Dress Code for Coffee Stands and other Quick Service Facilities Goes Into Effect September 5, 2017

What will be required? Two Ordinances go into effect on September 5, 2017.

1) The Quick Service (Dress Code) ordinance requires that certain food service workers, including baristas, wear at least shorts/skirt and a tank top when working. The clothing cannot be see-through. See page 2 for the complete statutory requirement and for sample outfits that comply with this standard.

2) The Lewd Conduct ordinance was amended to include: “An exposure of more than one-half of the part of the female breast located below the top of the areola, provided that the covered area shall be covered by opaque material and coverage shall be contiguous to the areola” and an exposure of “the bottom half of the anal cleft.” For example, a woman wearing pasties or anyone wearing a g-string in public would violate the amended ordinance.

Whom do the new rules apply to?

The Dress Code requirement applies to food service workers for “quick service” restaurants, which include coffee stands, food trucks, fast food restaurants and similar businesses, particularly with drive-through service. Owners are responsible for enforcing this requirement.

The Lewd Conduct amendment applies to anyone in any public place (including persons working at drive-thru windows).

What happens if the new laws are violated?

Dress Code: If an employee is dressed in a manner that violates the requirements of the new dress code, the owner will receive a civil citation starting at $250 and will be required to obtain a probationary license for the next five years. Two additional violations during that period would result in higher penalties and the revocation of that license.

Lewd Conduct: A person engaging in lewd conduct can be charged with a criminal misdemeanor. Owners of businesses that encourage employees to engage in lewd conduct can be charged with a gross misdemeanor for facilitating that conduct based on the new amendment.

Businesses with repeat violations may also be closed as public nuisances.

What if a restaurant already requires employees to dress in pants and short-sleeve shirts?

The new laws will not affect a business that has a stricter dress code that that required by the City regulation.

How will the new laws be enforced?:

Most enforcement will be complaint driven and focused on obvious violations.

The City will also focus enforcement efforts on any businesses willfully violating the new requirements.
Where can I get a copy of the new laws?

On the City’s website at:  
https://everettwa.gov/DocumentCenter/View/11728 (dress code)  
https://everettwa.gov/DocumentCenter/View/11727 (lewd conduct)

Example of clothing that would comply with the new dress code.

Under the new Quick Service dress code law, the Clerk’s Office is authorized to publish additional guidance on what clothing will comply with the ordinance.

[Image of clothing examples]

**Full description of Dress Code Requirement**

The dress code requires quick service employees to wear clothing that covers “the upper and lower body (breast/pectorals, stomach, back below the shoulder blades, buttocks, top three inches of legs below the buttocks, pubic area and genitals)”; in other words, a tank top and shorts/skirt. Moreover, that clothing “shall not be see-through and must fit adequately so that undergarments and all minimum body areas remain covered at all times including when the wearer is sitting, standing, bending, reaching or performing other work duties.”

If you have questions, please contact the City Attorney’s Office through the contact form on the City’s website at https://www.everettwa.gov/FormCenter/Legal-23/Contact-the-City-Attorney-151