AN ORDINANCE creating the offense of urinating or defecating in public;

adding a new chapter to K.C.C. Title 12 and prescribing penalties.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. **Findings:**

A. Public urination and defecation is injurious to public sanitation, indecent or offensive to the senses interferes with the comfortable enjoyment of life or property and is therefore contrary to the public health, safety and welfare.

B. RCW 9.91.025 and K.C.C. 28.96.010 prohibit urination on transit property other than in a public restroom. Under state law violation, such conduct is a misdemeanor, while it is a civil infraction under the King County Code. No other King County Code section expressly prohibits urination or defecation in other public places or makes it an offense.

C. The sheriff's office enforces county code in the unincorporated areas of the county, including both urban and non-urban areas. The areas outside of the county's urban growth boundary are considered rural, nonurban areas.

D. Recent large public events in the rural areas of the county have resulted in numerous complaints of individuals intentionally urinating in public view without regard to those whose property was fouled or to the impact on those viewing the improper behavior.

E. While these behaviors have been reported in the rural unincorporated areas during large public events, the complaints in the county’s urban unincorporated areas are much more likely to be associated with individuals with mental disabilities or who lack ready access to housing. As a result, a prohibition in these

areas is likely to result in disproportionate enforcement actions against those individuals.

F. Therefore, it is in the public interest to provide an enforcement mechanism to address the existing problem of improper behavior in the unincorporated non-urban areas of the county but it is not now necessary to impose similar sanctions in the urban unincorporated areas of the county.

SECTION 2. Sections 3 through 5 of this ordinance should constitute a new chapter in K.C.C. Title 12.

NEW SECTION. SECTION 3. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

A. It is unlawful for any person over twelve years old to intentionally urinate or defecate in a public place in the unincorporated portions of the county outside of the county's urban growth boundaries.

B. For the purposes of this section, "public place" means an area generally visible to public view and includes, but is not limited to, streets, sidewalks, bridges, alleys, plazas, parks, bike trails, driveways, parking lots, automobiles whether moving or not, vacant land and buildings open to the general public, including but not limited to those that serve food or drink or provide entertainment, and the doorways and entrances to buildings or dwellings and the grounds enclosing them, and all other places of like or similar nature to which the general public has unrestricted right of access, and which are generally used by the public. However, "public place" does not include a washroom, toilet room, golf course, in a navigable waterway or on a person's own private property. Further, public urination on transit property shall continue to be punishable pursuant to RCW 9.91.025 and K.C.C. 28.96.010.

NEW SECTION. SECTION 4. A violation of this chapter is a class 2 civil infraction punishable under chapter 7.80 RCW.

NEW SECTION. SECTION 5. The sheriff shall enforce this chapter, through means including but not limited to K.C.C. Title 23.

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