

SUMMARY and FISCAL NOTE*

| Department: | Dept. Contact/Phone: | CBO Contact/Phone: |
|--------------------|-----------------------------|---------------------------|
| Legislative | Greg Doss 256-6225 | (Allie) McGehee 684-5292 |

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

- 1. Legislation Title:** An ordinance relating to noise control; establishing an alternative enforcement 75-foot standard for determining excessive vehicle noise and amending Chapter 25.08 of the Seattle Municipal Code.
- 2. Summary and background of the Legislation:** Historically, the City of Seattle has experienced ongoing issues with select vehicle noise. Vehicle noise issues, particularly from mufflers, have been geographically driven and focused primarily on Alki with some additional areas Downtown. The Seattle Police Department (SPD) has indicated that it has worked to address these issues. However, SPD has also indicated that existing ordinances, technology, and operational prioritization have combined to make effective enforcement difficult.

One of the SPD's central concerns in this area has focused on the use of noise meters, which are required to enforce the excessive noise provisions of SMC 25.08.430. SPD staff have indicated that the Department does not possess noise meters, that noise meters are very difficult to use and that the calibration requirements are difficult to teach and operationalize.

The Department has indicated that enforcement of SMC 25.08.430 would be easier if the provision included a rule that allowed officers to enforce excessive vehicle exhaust noise without noise meters. The Council Bill amends current code to allow enforcement when vehicle exhaust noises (e.g. mufflers) "can be clearly heard by a person of normal hearing at a distance of 75 feet or more from the vehicle itself."

2. CAPITAL IMPROVEMENT PROGRAM

- a. Does this legislation create, fund, or amend a CIP Project?** ___ Yes ___ **X** No
If yes, please fill out the table below and attach a new (if creating a project) or marked-up (if amending) CIP Page to the Council Bill. Please include the spending plan as part of the attached CIP Page. If no, please delete the table.

3. SUMMARY OF FINANCIAL IMPLICATIONS

- a. Does this legislation amend the Adopted Budget?** ___ Yes ___ **X** No
If there are no changes to appropriations, revenues, or positions, please delete the table below.

b. Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

If so, describe the nature of the impacts. This could include increased operating and maintenance costs, for example.

It is possible that an increase in the number of vehicle noise citations could create a workload impact for the Seattle Municipal Court. In the near term, these impacts are indeterminate and it is assumed that the SMC would not be required to process enough infractions to justify the addition of positions or other resources to the 2018 or 2019-20 budgets. The specific impacts may be reviewed as part of the 2019-20 Budget development process.

c. Is there financial cost or other impacts 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 or consequences.

Costs of not implementing the legislation are not financial and would not create a fiscal impact to the City.

If there are no changes to appropriations, revenues, or positions, please delete sections 3.d., 3.e., and 3.f. and answer the questions in Section 4.

3.d. Appropriations

No This legislation adds, changes, or deletes appropriations.

If this box is checked, please complete this section. If this box is not checked, please proceed to Revenues/Reimbursements.

3.e. Revenues/Reimbursements

No This legislation adds, changes, or deletes revenues or reimbursements.

If this box is checked, please complete this section. If this box is not checked, please proceed to Positions.

Revenue/Reimbursement Notes: Revenue impacts from the legislation are indeterminate at this time. It is possible that an increase in the number of noise citations could create a positive revenue impact on the fine collections by the Seattle Municipal Court. In the near term, it is assumed that the SMC would not process enough of the citations to justify a forecast change to the fines and forfeitures projections in the 2018 or 2019-20 budget periods. The specific impacts may be reviewed as part of the 2019-20 Budget development process.

3.f. Positions

No This legislation adds, changes, or deletes positions.

If this box is checked, please complete this section. If this box is not checked, please proceed to Other Implications.

Position Notes: It is possible that an increase in the number of vehicle noise citations could create a workload impact for the Seattle Municipal Court. In the near term, these impacts are indeterminate and it is assumed that the SMC would not be required to process enough

infractions to justify the addition of positions or other resources to the 2018 or 2019-20 budgets. The specific impacts may be reviewed as part of the 2019-20 Budget development process.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

If so, please list the affected department(s) and the nature of the impact (financial, operational, etc.).

The legislation will impact the enforcement activities of the Seattle Police Department. The Department has indicated that the additional enforcement can be done through pre-planned emphasis patrols. The Department has not requested additional resources for enforcement of the legislation.

b. Is a public hearing required for this legislation?

If yes, what public hearing(s) have been held to date, and/or what public hearing(s) are planned/required in the future?

No.

c. Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?

If yes, please describe the measures taken to comply with RCW 64.06.080.

No.

d. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

For example, legislation related to sale of surplus property, condemnation, or certain capital projects with private partners may require publication of notice. If you aren't sure, please check with your lawyer. If publication of notice is required, describe any steps taken to comply with that requirement.

No.

e. Does this legislation affect a piece of property?

If yes, and if a map or other visual representation of the property is not already included as an exhibit or attachment to the legislation itself, then you must include a map and/or other visual representation of the property and its location as an attachment to the fiscal note. Place a note on the map attached to the fiscal note that indicates the map is intended for illustrative or informational purposes only and is not intended to modify anything in the legislation.

No.

f. Please describe any perceived implication for the principles of the Race and Social Justice Initiative (RSJI). Does this legislation impact vulnerable or historically disadvantaged communities?

If yes, please explain how this legislation may impact vulnerable or historically disadvantaged communities. Using the racial equity toolkit is one way to help determine the legislation's impact on certain communities.

Legislative staff have not completed a RSJI analysis on this legislation or applied the RSJI tool kit to the proposed change.

- g. If this legislation includes a new initiative or a major programmatic expansion:
What are the specific long-term and measurable goal(s) of the program? How will
this legislation help achieve the program's desired goal(s).**

This answer should highlight measurable outputs and outcomes.

The legislation is not part of a programmatic expansion.

List attachments/exhibits below: