

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



CO00023247

ORDINANCE NO. 92-152

AMENDING TITLE 10 OF THE SNOHOMISH COUNTY CODE
TO PROHIBIT URINATING IN PUBLIC

BE IT ORDAINED:

Section 1. Snohomish County Code Section 10.04.010, adopted by Ordinance No. 83-010 SS2(part), adopted February 25, 1983, is amended to read:

10.04.010 Definitions. As used in this chapter, the following words and terms shall have the meaning set forth in this section:

(1) "Expressive dance" means any dance which, when considered in the context of the entire performance, constitutes an expression of theme, story, or ideas, but excluding any dance such as, but not limited to, common barroom type topless dancing which, when considered in the context of the entire performance, is presented primarily as a means of displaying nudity as a sales device or for other commercial exploitation without substantial expression of theme, story or ideas.

(2) "Exposed" means the state of being revealed, exhibited or otherwise rendered open to public view.

(3) "Public exposure" means the act of revealing, exhibiting or otherwise rendering open to public view.

(4) "Public place" means an area generally visible to public view including streets, sidewalks, bridges, alleys, plazas, parks, driveways, parking lots, automobiles (whether moving or not) and any place in which the general public has a right to be present, whether or not conditioned upon payment of a fee, and includes, but is not limited to, buildings open to the general public, including those which serve food or drink or provide entertainment, and the doorways and entrances to buildings or dwellings and the grounds enclosing them whether or not access is restricted according to age((~~7-including-those-in which-feed-or-drink-is-served, or-entertainment-is provided~~)).

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(5) "Sexual contact" means any touching of the sexual or other intimate parts of a person done for the purpose of gratifying sexual desire of either party.

(6) "Sexual intercourse:"

(a) Has its ordinary meaning and occurs upon any penetration, however slight; and

(b) Also means any penetration of the vagina or anus however slight, by an object, when committed on one person by another, whether such persons are of the same or opposite sex, except when such penetration is accomplished for medically recognized treatment or diagnostic purposes; and

(c) Also means any act of sexual contact between persons involving the sex organs of one person and the mouth or anus of another whether such persons are of the same or opposite sex.

(7) "Sexually explicit material" means any pictorial or three-dimensional material depicting sexual intercourse, masturbation, sodomy, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture or in the context of sexual relationship, or emphasizing the depiction of adult human genitals; provided, however, that works of art or of anthropological significance shall not be deemed to be within the foregoing definition. In determining whether material is prohibited for public display by this section such material shall be judged without regard to any covering which may be affixed or printed over the material in order to obscure genital areas in a depiction otherwise falling within the definition of this subsection.

(8) "Unlawful public exposure" means:

(a) A public exposure of any portion of the human anus or genitals;

(b) A public exposure of any portion of the female breast lower than the upper edge of the areola; or

(c) A public exposure consisting of touching, caressing or fondling of the male or female genitals or female breasts, whether clothed or unclothed. (Ord. 83-010 SS2(part), adopted February 25, 1983).

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Section 2. New Section. A new Section is added to Chapter 10 of the Snohomish County Code to read:

10.04.120 Urinating in public. A person is guilty of urinating in public if he or she intentionally urinates or defecates in a public place other than a washroom or toiletroom under circumstances where such act could be observed by any member of the public.

PASSED this 13th day of January, 1993.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Luc McLaughlin
Chairperson

Approved as to Form Only:

TRACI G. WAGBONER
5/24/92
Deputy Prosecuting Attorney

ATTEST:

Barbara Sitarz
Clerk of Council, ASST.

- () APPROVED
() VETOED
() EMERGENCY

DATE: 1/13/93
Luc McLaughlin
County Executive

ATTEST:

Barbara Sitarz

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