

CITY OF SEATTLE

ORDINANCE 127323

COUNCIL BILL 121079

AN ORDINANCE relating to the City's civil infraction code; conforming the Seattle Municipal Code with changes in state law and making technical corrections; and amending Sections 16.64.040 and 21.36.922 of the Seattle Municipal Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 16.64.040 of the Seattle Municipal Code, last amended by Ordinance 120023, is amended as follows:

16.64.040 Violation—Penalty((:))

Except as provided in this ~~((title))~~ Title 16, failure to perform any act required or the performance of any act prohibited by this ~~((title))~~ Title 16 is designated as a class 2 civil infraction under RCW 7.80.120 and may not be classified as a criminal offense. ~~((The provisions of the Seattle Municipal Code))~~ Sections 11.31.020 through 11.31.070 ~~((shall))~~ apply to the disposition of such civil infractions.

Section 2. Section 21.36.922 of the Seattle Municipal Code, last amended by Ordinance 126921, is amended as follows:

21.36.922 Civil infractions

A. The violation of or failure to comply with any section of this Chapter 21.36 identified in this Section 21.36.922 is designated as a civil infraction and shall be processed as contemplated by chapter 7.80 RCW.

B. The violation of or failure to comply with any of the following sections is a Class 1 civil infraction under RCW 7.80.120:

Section 21.36.415 (Discarding potentially dangerous litter), except that the maximum monetary penalty and default amount is \$500, not including statutory assessments

Section 21.36.030 (Unlawful hauling of City's Waste – Exceptions)

Section 21.36.084 (Prohibition on use of expanded polystyrene food service products)

Section 21.36.086 (Compostable or recyclable food service ware required)

Section 21.36.089 (Construction and demolition waste recycling required)

Section 21.36.100 (Single-use plastic and recyclable paper checkout bags)

C. The violation of or failure to comply with any of the following sections is a Class 2 civil infraction under RCW 7.80.120:

Section 21.36.410 (Littering)

~~((C.))~~ D. The violation of or failure to comply with any of the following sections ~~((shall be a civil infraction and subject as))~~ is a Class 3 civil infraction under RCW 7.80.120 ~~((to a maximum monetary penalty and default amount of \$50, not including statutory assessments))~~:

Section 21.36.044 (Containers required — Nonresidential)

~~((Section 21.36.410 (Littering)))~~

Section 21.36.425 (Accumulation of solid waste)

Section 21.36.430 (Unlawful use of City litter receptacles)

Section 21.36.440 (Unlawful use of solid waste container on private property)

~~((D.))~~ E. For purposes of RCW 7.80.040, the “enforcement officers” authorized to enforce the provisions of the Solid Waste Code are: (1) the Director of Seattle Public Utilities; (2) authorized representatives, assistants, or designees of the Director of Seattle Public Utilities; and (3) commissioned officers of the Seattle Police Department and persons issued

1 nonuniformed special police officer commissions by the Chief of Police with authority to enforce
2 such provisions.

3 (~~(F.)~~) E. An action for a civil infraction shall be processed in the manner contemplated by
4 chapter 7.80 RCW.

5 (~~(F.)~~) G. The City Attorney is authorized for and on behalf of The City of Seattle to
6 initiate legal action to enforce this Chapter 21.36 as deemed necessary and appropriate.

Section 3. This ordinance shall take effect as provided by Seattle Municipal Code
Sections 1.04.020 and 1.04.070.

Passed by the City Council the 14th day of October, 2025,
and signed by me in open session in authentication of its passage this 14th day of
October, 2025.



President _____ of the City Council

☒ Approved / ☐ returned unsigned / ☐ vetoed this 16th day of October, 2025.



Bruce A. Harrell, Mayor

Filed by me this 16th day of October, 2025.



Scheereen Dedman, City Clerk

(Seal)