

15.38.050 Motor vehicles; boats; animals; newsstands.

1 The impoundment and disposition of abandoned and/or unauthorized vehicles is regulated by
2 ~~((Seattle Municipal Code-))~~ Chapter 11.30 and RCW 46.55.080 through 46.55.115, and as to a
3 vehicle, watercraft, camper, or component part thereof whose manufacturer's serial or
4 distinguishing number or mark has been removed or altered by RCW 46.12.310 -- 46.12.340.

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6 The Director of Transportation and the Superintendent are authorized to assist the Chief of Police
7 and the Director of Finance and Administrative Services~~((Licenses and Consumer Affairs))~~ in
8 arranging for the removal thereof from public places.
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10 The impounding of animals is regulated by ~~((Seattle Municipal Code))~~ Chapter 9.25.

11 The impounding of newsstands is regulated by ~~((Seattle Municipal Code))~~ Section 15.14.070.

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14 Section 266. Section 15.42.050 of the Seattle Municipal Code as last amended by
15 Ordinance 118409 is amended as follows:

15.42.050 Conformance to Street Tree Planting Standards.

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17 Tree planting shall conform to the Street Planting Standards of the City of Seattle adopted ~~((by~~
18 ~~Board of Public Works and continued in effect pursuant to this subtitle or as later modified))~~ by
19 the Director of Transportation, insofar as practical. Changes from those standards may not be
20 granted without approval of the Director of Transportation.
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23 Section 267. Section 15.52.020 of the Seattle Municipal Code, last amended by Ordinance
24 121276, is amended as follows:

15.52.020 Committee membership.

1 The Special Events Committee shall be comprised of the following voting members:

2 A. A representative of the Mayor, the City Budget Director, the Fire Chief, the Police
3 Chief, the Superintendent of Parks and Recreation, and the Directors of Transportation, Planning
4 and Development, Finance and Administrative Services, and Neighborhoods, and of the Seattle-
5 King County Health Department;

6 B. A representative of the ~~((Metropolitan Services Division))~~ the transit division of King
7 County government;

8 C. Three ~~((3))~~ citizens and one ~~((1))~~ alternate appointed by the Mayor, subject to
9 confirmation by the City Council; an alternate may vote when the appointee is absent. One
10 ~~((1))~~ of the citizens shall have experience in organizing special events with attendance over
11 ~~((ten thousand))~~ 10,000 ~~((0))~~ people; another shall have experience organizing smaller events.
12 Members shall serve without compensation, by reason of their committee membership. Citizen
13 members and alternates may be reimbursed for expenses incurred in attending committee
14 meetings and performing committee duties. The Mayor shall appoint the chair of the Committee,
15 who shall serve for a term of two ~~((2))~~ years and may be reappointed. The incumbent chair
16 shall hold over at the expiration of his or her term until a successor is appointed and qualifies.
17 The chair shall provide for maintaining committee records, arranging meeting times and places,
18 sending statements, and issuing permits on behalf of the Committee.
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23 Section 268. Section 15.62.110 of the Seattle Municipal Code as last amended by
24 Ordinance 120794 is amended as follows:

25 **15.62.110 Payment of compensation or conveyance.**
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1 Upon securing an appraisal of the value of the street or alley area to be vacated as provided in
2 this chapter, the Director of Transportation shall notify the petitioner of the amount of
3 compensation, deducting therefrom any remaining appraisal fee deposit not previously refunded
4 to petitioner. The payment shall be delivered to the Director of Transportation who, upon receipt
5 of any such payment shall forthwith transmit the same to the ((City)) Director of Finance and
6 Administrative Services((Executive Administration)) for deposit in the Cumulative Reserve
7 Subfund((Fund)) and shall make a written report of such payment to the City Council. In the
8 event that the petitioner has received approval of delivery of an instrument granting or dedicating
9 to the City a parcel or parcels of land in lieu of a cash payment as contemplated by Section
10 15.62.090, the Director of Transportation, in his or her discretion, at the applicant's expense shall
11 obtain either a policy of title insurance insuring title thereto in the City, or a certificate of title as
12 to the title thereof, and upon receipt of such policy or certificate shall transmit the same to the
13 City Council for inclusion in the appropriate file.
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17 Section 269. Section 16.08.050 of the Seattle Municipal Code as last amended by
18 Ordinance 120794 is amended as follows:

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20 **16.08.050 Waterway Operations and Maintenance Subfund.**

21 A. A restricted subfund designated the "Waterway Operations and Maintenance Subfund"
22 is established in the Transportation Fund to which restricted subfund shall be deposited all fees
23 collected from waterway use and occupation permits issued under this chapter; reimbursements
24 of expenses incurred by the Chief of Police in removal, towing, impoundment of vessels, water
25 sport craft or obstructions in waterways and receipts from sale of such vessels, water sport craft
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1 or obstructions; its proportionate share of interest earnings of invested Transportation Fund
2 balances; and any other moneys accruing from activities under this title in waterways or
3 appropriated or budgeted to such fund. If the Waterway Operations and Maintenance Subfund
4 has a credit balance greater than that of the Transportation Fund, the Director of Finance and
5 Administrative Services(~~Executive Administration~~) shall credit interest to the Subfund at the
6 rate of the City's investment earnings for funds of its size.
7

8 B. The Waterway Operations and Maintenance Subfund shall be charged with the cost of
9 administration, inspection and policing involved in the issuance and continuance of such permits;
10 activities of the City in maintaining waterways as public ways for vessels or obstructions and for
11 commerce and navigation; and for maintaining a reserve to clear waterways of vessels that may
12 sink therein and for emergency activities related to waterways and navigation. Vouchers for
13 expenditures shall be approved by the Director of Transportation or his or her designee, or by the
14 Chief of Police or his or her designee.
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16
17 Section 270. Section 18.12.080 of the Seattle Municipal Code, last amended by Ordinance
18 121788, is amended as follows:

19 **18.12.080 Animals running at large prohibited.¹**
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21 A. Except as expressly allowed in subsection B hereof, it is unlawful for any person to
22 allow or permit any dog or other pet to run at large in any park, or to permit any dog or other pet
23 with or without a leash, except Seeing Eye or Hearing Ear dogs or dogs used by public law
24 enforcement agencies and under control of a law enforcement officer, to enter any public beach,
25 swimming or wading area, pond, fountain, stream, organized athletics area or designated
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1 children's play area. The Superintendent may ban dogs and other pets, or a specific dog or other
2 pet, from areas of any park where he or she determines the same may be a nuisance.

3 B. Dogs may be allowed to run at large only in the following areas hereby designated as
4 off-leash areas:

- 5 1. That portion of Genesee Park depicted on Exhibit 18.12.080 H;
- 6 2. That portion of Golden Gardens Park depicted on Exhibit 18.12.080 I;
- 7 3. That portion of Magnuson Park depicted on Exhibit 18.12.080 J (Revision 2);
- 8 4. That portion of I-5 Open Space depicted on Exhibit 18.12.080 U;
- 9 5. That portion of Westcrest Park as depicted on Exhibit 18.12.080 L (Revision
10 2002);
- 11 6. That portion of the City's stormwater drainage-retention facility adjacent to I-
12 90 Lid Park as depicted on Exhibit 18.12.080 M;
- 13 7. That portion of Woodland Park depicted on Exhibit 18.12.080 N; provided that
14 this site may not be used as an off-leash area until the Superintendent has filed a
15 stewardship agreement concerning the site with the City Clerk and until signs are
16 installed;
- 17 8. That portion of Boren-Pike-Pine Park depicted on Exhibit 18.12.080 V;
- 18 9. That portion of City Light Right-of-Way #3 depicted on Exhibit 18.12.080 P;
19 provided that this site may not be used as an off-leash area until the
20 Superintendent has filed a stewardship agreement concerning the site with the
21 City Clerk and until signs are installed;
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THIS VERSION IS NOT ADOPTED



1 10. That portion of the East Duwamish Greenbelt depicted on Exhibit 18.12.080
2 Q; provided that this site may not be used as an off-leash area until the
3 Superintendent has filed a stewardship agreement concerning the site with the
4 City Clerk and until signs are installed;

5 11. That portion of Northacres Park depicted on Exhibit 18.12.080 R; provided
6 that this site may not be used as an off-leash area until the Superintendent has
7 filed a stewardship agreement concerning the site with the City Clerk and until
8 signs are installed;

9 12. That portion of Regrade Park depicted on Exhibit 18.12.080 T.

10 Any person who takes a dog into an off-leash area must have physical control of the dog by
11 means of an adequate leash when entering and leaving the off-leash area and must maintain
12 voice control over the dog at all times while in the off-leash area. All dogs in an off-leash area
13 must be licensed and must display valid license tags attached to the dog collar. Dangerous
14 animals, as defined in ((S))subsection 9.25.020.((-))G of this Code, are not permitted to use the
15 off-leash areas.
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18 C. Any person with a dog or other pet in his or her possession or under his or her control
19 in any park shall be responsible and liable for the conduct of the animal, shall carry equipment
20 for removing feces, and shall place feces deposited by such animal in an appropriate receptacle.
21

22 D. The Superintendent shall review the impacts of off-leash activities at sites described in
23 subsections B7 through B13 of this section after ((eighteen(-))18((-)) months of operations at
24 each site. In the case of nonpark sites, this review shall include consultation with the City
25 department with authority over the site. If, based on this review, the Superintendent finds
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1 significant problems that cannot be practically corrected the Superintendent may close the site to
2 off-leash use. In addition to any action taken pursuant to the review described above, the
3 Superintendent is authorized to close to off-leash dog use any area described under subsection B
4 of this section on a temporary or permanent basis if significant problems arise which cannot be
5 resolved jointly by the Department of Parks and Recreation, Seattle Animal Control, and COLA,
6 and if the Superintendent determines that such closure is necessary for the preservation and
7 protection of the natural environment, public health or safety. Prior to closing any off-leash area,
8 the Superintendent shall consult with the Director of Finance and Administrative
9 Services~~((Executive Administration))~~. The Superintendent shall state in writing his or her
10 reasons for closure.
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12 Prior to any permanent closure, the Superintendent shall give ~~((thirty (0)))~~30((0)) days written
13 notice, to be posted at the site, stating the reason(s) for the closure and shall conduct one~~((1))~~
14 or more public hearings on the proposed closure.
15

16 Moreover, the Superintendent is authorized to manage all off-leash sites and this authority shall
17 include, but not be limited to, the authority to make minor alterations to site boundaries after
18 reasonable notice to the public, impose operating hours and curtail use at sites as necessary for
19 renovation, repair or for other operational reasons.
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22 Section 271. Section 18.28.040 of the Seattle Municipal Code as last amended by
23 Ordinance 112568 is amended as follows:

24 **18.28.040 Experimental rates.**
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1 A. With the concurrence of the City Budget Director, the Superintendent of Parks and
2 Recreation is authorized to adjust the fee or charge contained in the established fee schedule for
3 any particular facility on a temporary basis of up to ~~((sixty-))~~60(()) days in order to increase
4 public attendance or usage and the resulting revenues. Temporary rates may take the form of
5 special price during a special time, e.g., a half-price rate for entry to a park facility during the
6 final hour before closing, a lower rate for children when half or more of the allotted time for
7 family or children's usage has expired, or a two ~~((2-))~~for one ~~((1-))~~entry for a handicapped
8 individual and a person who accompanies and assists a handicapped individual.
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10 B. The Superintendent shall report to the City Council in conjunction with the
11 presentation of the Department's proposed budget, the Department's experience with any
12 experimental rates during the preceding ~~((twelve-))~~12(()) months.
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15 Section 272. Section 20.04.050 of the Seattle Municipal Code as last amended by
16 Ordinance 120794 is amended as follows:

17 **20.04.050 Modes of payment.**

18 There shall be two ~~((2-))~~modes of payment for the portion of the cost and expense of any local
19 improvement contemplated by this chapter, and payable by special assessment, to wit:

20 "immediate payment" and "payment by bonds." The mode adopted shall be the mode petitioned
21 for in case the improvement shall be made upon petition. Otherwise, the Director of Finance and
22 Administrative Services~~((Executive Administration, in consultation with the Director of~~
23 ~~Finance,))~~ shall make a recommendation to the City Council as to the mode of payment, and the
24 mode shall be the one designated in the ordinance ordering such improvement.
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2 Section 273. Section 20.04.060 of the Seattle Municipal Code as last amended by
3 Ordinance 120794 is amended as follows:

4 **20.04.060 Preliminary assessment roll.**

5 A. After the City has ordered a local improvement and created a local improvement
6 district by ordinance, the Director of Transportation shall prepare, and within ~~((fifteen (15)))~~
7 days after the improvement of work has been ordered and a local improvement district created,
8 file with the Director of Finance and Administrative Services ~~((Executive Administration))~~ the
9 following:
10

- 11 1. The title of the improvement;
- 12 2. The district number;
- 13 3. Copy of a diagram or print showing the boundaries of the district;
- 14 4. Preliminary assessment roll or abstract thereof showing the lots, tracts and
15 parcels of land that will be especially benefited;
- 16 5. The estimated cost and expense of such improvement to be borne by each such
17 lot, tract or parcel; and
- 18 6. The name of the owner thereof, if known, but in no case shall a mistake in the
19 name of the owner affect the validity of any assessment when the description of
20 the property is correct.
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23 B. The Director of Finance and Administrative Services ~~((Executive Administration))~~
24 shall immediately post the proposed assessment roll upon his or her index of local improvement
25 district assessments against the properties affected.
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THIS VERSION IS NOT ADOPTED



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2 Section 274. Section 20.04.120 of the Seattle Municipal Code as last amended by
3 Ordinance 120794 as follows:

4 **20.04.120 Confirmation by ordinance -- Procedure.**

5 The ordinance confirming any assessment roll shall levy and assess against each lot, tract,
6 or parcel of land, or other property appearing upon such roll, the amount charged against the
7 same. Upon the enactment of the ordinance, the roll shall be delivered to the City Clerk, together
8 with a list containing the lots and the names of the owners thereof upon which the collection of
9 local improvement district assessments will be deferred pursuant to RCW 35.43.250. The City
10 Clerk shall forthwith transmit the same to the Director of Finance and Administrative
11 Services~~((Executive Administration))~~, with his or her certificate that the same has been duly
12 approved by ordinance, and annually thereafter, in the case of assessments payable by the mode
13 of "payment of bonds," the Director of Finance and Administrative Services~~((Executive~~
14 ~~Administration))~~ shall extend the installments of principal and interest upon any unpaid balance
15 as shown upon said approved roll. Interest shall be at the rate fixed by the ordinance confirming
16 the assessment roll.
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21 Section 275. Section 20.04.130 of the Seattle Municipal Code as last amended by
22 Ordinance 120794 as follows:

23 **20.04.130 Mode of "immediate payment."**

24 A. Whenever the cost and expense of any improvement shall be payable by the mode of
25 "immediate payment," the Director of Finance and Administrative Services~~((Executive~~
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1 Administration)), upon receipt of the assessment roll as confirmed by ordinance, shall publish a
2 notice in the official newspaper of the City once a week for two ((2)) consecutive weeks that
3 the roll is in his or her hands for collection, and that all or any portion of the assessment may be
4 paid within ((thirty-))30(()) days from the date of the first publication of the notice without
5 penalty, interest or cost, and that unless payment be made within such time, the assessment or
6 unpaid portion thereof will become delinquent. Within ((fifteen-))15(()) days of the first
7 newspaper publication, the Director of Finance and Administrative Services((Executive
8 Administration)) shall notify each owner or reputed owner whose name appears on the
9 assessment roll, at the address shown on the King County tax rolls ((of the County Comptroller))
10 for each item of property described on the assessment roll, of the nature of the assessment, of the
11 amount of his or her property subject to such assessment, of the total amount of the assessment
12 due, and of the time during which such assessment may be paid without penalty, interest or costs.
13 In the case of assessments the collection of which has been deferred pursuant to RCW 35.43.250
14 and RCW 35.54.100, as now existing or hereafter amended, the notice shall also state that the
15 assessment shall be paid within the period of deferral and that unless the assessment the
16 collection of which has been deferred is paid within such period of deferral, the assessment or
17 any unpaid portion thereof will become delinquent. Reference to deferred collection assessments
18 may be omitted from the notice when there is no provision for deferred collection in the
19 ordinance creating the district.
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23 B. Upon delinquency a penalty of ((twenty)) 20-percent ((20%)) of the assessment shall
24 attach to, and become part of all assessments. Delinquent assessments shall bear interest until
25 paid at a percentage rate to be fixed by the ordinance confirming the assessment roll. Delinquent
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1 assessments, penalties and interest shall forthwith be collected and the lien thereof enforced in
2 the manner provided by statute, the City Charter¹ and ordinances of the City.

3
4 Section 276. Section 20.04.140 of the Seattle Municipal Code as last amended by
5 Ordinance 120794 as follows:

6 **20.04.140 Mode of "payment by bonds."**

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8 A. Whenever the cost and expense of any improvement shall be payable by the mode of
9 "payment by bonds," the Director of Finance and Administrative Services~~((Executive
10 Administration))~~, upon receipt of the assessment roll as confirmed by ordinance, shall publish a
11 notice in the official newspaper of the City once a week for two ~~((2))~~ consecutive weeks that
12 the roll is in his or her hands for collection and that all or any portion of the assessment may be
13 paid within ~~((thirty))~~30~~(())~~ days from the date of the first publication of the notice without
14 penalty, interest or cost. Within ~~((fifteen))~~15~~(())~~ days of the first newspaper publication, the
15 Director of Finance and Administrative Services~~((Executive Administration))~~ shall notify each
16 owner or reputed owner whose name appears on the assessment roll, at the address shown on the
17 tax rolls of ~~((the))~~ King County ~~((Comptroller))~~ for each item of property described on the
18 assessment roll, of the nature of the assessment, of the amount of his or her property subject to
19 such assessment, of the total amount of the assessment due, and of the time during which such
20 assessment may be paid without penalty, interest or costs. In the case of assessments or of any
21 installment thereof the collection of which has been deferred pursuant to RCW 35.43.250 and
22 RCW 35.54.100, as existing or hereafter amended, the notice shall also state that the assessment
23 or any installment shall be paid within such period of deferral and that unless the assessments or
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1 installments, the collection of which have been deferred are paid within such period of deferral,
2 such assessment or unpaid portion or installment thereof will become delinquent.

3 B. Unless collection of an assessment has been deferred pursuant to RCW 35.43.250 and
4 RCW 35.54.100 as now existing or hereafter amended, the first installment of principal and
5 interest of any assessment payable under the mode of "payment by bonds" shall become due and
6 payable during the ~~((thirty (30)))~~ day period succeeding a date one ~~((1))~~ year after the date
7 of first publication of the notice by the Director of Finance and Administrative
8 Services~~((Executive Administration))~~ that the assessment roll is in his or her hands for collection,
9 and annually thereafter each succeeding installment of principal or interest shall become due and
10 payable in like manner. All installments must be paid in sequential order. Whenever an
11 installment shall become due and payable, the Director of Finance and Administrative
12 Services~~((Executive Administration))~~ shall mail a notice thereof to the owner of the property
13 assessed, when the post office address of such owner is known, but failure to mail the same shall
14 not affect the validity of the assessment lien. Any such installment not paid prior to the
15 expiration of the ~~((thirty (30)))~~ day period during which such installment is due and payable
16 shall thereupon become delinquent.

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19 C. Whenever the collection of an installment of an assessment has been deferred pursuant
20 to RCW 35.43.250 and RCW 35.54.100 as existing or hereafter amended, the installment of
21 principal or interest shall become due and payable upon expiration of the period of such deferral
22 and each succeeding installment of principal or interest shall become due and payable in like
23 manner. Any such installment not paid within ~~((thirty (30)))~~ days after expiration of the
24 period of such deferral shall thereupon become delinquent.
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1 D. All delinquent installments shall, until paid, be subject to an additional charge of
2 ~~((twenty))~~ 20-percent ~~((20%))~~ levied upon the principal and interest due on such installment or
3 installments.

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5 Section 277. Section 20.04.145 of the Seattle Municipal Code as last amended by
6 Ordinance 118138 is amended as follows:

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8 **20.04.145 Installment notes.**

9 In addition to the issuance of bonds and warrants in payment of the cost of any local
10 improvement, the City Council may, in the ordinance ordering any such improvement and
11 adopting the mode of payment, direct the issuance of local improvement installment notes and
12 certificates payable out of the local improvement district fund, and to the extent provided by law
13 from the Local Improvement Guaranty Fund, when such notes are to be held exclusively by one
14 ~~((1))~~ or more other City funds as authorized by RCW 35.45.150. Loans evidenced by such
15 notes shall comply with RCW 35.45.150. The total sum of all outstanding principal on such
16 installment notes shall not at any time exceed ~~((One Million dollars (-)))~~ \$1,000,000 ~~((-.00))~~.

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18 The ~~((Finance))~~ Director of Finance and Administrative Services may refund such installment
19 notes by the issuance of local improvement district bonds or consolidated local improvement
20 district bonds in accordance with RCW Chapter 35.45, and may transfer any such notes, at par
21 plus accrued interest among funds of the City.
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23
24 Section 278. Section 20.04.150 of the Seattle Municipal Code as last amended by
25 Ordinance 120794 as follows:
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20.04.150 Special fund for each district.

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2 The ordinance creating any local improvement district shall also create a special fund to be
3 called "Local Improvement Fund, District No. _____," into which shall be placed all sums
4 from any source intended for use in the prosecution of the work contemplated by such ordinance
5 and, when the assessment roll has been confirmed, all sums paid on account of such assessment,
6 including all interest and penalty thereon, and in the event of sale of bonds by the City, all
7 proceeds of sale and all premiums and accrued interest on bonds issued for such improvement.
8
9 The moneys in such local improvement district fund derived from assessments shall be used for
10 no other purpose than the redemption of warrants drawn upon and bonds issued against the fund
11 to provide payment for the cost and expense of the improvement. Provided, that if the fund is
12 solvent at the time payment is ordered, the Director of Finance and Administrative
13 Services~~((Executive Administration))~~ may elect to make payment for the cost and expense of the
14 improvement by check.
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16
17 Section 279. Section 20.04.170 of the Seattle Municipal Code as last amended by
18 Ordinance 116368 is amended as follows:

20.04.170 Bonds -- Register required.

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21 The ~~((City Finance))~~ Director of Finance and Administrative Services shall keep in his or her
22 office a register of all such bonds issued. He or she shall enter therein the local improvement
23 fund district number, for which the same are issued, and the date, amount and number of each
24 bond and term of payment.
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1 Section 280. Section 20.04.200 of the Seattle Municipal Code as last amended by
2 Ordinance 116368 is amended as follows:

3 **20.04.200 Warrants -- Call and payment.**

4 A. It shall be the duty of the ((City Finance)) Director of Finance and Administrative
5 Services to call and pay in numerical order such outstanding warrants against any particular
6 improvement fund as he or she may be able to pay with the money on hand credited to such fund,
7 and whenever he or she shall have money on hand to the credit of such fund, but not sufficient to
8 pay the whole of the next succeeding outstanding warrant, he or she may call in and pay such
9 portion thereof as shall exhaust the amount of such fund; provided, however, that the ((City
10 Finance-)) Director of Finance and Administrative Services may call the warrants issued to the
11 contractor on estimates of the department head supervising the construction in any local
12 improvement district as soon as the City Council has, by resolution or ordinance, fixed a date for
13 the issuance of bonds or installment notes in respect to such local improvement district.

14 B. Whenever the ((City Finance-)) Director of Finance and Administrative Services shall
15 pay a portion of any warrant as above provided, he or she shall endorse upon such warrant the
16 date and amount of such payment and take a receipt from the holder thereof, showing the number
17 and description of such warrant and the date and amount so paid, which receipt the said Director
18 shall record as a voucher for the money so paid.

