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The City of Seattle

Ordinance

Council Bill

An ordinance relating to civil rights protections for diverse sexual orientations and relationship structures; amending the definition of the sexual orientation protected class to recognize gender identities outside the gender binary, recognize pansexuality and asexuality as orientations, and include consensual relationships with multiple partners as an element of attitudes, preferences, and practices pertaining to sexual orientation; and amending Sections 3.14.910, 3.14.931, 4.80.020, 6.02.270, 6.202.230, 14.04.030, 14.06.020, 14.08.020, 14.11.020, and 18.12.280 of the Seattle Municipal Code.

Recitals:

The City of Seattle (City) recognizes the diverse composition of its citizenry and values its people, including the diverse composition of families and intimate relationships.

The City recognizes that many people living in, working in, and visiting Seattle are part of diverse relationship structures, including those involving more than two adults engaged in loving and consensual relationships, and blended, multi-generational or extra-nuclear families where two or more adults share co-parenting responsibilities.

The City reaffirms past public policy choices made by the State of Washington, and the City itself, recognizing the existence of gender identities beyond the male and female gender binary,

such as the City's all-gender restroom ordinance, City guidance on gender identity in the workplace promulgated by the Seattle Office for Civil Rights and the Department of Human Resources, and state recognition of non-binary gender markers on birth certificates and state identification documents.

The City recognizes the validity of pansexuality (experiencing potential attraction to other people, regardless of gender identity) and asexuality (not experiencing sexual attraction to other people, but potentially experiencing romantic attractions or significant connections to other people) as sexual orientations.

Diverse relationship structures have long played a vital cultural, social, and survival role within 2SLGBTQIA+ communities, providing care, mutual aid, and belonging in the face of systemic exclusion, discrimination, and legal invisibility.

People in interpersonal relationships between two or more adult individuals that involve romantic, physical, emotional, and/or familial intimacy face discrimination in many aspects of public life due to prejudicial misunderstandings related to the validity and morality of such relationships.

Single individuals, single parents, intentionally single members of chosen family, and those who identify as asexual and/or aromantic also face discrimination in many aspects of public life.

The City has enacted anti-discrimination provisions throughout its Municipal Code to prohibit discrimination in a variety of contexts including employment, public accommodations, housing, policing, parks, business licenses, and City employment policies.

The City acknowledges that many anti-discrimination laws were enacted in a time when diverse relationship structures, gender identities, and sexual orientations were not recognized and now seeks to recognize these diverse relationship structures, including multi-partner/multi-parent families and relationships, step families, single parents, co-parents, multi-generational households, consensually non-monogamous relationships, and consensual sexual and/or

intimate relationships, including asexual and aromantic relationships.

The City acknowledges that the existing “marital status” protected class prohibits discrimination against persons that are “single” and those that are “cohabiting” and “cohabitating.”

It is the intent of the City that “cohabitating” and “cohabiting” in the context of the “martial status” protected class in the Seattle Municipal Code should be understood to include multigenerational families.

In recognition of these diverse sexual orientations and relationship structures, the discrimination that these groups face, and the need for additional legal protections, the City intends to amend the Seattle Municipal Code to prohibit discrimination against persons of diverse sexual orientations and in diverse relationship structures. Therefore,

Be it ordained by The City of Seattle as follows:

Section 1. Section 14.04.030 of the Seattle Municipal Code, last amended by Ordinance 126767, is amended as follows:

14.04.030 Definitions

When used in this Chapter 14.04, unless the context otherwise requires:

* * *

"Sexual orientation" means actual or perceived ((~~male or female~~)) heterosexuality, bisexuality, pansexuality, asexuality, or homosexuality and includes a person's attitudes, preferences, beliefs, and practices pertaining thereto. For the purposes of this definition, “attitudes, preferences, beliefs, and practices pertaining thereto” includes actual or perceived consensual relationships involving multiple partners such as non-monogamous relationships.

Section 2. Section 14.06.020 of the Seattle Municipal Code, last amended by Ordinance 126767, is amended as follows:

14.06.020 Definitions

Definitions as used in this Chapter 14.06, unless additional meaning clearly appears from the context, shall have the meanings subscribed:

* * *

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"Sexual orientation" means actual or perceived ((~~male or female~~)) heterosexuality, bisexuality, pansexuality, asexuality, or homosexuality, and includes a person's attitudes, preferences, beliefs, and practices pertaining thereto. For the purposes of this definition, “attitudes, preferences, beliefs, and practices pertaining thereto” includes actual or perceived consensual relationships involving multiple partners such as non-monogamous relationships.

