



Date: April 6, 2016
To: Civil Rights, Utilities, Economic Development & Arts Committee Members
From: Loren Othon, Seattle Office for Civil Rights
Subject: **All-Gender Restrooms Ordinance Amendment**

On April 12, 2016, the Civil Rights, Utilities, Economic Development & Arts Committee will have a briefing and discussion on the All-Gender Restroom Amendment legislation. The legislation proposes a technical amendment to the 2015 All-Gender Restroom Ordinance to clarify a respondent’s right to appeal the violation outlined in Subsection 14.07.040.C

Background

The All-Gender Restroom Ordinance, passed unanimously by City Council in 2015, established a requirement for gender neutral signage on all single-occupant restrooms in public accommodations across Seattle.

Conversations with the Office of the Hearing Examiner subsequent to the signing of the All-Gender Restroom Ordinance revealed the need to clarify a respondent’s opportunity to appeal a violation of the all-gender signage requirement by requesting a contested hearing. Existing language in the Ordinance states that a respondent may appeal the “civil penalty” by requesting a contested hearing; however, the function of a contested hearing is to appeal the underlying violation that leads to a civil penalty, rather than the civil penalty itself. A technical amendment is necessary to rectify this discrepancy between the appeal and the type of hearing associated with that appeal. Not only does this amendment reconcile a discrepancy, but also ensures respondents have access to due process.

Next Steps

If you have any questions about the All-Gender Restroom Amendment legislation, please feel free to contact me at any time (loren.othon@seattle.gov / 206.684.4528).