19 Section 281. Section 20.04.210 of the Seattle Municipal Code as last amended by
20 Ordinance 120794 is amended as follows:

21 **20.04.210 Contracts -- Requirements generally.**



1 A. Contracts for local improvements shall provide for a retainage from the moneys
2 earned by the contractor on estimates during the progress of the improvement or work of a sum
3 to be used as a trust fund for the protection and payment of any person or persons, mechanics,
4 subcontractors or material men who shall perform any labor upon such contract or the doing of
5 said work, and all persons who shall supply such person or persons or subcontractors with
6 provisions and supplies for the carrying on of such work, and the state with respect to taxes
7 imposed pursuant to RCW Title 82 which may be due from subcontractor. Said fund shall be
8 computed and administered pursuant to Chapter 205, 1st Ex. Sess., Laws of 1977, presently
9 codified as RCW 60.28.010. No improvement shall be deemed completed until the department
10 head supervising the project shall have filed with the City Clerk a statement in duplicate
11 declaring the same to have been completed.
12

13 B. During the time allowed for the completion of the contract the department head
14 supervising the project shall each month issue an estimate of the amount of work completed by
15 the contractor during the preceding month; provided, that after the expiration of the time allowed
16 for such completion no estimate other than the final estimate shall be issued. The final estimate
17 shall include a statement of the amount of money due the contractor, a statement of the amount
18 of money expended for abstracts, advertising, accounting and collection, and engineering
19 expense incurred prior to the expiration of the time allowed for the completion of the contract.
20
21 The City's engineering expenses incurred after the time allowed for the completion of the
22 contract, shall be borne by the contractor as the minimum penalty for failure to complete the
23 work within the specified time.
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1 C. After the issuance of the estimate by the department head supervising the project, the
2 Director of Finance and Administrative Services~~((Executive Administration))~~ shall, on or about
3 the ~~((twenty fifth))~~ 25th day of the month, deliver to the contractor money or warrants in an
4 amount equal to such estimate less the percentage to be retained therefrom as herein provided.
5 After the expiration of ~~((thirty ()))~~ 30 days following the final acceptance of said improvement
6 or work and the expiration of the time for the filing of lien claims as provided by law, said
7 reserve, or all amounts thereof in excess of a sufficient sum to meet and discharge the claims of
8 material men and laborers who have filed their claim as provided by law, together with a sum
9 sufficient to defray the cost of such action, and to pay attorney's fees, shall be paid to said
10 contractor.
11

12 D. Such warrants shall be drawn against the local improvement district fund and shall
13 bear interest at the rate prevailing in the market from the date of issuance until redeemed;
14 provided, that warrants shall not bear interest after ~~((two hundred forty ()))~~ 240 days from the
15 time fixed in the proposal and contract for the completion of the contract.
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17 E. If the work is completed within the time fixed by the contract, or any extension
18 thereof, and there is no money available for payment of contractors' warrants at the expiration of
19 the ~~((two hundred forty ()))~~ 240 day period above mentioned, the contractor may be paid by
20 separate non-interest-bearing warrants a sum equivalent to interest at the rate prevailing in the
21 market on outstanding warrants from the date when interest on such warrants ceased to the date
22 when funds are available for the redemption thereof.
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24 F. If an extension of time is granted for the completion of the contract and the work is not
25 completed when the extension period has expired, the contractor may be paid by separate non-
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1 interest-bearing warrants a sum equivalent to interest at the rate prevailing in the market on
2 outstanding warrants from the day when interest ceased, as above mentioned, to a date ((two
3 hundred forty (40))240((40)) days from the date on which the extension period expires.

4 G. The Director of Finance and Administrative Services((Executive Administration))
5 shall immediately upon receipt of the final estimate for a local improvement, file in the office of
6 the City Clerk a certificate setting forth the total amount of said final estimate, together with
7 accrued interest on warrants issued or to be issued.
8

9 H. All warrants issued shall be redeemed in cash, in order of issuance within ((two
10 hundred forty (40))240((40)) days after the completion and acceptance of the contract, so far as
11 payment into the local improvement district fund shall permit. Warrants not so redeemed in cash
12 shall, except as otherwise provided in this chapter, be redeemed in order of their issuance in local
13 improvement district bonds, the lowest numbered warrants being redeemed with the lowest
14 numbered bonds, if the mode of payment is "payment by bonds"; or, if the mode of payment be
15 "immediate payment," by the issuance of local improvement district fund warrants with interest
16 at the rate prevailing in the market from the date of issuance until redeemed, such redemption to
17 be made in the same manner as that followed under the mode of payment "payment by bonds."
18

19 I. If the mode of payment is "payment by bonds" and the bonds are sold as provided in
20 this chapter, all such warrants not so redeemed in cash as above provided, shall be redeemed in
21 order of issuance in cash out of the proceeds of the sale of such bonds.
22

23
24 Section 282. Section 20.04.220 of the Seattle Municipal Code as last amended by
25 Ordinance 120794 is amended as follows:
26

20.04.220 Contracts -- To lowest bidders -- Notice -- Check with bid.

1 All the work to be done in any local improvement district shall be let in one ~~((1))~~ contract or,
2 at the option of the head of the department supervising the project, the work may be subdivided
3 and separate contracts be let for each subdivision thereof. All local improvements to be made by
4 contract shall be let to the lowest and best bidder therefor. Before the award of any such contract,
5 there shall be published for at least two ~~((2))~~ days in the official newspaper of the City a notice,
6 the last publication being at least ten ~~((10))~~ days before the letting of such contract, inviting
7 sealed proposals for such work, and the plans and specifications whereof must, at the time of
8 publication of such notice, be on file in the office of the department head supervising the project,
9 subject to public inspection. Such notice shall state generally the work to be done and shall call
10 for proposals for doing the same, sealed and filed with the City as specified in the notice, on or
11 before the day and hour named therein. All bids shall be accompanied by a certified check,
12 payable to the order of the Director of Finance and Administrative Services ~~((Executive
13 Administration))~~, or a surety bond for a sum not less than ~~((five))~~ 5-percent ~~((5%))~~ of the
14 amount of the bid, and no bid shall be considered unless accompanied by such check or bond. If,
15 in the discretion of the head of the department supervising the project, the work should be done
16 by the City by day labor, and under the management of the department, it is hereby empowered
17 to proceed with the work irrespective of all such bids, and, in such case, all bids shall be rejected;
18 provided, however, the work shall not be done by the City if the determination so to do is in
19 conflict with the provisions of RCW 35.22.620.
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THIS VERSION IS NOT ADOPTED



1 Section 283 Section 20.04.230 of the Seattle Municipal Code as last amended by
2 Ordinance 120794 is amended as follows:

3 **20.04.230 Contracts -- Opening bids -- Acceptance, rejection and forfeiture conditions.**

4 At the time and place named, such bids shall be publicly opened and read; no bid shall be
5 rejected for informality but shall be received if it can be understood what is meant thereby. The
6 department head supervising the project shall proceed to determine the lowest and best bidder,
7 and may let such contract to such bidder, or if all bids received exceed by ten percent (~~((10%))~~)
8 preliminary cost estimates prepared by an independent consulting engineer or registered
9 professional engineer retained for that purpose by the City, he or she may reject all of them and
10 re-advertise, or may proceed to do the work under the direction of the department head
11 supervising the project by "day labor," and, in case of rejection of all bids all checks shall be
12 returned to the bidders; but if the contract be let, then, and in such case, all checks shall be
13 returned to the bidders, except that of the successful bidder, which shall be retained until the
14 contract be entered into for making such improvement between the bidder and the City, in
15 accordance with such bid, and the duly approved and accepted bond therefor be filed in the
16 office of the City Clerk. If the successful bidder fails to enter into the contract in accordance with
17 his bid within ten (~~((10))~~) days from the date at which he is notified that he is the successful
18 bidder, the said check and the amount thereof shall be forfeited to the City, and the same shall be
19 delivered to the Director of Finance and Administrative Services(~~(Executive Administration)~~),
20 who pay the same into the City Treasury to the credit of the appropriate Local Improvement
21 District Fund. Neither the department head nor the City Council shall have the power to remit
22 such forfeiture.
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THIS VERSION IS NOT ADOPTED



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2 Section 284. Section 20.04.270 of the Seattle Municipal Code as last amended by
3 Ordinance 120794 is amended as follows:

4 **20.04.270 Items of cost and expense for estimates.**

5 All estimates of the cost and expense of local improvements shall include the following:

6 A. The cost of all of the construction or improvement authorized for the district
7 including, but not limited to, that portion of the improvement within street intersections;

8 B. The estimated cost and expense of all engineering and surveying necessary for the
9 improvement done under the supervision of the City;

10 C. The estimated cost and expense of ascertaining the ownership of the lots or parcels of
11 land included in the assessment district;

12 D. The estimated cost and expense of advertising, mailing and publishing all necessary
13 notices;

14 E. The estimated cost and expense of accounting, clerical labor, and of books and blanks
15 extended or used on the part of the City in connection with the improvement;

16 F. The cost of acquisition of rights-of-way, property, easements or other facilities or
17 rights, whether acquired by eminent domain, purchase, gift, or in any other manner; provided,
18 that any of the costs enumerated in this subsection may be excluded from the cost and expense to
19 be assessed against the property in the local improvement district if the legislative authority so
20 designates by ordinance at any time and may be paid from any other moneys available therefor;
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1 G. The cost of legal, financial, and appraisal services and any other expense incurred by
2 the City for the district or in the formation thereof, or by the City in connection with the
3 construction or improvement and in the financing thereof, including the issuance of any bonds;

4 H. A charge against each description of property in the following amounts, to wit: in case
5 of "immediate payment," ~~((Six Dollars -))\$6((-.00))~~ per description; in case of assessment
6 payable in three ~~((3-))~~ annual installments, ~~((Eighteen Dollars -))\$18((-.00))~~ per description; in
7 case of assessment payable in five ~~((5-))~~ annual installments, ~~((Twenty-six Dollars
8 -))\$26((-.00))~~ per description; in case of assessment payable in ten ~~((10-))~~ annual installments,
9 ~~((Forty-six Dollars -))\$46((-.00))~~ per description; in case of assessment payable in ~~((fifteen
10 -))15(())~~ annual installments, ~~((Sixty-six Dollars -))\$66((-.00))~~ per description; in case of
11 assessment payable in ~~((twenty -))20(())~~ annual installments or more of either principal or
12 interest, ~~((Eighty-six Dollars -))\$86((-.00))~~ per description; which is the charge of accounting,
13 clerical labor, books and blanks used by the City; provided, however, that when any assessment
14 payable in installments is paid in full within the ~~((thirty -))30(())~~ day period fixed by law for the
15 payment of assessments without interest, the Director of Finance and Administrative
16 Services ~~((Executive Administration))~~ shall allow a rebate of the charge in this subsection in
17 excess of the sum of ~~((Six Dollars -))\$6((-.00))~~ per description. In all instances wherein the
18 contractor doing the work in any local improvement district deposits cash with the Director of
19 Finance and Administrative Services ~~((Executive Administration))~~ under the terms of his or her
20 contract to cover items of cost shown by the department head supervising the contract in his or
21 her final estimate and specified in this section, the Director of Finance and Administrative
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VERSION IS NOT ADOPTED



1 Services~~((Executive Administration))~~ shall transfer the amount of such rebate from the fund in
2 which it has been deposited to the appropriate local improvement fund.

3
4 Section 285. Section 20.04.280 of the Seattle Municipal Code as last amended by
5 Ordinance 120794 is amended as follows:

6 **20.04.280 Segregation of assessments.**

7
8 A. The Director of Finance and Administrative Services~~((Executive Administration))~~ is
9 authorized to collect and receive from any owner or owners of any subdivision or subdivisions of
10 any lot, tract or parcel of land, upon which a local improvement assessment has been, or may
11 hereafter be, made, such portion of the assessment or assessments levied or to be levied against
12 such lot, tract or parcel of land in the payment of said local improvement as the Director of
13 Transportation shall certify to be chargeable to such subdivision or subdivisions in accordance
14 with state law.

15
16 B. Whenever, on account of the filing of a plat or replat on account of a sale or contract
17 to sell or other proper evidence of the change of ownership of a divided portion of any lot, tract
18 or parcel of land assessed for local improvements, it shall appear to be to the best interest of the
19 City to segregate a local improvement district assessment thereupon, the Director of
20 Transportation is authorized to make the proper certification as provided in this chapter, upon the
21 written application of the owner, approved by the Director of Finance and Administrative
22 Services~~((Executive Administration))~~, and confirmed by the City Council by resolution, and
23 upon payment of the fee hereinafter provided. In all instances it shall be the duty of the Director
24 of Transportation to submit the necessary Resolution for Segregation for City Council approval.
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VERSION IS NOT ADOPTED



1 A fee of ~~((Sixty Dollars-))\$60((.00))~~ shall be charged for each tract of land for which a
2 segregation is to be made together with a fee of ~~((Ten Dollars-))\$10((.00))~~ per description for
3 each description added to the assessment roll, to defray the cost of the engineering and clerical
4 work involved. Such fees shall be paid to the Director of Finance and Administrative
5 Services~~((Executive Administration))~~ and shall be deposited in the General Fund.

6
7 C. Upon receipt of a certified copy of a resolution of the City Council authorizing
8 segregation, the Director of Finance and Administrative Services~~((Executive Administration))~~
9 shall enter the segregation, together with the amount of the bonded interest with respect thereto,
10 upon the assessment records and, upon payment thereof, together with any penalties accruing
11 according to law and any additional interest due with respect to the segregated portion, give a
12 proper receipt; provided, that this chapter shall not authorize the segregation of any assessment
13 which has been delinquent for a period of two ~~((2))~~ years or more, or in any case where it
14 appears that the property, when or as already divided according to the requested segregation, is
15 not or would not be of sufficient value, or is not or would not be in such condition or title, as to
16 provide adequate security for the payment of the total amount of the unpaid assessment,
17 penalties, interest and costs charged or chargeable against the undivided whole. In such instance,
18 upon a recommendation by the Director of Finance and Administrative Services~~((Executive~~
19 ~~Administration))~~, the City Council shall determine such question of fact. No segregation of any
20 assessment on unplatted lands or large platted tracts shall be made until a plat thereof has been
21 furnished to the Director of Transportation by the applicant, showing that the proposed
22 segregation of property will conform to the system of streets as platted in adjacent territory. In all
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1 such instances, upon a recommendation by the Director of Transportation, the City Council shall
2 determine such question of fact.

3
4 Section 286. Section 20.04.290 of the Seattle Municipal Code as last amended by
5 Ordinance 120794 is amended as follows:

6 **20.04.290 Cancellation of assessment -- Release of assessment lien.**

7
8 The Director of Finance and Administrative Services~~((Executive Administration))~~ is authorized
9 to cancel on the books and records of a local improvement district the assessment or an
10 installment of an assessment, interest and penalties imposed by or for the district when:

11 A. The amount due shown on the district's books and records has been found to be void
12 by a final judgment of a court with jurisdiction over the local improvement district;

13 B. RCW 35.50.050, which limits the time for commencing foreclosure proceedings, bars
14 a foreclosure action to enforce the payment;

15 C. King County has resold the property to pay property taxes, the resale is free and clear
16 of the assessment lien, and pursuant to RCW 35.49.160, the City has received or will receive
17 from the proceeds of the county sale such funds as are due to the district; or

18 D. The City Attorney by written opinion advises the Director of Finance and
19 Administrative Services~~((Executive Administration))~~ that the assessment, interest or penalty to
20 be cancelled is void or that the law otherwise prevents its collection.

21
22 Upon cancellation of an assessment, interest or penalty, the Director of Finance and
23 Administrative Services~~((Executive Administration))~~ may release the assessment lien upon the
24 property to secure the payment which was cancelled. A release affects only the payment(s) or
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1 liens named in the release document and does not release other payments or other liens upon the
2 same property of other local improvement districts respectively.

3
4 Section 287. Section 20.08.030 of the Seattle Municipal Code as last amended by
5 Ordinance 120794 is amended as follows:

6 **20.08.030 Issuance and payment of warrants or checks.**
7

8 In order to effectuate the purposes of this chapter, the Director of Finance and Administrative
9 Services is authorized to from time to time (~~direct the Director of Executive Administration~~) to
10 draw and pay warrants drawing interest at a rate not to exceed ~~((six-))6_((--))~~ percent on the
11 Local Improvement Guaranty Fund for the purposes contemplated in Section 20.08.010;
12 provided, that such warrants shall at no time exceed ~~((five-))5_((--))~~ percent of the outstanding
13 bond obligations guaranteed by the fund. Warrants on the Local Improvement Guaranty Fund
14 shall be numbered serially in the order of their issuance. If the Local Improvement Guaranty
15 Fund is solvent at the time payment is ordered, the Director of Finance and Administrative
16 Services (~~Executive Administration in consultation with the Director of Finance~~) may elect to
17 make payment by check.
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21 Section 288. Section 20.08.040 of the Seattle Municipal Code as last amended by
22 Ordinance 116368 is amended as follows:

23 **20.08.040 Defaulted interest coupons, bonds or warrants.**
24

25 A. As among the several issues of bonds or warrants guaranteed by the fund, no
26 preference shall exist, but defaulted interest coupons, bonds and warrants shall be purchased out
27



1 of the fund in the order of their presentation. Whenever any defaulted interest coupons, bonds or
2 warrants shall be presented to the ((City Finance)) Director of Finance and Administrative
3 Services for purchase, if the outstanding warrants against the Local Improvement Guaranty Fund
4 (including the amount of the coupons, bonds or warrants so presented) do not then exceed ((five
5))5_((+)) percent of the outstanding bond obligations guaranteed by the fund, the ((City
6 Finance)) Director of Finance and Administrative Services shall examine such coupons, bonds
7 or warrants and if satisfied that the same are guaranteed by such fund he shall receive and keep
8 such coupons, bonds or warrants, issuing his or her receipt therefor to the holder of the same,
9 together with a warrant upon the Local Improvement Guaranty Fund in the amount thereof.
10 Warrants so issued shall be paid from the Local Improvement Guaranty Fund in the order of their
11 serial numbers.

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14 B. If at the time any defaulted interest coupons, bonds or warrants are presented for
15 purchase the warrants upon the Local Improvement Guaranty Fund then outstanding (including
16 the amount of the coupons, bonds or warrants so presented) shall exceed ((five-))5_((+))percent
17 of the outstanding bond obligations guaranteed by the fund, the ((City Finance)) Director of
18 Finance and Administrative Services shall examine such coupons, bonds or warrants and if
19 satisfied that the same are guaranteed by such fund he or she shall issue to the holder a
20 presentation certificate describing such coupons, bonds or warrants and showing the date and
21 time of the day when the same were so presented for purchase, and the name and address of the
22 holder thereof. Such presentation certificate shall be issued and numbered serially in the order of
23 the presentation for purchase of defaulted interest coupons, bonds or warrants by the respective
24 holders thereof. Whenever the amount of outstanding warrants against the Local Improvement
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1 Guaranty Fund shall be retired in an amount sufficient to authorize the issuance of a warrant
2 upon the fund for the purchase of the coupons, bonds or warrants described in any presentation
3 certificate it shall be the duty of the ((City Finance)) Director of Finance and Administrative
4 Services to notify the holder of such presentation certificate by mail at the address stated in the
5 presentation certificate; and upon presentation to him of the presentation certificate, together
6 with the coupons, bonds or warrants described therein, the ((City Finance)) Director of Finance
7 and Administrative Services shall receive and keep such coupons, bonds or warrants, issuing his
8 receipt therefor together with his or her warrant upon the Local Improvement Guaranty Fund
9 covering the same. Such warrants shall be issued in the order of the serial numbers of the
10 presentation certificates.
11

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13
14 Section 289. Section 20.12.080 of the Seattle Municipal Code, last amended by Ordinance
15 121574, is amended as follows:

16 **20.12.080 Administration by City officials.**

17 A. The ((City)) Director of Transportation shall administer the deferral of collection of
18 assessments, except such duties as are assigned by this chapter or by law to other City officials.

19 The ((City)) Director of Transportation shall have the power and authority to:

- 20
21 1. Give notice to property owners of the availability of ordinance procedures for
22 deferral of collection of assessments;
23 2. Accept and process applications for deferral of collection of assessments, and
24 amendments thereof as appropriate;
25

3. Conclude with the persons responsible for payment of an assessment an agreement setting the terms and conditions consistent with this chapter and state law, including, on request and at his or her discretion, without extra charge, provision for billing and payment of installment on a monthly or quarterly basis;
4. Secure execution and filing of any necessary instruments, and, upon notice from the Director of Finance and Administrative Services~~((Executive Administration))~~, note satisfaction thereof;
5. Terminate the deferral of collection of assessments upon occurrence of conditions that render the assessment or installments thereof due and payable;
6. Recommend to the Director of Finance and Administrative Services~~((Executive Administration))~~ the amounts to be paid from the Local Improvement Guaranty Fund to the fund of such local improvement district upon the making of such deferral;
7. Take such other actions as necessary and appropriate to administer this chapter in accordance with RCW 35.43.250, 35.49.010, 35.50.050, and 35.54.100. The agreement with the person responsible for an assessment setting forth the terms and conditions of deferral of collection of the assessment shall be recorded with ~~((the))~~ King County ~~((Office of Records and Elections))~~ and transmitted to the City Clerk, and a copy thereof to the Director of Finance and Administrative Services~~((Executive Administration))~~. All records retained by the Director of Transportation containing the application and information received in processing an application shall be kept confidential.

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1 B. The Director of Finance and Administrative Services~~((Executive Administration))~~
2 shall draw such warrants upon the Local Improvement Guaranty Fund as necessary and
3 appropriate to make payments to the local improvement district fund for assessments, the
4 collection of which has been deferred, and shall report annually to the City Council ~~((and the~~
5 ~~Director of Finance~~~~))~~ about the amount of payments made from the Local Improvement
6 Guaranty Fund for assessments or installments deferred pursuant to this chapter and RCW
7 35.43.250, 35.50.050, and 35.50.100, as now existing or hereafter amended; the current balance
8 in such fund and outstanding obligations guaranteed by such fund. If the Local Improvement
9 Guaranty Fund is solvent at the time payment is ordered, the Director of Finance and
10 Administrative Services~~((Executive Administration))~~ may elect to make payment by check.
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14 Section 290. Section 20.20.020 of the Seattle Municipal Code as last amended by
15 Ordinance 35083 is amended as follows:

16 **20.20.020 Establishment of new grade -- Survey by Seattle Department of Transportation**
17 **~~((Board of Public Works))~~.**

18 Whenever the City shall establish or shall have established the grade of any street or streets, alley
19 or alleys, at a higher elevation than any private property abutting thereon, thereby rendering the
20 drainage of such private property or any part thereof impracticable without the raising of the
21 surface of such private property, or whenever the surface of any private property in the City shall
22 be so low as to make sanitary drainage thereof impracticable, the City Council may determine by
23 resolution that a fill of such private property is necessary as a sanitary measure. The Council
24 shall in such resolution direct the Seattle Department of Transportation ~~((Board of Public~~
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1 Works)) to make the necessary surveys of the district proposed to be improved and the necessary
2 plans and specifications for such improvement, and to submit, within ~~((twenty-))20((3))~~ days
3 after the first publication of such resolution, a report to the City Council to be filed with the City
4 Clerk giving a description of the property proposed to be improved by such fill, the grade to
5 which it is necessary to fill the same and the estimated cost thereof.
6

7
8 Section 291. Section 20.20.030 of the Seattle Municipal Code as last amended by
9 Ordinance 35083 is repealed.
10

11 Section 292. Section 20.38.010 of the Seattle Municipal Code as last amended by
12 Ordinance 120181 is amended as follows:
13

14 **20.38.010 Definitions.**

15 When used in this chapter:

16 A. "Apprentice labor hours" means the total hours required to be worked by apprentices
17 on the public works project.