* * *

Section 3. Section 14.08.020 of the Seattle Municipal Code, last amended by Ordinance 127376, is amended as follows:

14.08.020 Definitions

Definitions as used in this Chapter 14.08, unless additional meaning clearly appears from the context, shall have the meanings subscribed:

* * *

"Sexual orientation" means actual or perceived ((~~male or female~~)) heterosexuality, bisexuality, pansexuality, asexuality, or homosexuality, and includes a person's attitudes, preferences, beliefs, and practices pertaining thereto. For the purposes of this definition, “attitudes, preferences, beliefs, and practices pertaining thereto” includes actual or perceived consensual relationships involving multiple partners such as non-monogamous relationships.

* * *

Section 4. Section 14.11.030 of the Seattle Municipal Code, last amended by Ordinance 126767, is amended as follows:

14.11.020 Definitions

The definitions in this Section 14.11.020 provide the meaning of terms used in this Chapter 14.11, except as otherwise provided or as the context may otherwise clearly require:

* * *

"Sexual orientation" means actual or perceived ((~~male or female~~)) heterosexuality, bisexuality, pansexuality, asexuality, or homosexuality, and includes a person's attitudes, preferences, beliefs, and practices pertaining thereto. For the purposes of this definition, “attitudes, preferences, beliefs, and practices pertaining thereto” includes actual or perceived consensual relationships involving multiple partners such as non-monogamous relationships.

* * *

Section 5. Section 3.14.910 of the Seattle Municipal Code, last amended by Ordinance 126767, is amended as

follows:

3.14.910 Director-Appointment, removal, and duties

* * *

D. The Director of the Office for Civil Rights shall be the head of and, under the direction of the Mayor, shall be responsible for the administration of the office and in connection with such administration shall have duties and responsibilities including but not limited to the following:

* * *

7. After identifying priority issue areas, develop policies and programs, and seek additional funding sources in these areas, which seek to ameliorate the effects of disparate treatment and impact upon persons based on race, color, sex, marital status, parental status, sexual orientation as defined in Section 14.04.030, gender identity, political ideology, age, creed, honorably discharged veteran or military status, genetics information, religion, ancestry, caste, national origin, citizenship or immigration status, the presence of any disability, participation in a Section 8 or other subsidy program, right of a mother to breastfeed her child, alternative source of income, an individual's actual, potential, perceived, or alleged pregnancy outcomes as defined in Section 14.04.030, or the use of a service animal by a disabled person;

* * *

Section 6. Section 3.14.931 of the Seattle Municipal Code, last amended by Ordinance 126767, is amended as follows:

3.14.931 Seattle Human Rights Commission-Duties

The Seattle Human Rights Commission shall act in an advisory capacity to the Mayor, City Council, Office for Civil Rights, and other City departments in respect to matters affecting human rights, and in furtherance thereof shall have the following specific responsibilities:

* * *

B. To consult with and make recommendations to the Director of the Office for Civil Rights with regard to problems arising in the City that may result in discrimination because of race, religion, creed, color, national origin, citizenship or immigration status, sex, marital status, parental status, sexual orientation as defined in Section 14.04.030, gender identity, political ideology, age, ancestry, caste, honorably discharged veteran or military status, genetic information, the presence of any disability, alternative source of income, participation in a Section 8 or other subsidy

program, right of a mother to breastfeed her child, an individual's actual, potential, perceived, or alleged pregnancy outcomes as defined in Section 14.04.030, or the use of a service animal by a disabled person, and to make such investigations and hold such hearings as may be necessary to identify such problems;

* * *

Section 7. Section 4.80.020 of the Seattle Municipal Code, last amended by Ordinance 126767, is amended as follows:

4.80.020 Policy

It is the policy of the City to provide a workplace for its employees that is free from discrimination on the basis of race, color, sex, marital status, sexual orientation as defined in Section 14.04.030, gender identity, genetic information, political ideology, age, creed, religion, ancestry, caste, national origin, citizenship or immigration status, honorably discharged veteran or military status, an individual's actual, potential, perceived, or alleged pregnancy outcomes as defined in Section 14.04.030, or the presence of any disability. It is also the policy of the City to take strong affirmative action to remedy the effects of past discrimination against minorities, women, persons with disabilities, and older workers, and to avoid practices that are suspect and capable of abuse or that have an adverse impact on the opportunities of such groups where it reasonably can to produce an efficient system. By doing so, the City will then be able to provide equal employment and advancement opportunities for all qualified persons and obtain a workforce in which such groups are fairly represented.

Section 8. Section 6.02.270 of the Seattle Municipal Code, last amended by Ordinance 126767, is amended as follows:

6.02.270 Denial, revocation, or refusal to renew license-Generally

A. In addition to other penalties provided by law, the Director may deny, revoke, or refuse to renew any license issued under the provisions of this Subtitle I of Title 6 at any time:

* * *

3. If the licensee, any of the licensee's servants, or agents or employees, while acting within the scope of their employment:

a. Violates any law or ordinance relating to:

* * *

3) Discrimination against any person because of religion, race, age, political ideology,

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creed, ancestry, caste, color, national origin, citizenship or immigration status, sex, sexual orientation as defined in Section 14.04.030, gender identity, marital status, honorably discharged veteran or military status, the presence of any disability, the use of a service animal by a disabled person, the right of a mother to breastfeed her child, parental status, an individual's actual, potential, perceived, or alleged pregnancy outcomes as defined in Section 14.04.030, or participation in a Section 8 program; or

* * *

Section 9. Section 6.202.230 of the Seattle Municipal Code, last amended by Ordinance 126767, is amended as follows:

6.202.230 License-Denial, revocation, or refusal to renew-Grounds

A license may be denied, revoked, or not renewed for violation of any ordinance or law that regulates licensed activity in order to further the public interest in public health, safety, and welfare. A license may also be denied, revoked, or not renewed upon a finding that any applicant or licensee, or any owner, officer, or agent thereof:

* * *

G. Has been determined to have discriminated against any person because of race, color, age, sex, marital status, parental status, sexual orientation as defined in Section 14.04.030, gender identity, political ideology, creed, religion, ancestry, caste, national origin, citizenship or immigration status, honorably discharged veteran or military status, participation in a Section 8 program, the presence of any disability, the use of a service animal by a disabled person, an individual's actual, potential, perceived, or alleged pregnancy outcomes as defined in Section 14.04.030, or the right of a mother to breastfeed her child, in the course of licensed activity, in violation of a City ordinance, law, rule, or regulation prescribed thereunder; or

* * *

Section 10. Section 18.12.280 of the Seattle Municipal Code, last amended by Ordinance 126767, is amended as follows:

18.12.280 Discrimination prohibited

A. It is the policy of the City, in the exercise of its police powers for the protection of the public health, safety, and general welfare, and for the maintenance of peace and good government, to assure equal opportunity for full enjoyment and use of park facilities to all persons, free from restrictions because of race, color, sex, marital status, parental status, sexual orientation as defined in Section 14.04.030, gender identity, political ideology, age, creed, religion, ancestry, caste,

national origin, citizenship or immigration status, honorably discharged veteran or military status, participation in a Section 8 program, the presence of any disability, the use of a service animal by a disabled person, an individual's actual, potential, perceived, or alleged pregnancy outcomes as defined in Section 14.04.030, or the right of a mother to breastfeed her child.

B. It is unlawful for any person occupying or using any park or recreation facility for any event, activity or exhibition open to the public, whether or not under a permit and whether or not an admission or entrance fee is charged, to deny to any other person the full use and enjoyment of such park and recreation facility because of race, creed, color, sex, marital status, parental status, sexual orientation as defined in Section 14.04.030, gender identity, political ideology, age, religion, ancestry, caste, national origin, citizenship or immigration status, honorably discharged veteran or military status, participation in a Section 8 program, the presence of any disability, the use of a service animal by a disabled person, an individual's actual, potential, perceived, or alleged pregnancy outcomes as defined in Section 14.04.030, or the right of a mother to breastfeed her child. In addition to other sanctions, the permit of any person who is convicted of a violation of this Section 18.12.280, for access or use of such park and recreation facility, may be canceled and, after notice and hearing, the Superintendent may order that such person shall not be eligible for any similar permit for access to, or use of, a park and/or recreation facility for a period up to three years.

* * *

Section 11. Nothing in this ordinance shall be construed or interpreted to extend or expand existing employer-provided benefits, including but not limited to leave and healthcare benefits.

Section 12. Sections 1 through 11 of this ordinance shall take effect on June 1, 2027.

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

Passed by the City Council and signed in open session in authentication of its passage on .

President of the City Council
on .

Katie B. Wilson, Mayor

Attested on .

Lenné Dedman, City Clerk

Seal

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