

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

AN ORDINANCE relating to loud music venues; requiring hearing protection be made available to venue patrons; and adding a new Chapter 7.34 to the Seattle Municipal Code.

..body

WHEREAS, exposure to loud music can pose a significant risk to hearing; and

WHEREAS, according to the World Health Organization, over 1 billion young adults worldwide

are at risk of permanent, avoidable hearing loss due to unsafe listening practices; and

WHEREAS, nearly one in four (24.4%) U.S. adults aged 20-69 years show evidence of noise-

induced hearing loss; and

WHEREAS, other cities in the United States, such as Minneapolis and San Francisco, have

implemented ordinances to help protect the hearing of patrons at local music venues; and

WHEREAS, the local music scene is part of what makes Seattle special, with bands like Nirvana

and Pearl Jam getting their start in Seattle and with music festivals like Capitol Hill

Block Party and Bumbershoot being an annual tradition to locals and visitors alike; and

WHEREAS, ensuring Seattleites and visitors to Seattle can enjoy its vibrant music scene without

fear of hearing loss will only help to keep Seattle a “City of Music”; NOW,

THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. A new Chapter 7.34 is added to the Seattle Municipal Code as follows:

Chapter 7.34 LOUD MUSIC VENUE HEARING PROTECTION

7.34.010 Scope and purpose

This Chapter 7.34 applies to all loud music venues that operate in Seattle. This Chapter 7.34 is an

exercise of the City's police power for the protection of the health, safety, and welfare of

1 individuals patronizing loud music venues and is not intended to create, establish, or designate
2 any particular class or group of persons who will be especially protected or benefited by its
3 terms.

4 **7.34.020 Definitions**

5 For the purposes of this Chapter 7.34:

6 "Dance" means any event at which the primary purpose of the person conducting or
7 operating the event is for patrons to dance as that term is commonly defined.

8 "Director" means the Director of Finance and Administrative Services of The City of
9 Seattle and the Director's designee.

10 "Hearing protection" means a device that is inserted into the ear canal or covers the ears,
11 to protect the user's ears from loud noises. Hearing protection includes but is not limited to
12 earplugs made of pliable material.

13 "Live music" means an active performance of music by an individual (or individuals)
14 who, at the time of and during the performance, creates music or engages in an audible form of
15 artistic expression, other than, or in addition to, any pre-recorded music, for an audience through
16 the use or manipulation of voice, instruments, or electronic or computerized equipment or
17 formats.

18 "Loud music venue" means:

- 19 1. "Music venues" as defined in Section 11.14.376;
- 20 2. Venues licensed to sell alcoholic beverages for consumption on premises,
21 which contain a dance floor or other place primarily designated for dancing, and have a
22 maximum occupancy of over 500;

1 3. Venues that host live music or dance events at least 20 times per year and have
2 a maximum occupancy of over 5,000;

3 4. All-ages dance venues licensed according to Chapter 6.295; and

4 5. Venues hosting special events permitted according to Chapter 15.52, which host
5 live music or dance events, charge for admission, and anticipate at least 500 in attendance.

6 **7.34.030 Requirements**

7 A. All loud music venues must offer to patrons hearing protection with a noise reduction
8 rating of at least 20 decibels, for free or for sale on the premises. If hearing protection is offered
9 for sale, at least one option must be offered to patrons for \$1.00 or less.

10 B. Loud music venues are encouraged to post notice on the premises, in an area readily
11 accessible to patrons, alerting patrons to the availability of hearing protection in compliance with
12 subsection 7.34.030.A and the associated price of the hearing protection, if applicable.

13 **7.34.040 Enforcement and rulemaking**

14 The Director may adopt rules pursuant to Chapter 3.02 to implement the provisions of
15 this Chapter 7.34. The Director is authorized to enforce, promulgate, revise, or rescind rules
16 deemed necessary, appropriate, or convenient to administer the provisions of this Chapter 7.34,
17 providing affected entities with due process of law and in conformity with the intent and purpose
18 of this Chapter 7.34.

19 **7.34.050 Remedies**

20 A. Investigation and warning

21 1. The Director is authorized to investigate loud music venues the Director
22 reasonably believes have not complied with the provisions of Section 7.34.030.

1 2. If, after investigation, the Director determines that any provisions of Section
2 7.34.030 have been violated, the Director may issue a written warning to the owner, occupant, or
3 other person responsible for the violation at the loud venue. The written warning shall state: (1)
4 the provision or provisions violated; (2) the necessary corrective action; and (3) the compliance
5 due date, which shall be no less than 30 days after the issuance of the written warning.

6 3. The warning shall be served upon the persons responsible for the condition or
7 violation by personal service or by first class mail, addressed to the person's last known address.
8 If the address of the responsible person is unknown and cannot be found after a reasonable
9 search, the warning may be served by posting a copy at a conspicuous place on the property
10 where the violation occurred. The warning is effective on the earliest date of: the date of personal
11 service, the date of posting, three days after mailing by the City, or the day the notice is actually
12 received.

13 B. Violations of this Chapter 7.34 that have not been corrected by the compliance due
14 date, pursuant to subsection 7.34.050.A, shall be subject to a Class 3 civil infraction under
15 chapter 7.80 RCW, for which the maximum penalty is \$50, not including statutory assessments.
16 The civil infraction shall be processed under chapter 7.80 RCW and notices of infraction for such
17 violations may be issued by the Director. Each week of noncompliance shall be a separate
18 violation of the Chapter 7.34.

19 **7.34.060 Severability**

20 The provisions of this Chapter 7.34 are declared to be separate and severable. If any clause,
21 sentence, paragraph, subdivision, section, subsection, or portion of this Chapter 7.34 or the
22 application thereof to any loud music venue, person, or circumstance, is held to be invalid, it

- 1 shall not affect the validity of the remainder of this Chapter 7.34, or the validity of its application
- 2 to other persons or circumstances.

DRAFT

1 Section 2. This ordinance shall take effect on January 1, 2026.

2 Passed by the City Council the _____ day of _____, 2025,

3 and signed by me in open session in authentication of its passage this _____ day of

4 _____, 2025.

5 _____

6 President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2025.

7 _____

8 Bruce A. Harrell, Mayor

9 Filed by me this _____ day of _____, 2025.

10 _____

11 Scheereen Dedman, City Clerk

12 (Seal)