18 B. "Director" means the Director of Finance and Administrative Services~~((Executive
19 Administration))~~ or his or her designee.
20

21 C. "Labor hours" means the total hours of workers receiving an hourly wage who are
22 directly employed on the site of the public works project. "Labor hours" shall include hours
23 performed by workers employed by the contractor and all subcontractors working on the project.
24 "Labor hours" shall exclude hours worked by foremen, superintendents, owners and workers
25 who are not subject to prevailing wage requirements.
26

1
2 Section 293. Section 20.38.020 of the Seattle Municipal Code as last amended by
3 Ordinance 120794 is amended as follows:

4 **20.38.020 Powers.**

5 The Department of Finance and Administrative Services~~((Executive Administration))~~ shall be
6 responsible for the implementation and administration of this chapter and is authorized to
7 develop and adopt rules consistent with the requirements of this chapter. The Director
8 ~~((Department of Executive Administration))~~ shall establish contract specification language to
9 implement the apprenticeship requirement, which may change from time to time. The
10 ~~((Department of Executive Administration))~~ Director shall develop and implement a system for
11 monitoring the actual use of apprentices on public works projects.
12
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14
15 Section 294. Section 20.40.010 of the Seattle Municipal Code, last amended by Ordinance
16 121720, is amended as follows:

17 **20.40.010 Small public works -- Department authority to execute contracts.**

18 Notwithstanding the provisions of Chapters~~((3-04))~~ 3.39 and 20.60, the Director of Finance and
19 Administrative Services ~~((Executive Administration))~~ may authorize other departments to
20 administer and execute public works contracts that are less than or equal to ~~((Five Thousand~~
21 ~~Dollars (\$5,000)))~~ \$7,000 in 2010. This amount shall be adjusted pursuant to and be equal to the
22 dollar limit for direct vouchers resulting from the application of subsection 20.60.140~~((-))~~B to
23 direct vouchers. Such departments shall comply with all state laws and City ordinances
24 governing public works contracts.
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1 Section 295. Section 20.40.020 of the Seattle Municipal Code as last amended by
2 Ordinance 120794 is amended as follows:

3 **20.40.020 Small Works Roster.**

4 The Director of Finance and Administrative Services~~((Executive Administration))~~ shall establish
5 and administer a Small Works Roster for use on City of Seattle public works projects that meet
6 the requirements of Revised Code of Washington (RCW) 39.04.155 and 35.22.620, as now or
7 hereafter amended. The Director ~~((of Executive Administration))~~ shall adopt rules and regulations
8 regarding procedures for the use of the Small Works Roster. The Director ~~((of Executive
9 Administration))~~ may also execute interagency agreements or other contractual documents as
10 required to establish such a Small Works Roster.
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13
14 Section 296. Section 20.42.020 of the Seattle Municipal Code, last amended by Ordinance
15 121722, is amended as follows:

16 **20.42.020 Definitions.**

17 For the purposes of this chapter:

18 A. "Affirmative Efforts" means documented reasonable attempts in good faith to contact
19 and employ women and minorities and to contact and contract with Women and Minority
20 Businesses.
21

22 B. "Availability" or "Available" as used in this chapter means a business that is:
23 interested in and Capable of performing the item of work in question; and able to perform the
24 work within the time frame required by the bid specifications or request for proposals or
25 qualifications.
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1 C. "Capability" or "Capable" as used in this section means that a business appears able to
2 perform a Commercially useful function on the item of work in question.

3 D. "Commercially useful function" means the performance of real and actual services in
4 the discharge of any contractual endeavor.

5 E. "Contract" means an agreement for: public works, consulting as set forth in Chapter
6 20.50; or supplies, material, equipment or services as set forth in Chapter 20.60~~((100 et seq))~~.

7 F. "Contract awarding authority" means the City officer, department, commission,
8 employee, or board authorized to enter into or to administer Contracts on behalf of the City.

9 G. "Contractor" means a business that has a Contract with the City.

10 H. "Department" means the Department of Finance and Administrative
11 Services~~((Executive Administration))~~.

12 I. "Director" means the Director of ~~((the Department of))~~ Finance and Administrative
13 Services~~((Executive Administration))~~.

14 J. "Women or Minority Business" means a business that is at least ~~((fifty one (51) (1))~~
15 percent owned by women and/or minority (including, but not limited to, African Americans,
16 Native Americans, Asians, and Hispanics) group members.
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21 Section 297. Section 20.45.010 of the Seattle Municipal Code as last amended by
22 Ordinance 120794 is amended as follows:

23 **20.45.010 Definitions.**

24 For the purposes of this chapter:
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1 A. "Contract" means a written agreement (~~((contract))~~) for public works as defined in RCW
2 39.040.010, consulting as defined in Section 20.50.010, or supplies, material, equipment, or services
3 as (~~((set forth))~~) defined in Chapter 20.60 (~~((100 SMC Section 3.38.800 et seq., estimated to cost~~
4 ~~Thirty three Thousand Dollars (\$33,000) or more in 1999))~~ estimated to cost \$44,000 or more in
5 2010 dollars, (~~((consistent with the competitive threshold requirements of,))~~) and as adjusted pursuant
6 to, (~~((Seattle Municipal Code))~~) Section(s) 20.50.120. (~~((3.38.940 and 3.114.140.))~~)
7

8 B. "Contract awarding authority" means the City officer, department, commission,
9 employee, or board authorized to enter into or to administer contracts on behalf of the City.

10 C. "Department" means the Department of Finance and Administrative
11 Services (~~((Executive Administration))~~).

12 D. "Director" means the Director of Finance and Administrative Services (~~((Executive~~
13 ~~Administration))~~).

14 E. "Domestic partner" means any person who is registered with his/her employer as a
15 domestic partner, or, in the absence of such employer-provided registry, is registered as a
16 domestic partner with a governmental body pursuant to state or local law authorizing such
17 registration. Any internal employer registry of domestic partnership must comply with criteria
18 for domestic partnerships specified by rule by the Department.
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21 F. "Employee benefits" means the provision of bereavement leave; disability, life, and
22 other types of insurance; family medical leave; health benefits; membership or membership
23 discounts; moving expenses; pension and retirement benefits; vacation; travel benefits; and any
24 other benefits given to employees, provided that it does not include benefits to the extent that the
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1 application of the requirements of this chapter to such benefits may be preempted by federal or
2 state law.

3
4 Section 298. Section 20.45.040 of the Seattle Municipal Code as last amended by
5 Ordinance 120794 is amended as follows:

6 **20.45.040 Powers and duties of the Director.**
7

8 The Director ~~((of Executive Administration))~~ shall have the power to:

9 A. Adopt rules and regulations, in accordance with this chapter and ~~((the Administrative
10 Code of The City of Seattle () Chapter 3.02 (())))~~, establishing standards and procedures for
11 effectively carrying out this chapter;

12 B. Determine and impose appropriate sanctions and/or liquidated damages for violation
13 of this chapter by contractors including, but not limited to:

14 1. Disqualification of the contractor from bidding on or being awarded a City
15 contract for a period of up to five ~~((5-))~~ years, and

16 2. Contractual remedies, including, but not limited to, liquidated damages and
17 termination of the contract;

18 C. Examine contractor's benefit programs covered by this chapter;

19 D. Impose other appropriate contractual and civil remedies and sanctions for violations of
20 this chapter;
21 this chapter;

22 E. Allow for remedial action after a finding of noncompliance, as specified by rule;

23 F. Perform such other duties as may be required by ordinance or which are necessary to
24 implement the purposes of this chapter.
25
26



1
2 Section 299. Section 20.48.030 of the Seattle Municipal Code as last amended by
3 Ordinance 120794 is amended as follows:

4 **20.48.030 Funds to be available before entering into contract.**

5 Before the construction of any public work or improvement, or any part thereof, either by
6 contract or by day labor, is authorized or begun under the direction and general supervision of
7 the Director of Finance and Administrative Services (~~Executive Administration~~), said Director
8 shall obtain from the head of the City department for which such work is to be undertaken, such
9 department head's certification that sufficient funds have been appropriated to cover the full cost
10 and expense of completing the desired public work or improvement (which appropriations shall
11 be identified, by ordinance number and, where appropriate, by Capital Improvement Project
12 number, in such certification). No contract shall be entered into, nor shall the construction of
13 such work or improvement, or any part thereof, be undertaken by said Director, unless there is a
14 balance in the appropriation sufficient to cover such cost and expense. For contracts executed
15 pursuant to Chapter 39.10 RCW, the Director or department head is authorized to enter into
16 contracts without such certification, provided that no phase of any public work may be started
17 unless sufficient funds have been appropriated to cover the full cost and expense of completing
18 that phase.
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23 Section 300. Section 20.48.040 of the Seattle Municipal Code as last amended by
24 Ordinance 120794 is amended as follows:

25 **20.48.040 Filing of statement of contract amount.**
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27

THIS VERSION IS NOT ADOPTED



1 Whenever the Director of Finance and Administrative Services~~((Executive Administration))~~
2 shall award any contract for any public work or improvement, or any part thereof, or shall have
3 determined to make such public work or improvement, or any part thereof, by day labor under
4 such official's management, the Director shall forthwith file a statement of the amount of such
5 contract or the estimated cost of such work, and shall enter such amount upon the books in his or
6 her office as a preliminary charge against the appropriation made to cover the cost and expense
7 of such work or improvement.
8

9
10 Section 301. Section 20.48.060 of the Seattle Municipal Code as last amended by
11 Ordinance 120794 is amended as follows:

12 **20.48.060 Contracts in violation -- Voidable.**

13 Any contract entered into, or any obligation against the City incurred by the Director of Finance
14 and Administrative Services~~((Executive Administration))~~ in violation of the provisions of
15 Sections 20.48.030, 20.48.040, or 20.48.050 shall be voidable at the option of the City.
16

17
18 Section 302. Chapter 20.49 of the Seattle Municipal Code is repealed.
19

20
21 Section 303. Section 20.50.010 of the Seattle Municipal Code, last amended by Ordinance
22 121722, is amended as follows:

23 **20.50.010 Definitions.**
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1 The words defined in this section shall have the meanings set forth below whenever they appear
2 in this chapter, unless the context in which they are used clearly requires a different meaning or a
3 different definition is prescribed for a particular section or provision:

4 A. "Consultant" means any Person that by experience, training and education of the
5 principals, officers or employees thereof has established a reputation or ability to perform
6 specialized activities on a discrete, nonrecurring basis over a limited and pre-established term, as
7 an independent contractor, delivering or providing for a monetary or other consideration, advice,
8 recommendations(s), report(s), analysis(es), evaluation(s), audit(s), survey(s), or other products
9 of cognitive processes or expert or professional services including but not limited to services
10 from any attorney, architect, accountant, public relations advisor, dentist, physician, surgeon,
11 psychiatrist, psychologist, veterinarian, engineer, surveyor, appraiser, planning consultant,
12 investment counselor, and actuary; provided, that the following shall not be deemed a
13 "Consultant":
14
15

- 16 1. Any provider of services appropriate for a service contract pursuant to ((SMC))
17 Chapter((?)) 20.60, Subchapter II, as amended;
- 18 2. Any expert witness retained by the Law Department in connection with
19 anticipated or actual litigation, or by the City Council in connection with any
20 hearing on the nomination or appointment of any individual as a municipal
21 officer; and
22
- 23 3. Any person retained for legal advice when, in the determination of the Law
24 Department, a public solicitation process would likely adversely affect the City's
25 legal interests or the attorney-client relationship.
26
27

1 B. "Contract" means and includes all types of agreements between or among the City and
2 one ~~((1-))~~ or more Consultants, regardless of the form of the agreement, for the procurement of
3 Consultant services, and amendments thereto.

4 C. "Department" means any City department, office, board, commission, council, agency
5 or other administrative or operating part of the City, and any division or part or combination
6 thereof.

7
8 D. "Director" means the Director of Finance and Administrative Services ~~((Executive
9 Administration))~~.

10 E. "Estimated to cost" means the anticipated charges for all activities that a Consultant
11 agrees to perform pursuant to Contract and the anticipated charges for all additional specialized
12 activities to be performed by the Consultant under all renewals, extensions, and amendments of
13 the Contract and under subsequent stages of the same project.

14
15 F. "Person" means individuals, businesses, associations, sole proprietors, partnerships,
16 corporations, or limited liability companies.

17
18 Section 304. Section 20.50.030 of the Seattle Municipal Code as last amended by
19 Ordinance 121722 is amended as follows:

20
21 **20.50.030 Advertising of need for Consultant services.**

22 A. This section shall apply to any proposed Contract for Consultant services estimated to
23 cost ~~((Twenty Thousand Dollars (\$20,000)))~~ \$44,000 or more in 2010 dollars as adjusted pursuant
24 to Section 20.50.120, other than Contracts to Consultants on a Consultant roster.

1 B. Departments shall advertise for Consultant services in the City's official newspaper for at
2 least two ~~((2))~~ days (which need not be consecutive). Such advertisements shall include in general
3 terms at least a description of the services sought, the name of the concerned Department, the name
4 and telephone number of a representative of the Department from whom additional information may
5 be obtained, and an indication that the selection of the Consultant is subject to applicable laws and
6 ordinances regarding equal employment opportunity.

7
8 C. Solicitations for placement on a Consultant roster shall be advertised in the same manner
9 and with as much of the information described in subsection B of this section as practical. The
10 Director shall determine the frequency of the solicitation advertisements for placement on a
11 consultant roster.

12
13
14 Section 305. Section 20.50.040 of the Seattle Municipal Code as last amended by
15 Ordinance 121722 is amended as follows:

16 **20.50.040 Consultant selection.**

17 A. This section applies to Contracts estimated to cost ~~((Twenty Thousand Dollars~~
18 ~~(\$20,000)))~~ \$44,000, or more in 2010 dollars as adjusted pursuant to Section 20.50.120.

19
20 B. The selection of Consultants shall be based upon evaluation criteria relevant to the
21 services to be provided. Departments shall select Consultants based on factors including, but not
22 limited to, their competence and qualifications for the type of services to be provided, the
23 consideration the City will pay for such services (except for services under Chapter 39.80 RCW),
24 and the affirmative action/equal opportunity record of the Consultant. Departments will provide
25 these criteria and the method by which they will evaluate responses to solicitations.
26

THIS VERSION IS NOT ADOPTED



1 C. Department heads shall appoint and use a Consultant evaluation committee that
2 should include, where practical, representation by women and minorities. The Consultant
3 evaluation committee shall review the materials submitted by Consultants in response to a
4 solicitation and shall report in writing its recommendations including, where possible, the
5 ranking of the top five ~~((5))~~ Consultants evaluated. The report shall describe any measurable
6 differences among Consultants evaluated, together with an explanation of the evaluation
7 processes used. Thereafter, such evaluation report shall be filed with the Contract.

9 D. The Department head shall consider the report and recommendations of the
10 committee in making a final selection. If the Department head chooses not to accept the
11 recommendation of the committee, he or she shall file a written explanation to be retained with
12 the Department's records related to the Contract.

14 E. Department heads shall make a good-faith effort to rotate the award of Consultant
15 Contracts among Consultants evaluated as being equally qualified and capable of performing the
16 desired services.

17 F. Departments shall not retain the same Consultant to perform accounting or auditing
18 services and to provide management consulting services during the term of a current Contract or
19 within one ~~((1))~~ year after completion of a Contract for either type of service.

21 G. Departments shall not enter into a Contract with any Consultant for performance of
22 services on a retainer basis (whether for a term of years, or from year-to-year, or on another
23 successive arrangement) for more than five ~~((5))~~ consecutive years. This restriction shall not
24 apply to:

1 1. A contract for services in connection with a particular project or activity
2 although completion of the assignment may extend for more than five
3 ~~((5))~~ years;

4 2. A retainer agreement used to establish eligibility for placement on a roster from
5 which Consultants are selected from time to time for particular assignments; or

6 3. An agreement implementing a deferred compensation plan for City employees
7 contemplated by 26 USC Section 457
8

9
10 Section 306. Section 20.50.060 of the Seattle Municipal Code as last amended by
11 Ordinance 121722 is amended as follows:

12 **20.50.060 Required form, terms and conditions of agreements with Consultants.**

13 Every Contract between or among the City and a Consultant shall be in writing and signed by at
14 least one ~~((1))~~ authorized representative of each contracting party. Each such Contract shall
15 include a specific and detailed description of the scope of work or services to be provided by the
16 Consultant(s) and the products of any sort to be delivered to the City; the maximum amount of
17 compensation to be paid and any other consideration to be provided to the parties to the Contract,
18 together with a description of the timing and method(s) of such payment and any retainage to be
19 held; the dates the Contract is effective and is to expire; all equal employment opportunity,
20 women's and minority business enterprise, and affirmative action provisions required by law,
21 ordinance, rule or regulation to be included in such Contract; the authority of the City to audit the
22 Consultant's books and records with respect to the services to be provided, costs thereof, and
23 compensation paid therefor; and any appropriate or required funding or other provision. All such
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THIS VERSION IS NOT ADOPTED



1 Contracts (~~(providing compensation of a value of Twenty Thousand Dollars (\$20,000) or more)~~)
2 shall be subject to review by the City Attorney, for, among other things, form; the specificity of
3 descriptions of work to be performed for and products or results to be delivered to the City; and
4 liability, insurance, indemnification, and bonding provisions.
5

6
7 Section 307. Section 20.50.110 of the Seattle Municipal Code as last amended by
8 Ordinance 121722 is amended as follows:

9 **20.50.110 Establishment and operation of rosters.**

10 These provisions apply to the establishment, maintenance, and use of Consultant rosters:

11 A. Establishment and Duration.

12 1. The Director, in conjunction with participating Departments, shall establish
13 Consultant rosters based on the different consultant skills or services that the City is
14 likely to need during the effective time of the Consultant rosters.
15

16 2. The Director, in conjunction with participating Departments, shall issue Requests for
17 Qualifications ("RFQ(s)") to establish Consultant rosters for use by any Department. At
18 a minimum, the RFQ shall describe the skills or services needed by the City; the
19 minimum qualifications to be placed on the particular Consultant roster; the roster
20 contract dollar limits; the expected duration of the roster, if known; standard contract
21 terms and conditions, if any; and a description of the process to be used for selecting
22 Consultants off of the roster.
23

24 3. A Consultant roster shall remain in effect until such time as the Director determines
25 it is in the best interests of the City to disestablish the roster. Departments may petition
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1 for the establishment or disestablishment of a roster, or a roster category where the
2 existing rosters or roster categories do not meet the needs of the Department.

3 B. Opportunities for Small Business. Whenever ~~((fifteen (15)))~~ 15 or more Consultants
4 qualify as "small business concerns" in a single roster category, the category shall consist only of
5 those Consultants who are eligible to be classified as a "small business concern." If ~~((fourteen~~
6 ~~))14~~ or fewer such Consultants are qualified, Consultants for that roster category shall be
7 selected without regard to their eligibility under the small business criteria. A Consultant may
8 evidence its qualification as a "small business concern" by:
9

- 10 1. Showing its qualification as a Small Business under the Small Business Act of the
11 United States, 15 USC Section 632, and its implementing regulations, 13 CFR Part 121
12 or any successor legislation or regulations; or
13 2. Showing certification as defined in any City program designed to encourage the
14 utilization of small businesses.
15

16 C. Limitations.

- 17 1. A Department may contract with the Consultants on the roster for projects estimated
18 to cost no more than ~~((Two Hundred Thousand Dollars (\$200,000)))~~ \$260,000 in 2010
19 dollars except as may be adjusted ((in)) pursuant to subs((S))ection 20.50.110.C2.
20
21 2. A Department may amend any roster Contract for additional work related to the
22 original roster Contract up to a total Contract amount of ~~((Two Hundred Fifty~~
23 ~~Thousand Dollars (\$250,000)))~~ \$325,000 in 2010 dollars.
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1 3. Each Department may only use a certified roster Consultant up to a maximum
2 amount of ~~((Four Hundred Thousand Dollars (\$400,000)))~~ \$520,000 per year in 2010
3 dollars, per roster category.

4 D. Deletion From a Roster. The Director may delete a Consultant from the City's
5 certified roster program at his or her discretion.

6 E. Adding to a Roster. During the existence of a roster, the Department of Finance and
7 Administrative Services ~~((Executive Administration))~~ will perform, with assistance as needed
8 from participating Departments, ongoing evaluations of any new Consultant application to a
9 roster. All Consultants found to be qualified for a Consultant roster category will be added to that
10 roster, except as a roster category may be limited to small businesses and except as a Consultant
11 may be removed from the roster at the discretion of the Director.

12 F. Use of Roster Consultants Not Required. Placement on a Consultant roster makes a
13 Consultant eligible for consideration and possible selection by a participating Department for
14 providing services. Placement on a roster does not guarantee any Consultant any Contract for
15 any amount. In addition, the City reserves the power to amend or repeal this chapter and to
16 change or discontinue the roster system at any time.

17 G. Evaluation Criteria. Consultants shall be evaluated for placement on a roster on the
18 basis of the ability of the Consultant to perform the work or service that the roster category was
19 created for and to meet the minimum qualifications set forth in the request for qualifications.

20 Section 308. Section 20.50.120 of the Seattle Municipal Code as last amended by
21 Ordinance 121722 is further amended as follows:
22
23

20.50.120 Escalation of dollar limitations.

1 All monetary amounts referenced in this chapter shall be ~~((annually))~~ adjusted annually
2 ~~((hereafter))~~ by the Director ~~((, immediately))~~ following publication of the preceding year's annual
3 Consumer Price Index. Monetary amounts shall be adjusted by the preceding year's percentage
4 change in the annual Consumer Price Index for all urban consumers (CPI-U) Seattle-Tacoma-
5 Bremerton, WA metropolitan area, All Items, (1982-84 = 100), or a successor index thereto, as
6 determined by the U.S. Department of Labor, Bureau of Labor Statistics. The intent of this
7 adjustment is to eliminate the effects of inflation or deflation on purchasing power and the
8 authority granted by this chapter. All such monetary amounts, as adjusted, shall be rounded
9 upwards to the nearest thousand dollars.

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14 Section 309. Section 20.50.130 of the Seattle Municipal Code as last amended by
15 Ordinance 121722 is further amended as follows:

20.50.130 Retention of expert witnesses and legal counsel.

16 ~~((A.))~~ In retaining any provider of legal advice or any expert witness in connection with
17 anticipated or actual litigation, the Law Department, consistent with the City's legal interests,
18 shall make reasonable efforts in good faith to contact and retain women and minorities,
19 notwithstanding any other provision of this chapter.
20

21
22 ~~((B. The Law Department shall report back to the Finance and Budget Committee of the Seattle~~
23 ~~City Council once per year in 2006 and 2007 the number of times that it has retained any person~~
24 ~~for legal advice without a public solicitation process as permitted under Section 20.50.010 A 3~~
25 ~~of this chapter.))~~

THIS VERSION IS NOT ADOPTED



1
2 Section 310. Section 20.60.100 of the Seattle Municipal Code, last amended by Ordinance
3 121720, is amended as follows:

4 **20.60.100 Purchasing powers.**

5 Except as otherwise provided in this subchapter, the Director (~~(of Executive Administration)~~)
6 shall purchase, sell or transfer, contract for, rent or lease all supplies, materials, equipment, and
7 services other than expert and consultant services needed by various departments of the City
8 government, referred to in this subchapter as "using" agencies; provided, that the Director (~~(of~~
9 ~~Executive Administration)~~) is authorized to enter into cooperative and/or joint agreements with
10 any state or governmental agency or subdivision thereof, or any other governmental unit or any
11 public benefit nonprofit corporation for the purchase of such supplies, materials, equipment, and
12 services under the purview of this chapter; provided, further, that such public benefit nonprofit
13 corporation is an agency that is receiving local, state, or federal funds either directly or through a
14 public agency; provided, further, that purchases made pursuant to any such agreement shall be
15 separately invoiced to the respective purchasers in accordance with the purchases made by each;
16 and provided, further, that each such purchaser shall be responsible for payment for its own
17 purchases only. Purchases made for the City under a purchasing contract executed by a state, or
18 agency or subdivision thereof, or by another governmental unit or public benefit nonprofit
19 corporation shall be exempt from the competitive bidding and related requirements of Section
20 20.60.106.
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1 Section 311. Section 20.60.101 of the Seattle Municipal Code, last amended by Ordinance
2 121720, is amended as follows:

3 **20.60.101 Definition.**

4 As used in this subchapter, "Director" shall mean the Director of Finance and Administrative
5 Services~~((Executive Administration))~~.

6
7
8 Section 312. Subsection 20.60.106.A of the Seattle Municipal Code, as last amended by
9 Ordinance 121720, is further amended as follows

10 **20.60.106 Competitive bidding**~~((-- Cost over \$30,000))~~.

