transit that closes before midnight or long waits for cabs may influence a person to make the wrong choice when deciding whether to drive home after drinking.

We are proposing three new elements to the late-night transportation component:

a) Late-Night Transit Service
b) Late-night taxi zones
c) Next-day parking pre-payment

a) Late-Night Transit Service

Most transit service is oriented toward daytime riders, focused especially on morning and evening commuters. The frequency of transit service drops significantly in the evening hours, with only minimal service available after midnight. Without sufficient transit service at night, people choose to drive. This is understandable but challenges our ability to move people efficiently, allocate limited public parking for use by both nighttime patrons and residents who live near business districts, and meet our climate protection objectives. There are also obvious public safety and health implications to driving being the main mode of transportation for patrons heading home after an evening out on the town.

I. Make better use of and raise awareness of existing transit service. While transit frequency in the evening and early morning hours will never match that of rush hour, transit is still a viable option for many. Current marketing and awareness of late night transit service is limited. Seattle will work with King County Metro Transit and the nightlife community to promote transit as an option for patrons.

II. Seattle is developing a Transit Master Plan to guide our transit service investments for the coming decade. We will include consideration of late-hours service in that discussion. Seattle will work with Metro to make sure limited existing service hours are allocated as efficiently as possible. Through the Transit Master Plan process, we can also determine whether to pursue more transit hours and investment into late-hours service.

III. The city can explore other options that may be able to fill some of the gaps. For example, fixed-route jitneys, or share taxis, are a more prevalent transportation option in other cities. Jitneys are typically a little bigger than a cab, smaller than a bus, some with regular routes and hours, others with flexible schedules. The Department of Finance and Administrative Services will work with the Department of Transportation to assess potential demand for such service here.

b) Late-Night Taxi Zones

The city can do a better job of making taxis an easy decision for people. One way is to make their presence more visible and dependable in parts of the city with concentrated nightlife destinations. In 2011 Seattle Department of Transportation will work with the Seattle/King County Taxicab Advisory Commission, Seattle Police Department and community members to identify the best locations for taxi stands, and determine how to make them work effectively. In Downtown, Belltown, Pioneer Square, Broadway, the University District and Ballard, SDOT will

explore zones that can accommodate four or five taxis at one time. Such concentrated taxi zones would make cabs more visible and allow them to queue to handle greater demand when needed. The zones will be signed and in effect 10 p.m. to 6 a.m. We will work with nightlife establishments in business districts to make this option known to their customers — including a map with locations of late-night taxi zones. We will also work to encourage nightlife establishments to work with limo operators to have arrangements for taking people home.

With both Late-Night Taxi Zones and Late-Night Transit Service, it's also important that we give people a safe, well lit place to wait for the bus or taxi at those hours, and we'll take good environmental design practices and public safety concerns into account in where and how we locate those facilities.

c) Next-Day Parking Pre-Payment

The City's on-street parking pay stations currently begin operating at 4 a.m. to allow pre-purchase of a maximum of two hours of parking that starts at 8 a.m. that same morning. The Mayor asked SDOT to reprogram all pay stations to instead open at 10 p.m. so drivers can pay for those first two hours the next morning, giving themselves a little more time to get home safely and retrieve their vehicles the next day. We will work with nightlife establishments in business districts to make this option known to their customers and publicize the option on pay station graphics. This change will be in place by April 2011.

8. TARGETING PUBLIC NUISSANCE

Implement the Nighttime Disturbance ordinance, which provides Seattle Police officers with additional tools to manage patrons of nightlife establishments contributing to public nuisances, disturbances and disorderly conduct in public places.

The Nighttime Disturbance Ordinance was passed by the City Council on August 2, 2010. It creates a new civil infraction for loud noise, threats or fighting that occur in a public place in a commercial or industrial zone between the hours of midnight and 5 a.m. The noise provisions of the ordinance were approved by the Department of Ecology in November and SPD is currently conducting officer training on the ordinance. Enforcement will begin in January 2011.