11 A. Except in emergencies provided for in this subchapter, all expenditures for supplies,
12 materials, equipment, and services within the purview of this subchapter the estimated cost of
13 which is in excess of \$44,000 ~~((Thirty Thousand Dollars (\$30,000)))~~ per requisition in 2010
14 dollars shall be made on written contract entered into upon the basis of competitive bids and are
15 subject to the preferences provided by ~~((SMC--))~~ Section 20.60.210. Notices inviting sealed
16 competitive bids shall be published at least once in the City official newspaper, and at least five
17 ~~((5--))~~ calendar days must intervene between the date of the last publication and the final date for
18 submitting the bids; provided, that purchases of patented or proprietary items available from a
19 single source, or purchases or contracts for services within the purview of this subchapter where
20 competitive bidding is deemed impracticable by the Director, shall be exempt from the
21 competitive bidding requirements of the section; provided, further, that the purchase of supplies,
22 materials, and equipment to be resold by the using agency may be negotiated for by the Director
23 when, in his or her judgment, the lowest and best price can be obtained by such negotiation.
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THIS VERSION IS NOT ADOPTED



1
2 Section 313. Section 20.60.110 of the Seattle Municipal Code as last amended by
3 Ordinance 121720 is amended as follows:

4 **20.60.110 Expenditures under ~~(((\$30,000.))~~the competitive threshold**

5 All expenditures for supplies, materials, equipment, and services within the purview of this
6 subchapter below the competitive threshold in Section 20.60.106 ~~((the estimated cost of which
7 will not exceed Thirty Thousand Dollars (\$30,000)))~~ per requisition may be made in the open
8 market; provided, that to the extent possible, the Director or his or her designated representative
9 shall endeavor to obtain from prospective vendors at least three ~~((3))~~ competitive bids, and
10 shall award such purchase to the lowest and best bidder, subject to the preferences provided by
11 ~~((SMC))~~ Section 20.60.210. The Director or his or her designated representative may, in his or
12 her discretion, determine the lowest and best bidder for expenditures under ~~((Thirty Thousand
13 Dollars (\$30,000) per requisition))~~ this threshold by the same criteria as used for larger purchases.
14
15 When the Invitation to Bid so specifies, and if sufficient life cycle cost information is readily
16 available, the Director shall consider the life cycle cost in determining the lowest and best bidder
17 in accordance with the Invitation to Bid.
18
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21 Section 314. Section 20.60.112 of the Seattle Municipal Code as last amended by
22 Ordinance 121720 is amended as follows:

23 **20.60.112 Open market purchases where bidding is impractical.**

24 The Director or his or her designated representative may secure in the open market without bids
25 any supplies, materials, equipment, or services within the purview of this subchapter, the cost of
26
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1 which will not exceed ~~((Five Thousand Dollars (\$5,000)))~~ \$7,000 per item in 2010 dollars, when
2 the delay and expense of handling bids on small purchases would not be advantageous to the
3 City. The Director may delegate any or all of the powers in this section to other departments at
4 his or her discretion.

5
6 Section 315. Section 20.60.140 of the Seattle Municipal Code as last amended by
7 Ordinance 121720 is amended as follows:

8
9 **20.60.140 Escalation of dollar limits.**

10 A. ~~((As of January 1, 1997, a))~~ All monetary amounts specified in Sections 20.60.106
11 and 20.60.110 shall be ~~((annually))~~ adjusted annually hereafter by the Director, consistent with
12 the formula described in ~~((SMC))~~ Section 20.50.120 for adjustment of the consultant selection
13 threshold, so that the thresholds for competitive bidding for purchases and ~~((the))~~ consultant
14 selection ~~((threshold))~~ are maintained at the same amount.

15
16 B. ~~((As of January 1, 1997, t))~~ The monetary amounts specified in Section 20.60.112
17 shall be adjusted every five ~~((5))~~ years by the Director ~~((immediately))~~ following publication of
18 the preceding year's annual Consumer Price Index. Monetary amounts shall be adjusted by the
19 percentage change for the five year period ending in the preceding year in the annual Consumer
20 Price Index for all urban consumers (CPI-U) Seattle-Tacoma-Bremerton, WA metropolitan area,
21 All Items (1982-84 = 100), or a successor index thereto, as determined by the U.S. Department
22 of Labor, Bureau of Labor Statistics, to eliminate the effects of inflation or deflation on
23 purchasing power and the authority granted by this subchapter. Such monetary amount, as
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1 adjusted, in Section 20.60.112 shall be rounded upwards to the nearest ~~((F))~~thousand ~~((Dollars~~
2 ~~(\$1,000)))~~.

3
4 Section 316. Section 20.60.206 of the Seattle Municipal Code, last amended by Ordinance
5 121720, is amended as follows:

6 **20.60.206 Annual report.**

7
8 The Director shall provide an annual report to the City Council each year on the status of buy
9 recycled activities. This report shall include data on the City's purchases of recycled content
10 products, recyclable products, and reusable products. The Director may require periodic
11 reporting by other departments to the Department of Finance and Administrative
12 Services~~((Executive Administration))~~ for the purpose of developing this report.

13
14
15 Section 317. Section 20.70.010 of the Seattle Municipal Code, last amended by Ordinance
16 121723, is amended as follows:

17 **20.70.010 Purpose.**

18 The Director of ~~((the Department of))~~ Finance and Administrative Services~~((Executive~~
19 ~~Administration))~~ has the authority to debar contractors to prevent them from entering into certain
20 contracts with the City of Seattle as described in this Chapter.

21
22
23 Section 318. Section 20.70.020 of the Seattle Municipal Code, last amended by Ordinance
24 121723, is amended as follows:

25 **20.70.020 Definitions.**

1 Terms used in this Chapter shall have the following definitions unless otherwise defined, or
2 unless the context in which the term is used clearly indicates to the contrary.

3 A. "Contracting Authority" means the Department of Finance and Administrative
4 Services~~((Executive Administration))~~ or any City Agency to which the City Council or the
5 Department of Finance and Administrative Services~~((Executive Administration))~~ has delegated
6 the authority to enter into contracts.

7
8 B. "Contract" means a contract for public work as that term is defined in RCW
9 39.040.010, a purchasing contract as provided for in ~~((SMC))~~ Section 20.60.100 et seq., or a
10 consultant contract as provided for in ~~((SMC))~~ Chapter~~((:))~~ 20.50.

11 C. "Contractor" means a person, association, partnership, corporation or other legal entity
12 that has performed services for the City under a Contract.

13
14 D. "Date of Service" means the day a Contractor receives actual service, or if served by
15 certified mail, the date noted as the date of receipt by the U.S. Postal service.

16 E. "Debarment Authority" means a person to whom the Director ~~((of Executive~~
17 Administration~~))~~ has delegated the authority to perform any of the duties set forth in this
18 Chapter.

19
20 F. "Debar," "Debarred," or "Debarment" means to forbid a Contractor from entering into
21 any Contract with the City or to act as a subcontractor on a Contract with the City.

22 G. "Director" means the Director of ~~((the Department of))~~ Finance and Administrative
23 Services~~((Executive Administration))~~.

24
25 H. "Notice Protest" means a written response to or contest of the Notice of Debarment.

1 I. "Notice of Debarment" means the document reflecting the preliminary determination
2 by the Director that a Contractor should be Debarred.

3 J. "Notice of Investigation" means a document reflecting the initiation of a Debarment
4 investigation.

5 K. "Order of Debarment" means the document reflecting the decision by the Director to
6 Debar a Contractor.

7
8
9 Section 319. Section 20.70.050 of the Seattle Municipal Code, last amended by Ordinance
10 121723, is amended as follows:

11 **20.70.050 Procedures.**

12 A. Notice of Investigation. The Director or any Contracting Authority may initiate an
13 investigation of a Contractor. The Director or Contracting Authority shall notify the Contractor
14 in writing that an investigation has been initiated and the allegations that form the basis for the
15 investigation. The Notice of Investigation shall be either personally served or sent by certified
16 mail. The Contractor shall have ~~((twenty one (21)))~~ 21(()) days from the Date of Service of the
17 notice of investigation and allegations on the Contractor to file an answer to the allegations.
18

19 B. Investigation Results. The results of the investigation shall be in writing and shall
20 state, at a minimum, the allegation(s), the conclusion(s) reached regarding the allegation(s), the
21 facts upon which the conclusion(s) are based, and the investigator's recommendation, including a
22 recommended length of Debarment, if any. If the investigator is a Contracting Authority, it shall
23 forward the results of the investigation to the Director. The Director shall personally serve or
24 send by certified mail, the results of the investigation to the Contractor.
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1 C. Findings and Notice of Debarment. The Director shall consider both the results of the
2 investigation and the Contractor's answer, if any, to the allegation(s). The Director shall make a
3 preliminary determination on whether the Contractor should be Debarred within six
4 ~~(((6)))~~ months of the Date of Service of the Notice of Investigation and provide the Contractor
5 with findings, or the matter will be dismissed, unless the Director provides notice to the
6 Contractor that there is good cause to extend the period of investigation for an additional specific
7 period of time. If, after reviewing the results of the investigation and the Contractor's answer to
8 the allegations, the Director determines that a Contractor should be Debarred, the Director shall
9 notify the Respondent of the City's intent to issue an Order of Debarment. The Notice of
10 Debarment shall be in writing, and shall be either personally served or sent by certified mail. The
11 Notice of Debarment shall include:

- 14 1. A statement that the City intends to issue an Order of Debarment prohibiting
15 the Respondent from submitting a bid or proposal on a Contract with the City and
16 from acting as a Contractor or subcontractor on a Contract with the City;
- 17 2. A statement of the reasons for Debarment, including the allegation(s), the
18 conclusion(s) reached regarding the allegation(s), and the facts upon which the
19 conclusion(s) are based;
- 20 3. The proposed length of Debarment; and
- 21 4. Information on how the Respondent can contest the Notice.

22 If the Director determines that the Contractor should not be debarred, the Director shall issue a
23 written determination to that effect.
24

25 D. Notice Protest.
26
27

1 1. A Respondent may contest the Notice of Debarment by filing a written Notice
2 Protest with the Director no later than ~~((fourteen (14)))~~ calendar days after the
3 Date of Service of the Notice of Debarment. Unless waived by the Director, filing
4 a Notice Protest is an administrative remedy that the Respondent must exhaust
5 before seeking judicial review.

6 2. If the Respondent does not timely contest the Notice of Debarment, the
7 Director shall issue an Order of Debarment, which shall set forth:
8

9 a. The contracting activities from which the Respondent is barred from
10 participating;

11 b. The length of the Debarment;

12 c. A brief statement of the facts upon which the Debarment is based; and,

13 d. A response to any written comments submitted by the Respondent.
14

15 3. The Notice Protest must state the reasons why the Respondent alleges the
16 Notice of Debarment is erroneous, provide copies of any documents that support
17 the Respondent's arguments, provide the names and/or sworn written statements
18 of all witnesses that have knowledge of relevant information related to the
19 proposed Debarment, identify any other specific information that supports the
20 Respondent's arguments, and specify a desired remedy.
21

22 4. The Contractor may request a hearing to discuss the Notice Protest and, if such
23 request is granted, may discuss only those issues raised in the Notice Protest
24 unless the Director allows otherwise. If a hearing is held, the Department of
25 Finance and Administrative Services~~((Executive Administration))~~ shall have the
26

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1 burden of establishing by a preponderance of the evidence that the grounds exist
2 for an Order of Debarment.

3 5. The Director shall consider the Notice of Debarment, the Respondent's Notice
4 Protest, and, if a hearing is held, the evidence presented at the hearing. The
5 Director shall issue a final written decision and Order regarding whether the
6 Contractor should be Debarred. If the Director issues an Order of Debarment, that
7 Order shall state:

- 8
- 9 a. The contracting activities from which the Respondent is barred from
 - 10 participating;
 - 11 b. The length of the Debarment; and
 - 12 c. Findings and conclusions upon which the Debarment is based.

13 The Director's decision shall be the final administrative decision of the City.

14 L. "Performance Evaluation" means an evaluation conducted by the City of performance
15 under a Contract or as part of any City Contractor performance evaluation program for
16 Contracts.
17

18 M. "Respondent" means a Contractor against which the City has initiated Debarment
19 proceedings.
20

21
22 Section 320. Section 20.76.020 of the Seattle Municipal Code as last amended by
23 Ordinance 120794 is amended as follows:

24 **20.76.020 Acceptance of awards.**
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1 If the City Council shall accept the awards for any improvement, or if the time allowed by law
2 for rejecting the same shall have expired, the Director of Finance and Administrative
3 Services~~((Executive Administration))~~ shall notify the Clerk of the Superior Court, the County
4 Assessor and the City Attorney of such acceptance or such expiration of time for rejection.
5

6
7 Section 321. Section 20.76.040 of the Seattle Municipal Code as last amended by
8 Ordinance 120794 is amended as follows:

9 **20.76.040 Mode of "payment by bonds."**

10 In case the City Council shall provide for the payment of special assessments in any such
11 proceeding by the mode of "payment by bonds," it shall specify the term of such bonds, the
12 maximum rate of interest thereon, and shall provide that bonds of such improvement district
13 shall be issued in an amount equal to the sum of the assessments levied for such local
14 improvement, less the amount of such assessments paid in cash into the special fund created for
15 such local improvement during the ~~((thirty-))~~30~~(())~~ day period following the date of the first
16 publication of the notice of collection of the Director of Finance and Administrative
17 Services~~((Executive Administration))~~, and the bonds may be sold and delivered, in such manner
18 as the City Council may by ordinance or resolution direct.
19
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21

22 Section 322. Section 20.76.050 of the Seattle Municipal Code as last amended by
23 Ordinance 116368 is amended as follows:

24 **20.76.050 Sale of bonds.**
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1 A. When the mode of "payment by bonds" is adopted for any such improvement, such
2 bonds may be sold and delivered either upon bids or at private sale, as provided in this section.
3 When the sale of such bonds upon bids shall be authorized, the ~~Finance Director of Finance and~~
4 Administrative Services shall advertise the same for sale in at least one ~~((1))~~ issue of the
5 official newspaper of the City not less than ten ~~((10))~~ days prior to the date of sale. The
6 advertisement shall state the approximate amount and date of the bonds, the number of years in
7 which they shall mature and that bids shall be for bonds bearing no greater than ~~((eight))~~ 8
8 percent ~~(8%)~~ interest on bonds issued to mature in ~~((twelve))~~ 12 ~~(())~~ years or less and bearing no
9 greater than six percent ~~(6%)~~ interest on bonds issued to mature in ~~((twenty-two))~~ 22 ~~(())~~ years,
10 and that no bid for less than par and accrued interest will be considered. The time and place
11 when and where bids will be received shall also be stated in the advertisement. The ~~((Finance))~~
12 Director shall report all such bids to the City Council, who shall promptly act upon the same.
13 The action of the City Council in accepting any such bids shall be by resolution. Bidders shall
14 bid for such bonds upon forms prepared by the City with the approval of the City Attorney.

15
16
17 B. When the sale of such bonds at private sale shall be authorized, the City Council shall,
18 in the ordinance or resolution authorizing such sale, specify the rate of interest which such bonds
19 shall bear.
20

21
22 Section 323. Section 20.76.060 of the Seattle Municipal Code as last amended by
23 Ordinance 120794 is amended as follows:

24 **20.76.060 Payment in installments.**
25
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27

1 Whenever the City shall have sold bonds of any such local improvement district, either upon bids
2 or at private sale, as in this subchapter, the assessments for such improvement shall be payable in
3 installments, and notice thereof shall be given, and the collection and enforcement thereof had as
4 provided by law and this subchapter. In the case of sale upon bids, the City Clerk shall transmit
5 to the Director of Finance and Administrative Services a certified copy of the resolution
6 accepting any such bid, and in the case of sale at private sale the Director of Finance and
7 Administrative Services shall certify that such bonds have been sold, pursuant to the resolution
8 of the City Council directing such sale, and in either case the Director ((of Executive
9 Administration)) thereupon shall proceed with the collection and enforcement of such
10 assessments under the mode of "payment by bonds." As to assessments payable in ten ((10)) or
11 less annual installments, the Director ((of Executive Administration)) shall annually extend the
12 installments of principal and interest upon the unpaid balance as shown upon such roll, and as to
13 assessments payable in ((twenty-))20((9)) annual installments, the Director ((of Executive
14 Administration)) shall for the first ten ((10)) years annually extend the installments of interest
15 upon such roll, and for the last ten ((10)) years the Director ((of Executive Administration))
16 shall annually extend the installments of principal and interest upon the unpaid balance as shown
17 upon such roll.
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22 Section 324. Section 20.76.070 of the Seattle Municipal Code as last amended by
23 Ordinance 120794 is amended as follows:

24 **20.76.070 Certificates of purchase.**
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1 A. Two ~~((2-))~~ years after the date of delinquency of an assessment payable by the mode
2 of "immediate payment," or of an installment of an assessment payable by the mode of "payment
3 by bonds," it shall be the duty of the Director of Finance and Administrative Services~~((Executive
4 Administration))~~ to proceed to sell the property described in any such local assessment roll for
5 the amount of such delinquent assessment, or installment, together with the penalty and interest
6 accruing to date of sale, and for the costs of the sale; provided, it shall be the duty of the Director
7 ~~((of Executive Administration))~~ in the case of the last installment of an assessment payable by
8 the mode of "payment by bonds" to proceed with the sale provided for in this section at the
9 expiration of ~~((twenty one (21)))~~ 21 ~~(())~~ months from the date of the delinquency of the last
10 installment.
11

12 B. Certificates of purchase shall be executed and delivered by the Director of Finance and
13 Administrative Services~~((Executive Administration))~~ to the purchasers at such sale, and
14 assessment deeds shall be executed and delivered by him to the persons thereunto entitled. All
15 steps and proceedings required to be done in connection with such sale, certificates of purchase
16 and assessment deeds shall be had and conducted according to law and this subchapter.
17

18 C. When assessments, or installments of assessments, have been delinquent the full
19 period provided by law and ordinances of the City, before which such assessments or
20 installments of assessments are subject to sale, the Director of Finance and Administrative
21 Services~~((Executive Administration))~~ shall certify that there are delinquent and unpaid
22 assessments or installments thereof, giving the district number and installment thereof, if it be an
23 installment roll, ordinance number under which it was created, street name, nature of the
24 improvement and the date of delinquency.
25
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1 D. The Director of Finance and Administrative Services~~((Executive Administration))~~
2 shall sell all the property described upon the roll upon which assessments are levied to satisfy all
3 such delinquent and unpaid assessments or installments thereof, together with interest, penalties
4 and costs as provided by law.

5 E. Such warrant, issued for the purpose of making sale of the delinquent property, shall
6 be deemed and taken as an execution against the property for the amount of the assessments or
7 installments thereof, with interest, penalties and costs.
8

9
10 Section 325. Section 20.76.080 of the Seattle Municipal Code as last amended by
11 Ordinance 120794 is amended as follows:

12 **20.76.080 Special fund.**

13
14 The City Council shall, by ordinance, create a special fund for each such improvement district to
15 be called "Local Improvement Fund, Condemnation Award, District No. _____," into which
16 shall be placed the proceeds of the sale of bonds for such improvement, all sums paid on account
17 of assessments levied for such improvement including all interest and penalty thereon, and all
18 sums received from rents, profits and income from the property condemned by such proceeding,
19 and from which shall be paid all warrants issued upon transcripts of judgments on awards and all
20 bonds issued for such improvement. Provided, that if the fund is solvent at the time payment is
21 ordered, the Director of Finance and Administrative Services~~((Executive Administration in
22 consultation with the Director of Finance))~~ may elect to make payment for the cost and expense
23 of the improvement by check.
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1 Section 326. Section 20.76.090 of the Seattle Municipal Code as last amended by
2 Ordinance 120794 is amended as follows:

3 **20.76.090 Issuance of bonds.**

4 At the expiration of (~~thirty (30)~~)30(~~30~~) days after the date of first publication of the Executive
5 Administration Director's notice of any such assessments payable in installments, the Director of
6 Finance and Administrative Services(~~Executive Administration~~) shall record the total amount
7 of the assessment, the total amount paid to him or her to redeem any lots, tracts, or parcels of
8 land, or other property, from the assessment levied thereon, and the total amount unpaid on such
9 assessment; whereupon the Mayor and Director of Finance and Administrative Services shall
10 issue the bonds of such local improvement condemnation award district, in an amount equal to
11 the amount remaining unpaid on the assessment roll as shown by such report. The bonds
12 provided for in this section shall not be issued prior to ~~twenty (20)~~20(~~30~~) days after the expiration
13 of the (~~thirty (30)~~)30(~~30~~) days abovementioned.

17 Section 327. Section 20.76.110 of the Seattle Municipal Code as last amended by
18 Ordinance 116368 is amended as follows:

19 **20.76.110 Bond registry.**

20 The (~~City Finance~~) Director of Finance and Administrative Services shall keep in his or her
21 office a register of all such bonds issued. He or she shall enter therein the Local Improvement
22 Fund District number for which the same are issued, and the date, amount and number of each
23 bond and the term of payment.
24

1 Section 328. Section 20.76.120 of the Seattle Municipal Code as last amended by
2 Ordinance 120794 is amended as follows:

3 **20.76.120 Warrants or checks -- When issued.**

4 The Director of Finance and Administrative Services ~~((and the Director of Executive~~
5 ~~Administration))~~ shall issue no warrants or checks for any condemnation awards, interest or costs
6 prior to the acceptance of such awards by the City Council as provided for in Section 20.76.020,
7 but such warrants or checks may be issued at any time thereafter.
8

9
10 Section 329. Section 20.76.130 of the Seattle Municipal Code as last amended by
11 Ordinance 120794 is amended as follows:

12 **20.76.130 Payment of awards, interest and costs.**

13
14 The proceeds of the sale of bonds issued therefor, together with the proceeds of the collection of
15 special assessments therefor, made during the ~~((thirty (30)))~~ day period following the date of
16 the first publication of the Director of Finance and Administrative Services ~~((Executive~~
17 ~~Administration's))~~ notice of collection, shall be applied by the Director of Finance and
18 Administrative Services ~~((Executive Administration))~~ in payment of awards, interest and costs of
19 any judgment in any eminent domain proceedings, and the redemption of any warrants issued in
20 payment of any portion of such judgment. No priority of payment shall exist as between any
21 such warrants and any portion of such judgment, but warrants shall be paid in the order of their
22 issuance; provided, that warrants payable to the General Fund may be held until warrants issued
23 for the payment of awards have been paid. If the applicable fund is solvent at the time payment is
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1 ordered, the Director of Finance and Administrative Services (~~Executive Administration in~~
2 ~~consultation with the Director of Finance~~) may elect to make payment by check.

3
4 Section 330. Section 20.76.140 of the Seattle Municipal Code as last amended by
5 Ordinance 120794 is amended as follows:

6 **20.76.140 Items of cost.**

7
8 In preparing the assessment roll to pay the cost and expense of any such condemnation
9 improvement as provided in this subchapter, the Board of Eminent Domain Commissioners shall
10 include the costs and expenses of the proceedings up to the time of the filing of the assessment
11 roll, together with the probable further costs and expenses of the proceedings, including therein a
12 charge against each description of property appearing upon any assessment roll in the following
13 sum: In case of "immediate payment" of assessment, (~~One Dollar~~)\$1(~~)~~) per description; in
14 case of assessment payable in five (~~5~~) annual installments, the sum of (~~Two Dollars~~
15 ~~)~~)\$2(~~)~~) per description; in case of assessment payable in ten (~~10~~) annual installments, the
16 sum of (~~Three Dollars and Fifty Cents~~)\$3.50(~~)~~) per description; in case of assessment
17 payable in (~~fifteen~~)15(~~)~~) annual installments, (~~Four Dollars and Thirty Cents~~)\$4.30(~~)~~)
18 per description; in case of assessment payable in (~~twenty~~)20(~~)~~) annual installments of either
19 principal or interest, (~~Five Dollars~~)\$5(~~)~~) per description, which is the charge for accounting,
20 clerical labor, books and blanks used by the Director of Finance and Administrative
21 Services(~~Executive Administration~~); provided, however, that when any assessment payable in
22 installments is paid in full within the (~~thirty~~)30(~~)~~) day period fixed by law for the payment
23 of assessments without interest, the Director (~~of Executive Administration~~) shall allow a rebate
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THIS VERSION IS NOT ADOPTED



1 of the(~~Director of Executive Administration's~~) charge in this section provided in excess of
2 (~~One Dollar (-)~~)\$1(~~(-)~~) per description.

3
4 Section 331. Section 20.76.200 of the Seattle Municipal Code as last amended by
5 Ordinance 120794 is amended as follows:

6 **20.76.200 Payment of local improvement assessments against condemned property.**

7 For the purpose of making payment of all local improvement assessments that may exist against
8 any lot, tract or parcel of land which has been condemned for street or other purposes, the
9 Director of Finance and Administrative Services(~~Executive Administration~~), previous to the
10 issuance of any warrant in payment for property condemned in any condemnation proceeding,
11 shall determine the amount of all unpaid local improvement assessments that may exist against
12 the property, and thereupon two (~~(2-)~~)warrants in favor of the respondents shall be issued on
13 the condemnation fund, one (~~(1-)~~)warrant in the amount of the unpaid assessments which shall
14 be endorsed to the General Fund by the respondent, and one (~~(1-)~~)warrant for the amount of the
15 award less the unpaid assessments. The Director (~~of Executive Administration~~) shall draw a
16 warrant on the General Fund in favor of the local improvement district or districts entitled
17 thereto for the amount of the unpaid assessments, the General Fund to be reimbursed for the
18 amounts so paid out when sufficient moneys have been paid into the Condemnation Fund to
19 meet the warrant thereon drawn in favor of the General Fund in payment of the assessments as
20 set forth in this section. If the applicable fund is solvent at the time payment is ordered, the
21 Director (~~of Executive Administration~~) may elect to make payment by check.
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1 Section 332. Section 20.76.230 of the Seattle Municipal Code as last amended by
2 Ordinance 120794 is amended as follows:

3 **20.76.230 Offsetting compensation against damages -- Court certificate.**

4 Any person or persons wishing to offset an award of compensation or damages, or both, against
5 any assessment, as provided in Section 20.76.220, shall receipt upon the execution docket of the
6 court in which such award is made, and make satisfaction, on the execution docket, of the
7 amount so sought to be made an offset; and shall procure from the Clerk of the court and present
8 to the Director of Finance and Administrative Services~~((Executive Administration))~~ a certificate
9 under the seal of the court specifying the amount of which satisfaction has been made on the
10 execution docket, the date of such satisfaction, the number and a brief title of the proceeding,
11 including the number of the ordinance under which the proceeding was prosecuted.
12

13
14
15 Section 333. Section 20.76.240 of the Seattle Municipal Code as last amended by
16 Ordinance 120794 is amended as follows:

17 **20.76.240 Offsetting compensation against damages -- Cancellation of assessment roll.**

18 The Director of Finance and Administrative Services~~((Executive Administration))~~, upon receipt
19 of the certificate provided for in Section 20.76.230 is authorized and directed to cancel such
20 assessment upon the assessment roll, to the amount specified in the certificate, making suitable
21 notation thereof upon the assessment roll.
22

23
24
25 Section 334. Section 20.76.260 of the Seattle Municipal Code as last amended by
26 Ordinance 120794 is amended as follows:
27

20.76.260 Acceptance of condemnation fund warrants in payment of assessments.

Whenever an owner of property, assessed in a condemnation proceeding of the City, shall desire to make full payment of such assessment prior to date of sale of his or her property for the assessment, the Director of Finance and Administrative Services~~((Executive Administration))~~ is authorized and directed to accept condemnation fund warrants, or parts thereof, in payment of such assessments levied to raise money for the benefit of the particular condemnation fund against or upon which said warrants were issued, and he or she shall treat all of such transactions as cash transactions making proper entry thereof upon City records.

Section 335. Section 20.76.270 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

20.76.270 Acceptance of certificates of purchase for delinquent condemnation award assessments.

The Director of Finance and Administrative Services~~((Executive Administration))~~ is authorized and directed to accept the redemption of certificates of purchase issued for delinquent condemnation award assessments and installments thereof, and held in trust by the City for the condemnation award districts, where the last installment of the assessment is two ~~((2-))~~ or more years delinquent, upon the payment of the principal of the certificates of purchase and interest thereon at the rate of ~~((eight))~~ 8-percent ~~((8%))~~ per year from date of issuance to date of redemption.

THIS VERSION IS NOT ADOPTED



1 Section 336. Section 20.76.280 of the Seattle Municipal Code as last amended by
2 Ordinance 120794 is amended as follows:

3 **20.76.280 Segregation of condemnation assessments.**

4 A. The Director of Finance and Administrative Services~~((Executive Administration))~~ is
5 authorized to collect and receive from any owner or owners of any subdivision or subdivisions of
6 any lot, tract or parcel of land upon which a condemnation assessment has been, or may
7 hereafter, be made, such portion of the assessment or assessments levied or to be levied against
8 such lot, tract or parcel of land in the payment of the condemnation improvement as the ~~((City))~~
9 Director of Transportation shall certify to be chargeable to such subdivision or subdivisions in
10 accordance with state law. Upon receipt of a certified copy of a resolution of the legislative
11 authority authorizing such segregation the Director of Finance and Administrative
12 Services~~((Executive Administration))~~ shall enter such segregation, together with the amount of
13 the bonded interest with respect thereto, upon the assessment records, and upon payment thereof,
14 together with any penalties accruing according to law and any additional interest due with
15 respect to such segregated portion, give a proper receipt; provided that this section shall not
16 authorize the segregation of any assessment which has been delinquent for a period of two ~~((2))~~
17 years or more, or in any case where it appears that such property, when or as already divided
18 according to the requested segregation, is not or would not be of sufficient value, or is not or
19 would not be in such condition or title, as to provide adequate security for the payment of the
20 total amount of the unpaid assessment, penalties, interest and costs charged or chargeable against
21 the undivided whole. In such instances, upon a recommendation by the Director of Finance and
22 Administrative Services~~((Executive Administration))~~, the City Council shall determine such
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THIS VERSION IS NOT ADOPTED



1 question of fact. No segregation of any assessment on unplatted lands or large platted tracts shall
2 be made until a plat thereof has been furnished the ((City)) Director of Transportation by the
3 applicant, showing that the proposed segregation of property will conform to the system of
4 streets as platted in adjacent territory. In all such instances, upon a recommendation by the
5 ((City)) Director of Transportation, the City Council shall determine such question of fact.

6
7 B. Whenever, on account of the filing of a plat or replat or on account of a sale or
8 contract to sell or other proper evidence of the change of ownership of a divided portion of any
9 lot, tract or parcel of land assessed in such improvement district, it shall appear to be to the best
10 interest of the City to segregate such assessments, the ((City)) Director of Transportation is
11 authorized to make the proper certification as provided in this section, upon the written
12 application of the owner, approved by the Director of Finance and Administrative
13 Services((Executive Administration)), and confirmed by City Council resolution, and upon
14 payment of the fee hereinafter provided. In all instances it shall be the duty of the ((City))
15 Director of Transportation to submit the necessary resolution for segregation for City Council
16 approval.

17
18 C. A fee of ~~((Ten Dollars -))~~ \$10~~((-.00))~~ shall be charged for each tract of land for which a
19 segregation is to be made together with a fee of ~~((Five Dollars -))~~ \$5~~((.00))~~ per description for
20 each description added to the assessment roll, to defray the reasonable costs of the reasonable
21 engineering and clerical work involved, by such certificate of the ((City)) Director of
22 Transportation, as approved by City Council resolution. Such fees shall be paid to the Director
23 Finance and Administrative Services((Executive Administration)), and shall be deposited in the
24 General Fund.
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1
2 Section 337. Section 20.80.010 of the Seattle Municipal Code as last amended by
3 Ordinance 120794 is amended as follows:

4 **20.80.010 Contract for sale of foreclosed property.**

5 The Director of Finance and Administrative Services~~((Executive Administration))~~, is authorized
6 to enter into contracts from time to time for and on behalf of the City for the sale, at not less than
7 the appraised value thereof, determined as provided in Section 20.80.030, or at a price not less
8 than enough to pay all taxes and assessments in full of any real property acquired by the City
9 upon foreclosure of local improvement assessments and of any real property which the City may
10 acquire from King County to protect the lien of any such assessments outstanding against such
11 property, or any part thereof. Any such property shall be sold for cash, or on terms providing for
12 the payment of ~~((one fifth (1/5)))~~ of the purchase price in cash at the time of execution by the
13 purchaser of the contract of sale and the remainder of such price to be paid in installments over a
14 period not exceeding five ~~((5))~~ years, with interest on deferred payments at the rate of not less
15 than five percent ~~((5%))~~ per year, or on such terms as may be approved by the City Council.
16 No contract for the sale of any such property shall be valid or binding upon the City unless the
17 same has first been authorized by the City Council by ordinance.
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22 Section 338. Section 20.80.020 of the Seattle Municipal Code as last amended
23 by Ordinance 120794 is amended as follows:

24 **20.80.020 Deposit on purchase of foreclosed property.**

1 The Director of Finance and Administrative Services~~((Executive Administration))~~, is authorized
2 for and on behalf of the City to accept deposits of money amounting to not less than ~~((five--))~~ 5-
3 percent ~~((5%))~~ of the purchase price of any property proposed to be sold as earnest money and
4 to issue his or her receipt therefor. Any such deposit shall be placed in the Guaranty Deposit
5 Fund, and if the depositor fails, through no fault of the City, to enter into a contract for the
6 purchase of the property involved within ten ~~((40--))~~ days after the Director ~~((of Executive~~
7 ~~Administration))~~ notifies him or her that a duly authorized or approved contract, executed on
8 behalf of the City, is ready for execution on his or her part, such deposit shall be deemed
9 forfeited and become the property of the City, and the amount thereof shall be transferred to the
10 Local Improvement Guaranty Fund. If the depositor enters into such contract within the time
11 mentioned in this section, the amount of the deposit shall be credited upon the purchase price
12 agreed to be paid and shall be transferred to the Fund of the Local Improvement District levying
13 the assessments, and if the district has been closed to the Local Improvement Guaranty Fund. If
14 the City fails, by reason of any fault on its part, to make available for execution by the depositor
15 such contract of sale within ~~((sixty--))~~ 60 ~~((--))~~ days after the receipt of the deposit, the depositor
16 may, at his option, demand the return of his deposit.
17
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21 Section 339. Section 20.80.030 of the Seattle Municipal Code as last amended by
22 Ordinance 120794 is amended as follows:

23 **20.80.030 Authority to contract with professional realtors.**

24 The Director of Finance and Administrative Services~~((Executive Administration))~~ is authorized
25 on behalf of the City to contract from time to time with professional realtors or real estate
26
27

THIS VERSION IS NOT ADOPTED



1 appraisers to ascertain for purposes of sale the value of City property acquired in the
2 enforcement and for the protection of local improvement assessment liens, and in such
3 connection the Director ((of Executive Administration)) is authorized to negotiate the terms of
4 such employment, including the fees therefor, payment of which fees shall be charged to the
5 appropriate item in the annual City budget.
6

7
8 Section 340. Subsection E of Section 20.84.030 of the Seattle Municipal Code, which
9 section was last amended by Ordinance 121998, is amended as follows:

10 * * *

11 E. City Department Head means the Director or highest administrative official, e.g., the
12 Director of Transportation, Superintendent of Parks and Recreation, ((Fleets and Facilities
13 Director,)) or Director of Finance and Administrative Services, among others, of the City
14 Department having authority over and responsibility for the applicable Program or Project and its
15 costs.
16

17 * * *

18 Section 341. Section 21.04.020 of the Seattle Municipal Code, last amended by Ordinance
19 121276, is amended as follows:

20 **21.04.020 Connection to water supply system -- Application.**

21
22 Any person desiring to have premises connected with the water supply system of the City shall
23 present at the office of the Seattle Public Utilities a copy of a building permit or a regular
24 certified copy from the Director of the Department of Planning and Development, containing his
25 or her name, description of the lot, block and addition and the official house number of the
26

1 premises on which water is desired, and shall make application therefor upon a printed form to
2 be furnished for that purpose, which application shall contain the description of the premises
3 where such water is desired, and shall specify the size of service pipe required and shall state
4 fully the purposes for which water is to be used, and shall be signed by the owner of the premises
5 to be served or his duly authorized agent, and shall be filed in the office of the Director, and at
6 the time of filing such application the applicant shall pay to the Director of Finance and
7 Administrative Services ~~((Executive Administration))~~ and make his or her receipt therefor, the
8 fees for installation of water service provided in this chapter.
9

10
11 Section 342. Section 21.04.050 of the Seattle Municipal Code as last amended by
12 Ordinance 120794 is further amended as follows:

13 **21.04.050 Connection -- City responsibility.**

14
15 Upon the presentation at the office of the Director of the Director of Executive Administration's
16 receipt for the installation fees and the execution of the contract provided for in Section
17 21.04.030, the Director shall cause the premises described in the application, if the same abut
18 upon a street in which there is a City water main, to be connected with the City's water main by a
19 service pipe extending at right angles from the main to the property line, except as provided in
20 Sections 21.04.060, 21.04.070, and 21.04.080. The City connection, which shall include a union
21 placed at the end of pipe, and a stopcock placed within the curblin, shall be maintained by and
22 kept within the exclusive control of the City.
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1 Section 343. Section 21.04.260 of the Seattle Municipal Code as last amended by
2 Ordinance 120794 is amended as follows:

3 **21.04.260 Accounts to be in name of owner or leaseholder.**

4 A. All accounts for water shall be kept only in the name of the owner of the premises for
5 which service was installed, provided, however, that persons holding under recorded lease may
6 be supplied on their own account, and in such cases the Director may require such deposit of
7 money with the Director of Finance and Administrative Services~~((Executive Administration))~~ of
8 the City as in his or her judgment shall be necessary to protect the City against any and all
9 delinquent and unpaid charges for water or other charges on account of such service. The
10 property owner shall have the right to have water bills mailed to a tenant, or agent, but this shall
11 not relieve the property from liability for water charges incurred.

12 B. The Director of Seattle Public Utilities may establish and collect charges based on
13 actual costs, for special meter readings ordered in connection with property ownership or
14 occupancy changes.

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18
19 Section 344. Section 21.16.050 of the Seattle Municipal Code as last amended by
20 Ordinance 120794 is amended as follows:

21 **21.16.050 Connection -- Notice to owner or occupant.**

22 A. Whenever any land, buildings, or premises are required to be connected with the
23 public sewer system as provided in Section 21.16.040, the Director of Health, upon notice from
24 the Director of Seattle Public Utilities that a connection is accessible, shall serve upon the owner
25 or occupant of the lands, buildings, premises or habitable structures, a notice in writing
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1 specifying the time within which such connection must be made, which time shall not be more
2 than ~~((sixty-))~~60(~~(t))~~) days from the date of delivery of such notice.

3 B. If such owner or occupant shall fail or neglect to connect the land, buildings, premises
4 or habitable structures to the public sewer system within the time specified, the Director of
5 Health shall notify the Director of Seattle Public Utilities, whereupon the Director of Seattle
6 Public Utilities may make such connection and the connection cost plus ~~((fifteen))~~ 15-percent
7 ~~((15%))~~ thereof, for engineering design and administrative costs, shall be charged to the owner
8 or occupant, and a bill showing the amount thereof shall be mailed or delivered to the owner or
9 occupant, or posted upon the premises, whereupon the amount shall immediately be paid to the
10 ~~((City))~~Director of Finance and Administrative Services~~((Executive Administration))~~. The
11 amount of said costs or any portion thereof which becomes delinquent shall immediately become
12 a lien upon the premises and such lien may be foreclosed by the City as provided by State law.
13
14

15
16 Section 345. Section 21.16.060 of the Seattle Municipal Code, last amended by Ordinance
17 122036, is amended as follows:

18 **21.16.060 Registered side sewer contractor -- Qualification -- Registration -- Insurance --**
19 **Bond -- Registration expiration and renewal.**

20 A. To register as a registered side sewer contractor (RSSC), each applicant must:

- 21 1. Pay a registration fee of \$200 to the Director of the Department of Planning and
22 Development;
- 23 2. Successfully complete an oral and written examination administered by the
24 Director of the Department of Planning and Development, or employ an
25 individual who has successfully completed the examination. Each applicant for
26

1 the oral and written exam must pay to the Director of the Department of Planning
2 and Development an examination fee of \$100 to take the examination required by
3 this subsection;

4 3. Provide to the Director of the Department of Planning and Development a
5 roster of all individuals employed by the applicant who have passed the
6 examination provided for in subsection A2 of this Section;

7 4. Provide evidence to the Department of Planning and Development that the
8 applicant possesses a current Washington State Contractor's license;

9 5. Provide evidence to the Department of Planning and Development that the
10 applicant possesses a current City Business license issued pursuant to Section
11 5.55.030 of the Seattle Municipal Code;

12 6. File with the Risk Management Division of the Department of Finance and
13 Administrative Services~~((Executive Administration))~~ a certificate of insurance
14 that meets the standards of subsection B, and maintain the insurance as required
15 by subsection B;

16 7. Post with the City Clerk and maintain in full force and effect a bond as required
17 by subsection C of this section;

18 8. Agree in writing, to defend, indemnify and hold harmless the City from all
19 claims, actions or damages of every kind and description, including reasonable
20 attorney fees and necessary litigation expenses incurred by the City, that may
21 accrue to or be suffered by any person arising out of any opening in any street,
22 alley, avenue or other public place made by the registered contractor or those in
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1 the registered contractor's employ, in making any connection with any public or
2 private sewer, or for any other purpose or object associated with side sewer
3 construction and related activities, except for such losses that directly result from
4 the sole negligence of the City; and

5 9. Agree in writing to provide direct on-site supervision in compliance with
6 Section 21.16.055 of all work located in a public place that is to be performed by
7 or on behalf of the registered side sewer contractor, including without limitation
8 all work relating to installation, alteration, extension, connection to or repair of
9 the side sewer.
10

11 B. Insurance. Each applicant for side sewer contractor registration shall file with the Risk
12 Management Division of the Department of Finance and Administrative Services~~(Executive~~
13 ~~Administration))~~ certification of insurance, and each registered side sewer contractor shall
14 maintain in full force and effect insurance from insurers acceptable to the Risk Management
15 Division ~~((of the Department of Executive Administration))~~. The certification shall state that the
16 applicant/contractor carries comprehensive general liability insurance with limits of not less than
17 \$1,000,000~~((,00))~~ for each occurrence combined single limit bodily injury and property damage.
18 Such policy shall contain an endorsement or policy wording naming the City as an additional
19 insured or, in lieu of naming the City as an additional insured, insuring the obligation described
20 in subsection A8 above to indemnify the City, and providing for not less than 30 days prior
21 written notice to the City of any change, cancellation or expiration of such policy.
22

23
24 C. Each registered side sewer contractor shall post with the City Clerk and maintain in
25 full force and effect a bond in the sum of \$30,000~~((,00))~~ conditioned that the contractor shall
26
27

1 replace and restore such street, alley, avenue or other public place as required by ((SMC))

2 Section 21.16.280. If a claim is made on the bond, the registered side sewer contractor shall
3 immediately post with the City Clerk a new bond with the same terms and conditions.

4 D. Expiration of Registration. All registrations issued under this chapter automatically
5 expire on January 31 of each year and must be renewed pursuant to the provisions of subsection

6 E.

7 E. Renewal of Registration. In order to renew a registration, the contractor shall:

- 8 1. Pay a renewal fee of \$150((-00)).
- 9 2. Provide proof of compliance with the requirements of subsections
- 10 21.16.060, A(2) through (9).
- 11 3. Provide the name(s) of the person or persons who have successfully passed the
- 12 oral and written examination required by Subsection A(2) and who are currently
- 13 employed by the side sewer contractor applying for renewal.

14 F. Failure to Renew. A contractor seeking to renew a side sewer contractor registration
15 more than one year after its expiration must provide proof of compliance with all of the initial
16 registration requirements of Subsection A.

17 Section 346. Section 20.16.110 of the Seattle Municipal Code as last amended by
18 Ordinance 120794 is amended as follows:

19 **21.16.110 Permit for temporary connection.**

20 The Director of Seattle Public Utilities may, upon receiving an application containing such
21 information as is required by this chapter, issue a permit for a temporary connection to a

1 combined sewer, sanitary sewer, side sewer, storm drain or natural outlet, and may include as a
2 condition to the issuance of a permit a requirement to connect to another combined sewer,
3 sanitary sewer, side sewer, storm drain or natural outlet at some later date. The permit may be
4 revoked by the Director of Seattle Public Utilities at any time upon ~~((sixty-))60((9))~~ days' notice
5 posted upon the premises and directed to the owner or occupant of the premises; and in the event
6 the side sewer or drains are not disconnected or reconstructed as required at the expiration of
7 ~~((sixty-))60((9))~~ days the Director of Seattle Public Utilities may disconnect the same and
8 reconstruct it as necessary, and charge the cost plus ~~((fifteen)) 15-percent (((15%)))~~ thereof, for
9 engineering design and administration costs, to the owner or occupant. Such charges shall be
10 immediately payable to the ~~((City))~~ Director of Finance and Administrative Services~~((Executive
11 Administration))~~ following a written notice of the amount thereof given to such owner or
12 occupant or posted on the premises. The amount of said costs or any portion thereof which
13 becomes delinquent shall immediately become a lien upon the premises and such lien may be
14 foreclosed by the City as provided by state law. The Director of Seattle Public Utilities may
15 require that the applicant record with ~~((the))~~ King County ~~((Department of Records and
16 Elections))~~ an acceptable instrument agreeing to reconstruct the side sewer if required to do so,
17 and to save the City harmless from all damage or claims resulting to the City by reason of such
18 temporary connection or disconnection, and exhibit to the Director of Seattle Public Utilities the
19 recording number of said instrument.
20
21
22

23
24 Section 347. Section 21.16.160 of the Seattle Municipal Code as last amended by
25 Ordinance 120794 is amended as follows:
26
27

THIS VERSION IS NOT ADOPTED



21.16.160 Filling of excavations.

1
2 A. For side sewers in King County, all excavations in any public area by a registered side
3 sewer contractor shall be filled and/or covered in such a manner that no significant settlement
4 shall occur for a period of two ~~((2))~~ years.

5 B. Work within the limits of any public area shall be prosecuted to completion with due
6 diligence, and if any excavation is left open, whether covered or uncovered, beyond a time
7 reasonably necessary to fill the same, the Director of Seattle Public Utilities may cause the same
8 to be backfilled and the public area restored forthwith. Cost incurred by the Director of Seattle
9 Public Utilities in such work plus ~~((fifteen))~~ 15-percent ~~((15%))~~ for administrative costs shall
10 be charged to the side sewer contractor in charge of such work and shall be immediately payable
11 to the ~~((City))~~ Director of Finance and Administrative Services ~~((Executive Administration))~~ by
12 the contractor upon written notification of the amount thereof given to the contractor or posted
13 on the premises.
14
15

16
17 Section 348. Section 21.16.180 of the Seattle Municipal Code as last amended by
18 Ordinance 120794 is amended as follows:

19
20 **21.16.180 Repair of inoperative or inadequate sewer or drain.**

21 Where it is determined by the Director of Health or the Director of Seattle Public Utilities that a
22 side sewer, drain, ditch, or natural watercourse is obstructed, broken, inoperative or inadequate
23 and is a menace to health, or is liable to cause damage to public or private property, the Director
24 of Health and/or the Director of Seattle Public Utilities may give notice to the owner of the side
25 sewer and, if different than the owner of the side sewer, to the owner or occupant of the property
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1 in which such condition exists. The owner or occupant shall correct such condition within the
2 time specified in the written notice. If the owner or occupant shall fail to correct such condition
3 within the time specified in such notice, the Director of Seattle Public Utilities may perform such
4 work as may be necessary to comply with this chapter. The cost of such work done by the
5 Director of Seattle Public Utilities, plus ~~((fifteen))~~ 15-percent ~~((15%))~~ for administrative costs,
6 shall be charged to the property owner or occupant and shall become immediately payable to the
7 ~~((City))~~ Director of Finance and Administrative Services~~((Executive Administration))~~ upon
8 written notice of such amount being given to the property owner or occupant or posted upon the
9 premises. The amount of said costs or any portion thereof which becomes delinquent shall
10 immediately become a lien upon the premises and such lien may be foreclosed by the City as
11 provided by state law.
12
13

14
15 Section 349. Section 21.24.070 of the Seattle Municipal Code as last amended by
16 Ordinance 120794 is amended as follows:

17 **21.24.070 Fee payment.**

18 The fee shall be paid to the ~~((City))~~ Director of Finance and Administrative Services~~((Executive
19 Administration))~~ before the permit is issued and the amount of the fee paid shall be shown on the
20 permit and on the record of the side sewer connection maintained in the office of the ~~((City))~~
21 Director of Seattle Public Utilities.
22
23

24 Section 350. Section 21.24.090 of the Seattle Municipal Code as last amended by
25 Ordinance 120794 is amended as follows:
26
27

21.24.090 Refund of sewer permit fees.

1
2 Whenever a sewer permit has been issued and a fee paid therefor and either no rights are
3 exercised pursuant thereto and such permit is surrendered or the fee charged is erroneous for any
4 reason and application is made for refund, the Director of Seattle Public Utilities shall certify the
5 facts justifying such refund, the amount thereof, and his or her approval of such refund, and upon
6 presentation of such certificate, the ((City)) Director of Finance and Administrative
7 Services((~~Executive Administration~~)) is authorized to draw and to pay a warrant on the General
8 Fund in the amount of such refund and the necessary appropriations are hereby made from any
9 surplus in the fund. If the applicable fund is solvent at the time payment is ordered, the Director
10 of Finance and Administrative Services((~~Executive Administration~~)) may elect to make payment
11 by check.
12
13

14
15 Section 351. Section 21.28.010 of the Seattle Municipal Code as last amended by
16 Ordinance 120794 is amended as follows:

21.28.010 Sewerage system a public utility.

17
18 It is necessary for the public health, safety and welfare that the existing sewerage system of the
19 City, in conjunction with the storm and surface water sewers, together with such extensions,
20 additions and improvements thereto as may from time to time be authorized, continue to be
21 maintained, conducted and operated as a public utility of the City within the Seattle Public
22 Utilities. The Seattle Public Utilities shall have jurisdiction over those properties, interests, and
23 physical and intangible rights of every kind and nature owned or held by the City within its
24 boundaries which comprise or relate to storm and surface water sewers, including all facilities
25
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1 constructed and to be constructed with moneys from the Drainage and Wastewater Fund,
2 formerly the Sewer Improvement Fund, but excepting such properties, interests and rights under
3 the jurisdiction of the Parks and Recreation Department, the Seattle Center Department, the City
4 Light Department and the Department of ~~((Fleets and Facilities))~~ Finance and Administrative
5 Services. Nothing contained in this chapter is intended to be nor shall be construed to create or
6 form the basis for any liability on the part of the City, or its officers, employees or agents, for
7 any injury or damage resulting from or by reason of any act or omission in connection with the
8 implementation or enforcement of this chapter on the part of the City by its officers, employees
9 or agents.
10

11
12 Section 352. Section 21.28.020 of the Seattle Municipal Code as last amended by
13 Ordinance 120794 is amended as follows:

14 **21.28.020 Administration of utility.**

15
16 The Director of Seattle Public Utilities, through the Seattle Public Utilities, shall operate and
17 administer drainage and wastewater functions and enforce this chapter and there shall be kept a
18 classified system of accounts of revenues and disbursements as prescribed by the State Auditor,
19 Division of Municipal Corporations, in conjunction with the ~~((City))~~ Director of Finance and
20 Administrative Services~~((Executive Administration))~~, as required by law.
21

22
23 Section 353. Section 21.28.250 of the Seattle Municipal Code as last amended by
24 Ordinance 120794 is amended as follows:

25 **21.28.250 Wastewater charges -- When payable.**

THIS VERSION IS NOT ADOPTED



1 The wastewater charge provided in this chapter shall be payable at the office of the ((City))
2 Director of Finance and Administrative Services ((Executive Administration))-at the same time
3 as the water bill for the premises is payable(~~and payment for water shall not be accepted unless~~
4 ~~payment of the wastewater charge is made at the same time~~)).

5
6 Section 354. Section 21.28.260 of the Seattle Municipal Code as last amended by
7 Ordinance 120794 is amended as follows:

8
9 **21.28.260 Billing and collection of wastewater charges.**

10 The rates and charges set out in this chapter shall be effective and shall be computed and billed
11 monthly or bimonthly by the Director of Seattle Public Utilities, as a separate charge on the
12 water bill, or through a direct invoice, and shall become due and payable to the City of Seattle
13 ((Director of Executive Administration)) as stated in such billing; and any wastewater rate or
14 charge which becomes delinquent shall immediately become a lien upon the premises and such
15 lien may be foreclosed by the City as provided by state law. Wastewater charges or any part
16 thereof which become delinquent shall bear interest as authorized by RCW 35.67.200, at the rate
17 of ((eight (8))) 8-percent per year, or such rate as may hereafter be authorized by state law,
18 computed on a monthly basis. Interest shall be added to all wastewater charges that remain
19 unpaid ((thirty (30))) 30 days or more from their billing date and shall continue until such
20 charges are paid. As authorized, RCW 35.67.200 shall have the effect and the City shall have a
21 lien for all delinquent and unpaid wastewater charges, including interest thereon, against any
22 parcel for which the wastewater charges are delinquent. The lien shall have superiority as
23 established by RCW 35.67.200 and shall be foreclosed or otherwise enforced in the manner
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1 provided in RCW 35.67.210 through RCW 35.67.290. In the case of actions to collect
2 delinquencies, the City shall seek also to collect reimbursement of reasonable costs of collection
3 including but not limited to attorney's fees, staff time, and filing fees. As an additional and
4 concurrent method of the collection of any such wastewater rate or charge, the Director of Seattle
5 Public Utilities shall have the authority to cut off the water service or supply from the premises
6 to which such rate or charge for wastewater has attached until such rates and charges are paid.
7

8
9 Section 355. Section 21.28.350 of the Seattle Municipal Code as last amended by
10 Ordinance 120794 is amended as follows:

11 **21.28.350 Refunds of wastewater charges.**

12 The Director of Seattle Public Utilities is authorized to make refunds where any amount paid for
13 wastewater services is found to be erroneous, or where adjustments have been made by him or
14 her as authorized by this chapter, and the ((City)) Director of Finance and Administrative
15 Services((Executive Administration)) is authorized to draw and to pay the necessary warrants on
16 the Drainage and Wastewater Fund upon certification by the Director of Seattle Public Utilities
17 that the refund is authorized. If the applicable fund is solvent at the time payment is ordered, the
18 Director may elect to make payment by check, electronic payment or credit card.
19
20

21
22 Section 356. Section 21.36.087 of the Seattle Municipal Code as last amended by
23 Ordinance 120794 is amended as follows:

24 **21.36.087 White goods and bulky items.**

1 A. The Director of Seattle Public Utilities may determine from time to time the items
2 eligible for pickup under the Seattle Public Utilities' program for collection of white goods and
3 bulky items, and after consultation with the Director of Finance and Administrative
4 Services~~((Executive Administration))~~, arrange for the disposition of the items collected~~((without~~
5 ~~regard to the procedures of Section 3.18.824))~~.

6 B. "White goods" are large household appliances, such as refrigerators, iceboxes, stoves,
7 washing machines, dryers, dishwashing machines and air conditioners. "Bulky items" include
8 and are illustrated by such articles for household use as furniture, mattresses, box springs,
9 television sets, stereos, and wardrobes. Neither term includes motor vehicles or hulks; car parts
10 and tires; commercial machinery or equipment; lumber and building materials; or hazardous
11 wastes.
12

13 C. By delivering possession to the collector, the customer relinquishes title to the white
14 goods and bulky items picked up. The Seattle Public Utilities may decline to accept such items
15 that contain refuse, contraband, or hazardous wastes.
16

17 D. The Director of Seattle Public Utilities may:

- 18 1. Remove all hazardous and toxic constituents, including the recovery of
19 CFCs (chlorofluorocarbons), from white goods delivered to the City
20 recycling and disposal stations and require that the resultant scrap metal
21 not be landfilled;
22
23 2. Accept a maximum of two ~~((2))~~ white goods per load at a rate
24 established in subsection A of Section 21.40.080 and subsection D of
25 Section 21.40.080;
26
27

3. Reject vehicle loads at the City's recycling and disposal stations which contain more than two ~~((2))~~ white goods or white goods from non-Seattle residents and provide information to the haulers of rejected loads on alternative disposal sites for white goods available within Seattle;
4. Direct white goods from charitable organizations qualified under Section 21.40.080 to the City's selected white-goods processor.

Section 357. Section 21.40.030 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

21.40.030 Administration.

The Director of Seattle Public Utilities, through the Seattle Public Utilities, shall operate and administer such public utility and enforce this chapter; and there shall be kept by him or her a classified system of accounts of revenues and disbursements as prescribed by the State Auditor, Division of Municipal Corporations, in conjunction with the ~~((City))~~ Director of Finance and Administrative Services~~((Executive Administration))~~, as required by law in such connection.

Section 358. Section 21.40.120 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

21.40.120 Payment of charges -- Delinquency and lien.

A. Garbage and rubbish collection charges imposed by this chapter shall be payable up to three ~~((3))~~ months in advance at the office of the ~~((City))~~ Director of Finance and Administrative Services~~((Executive Administration))~~ and at the same time that water utility

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1 charges are due and payable with respect to residences or other dwelling units
2 contemporaneously served, and partial payment on any bill will first be credited to amounts due
3 for garbage and rubbish collection services, then to charges for wastewater services, and the
4 balance to outstanding charges for water services. The charges imposed under Sections
5 21.40.050, 21.40.060, and 21.40.080 shall apply to all residences and other dwelling units,
6 whether occupied or not; provided, however, that where no portion of the premises is being used
7 and occupied as a dwelling place the owner or agent responsible therefor may apply to the
8 Director of Seattle Public Utilities for an adjustment to garbage and rubbish collection charges.
9 In such connection the Director of Seattle Public Utilities may from time to time reduce the
10 liability for such charges upon request therefor whenever he or she is satisfied that the premises
11 are not being used and occupied as a dwelling place. Garbage and rubbish collection charges
12 shall be computed and billed from time to time by the Director of Seattle Public Utilities as a
13 separate charge on the water bill for residences or dwelling units served, and the Director of
14 Seattle Public Utilities shall establish common billing practices and procedures to the extent
15 permitted by law.

18 B. Garbage and rubbish collection charges shall be against the premises served and when
19 such charges have not been paid within ~~((ninety-))~~90((9)) days after billing, they shall constitute
20 a lien against the residence or dwelling units served. Notice of the City's lien specifying the
21 amount due, the period covered and giving the legal description of the premises sought to be
22 charged may be filed with the County Auditor within the time required and may be foreclosed in
23 the manner and within the time prescribed for liens for labor and material, as authorized by RCW
24 35.21.140.
25



1 C. Penalty interest at the rate of ~~((twelve-))12-((+))~~ percent per year, computed monthly,
2 shall be added to garbage and rubbish collection charges imposed under Sections 21.40.050 and
3 21.40.060 through the combined utility bill, or any part thereof, that become delinquent. Penalty
4 interest shall be imposed on all such charges that remain unpaid ~~((thirty-))30-((+))~~ days after their
5 bill date and shall continue until such charges are paid.
6

7
8 Section 359. Section 21.60.410 of the Seattle Municipal Code as last amended by
9 Ordinance 107614 is repealed.
10

11 Section 360. Section 21.60.420 of the Seattle Municipal Code as last amended by
12 Ordinance 107614 is repealed.
13

14 Section 361. Section 21.60.430 of the Seattle Municipal Code as last amended by
15 Ordinance 107614 is repealed.
16

17 Section 362. Section 21.60.450 of the Seattle Municipal Code as last amended by
18 Ordinance 107614 is amended as follows:
19

20
21 **21.60.450 Connection point.**

22 Except in areas of the cable district in which, by the terms of the grantee's franchise, no
23 construction is required, the grantee shall, on payment of the installation charge prescribed in
24 accordance with Sections 21.60.300 through 21.60.320, provide a connection, overhead or
25 underground ~~((in))~~ at the discretion of the City Light Department~~((Board of Public Works))~~, to
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1 any point located not more than ~~((three hundred feet (300 feet)))~~ 300 feet~~((300 feet))~~ from grantee's nearest
2 distribution cable, and shall not accept payment for an installation charge unless there is a
3 distribution cable within ~~((three hundred feet (300 feet)))~~ 300 feet~~((300 feet))~~ of the subscriber's property or a
4 specific written agreement has been entered into with the subscriber regarding the cost of a
5 connection over a distance greater than ~~((three hundred feet (300 feet)))~~ 300 feet~~((300 feet))~~.

6
7
8 Section 363. Section 21.68.020 of the Seattle Municipal Code as last amended by
9 Ordinance 106157 is amended as follows:

10 **21.68.020 Area described.**

11 Everyone engaged in the distribution of electrical energy for light, heat or power by wires or
12 using or maintaining wires for telephone, telegraph or other electrical service in the City, shall
13 have all wires and appliances used for the purposes stated in this section, and situated on, in, or
14 over the streets, alleys and other public places within the boundaries of the areas described in this
15 section, placed underground and all poles removed when and as directed by ~~((the Board of Public
16 Works of the City))~~ the City Light Department ~~((Board of Public Works))~~, so to do; said areas
17 being bounded and described as follows:
18

19 Beginning at the intersection of the south line of South Jackson Street and the west line of
20 Alaskan Way South; thence north along said west line to the westerly line of Alaskan Way;
21 thence northerly along said westerly line to the north line of West Denny Way; thence east along
22 said north line and along the north line of Denny Way to the centerline of Second Avenue North;
23 thence north along said centerline to the centerline of Thomas Street; thence west along last
24 described centerline to the centerline of First Avenue North; thence north along last described
25
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1 centerline to the centerline of Republican Street; thence east along last described centerline to the
2 centerline of Warren Avenue North; thence north along last described centerline to the centerline
3 of Mercer Street; thence east along last described centerline to the centerline of Third Avenue
4 North; thence north along last described centerline to the centerline of Roy Street; thence east
5 along last described centerline to the centerline of Fourth Avenue North; thence south along last
6 described centerline to the centerline of Mercer Street; thence east along last described centerline
7 to the centerline of Fifth Avenue North; thence south along last described centerline to the north
8 line of Denny Way; thence east along said north line to the easterly line of the Central Freeway;
9 thence southerly along said easterly line to the south line of South Jackson Street; thence west
10 along said south line to the east line of Occidental Avenue South; thence south to the south line
11 of South King Street; thence west to the east line of Occidental Avenue South; thence south to
12 the south line of South Connecticut Street; thence west to the west line of Occidental Avenue
13 South; thence north to the north line of South King Street; thence east to the west line of
14 Occidental Avenue South; thence north to the south line of South Jackson Street; thence west
15 along said south line to beginning; also all of the Central Freeway inside the limits of the City
16 lying within the area of limited access as approved by the City by Ordinance ((No.)) 86152 and
17 such resolutions as have hereto or which may hereafter be approved, defining specifically the
18 limits of the Freeway;
19
20
21
22 as illustrated by the blueprint map marked Exhibit "A" attached to Ordinance 90695¹ and by this
23 reference made a part of this subchapter and

24 Beginning at the intersection of the west margin of 15th Avenue N.E. and the south margin of
25 N.E. 50th Street; thence northerly along the westerly margin of 15th Avenue N.E. to the south
26
27

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1 margin of N.E. 55th Street; thence westerly along the south margin of N.E. 55th Street to the east
2 margin of University Way N.E.; thence southerly along the east margin of University Way N.E.
3 to the south margin of N.E. 50th Street; thence westerly along the south margin of N.E. 50th
4 Street to the northwest corner of Lot 1, Block 1 of McGuire and Holden Addition; thence
5 southerly along the platted centerline of said Block 1 to the north margin of N.E. 47th Street;
6 thence southerly across N.E. 47th Street to the northwest corner of Lot 1, Block 2 of said
7 Addition; thence southerly along the platted centerline of said Block 2 to the north margin of
8 N.E. 45th Street; thence southerly across N.E. 45th Street to the northwest corner of Lot 1, Block
9 A of Brooklyn Supplemental Addition; thence southerly along the platted centerline of said
10 Block A to the north margin of N.E. 43rd Street; thence southerly across N.E. 43rd Street to the
11 northwest corner of Lot 1, Block B of said Supplemental Addition; thence southerly along the
12 platted centerline of said Block B to the north margin of N.E. 42nd Street; thence southerly
13 across N.E. 42nd Street to the northwest corner of lot 1, Block C of Brooklyn Supplemental
14 Addition; thence southerly along the platted centerline of said Block C to the northerly margin of
15 N.E. Campus Parkway; thence easterly along the north margin of N.E. Campus Parkway to the
16 west margin of 15th Avenue N.E.; thence northerly along the westerly margin of 15th Avenue
17 N.E. to the south margin of N.E. 50th Street, the point of beginning; all in the City of Seattle;
18 as illustrated by the blueprint map marked Exhibit "B" attached to Ordinance 90695¹ and by this
19 reference made a part of this subchapter.
20
21
22

23 Section 364. Section 21.68.030 of the Seattle Municipal Code as last amended by
24 Ordinance 90695 is amended as follows:

25 **21.68.030 Undergrounding required.**
26
27



1 Everyone owning, using or maintaining any such wires (~~be, and they~~) are directed, ordered and
2 required to place the same underground as their interest therein may appear, and at their own cost
3 and expense, and thereafter, at their own cost and expense, to maintain and replace the
4 underground wires as public interest may require and to the satisfaction, and subject to the
5 supervision, of the Seattle Department of Transportation in consultation with the City Light
6 Department and Seattle Public Utilities, as appropriate(~~Board of Public Works of the City~~)).
7 Pavement or sidewalk restoration and repair shall be completed to the satisfaction of the Seattle
8 Department of Transportation; sewer, water main, or public utility equipment or facilities
9 restoration and repair shall be completed to the satisfaction of Seattle Public Utilities; and
10 electrical connections, and electrical equipment, wiring, or conduit restoration or repair, shall be
11 completed to the satisfaction of the City Light Department.
12
13

14
15 Section 365. Section 21.68.040 of the Seattle Municipal Code as last amended by
16 Ordinance 90695 is amended as follows:

17 **21.68.040 Commencement of work.**

18 Everyone owning, using or maintaining such wires be, and they are directed, ordered and
19 required to commence forthwith and to diligently prosecute the work of placing such wires
20 underground at the direction, under the supervision of and in accordance with plans and
21 specifications approved by the Seattle Department of Transportation in consultation with the City
22 Light Department and Seattle Public Utilities, as appropriate(~~Board of Public Works~~));
23 provided, however, that in any part of the areas where streets are being paved or repaved, the
24 work shall be completed before such paving or repaving.
25
26
27



1
2 Section 366. Section 21.68.050 of the Seattle Municipal Code as last amended by
3 Ordinance 90695 is amended as follows:

4 **21.68.050 Restoration of pavement and public utility equipment.**

5 The owners of such wires shall, at their own cost and expense, cause to be restored to good
6 condition and repair, ~~((to the satisfaction of the Board of Public Works)),~~ any pavement,
7 sidewalk, sewer, water main, or public utility equipment or facilities disturbed in connection with
8 the work of removing any existing poles supporting the wires referred to in this subchapter in
9 said areas, or in connection with the placing of such wires underground; such restoration and
10 repair to be made pursuant to ordinances relating thereto. Pavement or sidewalk restoration and
11 repair shall be completed to the satisfaction of the Seattle Department of Transportation; sewer,
12 water main, or public utility equipment or facilities restoration and repair shall be completed to
13 the satisfaction of Seattle Public Utilities; and electrical connections, and electrical equipment,
14 wiring, or conduit restoration or repair, shall be completed to the satisfaction of the City Light
15 Department.

16
17
18
19 Section 367. Section 21.68.060 of the Seattle Municipal Code as last amended by
20 Ordinance 90695 is amended as follows:

21 **21.68.060 Maintenance and replacement of wires.**

22 After said wires have been placed underground,~~((F))~~ those owning said wires shall, ~~((after the~~
23 ~~same shall have been placed underground,))~~ in accordance with this subchapter, maintain,
24 remove, move or replace the ~~((same))~~ wires, ~~((or))~~ apparatus, or ~~((the))~~ conduits that
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THIS VERSION IS NOT ADOPTED



1 contain, ~~((ing, the same))~~ or are used in connection ~~((there))~~ with, the wires on order of the Seattle
2 Department of Transportation in consultation with the City Light Department and Seattle Public
3 Utilities, as appropriate, and ~~(Board of Public Works))~~ as the public interest may require, ~~((and to~~
4 ~~the satisfaction of the Board.))~~

5
6 Section 368. Section 21.68.090 of the Seattle Municipal Code as last amended by
7 Ordinance 96796 is amended as follows:

8
9 **21.68.090 Undergrounding required -- Restoration of pavement and public utility**
10 **equipment.**

11 Everyone owning, using or maintaining such wires and appurtenances in said streets, alleys, and
12 other public places ~~((be and they))~~ are directed, ordered and required to commence forthwith and
13 to prosecute and complete the work of placing such wires and appurtenances underground and of
14 removing overhead facilities at the direction, under the supervision of and in accordance with
15 plans and specifications approved by the Seattle Department of Transportation in consultation
16 with Seattle City Light and Seattle Public Utilities as appropriate, ~~((the Board of Public Works,~~
17 and to thereafter cause to be restored to good condition and repair~~((to the satisfaction of the~~
18 Board)) any pavements, sidewalks, sewer, water main or public utility equipment or facilities
19 disturbed in connection with such work, and shall thereafter maintain, remove, move or replace
20 such underground facilities on order of the City of Seattle ~~((and to the satisfaction of the Board))~~
21 as the public interest may require. Pavement or sidewalk restoration and repair shall be
22 completed to the satisfaction of the Seattle Department of Transportation; sewer, water main, or
23 public utility equipment or facilities restoration and repair shall be completed to the satisfaction
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1 of Seattle Public Utilities; and electrical connections, and electrical equipment, wiring, or
2 conduit restoration or repair, shall be completed to the satisfaction of the City Light Department.

3
4 Section 369. Section 21.68.100 of the Seattle Municipal Code as last amended by
5 Ordinance 96796 is amended as follows:

6 **21.68.100 CATV connections.**

7
8 When electrical, telephone, telegraph or CATV or other electric services are available to
9 customers from underground facilities within the district describ((#))ed in Section 21.68.080, or a
10 part thereof, the owners of the facilities or services shall notify the City Light Department and,
11 under the Department's ((Board of Public Works, and, under the Board's)) direction and
12 supervision, the owners of the facilities or services shall then notify each such customer and/or
13 property owner within the district, or such part thereof, that such services shall be thereafter
14 available only from such underground facilities. Property owners and/or customers desiring
15 continued electric services within said district, or part thereof, shall within ((ninety(-))90((9))
16 days of receipt of such notice, provide at their own expense on their own property necessary
17 underground facilities for conducting such services from such underground facilities to any
18 building and structure on their property, and the above notices shall so provide.
19
20
21

22 Section 370. Section 21.68.130 of the Seattle Municipal Code as last amended by
23 Ordinance 96797 is amended as follows:

24 **21.68.130 Area described.**



1 Everyone engaged in the distribution of electric energy by overhead wires and appurtenances or
2 using or maintaining wires and appurtenances for telephone, telegraph, CATV, or other electric
3 service shall at their own expense, subject to the aid and assistance of urban renewal project
4 funds if, or to the extent that, such funds are legally available for such work, remove and place
5 underground all wires and appurtenances used for the purposes stated in this section in the
6 streets, alleys and other public places within the boundaries of the district described in this
7 section, and at the direction, under the supervision of, and in accordance with plans and
8 specifications approved by the Seattle Department of Transportation in consultation with the City
9 Light Department and Seattle Public Utilities, as appropriate~~((Board of Public Works))~~, said
10 district being bounded and described as follows:
11

12 Beginning at the intersection of the west margin of United States Interstate Highway No. 5 and
13 the south margin of South Dakota Street; thence westerly along the south margin of South
14 Dakota Street to the east margin of 5th Avenue South; thence southerly along the east margin of
15 5th Avenue South to the south margin of South Alaska Street; thence easterly along the south
16 margin of South Alaska Street to the west margin of United States Interstate Highway No. 5;
17 thence northerly along the west margin of United States Interstate Highway No. 5 to the south
18 margin of South Dakota Street, the point of beginning; all in the City of Seattle;
19 and as illustrated by the blueprint map marked Exhibit "A-1"¹ attached to Ordinance 96797 and
20 by this reference made a part of this subchapter.
21
22
23

24 Section 371. Section 21.68.140 of the Seattle Municipal Code as last amended by
25 Ordinance 96797 is amended as follows:
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27



21.68.140 Undergrounding required -- Restoration of pavement and public utility

equipment.

Everyone owning, using or maintaining such wires and appurtenances in said streets, alleys, and other public places be and they are directed, ordered and required to commence forthwith and to prosecute and complete the work of placing such wires and appurtenances underground and of removing overhead facilities at the direction, under the supervision of and in accordance with plans and specifications approved by the Seattle Department of Transportation in consultation with the City Light Department and Seattle Public Utilities ((Board of Public Works)), as appropriate, and to thereafter cause to be restored to good condition and repair ~~((to the satisfaction of the Board))~~ any pavements, sidewalks, sewer, water main or public utility equipment or facilities disturbed in connection with such work, and shall thereafter maintain, remove, move or replace such underground facilities on order of the City of Seattle ((and to the satisfaction of the Board)) as the public interest may require. Pavement or sidewalk restoration and repair shall be completed to the satisfaction of the Seattle Department of Transportation; sewer, water main, or public utility equipment or facilities restoration and repair shall be completed to the satisfaction of Seattle Public Utilities; and electrical connections, and electrical equipment, wiring, or conduit restoration or repair, shall be completed to the satisfaction of the City Light Department.

Section 372. Section 21.68.150 of the Seattle Municipal Code as last amended by Ordinance 96797 is amended as follows:

21.68.150 CATV connections.

THIS VERSION IS NOT ADOPTED



1 When electrical, telephone, telegraph or CATV or other electric services are available to
2 customers from underground facilities within the district described in Section 21.68.130, or a
3 part thereof, the owners of the facilities or services shall notify the The City Light Department
4 ~~((Board of Public Works))~~, and, under the Department's ~~((Board's))~~ direction and supervision
5 shall then notify each such customer and/or property owner within the district, or such part
6 thereof, that such services shall be thereafter available only from such underground facilities.
7
8 Property owners and/or customers desiring continued electric services within said district, or part
9 thereof, shall within ~~((ninety-))~~90~~(())~~ days of receipt of such notice, provide at their own
10 expense on their own property necessary underground facilities for conducting such services
11 from such underground facilities to any building and structure on their property, and the above
12 notices shall so provide.

13
14
15 Section 373. Section 21.68.180 of the Seattle Municipal Code as last amended by
16 Ordinance 99641 is amended as follows:

17 **21.68.180 Area described.**

18 Everyone engaged in the distribution of electric energy by overhead wires and appurtenances or
19 using or maintaining wires and appurtenances for telephone, telegraph, CATV, or other electric
20 service shall at their own expense, subject to the aid and assistance of urban renewal project
21 funds if, or to the extent that, such funds are legally available for such work, remove and place
22 underground all wires and appurtenances used for the purposes stated in this section in the
23 streets, alleys and other public places within the boundaries of the district described in this
24 section, and at the direction, under the supervision of, and in accordance with plans and
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1 specifications approved by the Seattle Department of Transportation in consultation with the City
2 Light Department and Seattle Public Utilities, as appropriate, ((Board of Public Works)), said
3 district being bounded and described as follows:

4 Beginning at the intersection of the centerline of East Yesler Way and a line drawn midway
5 between 28th Avenue and 29th Avenue; thence north along last described midway line to its
6 intersection with the south line of Lots 1 and 2, Block 11, Gamma Poncin's Addition, as recorded
7 in Volume 20 of Plats, page 51, Records of King County, Washington; thence west along said
8 south line and same produced west to its intersection with the centerline of 28th Avenue; thence
9 north along last described centerline to its intersection with the centerline of East Cherry Street;
10 thence east along last described centerline to its intersection with a line drawn midway between
11 32nd Avenue and 33rd Avenue; thence south along last described midway line to its intersection
12 with the centerline of East Alder Street; thence east along last described centerline to its
13 intersection with the production northwesterly of the northeasterly line of Lot 3, Block 3, Dodge
14 and Dodge Addition, as recorded in Volume 3 of Plats, page 106, Records of King County,
15 Washington; thence southeasterly along said produced and northeasterly line and same produced
16 southeasterly to its intersection with the centerline of Lake Dell Avenue; thence southerly along
17 last described centerline to its intersection with the production north of the centerline of the
18 vacated alley as platted adjoining Block 49 in Yesler's Third Addition as recorded in Volume 6
19 of Plats, page 41, Records of King County, Washington; thence south along last described
20 centerline and same produced south to its intersection with the centerline of East Yesler Way;
21 thence west along last described centerline to the beginning;

THIS VERSION IS NOT ADOPTED



1 and as illustrated by the blueprint map marked Exhibit "A"¹ attached to Ordinance 99641 and by
2 this reference made a part of this subchapter.

3
4 Section 374. Section 21.68.190 of the Seattle Municipal Code as last amended by
5 Ordinance 99641 is amended as follows:

6 **21.68.190 Undergrounding required -- Restoration of pavement and public utility**
7 **equipment.**

8
9 Everyone owning, using or maintaining such wires and appurtenances in said streets, alleys, and
10 other public places be and they are directed, ordered and required to commence forthwith and to
11 prosecute and complete the work of placing such wires and appurtenances underground and of
12 removing overhead facilities at the direction, under the supervision of and in accordance with
13 plans and specifications approved by the Seattle Department of Transportation in consultation
14 with the City Light Department and Seattle Public Utilities, as appropriate,~~((Board of Public~~
15 ~~Works))~~, and to thereafter cause to be restored to good condition and repair~~((to the satisfaction~~
16 ~~of the Board))~~ any pavements, sidewalks, sewer, water main or public utility equipment or
17 facilities disturbed in connection with such work, and shall thereafter maintain, remove, move or
18 replace such underground facilities on order~~((and to the satisfaction of the Board))~~ of the City of
19 Seattle as the public interest may require. Pavement or sidewalk restoration and repair shall be
20 completed to the satisfaction of the Seattle Department of Transportation; sewer, water main, or
21 public utility equipment or facilities restoration and repair shall be completed to the satisfaction
22 of Seattle Public Utilities; and electrical connections, and electrical equipment, wiring, or
23 conduit restoration or repair, shall be completed to the satisfaction of the City Light Department.
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1
2 Section 375. Section 21.68.200 of the Seattle Municipal Code as last amended by
3 Ordinance 99641 is amended as follows:

4 **21.68.200 CATV connection.**

5 When electrical, telephone, telegraph or CATV or other electric services are available to
6 customers from underground facilities within the district described in Section 21.68.180, or a
7 part thereof, the owners of the facilities or services shall notify the City Light Department
8 ~~((Board of Public Works))~~, and, under the Department's ~~((Board's))~~ direction and supervision
9 shall then notify each such customer and/or property owner within the district, or such part
10 thereof, that such services shall be thereafter available only from such underground facilities.
11 Property owners and/or customers desiring continued electric services within said district, or part
12 thereof, shall within ~~((ninety-))~~90~~(())~~ days of receipt of such notice, provide space on their own
13 property for installation of the necessary underground facilities for conducting such services
14 from such underground facilities to any building and structure on their property, and the above
15 notices shall so provide.
16
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18

19
20 Section 376. Section 21.72.010 of the Seattle Municipal Code as last amended by
21 Ordinance 120794 is amended as follows:

22 **21.72.010 Use of City Directors' names prohibited.**

23 Statements for the collection of City utility charges shall not use or direct the use of the personal
24 name of the ~~((Director of Finance or the))~~ Director of Finance and Administrative
25 Services ~~((Executive Administration))~~ for or in connection with the payment of such charges.
26
27

THIS VERSION IS NOT ADOPTED



1
2 Section 377. Section 21.76.060 of the Seattle Municipal Code as last amended by
3 Ordinance 120794 is amended as follows:

4 **21.76.060 Authority of Director of Finance and Administrative Services~~((Executive~~
5 ~~Administration))~~.**

6 A. The Director of Finance and Administrative Services~~((Executive Administration))~~ is
7 authorized to apportion the total amount of utility credits made to bills as provided for in
8 Sections 21.76.010, 21.76.040 and 21.76.050.

9
10 B. To reimburse the Light Fund for utility credits made to lighting bills as provided for in
11 Section 21.76.050, the Director of Finance and Administrative Services~~((Executive~~
12 ~~Administration))~~, is authorized to make the necessary transfers from the Water, ~~((Sewer))~~
13 Drainage and Wastewater, and Solid Waste Fund ~~((and Street Utility Sub-Fund))~~ in accordance
14 with Section 21.76.040
15

16
17 Section 378. Section 22.208.110 of the Seattle Municipal Code as last amended by
18 Ordinance 120794 is amended as follows:

19 **22.208.110 Recovery of costs.**

20
21 A. If the costs incurred by the Director pursuant to Section 22.208.100 for repairs,
22 alterations or improvements, or of vacating and closing, or of demolition and removal are not
23 paid after a written demand upon the owner and other persons named as responsible parties in the
24 complaint, such costs shall be assessed against the property for which the costs were incurred in
25 the manner provided below.
26

THIS VERSION IS NOT ADOPTED



1 B. If the building is removed or demolished by the Director, the Director shall, if
2 possible, sell the salvageable materials from the building and shall apply the proceeds of the sale
3 to the reimbursement of the costs of demolition and removal. Any funds remaining shall be paid
4 to the owner.

5 C. After notice to the owner and other persons with an ownership interest as shown on
6 the litigation guarantee that all or a portion of the costs have not been paid, the Director shall
7 notify the ((City)) Director of Finance and Administrative Services((Executive Administration))
8 of the amount due and owing, and upon receipt of the notification the ((City)) Director of
9 Finance and Administrative Services((Executive Administration)) shall certify the amount to
10 ((the)) King County ((Financial Management Office)) for assessment.

11 D. Upon certification by the ((City)) Director of Finance and Administrative
12 Services((Executive Administration)) of the amount due and owing, ((the Director of the)) King
13 County ((Financial Management Office or designee)) shall enter the amount of the assessment
14 upon the tax rolls against the real property for the current year to be collected at the same time as
15 the general taxes and with interest at the rates and in the manner provided in RCW 84.56.020 for
16 delinquent taxes. When collected, it shall be deposited in the General Fund of the City and
17 credited to the Housing and Abatement Account provided in Section 22.202.050.

18 E. The assessment shall constitute a lien against the property which shall be of equal rank
19 with state, county and municipal taxes.

20 Section 379. Section 22.220.100 of the Seattle Municipal Code as last amended by
21 Ordinance 120794 is amended as follows:
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THIS VERSION IS NOT ADOPTED



22.220.100 Downtown Housing Maintenance Account.

1
2 A. There is hereby created in the City Treasury an account in the Low-Income Housing
3 Fund designated the "Downtown Housing Maintenance Account," from which account grants
4 and loans as specified in Section 22.220.090 of this chapter may be made to owners or receivers
5 to assist them in placing low-income rental units in habitable condition and from which account
6 shall be paid costs and expenses incurred by the City in connection with the repair of low-income
7 rental units or buildings that can feasibly be made habitable.

8
9 B. Money from the following sources shall be deposited in the fund:

- 10 1. Such sums as may be received by gift, bequest or contractual arrangement for
11 maintenance and rehabilitation of downtown low-income rental housing purposes;
12 and
13 2. Such sums as may be recovered by the City as repayment of loans or as
14 reimbursement of costs or expenses of repair of units that were found to be
15 uninhabitable where such funds originated from this account.

16
17 C. The moneys in the account are hereby appropriated for the purposes described above
18 and the ((City)) Director of Finance and Administrative Services((Executive Administration)) is
19 authorized to draw and to pay the necessary warrants upon vouchers approved by the Director of
20 Housing from the appropriated account. If the applicable fund is solvent at the time payment is
21 ordered, the Director of Finance and Administrative Services((Executive Administration)) may
22 elect to make payment by check, electronic payment, or credit card.
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1 Section 380. Section 22.900D.170 of the Seattle Municipal Code as last amended by
2 Ordinance 120181 is amended as follows :

3 **22.900D.170 Design Commission fees.**

4 A. City Capital Improvement Projects, as Defined in Section 3.58.020 Design
5 Commission fees shall be assessed at a rate of ~~((Three-Tenths of One (1/3))~~0.3(~~1/3~~) percent of the
6 construction cost for City capital improvement projects for which billing will commence on or
7 before December 31, 1998, except as specified in subsections B and D of this section. Billing
8 will occur at the time of contract award by the Department of Finance, who will forward the bills
9 to the Department for distribution to appropriate City departments. Payment will be made
10 through a fund transfer to the Department Operating Fund.

11 B. Major City Capital Improvement Projects. Except as specified in subsection D of this
12 section, Design Commission fees shall be assessed at a rate of up to ~~((Three-Tenths of One~~
13 ~~(1/3))~~0.3(~~1/3~~) percent of the construction cost for major City capital improvement projects (greater
14 than ~~((Ten Million Dollars (10,000,000))~~\$10,000,000(~~(10,000,000))~~ construction budget) for which billing will
15 commence on or before December 31, 1998. The fee shall be set through negotiations with the
16 City Budget Director and the Design Commission. Billing shall occur in accordance with a
17 schedule agreed upon by the City Budget Director and the Design Commission.

18 C. 1. For City capital improvement projects, as defined in Section 3.58.020, for
19 which no billing commenced under subsection A or B on or before December 31,
20 1998, and that do not fall within an exception in subsection D of this section, the
21 City Budget Director, the Design Commission, and each affected City department
22 will attempt to agree on that department's projects, that are expected to be
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THIS VERSION IS NOT ADOPTED



1 assessed by the Design Commission in the following year. If no agreement is
2 reached by a date established by the City Budget Director, the City Budget
3 Director will establish the list of such projects. The City Budget Director may
4 establish the assessable appropriation of a City capital improvement below the
5 actual appropriation in order that the project not be assessed an unduly high fee
6 relative to the cost of the anticipated Design Commission review.

7
8 2. The City Budget Director will assess a uniform fee of up to ~~((0))~~one-~~((1~~
9 ~~)))~~percent of the total of all departments' capital improvement project
10 appropriations for those projects assessable for Design Commission fees. Such fee
11 shall be set so as to be sufficient, when combined with other funding sources, to
12 support the anticipated costs of the Design Commission for the following year,
13 but in no case shall the fee exceed ~~((0))~~one-~~((1~~))percent.

14
15 3. The Director of Planning and Development~~((Design, Construction and Land~~
16 ~~Use))~~ shall bill each department in the amount determined by the City Budget
17 Director, and that amount shall be paid by fund transfer to the Department
18 Operating Fund.

19
20 4. If a capital improvement project's appropriation has been included in a fee
21 assessed under this section, but Design Commission review of that project is
22 delayed into a future year, that appropriation amount shall not be counted again in
23 the calculation of the fee for any future year. If review of a project on which a fee
24 has been assessed under this subsection C is canceled, or if review commences on
25 a project that, but for timeliness, would have been included but was not included
26

THIS VERSION IS NOT ADOPTED



1 in the calculation of a fee under this subsection C, the City Budget Director shall
2 adjust the department's total assessable appropriation downwards or upwards,
3 respectively, when establishing the subsequent year's fee.

4 D. Special Exceptions. The Commission will bill the following projects at the hourly rate
5 of ~~((One Hundred Dollars (-))\$100((-00)))~~ per hour per Commissioner for subcommittee review,
6 or ~~((Seven Hundred Dollars (-))\$700((-00)))~~ per hour for full Commission review, except that fees
7 may be waived, in whole or in part, at the discretion of the Commission with the concurrence of
8 the City Budget Director in the following circumstances:
9

- 10 1. Whenever Commission fees, if charged, would be disproportionate to the sums
11 available and could cause abandonment of the project for the following types of
12 projects: art-works, projects funded by grants and donations, neighborhood self-
13 help projects undertaken by volunteers and nonprofit organizations, and small
14 capital improvements;
15
16 2. For low-income and special needs housing projects subject to Design
17 Commission review.

18 E. Street Use Permit Reviews. Street use permit reviews, which are required before
19 issuance of a street use permit for improvements within the public right-of-way, will be billed at
20 the hourly rate of ~~((One Hundred Dollars (-))\$100((-00)))~~ per hour per Commissioner for
21 subcommittee review, or ~~((Seven Hundred Dollars (-))\$700((-00)))~~ per hour for full ~~((Com-
22 mission))~~ Commission review. Billing will be sent to the Seattle Department of Transportation
23 for inclusion into the plan review costs charged to the applicant, or be billed directly by the
24 Department. For those projects billed through the Seattle Department of Transportation, payment
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1 will be made by a fund transfer from the Seattle Transportation Operating Fund to the
2 Department Operating Fund from funds paid by the applicant.

3 F. Early Master Use Permit Stage or Projects Outside City Contract Process. For design
4 review at an early Master Use Permit stage or for projects outside The City of Seattle contract
5 award process, Design Commission fees will be billed by the Department at an hourly rate of
6 ~~((One Hundred Dollars (-))\$100((-00)))~~ per hour per Commissioner for subcommittee review, or
7 ~~((Seven Hundred Dollars (-))\$700((-00)))~~ per hour for full Commission review.
8

9
10 Section 381. Section 22.904.060 of the Seattle Municipal Code as last amended by
11 Ordinance 120794 is amended as follows:

12 **22.904.060 License applications.**

13 Applications for mobile home park licenses and renewals thereof shall be made to the Director of
14 Finance and Administrative Services ~~((Executive Administration))~~ upon forms provided by
15 him/her and shall set forth the name and residence address of the applicant, the location of the
16 mobile home park, and the number of mobile home lots to which such license applies. The
17 Director of Finance and Administrative Services ~~((Executive Administration))~~ thereupon shall
18 request the Director of Public Health, the Director of Planning and Development ~~((Construction
19 and Land Use))~~ and the Fire Chief to inspect the premises therein described and the fixtures and
20 facilities to be used. If the Director of Public Health, Director of Planning and
21 Development ~~((Construction and Land Use))~~ and the Fire Chief find, upon inspection, that such
22 premises, fixtures and facilities are constructed, installed, operated and maintained in compliance
23 with this chapter and other applicable ordinances, they shall approve the application and so
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1 notify the Director of Finance and Administrative Services~~((Executive Administration))~~, who
2 shall issue the license. If the Director of Public Health, Director of Planning and
3 Development~~((Construction and Land Use))~~ or the Fire Chief shall find that the premises,
4 fixtures or facilities are not constructed, installed, operated or maintained in compliance with this
5 chapter or any other applicable ordinance, he/she shall forthwith disapprove the application and
6 so notify the applicant and the Director of Finance and Administrative Services~~((Executive~~
7 ~~Administration))~~, citing the reason therefor. If, after ~~((thirty (30)))~~ 30 days from date of
8 application for a new license, or, in the case of renewal, upon expiration of an existing license,
9 approval of the Director of Public Health, Director of Planning and Development~~((Construction~~
10 ~~and Land Use))~~ and the Fire Chief are not forthcoming, the Director of Finance and
11 Administrative Services~~((Executive Administration))~~ thereupon shall deny the license.
12
13

14
15 Section 382. Section 22.904.070 of the Seattle Municipal Code as last amended by
16 Ordinance 120794 is amended as follows:

17 **22.904.070 License revocation.**

18 Any mobile home park license may be revoked by the Director of Finance and Administrative
19 Services~~((Executive Administration))~~ in the manner and subject to the procedure provided in the
20 License Code upon the filing with him or her by the Director of Public Health, the Director of
21 Planning and Development~~((Construction and Land Use))~~ or the Fire Chief of a written notice
22 stating the premises licensed or any fixtures or facilities used therein have become or are unsafe
23 or unsanitary, or that otherwise they are not being operated or maintained in compliance with the
24 provisions of this chapter or any other applicable ordinance.
25
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27

1
2 Section 383. Section 23.22.066 of the Seattle Municipal Code as last amended by
3 Ordinance 120794 is amended as follows:

4 **23.22.066 Technical standards for final plat.**

5 A. The final plat shall be prepared upon the best grade of tracing medium and shall be
6 ~~((eighteen()18-()))~~ inches by ~~((twenty-two()22-()))~~ inches in size. The accuracy and
7 completeness of the map shall be the sole responsibility of a registered land surveyor whose seal
8 shall appear on the plat and who shall make field surveys and investigations as necessary to
9 insure that the map is complete and accurate in every detail. The preparation of the tracing shall
10 be by an experienced draftsman and work shall conform to established standards of
11 workmanship. The final plat shall be presented at a scale not smaller than ~~((one()1()))~~
12 ~~hundred()100()~~ feet to ~~((one()1()))~~ inch and shall contain and show the following:
13

- 14 1. The name of the subdivision;
- 15 2. The lines, widths and names of all streets, avenues, places, parks or other
16 public property, and the location of monuments marking the same;
- 17 3. The length and direction of all lot lines, also the angles made by lot lines with
18 the street lines;
- 19 4. The location of control points and monuments together with all ties;
- 20 5. The names of all subdivisions immediately adjacent;
- 21 6. The scale and north point;
- 22 7. The boundary of the tract as covered by the plat showing courses and distance
23 on the plat;
- 24
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1 8. The initial point;

2 9. All protective improvements and restrictions on uses;

3 10. All dedications and all conveyances to a homeowner's nonprofit maintenance
4 corporation in lieu of dedication.

5 B. In the case of a replat, the lots, blocks, streets, alleys, easements and parks appearing
6 on the original plat shall be shown by dotted lines in their proper position in relation to the new
7 arrangement of the plat, and the new plat shall be shown clearly in solid lines to avoid ambiguity.
8

9 C. The description, dedication, acknowledgment, certificates of the ((City)) Director of
10 Finance and Administrative Services((Executive Administration)) and County official
11 performing the duties of the County Treasurer, certificates of approval by the Director of
12 Transportation, the City Clerk and the Director, and recording certificate, shall be lettered with
13 india ink or substantially equivalent lettering material and shall be substantially in the form set
14 forth in the Director of Transportation's Subdivision Manual.
15

16
17 Section 384. Section 23.44.051 of the Seattle Municipal Code, last amended by Ordinance
18 123046, is amended as follows:

19 **23.44.051 Bed and breakfasts**

20 A bed and breakfast use is permitted if it meets the following standards:

21 A. General Provisions.

22 1. The bed and breakfast use must have a business license issued by the
23 Department of Finance and Administrative Services((Executive Administration));
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1 2. The bed and breakfast use must be operated by an owner who owns at least a
2 ~~((fifty-))50_((--))~~percent interest in the dwelling in which the bed and breakfast is
3 located;

4 3. An owner who owns at least a ~~((fifty-))50_((--))~~percent interest in the dwelling
5 must reside in the structure in which the bed and breakfast use is located during
6 any period in which rooms are rented to guests;

7 4. No more than two ~~((2--))~~people who reside outside the dwelling unit may be
8 employed, with or without compensation, in the operation of the bed and
9 breakfast use;

10 5. The bed and breakfast use is operated within the principal structure, and a bed
11 and breakfast use may not locate in a principal structure that is less than five
12 ~~((5--))~~years old;

13 6. There is no evidence of the bed and breakfast use from the exterior of the
14 structure except for a sign permitted by ~~((S))~~subsection 23.55.020D_1;

15 7. The bed and breakfast use has no more than five ~~((5--))~~guest rooms, provided
16 that this limitation does not apply to bed and breakfasts that were established on
17 or before and have been continuously operated as a bed and breakfast since April
18 1, 1987; and

19 8. Parking is provided as required in Chapter 23.54.

20 B. Alterations to single-family structures. Interior and exterior alterations consistent with
21 the development standards of the underlying zone are permitted.
22

1 C. Dispersion. Any lot line of property containing any proposed new bed and breakfast
2 use must be located ((six hundred (-))600((-))) feet or more from any lot line of any other bed and
3 breakfast use.

4 D. Neighborhood Mitigation provisions.

5 1. The owner will make public transit information available to patrons, and the
6 owner's operating plan must describe how the transit information will be made
7 available to patrons.
8

9 2. The design of the structure in which the use is located and the orientation of the
10 access will minimize impacts, such as noise, light and parking, to neighboring
11 structures.

12 3. The owner's operating plan includes quiet hours, limits on programmed on-site
13 outdoor activities, and parking policies to minimize impacts on residential
14 neighbors.
15

16 4. The delivery of goods and services associated with the bed and breakfast use
17 are accommodated at a time and in a manner that will limit, to the extent feasible,
18 impacts on surrounding properties.
19

20 5. The operating plan shall be distributed to all residents and property owners
21 within ((three hundred (-))300((-)))feet of the proposed bed and breakfast use. The
22 distributed plan shall reference this Section and provide contact information for
23 the Department of Planning and Development's Review and Inspection Center
24 and contact information for the operator of the bed and breakfast. Applicants for a
25 permit to establish a bed and breakfast use shall provide proof to the Department
26
27



1 of Planning and Development that they made a good faith effort to provide the
2 required distribution prior to issuance of a permit establishing the use.

3
4 Section 385. Section 25.05.914 of the Seattle Municipal Code as last amended by
5 Ordinance 120794 is amended as follows:

6 **25.05.914 SEPA costs and fees.**

7
8 (See WAC 197-11-914).

9 A. For the purpose of reimbursing the City for necessary costs and expenses related to its
10 compliance with the SEPA rules and this chapter in connection with private projects, the
11 following schedule of fees, in addition to those otherwise provided by ordinance, is established:

12 1. For a threshold determination which requires information in addition to that
13 contained in or accompanying the environmental checklist, a fee in an amount
14 equal to the actual costs and expenses incurred by the City in conducting any
15 studies or investigations necessary to provide such information; provided that the
16 fee shall not be less than ~~((Twenty Dollars (\$) \$20()))~~ nor more than ~~((Five
17 Hundred Dollars (\$) \$500()))~~;

18
19 2. For all private projects requiring an EIS for which the City is the lead agency
20 and for which the responsible official determines that the EIS shall be prepared by
21 employees of the City, or that the City will contract directly with a consultant or
22 consultants for the preparation of an EIS, a fee in an amount equal to the actual
23 costs and expenses incurred by the City in preparing the EIS. Such fee shall also
24 apply when the applicant prepares the EIS, and the responsible official determines
25
26

THIS VERSION IS NOT ADOPTED



1 that substantial rewriting or reassessing of impacts must be performed by
2 employees of the City to insure compliance with the provisions of the SEPA
3 Guidelines and this subchapter.

4 3. When the responsible official is the Director of Planning and
5 Development~~((Construction and land use))~~, fees shall be paid as described in the
6 Permit Fee Ordinance (Chapter 22.900).

7
8 B. If the responsible official determines that an EIS is required, and that the EIS shall be
9 prepared by employees of the City or by a consultant or consultants retained by the City, or that
10 the applicant-prepared EIS shall be substantially rewritten by employees of the City, the private
11 applicant shall be advised by the responsible official of the estimated costs and expenses of
12 preparing or rewriting the EIS prior to actual preparation or rewriting, and the private applicant
13 shall post bond or otherwise insure payment of such costs and expenses. The ultimate charge to
14 the applicant shall not exceed the estimate. A consultant or consultants shall be selected by the
15 responsible official in consultation with the private applicant.

16
17 C. All fees owed the City under this section shall be paid in full by the private applicant
18 prior to final action by the City on the private project. Any fee owed the City under subsection
19 A1 shall be paid by the private applicant prior to the initiation of actual preparation of an EIS (if
20 required) or actual rewriting of an applicant-prepared EIS by the City of its consultant(s). If the
21 private applicant disputes the amount of fee charged, the fee may be paid under protest and
22 without prejudice to the applicant's right to file a claim and bring an action to recover the fee.
23

24 D. Proceeds from fees and charges imposed pursuant to this subchapter shall be
25 transmitted to the ~~((City))~~ Director of Finance and Administrative Services ~~((Executive~~
26

1 ~~Administration))~~ and shall be deposited in the General Fund; provided, that proceeds from fees
2 and charges collected by the Director of Planning and Development~~((Construction and land~~
3 ~~use))~~ shall be deposited in the Department of Planning and Development~~((Construction and land~~
4 ~~use))~~ Fund.

5
6 Section 386. Section 25.28.350 of the Seattle Municipal Code as last amended by
7 Ordinance 120794 is amended as follows:

8
9 **25.28.350 Abatement.**

10 A. In addition to or as an alternative to any other judicial or administrative remedy
11 provided in this subchapter or by law or other ordinance, the Superintendent may order
12 conditions which constitute a violation of this subchapter to be abated. The Superintendent may
13 order any owner of a building in violation of this subchapter, or rules and regulations adopted
14 hereunder, to commence corrective work and to complete the work within such time as the
15 Superintendent determines reasonable under circumstances. If the owner fails to comply with a
16 final order, the Superintendent, by such means and with such assistance as may be available to
17 him, is authorized to cause such building to be repaired, altered or improved and the costs thereof
18 shall be recovered by the City in the manner provided by law.

19
20
21 B. The cost of such work shall be paid from amounts appropriate for abatement purposes.
22 Unless the amount of the costs thereof are repaid within ~~((sixty-))~~60((~~))~~ days of the completion
23 of the work, they shall be assessed against the real property as to which such costs were incurred.
24 Upon certification by the Superintendent to the ~~((City))~~ Director of Finance and Administrative
25 Services ~~((Executive Administration))~~ of the assessment amount being due and owing, the
26

1 ((City)) Director of Finance and Administrative Services (~~Executive Administration~~) shall
2 certify the amount to the county official performing the duties of the County Treasurer, who shall
3 enter the amount of such assessment upon the tax rolls against such real property for the current
4 year to be collected at the same time and with interest at such rates and in such manner as
5 provided for in RCW 84.56.020, as now or hereafter amended, for delinquent taxes, and when
6 collected, shall be deposited in the General Fund and credited to the Minimum Maintenance
7 Historic Building Fund as provided in Section 25.28.260. The assessment shall constitute a lien
8 against the property of equal rank with state, county, and municipal taxes.
9

10
11 Section 387. A new Chapter 5.34 is added to the Seattle Municipal Code as follows:

12 **5.34 Small Donations**

13
14 The Director of Finance and Administrative Services is authorized to accept and deposit
15 donations to the City for its trust accounts, accept anonymous donations of cash to the City, and
16 accept restricted or unrestricted donations of funds from identified or unidentified donors in an
17 amount up to \$15,000. The Director shall keep and maintain a record of each such donation
18 including the date of the donation, name (if identified) of the donor, the exact dollar amount of
19 the donation, the receiving department, the fund or funds that the donation dollars were deposited
20 into, and a brief description of the purpose of the donation, if any.
21

22
23 **AMENDMENTS TO CODIFIED ORDINANCE ATTACHMENTS**

24 Section 388. Sections 1, 4, 5, and 6 of Attachment B of Ordinance 122857 are amended
25 as follows:
26
27

1 1. DIRECTOR'S AUTHORITY

2 The Director shall prepare facility use agreements for Events and Event-related services at the
3 Seattle Center for overall terms of not more than five years, with the approval of the City
4 Attorney and the guidance of the Risk Manager and the City Budget Director~~((of Finance))~~, and
5 in accordance with all applicable City of Seattle ordinances and policies. Facility use agreements
6 with terms in excess of two years shall be subject to review by the City Budget Director~~((of
7 Finance))~~.

8 The Director shall promulgate rules and guidelines containing regulations and standards for the
9 application of fees, charges, and terms and conditions of use for Seattle Center facilities that are
10 consistent with the policies expressed herein.

11 * * *

12 4. SEATTLE CENTER PRODUCTIONS EVENTS

13 The Director is authorized to negotiate and enter into agreements to sponsor Events at Seattle
14 Center. These Events shall comply with the Guidelines for Seattle Center Co-Sponsored Events.
15 The City's financial support for the Event shall be based on the relevancy of the Event to the
16 goals contained in the Seattle Center Vision Statement and on availability of appropriate
17 facilities. Approval by the City Budget Director ~~((of Finance))~~ is required for agreements where
18 the City's financial support exceeds \$25,000. Application for status as a Seattle Center
19 Productions Event is open to everyone. Seattle Center shall determine whether to sponsor the
20 Event as a Seattle Center Production and the terms and conditions of such sponsorship
21
22
23
24

25 5. EVENTS CO-PROMOTED BY SEATTLE CENTER



1 The Director is authorized to negotiate and enter into agreements as a co-promotion partner for
2 Events in any Facility. For these Events, all sources of Event revenue and Event-related expenses
3 may be shared with the co-promoter. Co-promotion decisions shall be made judiciously for
4 sound business reasons with the intent of achieving Seattle Center goals, increasing use of the
5 facilities and maximizing revenue for the City. Approval by the City Budget Director ((of
6 ~~Finance~~)) is required for agreements where the City's risk for potential loss, excluding the cost of
7 facility rental, exceeds \$50,000.
8

9
10 **6. EVENTS PROMOTED BY SEATTLE CENTER**

11 The Director is authorized to enter into agreements as a promoter of Events in any Facility. For
12 these Events, City shall retain all sources of Event revenue and shall be responsible for all Event-
13 related expenses. Decisions to self-promote Events shall be made judiciously for sound business
14 reasons with the intent of achieving Seattle Center goals, increasing use of the facilities and
15 maximizing revenue for the City. Approval by the City Budget Director ((of ~~Finance~~)) is
16 required for agreements where the City's risk for potential loss exceeds \$50,000.
17

18 * * *

19
20
21 **AMENDMENTS TO UNCODIFIED ORDINANCES**

22
23 Section 389. Subsections 4c and 4g of Ordinance 123177 are amended as follows:

24 Section 4.

25 * * *

1 (c) Without future Council authorization by ordinance, expenditures in 2010 on any project
2 or program identified and assigned a project identification number in the 2010-2015 Adopted CIP
3 for Seattle City Light, Seattle Public Utilities, or the Seattle Department of Transportation, other
4 than expenditures pursuant to unspent capital appropriations carried forward from 2009 into 2010,
5 in accordance with RCW 35.32A.080 and allocated to the same project or program, shall not exceed
6 by more than \$1,000,000 the amount shown as the Appropriations Total in the 2010 column for that
7 project or program. The City Budget Office (~~Department of Finance~~) shall certify to the Chair of
8 the City Council Finance and Budget Committee a list of those unspent capital appropriation or
9 allocation amounts not subject to the expenditure restriction imposed by this subsection by May 1,
10 2010. The list shall include the project identification number and the dollar amount by project or
11 program not subject to the expenditure restriction, at minimum. The Chair of the City Council
12 Finance and Budget Committee shall then file this certification with the City Clerk.
13

14 * * *

15
16 (g) The City's Director of Finance and Administrative Services is(~~Director of Executive
17 Administration are~~) authorized to draw and pay the necessary warrants or checks and to make any
18 necessary transfers among funds and accounts.
19

20 * * *

21 Section 390. Section 6 of Ordinance 123177 is amended as follows:

22 * * *

23 Section 6. The Director of Transportation, the Superintendent of Parks and Recreation, the
24 Director of the Office of Arts and Cultural Affairs, the City Budget Director, the Director of Finance
25 and Administrative Services, the Superintendent of City Light, the Director of Seattle Public
26

THIS VERSION IS NOT ADOPTED



1 Utilities, (~~the Director of the Fleets and Facilities Department, the Director of Executive~~
2 ~~Administration,~~) the City Librarian, the Chief Technology Officer, and the Director of the Seattle
3 Center Department are authorized to negotiate for and enter into non-public works contracts, within
4 their appropriation authority, to obtain property and services authorized in Section 4 to carry out
5 those capital projects and programs included in the 2010-2015 Adopted CIP and assigned to their
6 respective departments or offices.
7

8
9 Section 391. Section 7 of Ordinance 123177 is amended as follows:

10 Section 7. A new barrier fund entitled the Transit Benefit Subfund of the General
11 Fund is created in the City Treasury.

12 (a) The purpose of the Transit Benefit Subfund is to support the ongoing provision of
13 commute trip transit subsidies to the employees of the City of Seattle.
14

15 (b) The Transit Benefit Subfund shall receive authorized associated revenues including, but
16 not limited to, interfund transfers; revenues from federal, state, county, or other grants or transfers;
17 private funding, donations or gifts; and other monies as authorized by ordinance.

18 (c) The Director of Finance and Administrative Services (~~Executive Administration~~) is
19 responsible for administering the Transit Benefit Subfund and (~~The Director of Finance~~) is
20 authorized to create other Accounts or Subaccounts as may be needed to implement the Subfund's
21 purpose and intent as established by this ordinance.
22

23
24 Section 392. Pacific Place Garage. Sections 2 and 3 of Ordinance 119158, as last
25 amended by Ordinance 120794, are amended as follows:
26

1 Section 2. The ~~((Fleets and Facilities))~~ Department of Finance and Administrative
2 Services is hereby assigned responsibility for operations of the Garage in accordance with
3 the terms of the Umbrella Agreement and Parking Agreement authorized by Ordinance
4 118011, as those agreements may be amended or supplemented from time to time, but the
5 rates to be charged for parking in the Garage shall be set by the Director ~~((of Finance))~~
6 consistent with that Agreement.

7
8
9 Section 3. The ~~((Fleets and Facilities))~~ Director of Finance and Administrative
10 Services is hereby authorized to approve minor changes to the Condominium Declaration
11 authorized by Ordinance 118349. Such changes may include, but are not limited to,
12 transfer of small areas such as stairwells between the units and the establishment of new
13 common areas. No change that would substantially affect the value of the Garage Unit
14 may be made unless approved by ordinance.

15
16
17
18 Section 393. Non-cash transfer of surplus computer equipment. Sections 1 and 2 of
19 Ordinance 119145 as last amended by 120794 are amended as follows:

20 Section 1. The Department of ~~((Executive Administration))~~ Finance and
21 Administrative Services is hereby authorized to develop and implement a program
22 whereby computer equipment no longer needed by City departments may, after being
23 declared surplus to the City as a whole, be made available to the Seattle School District
24 No. 1 (the "School District") and to not-for-profit private or public community service
25 agencies who will use that equipment to accomplish City goals. Equipment acquired with
26
27



1 funding from restricted sources shall be disposed of only in ways permitted by the source
2 of funding; in the case of Seattle Public Utilities and Seattle City Light, surplus computer
3 equipment may be disposed of under this ordinance only after the utility has received
4 from a non-utility source compensation for any true and full value that equipment may
5 have.

6
7 Section 2. The Director of ~~((Executive Administration))~~ Finance and
8 Administrative Services is authorized to enter into an agreement with the School District
9 to transfer to the School District, with or without stated consideration, from time to time,
10 whatever surplus City computer equipment the Director ~~((of Executive Administration))~~
11 determines will support the educational mission of the School District.
12

13
14 Section 394. Local Improvement District No. 6747. Section 5 of Ordinance 117921 as last
15 amended by Ordinance 120794 is amended as follows:
16

17
18 Section 5. The sum charged against any lot, tract and parcel of land or other
19 property, or any portion thereof, may be paid during the thirty day period allowed for
20 payment of assessments without penalty or interest. In the event that thereafter the
21 effective interest charge has not been determined at the time payment of an assessment is
22 tendered, the Director of ~~((Executive Administration))~~ Finance and Administrative
23 Services is authorized to assume an interest rate based on the estimated local
24
25
26
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THIS VERSION IS NOT ADOPTED



1 improvement district bond rate if bonds were sold at that time, compute the sum due as if
2 that rate applied, and deposit the amount collected in the local improvement district fund.

3
4 Section 395. Local Improvement District No. 6746. Section 5 of Ordinance 117190 as last
5 amended by Ordinance 120794 is amended as follows:

6
7 Section 5. The sum charged against any lot, tract and parcel of land or other
8 property, or any portion thereof, may be paid during the thirty day period allowed for
9 payment of assessments without penalty or interest. In the event that thereafter the
10 effective interest charge has not been determined at the time payment of an assessment is
11 tendered, the Director of (~~Executive Administration~~) Finance and Administrative
12 Services is authorized to assume an interest rate based on the estimated local
13 improvement district bond rate if bonds were sold at that time, compute the sum due as if
14 that rate applied, and deposit the amount collected in the local improvement district fund.
15
16

17
18 Section 396. Acceptance of Debit Card Transactions. Sections 1, 2, and 3 of Ordinance
19 117524 as last amended by 120794 are amended as follows:

20
21 Section 1. Authority to Contract. The Director of (~~Executive Administration~~)
22 Finance and Administrative Services is hereby authorized for and on behalf of The City
23 of Seattle to execute an agreement or agreements with one or more banks for the use of
24 point of sale terminals for debit card payment by the public of fees, fines, and taxes
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1 imposed by the City. The agreement(s) shall provide for acceptance of point of sale
2 terminal transaction cards; may provide for payment by the City for costs incurred for
3 installation of point of sale terminals for accounts of similar size and volume subject to
4 change from time to time; and may provide for use of equipment provided by the bank.
5 The City reserves the authority to execute agreements with other companies offering
6 point of sale terminal transaction services for the payment of ((e))City imposed fines,
7 fees, and taxes.
8

9
10 Section 2. Authority to approve departments and set limits. Effective upon
11 execution of the agreement(s) authorized in Section 1, the Director of ((Executive
12 Administration)) Finance and Administrative Services is authorized, in his or her
13 discretion, to approve a City department or departments to accept debit card transactions
14 for the payment of City-imposed fines, fees, and taxes. No Department shall accept debit
15 cards for the payment of city imposed fines, fees, and taxes without such approval. The
16 Director of ((Executive Administration)) Finance and Administrative Services is further
17 authorized to establish appropriate business practices and set any limitations concerning
18 the acceptance of such transactions on participating departments.
19
20

21
22 Section 3. Cost. Each department authorized by the Director of ((Executive
23 Administration)) Finance and Administrative Services to accept point of sale "debit card"
24 terminal transactions shall be responsible for any related costs incurred for accepting
25 point of sale "debit card" terminal transaction cards for payment of City-imposed fines,
26
27



1 fees, and taxes that it collects or that are collected on its behalf. The Department of
2 ~~((Executive Administration))~~ Finance and Administrative Services will deduct any
3 related charges from amounts credited to each department's revenue account.
4

5 Section 397. Acceptance of Credit Cards. Sections 1, 2, and 3 of Ordinance 117375 as
6 last amended by 120794 are amended as follows:
7

8
9 Section 1. Authority to Contract. The Director of ~~((Executive Administration))~~
10 Finance and Administrative Services is hereby authorized for and on behalf of The City
11 of Seattle to execute an agreement or agreements with one or more banks for the use of
12 credit cards for payment by the public of fees and fines imposed by the City of Seattle.
13 The agreement shall provide for acceptance of Visa and MasterCard credit cards; may
14 provide for acceptance of other credit cards; may provide for payment by the City of fees
15 in accordance with the bank's schedule of fees for accounts of similar volume subject to
16 change from time to time; and may provide for use of equipment provided by the bank.
17 The City reserves the authority to execute agreements with other companies offering
18 credit card services for the payment of city imposed fees and fines.
19
20

21
22 Section 2. Authority to approve departments and set limits. Effective upon
23 execution of the agreement authorized in Section 1, the Director of ~~((Executive~~
24 ~~Administration))~~ Finance and Administrative Services is authorized, in his or her
25 discretion, to approve a city department or city departments to accept credit cards for the
26
27

1 payment of city imposed fines and fees. No departments shall accept credit cards for the
2 payment of city imposed fines and fees without such approval. The Director of
3 ~~((Executive Administration))~~ Finance and Administrative Services is further authorized
4 to establish appropriate business practices and set any limitations concerning the
5 acceptance of credit cards on participating departments.
6

7
8 Section 3. Cost. Each department authorized by the Director of ~~((Executive
9 Administration))~~ Finance and Administrative Services to accept credit cards shall be
10 solely responsible for the costs incurred for accepting credit cards for payment of city
11 imposed fines and fees that it collects or that are collected on its behalf. The Department
12 of Finance and Administrative Services ~~((Executive Administration))~~ will deduct bank
13 charges from amounts credited to each department's revenue account.
14

15
16 Section 398. Section 3 of Ordinance 123252 is amended as follows:

17 Section 3. Employees who earn vacation under Seattle Municipal Code Chapter
18 4.34 and are otherwise eligible may voluntarily authorize payment of a cash amount
19 equivalent to no less than one and no more than 20 hours of accumulated and unused
20 vacation in one-hour increments and to designate that such cash shall be forwarded by the
21 City to the agency identified in Section 2 for earthquake relief efforts in Haiti and or in
22 Chile during the second quarter of 2010. Eligible employees may also voluntarily
23 authorize payment of a cash amount equivalent to no less than one and no more than 20
24 hours of accumulated and unused vacation in one-hour increments and to designate that
25
26
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1 such cash shall be forwarded by the City to the agency identified in Section 2 for
2 earthquake relief efforts in Haiti and or in Chile during the third quarter of 2010;
3 provided that the combined total contribution may not exceed 40 hours of vacation.

4 A. The amount of vacation donated by any eligible and participating employee
5 shall be converted to cash at the straight-time rate of pay in effect for the
6 employee's regular position title, exclusive of premium, shift differential or
7 longevity payment, at the time of donation.

8 B. The cash resulting from converted vacation hours shall be transmitted by the
9 Director of Finance and Administrative Services (~~Executive Administration~~) to
10 the designated agency specifically for use in the relief efforts related to the 2010
11 earthquake in Haiti and or in Chile.
12
13

14
15 Section 399. Section 4 of Ordinance 123013 is amended as follows:

16 Section 4. Levy Revenues.

17 A. Unless otherwise directed by ordinance, all revenues collected from the
18 additional taxes authorized pursuant to this ordinance shall be deposited in the
19 Low-Income Housing Fund to be used to finance housing for low-income
20 households and otherwise to provide for the housing needs of such households.

21 The Director of Finance and Administrative Services (~~Executive~~
22 ~~Administration~~) is authorized to create other subfunds or accounts within the
23 Low-Income Housing Fund as may be needed or appropriate to implement the
24 purposes of this ordinance.
25
26
27

THIS VERSION IS NOT ADOPTED



1
2 Section 400. Sections 3 and 7 of Ordinance 122232 are amended as follows:

3 Section 3. Deposit of Levy Proceeds. All Levy Proceeds shall be placed in and
4 segregated within the Transportation Fund. The Levy Proceeds may be temporarily
5 deposited or invested in such manner as may be lawful for the investment of City money
6 and all investment earnings shall be deposited in the Transportation Fund. The Director
7 of Finance and Administrative Services~~((Executive Administration))~~ is authorized to
8 create other subfunds or accounts as may be needed to implement the purposes of this
9 ordinance.
10

11
12 Section 7. Oversight Committee.

13 Conditioned upon voter approval of the ballot proposition submitted by this ordinance,
14 there is established an Oversight Committee to monitor revenues, expenditures, and
15 program and project implementation, and to advise the City Council, the Mayor and the
16 Seattle Department of Transportation on responding to program and project cost savings
17 or overruns. The Committee would also annually review the Seattle Department of
18 Transportation's program and project priorities, spending and revised financial plans. The
19 Oversight Committee may make recommendations to the Mayor and City Council
20 regarding the spending of Levy Proceeds.
21

22 The Oversight Committee shall consist of ~~((fifteen-))~~15~~((9))~~ members: a City Council
23 member (the Chair of the City Council's Transportation Committee or its successor
24 committee with responsibility for transportation), the City Budget Director~~((of Finance))~~,
25
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THIS VERSION IS NOT ADOPTED



1 one representative each chosen by and from among the respective members of the Seattle
2 Pedestrian Advisory Board, Seattle Bicycle Advisory Board and Seattle Freight Advisory
3 Committee, five ~~((5))~~ Seattle residents appointed by the City Council and five ~~((5))~~
4 Seattle residents appointed by the Mayor.

5 The ten appointed members shall be appointed to four ~~((4))~~ year staggered terms subject
6 to reappointment, except that two of them (one mayoral appointee and one Council
7 appointee) shall be initially appointed for a two year term, four (two mayoral appointees
8 and two Council appointees) for a three ~~((3))~~ year term, and four (two mayoral
9 appointees and two Council appointees) for a four ~~((4))~~ year term. Upon the resignation,
10 retirement, death, incapacity or removal of an Oversight Committee member, the
11 authority appointing such member may appoint a replacement for the balance of the term.

12 All five members appointed by the Mayor shall be subject to confirmation by the City
13 Council.

14 The Oversight Committee may adopt rules for its own procedures, including quorum
15 requirements and the frequency of meetings. Meetings of the Oversight Committee will
16 be open to the public unless, had the Oversight Committee been subject to Chapter 42.30
17 RCW, that law would not have required that the meeting or portion of the meeting be
18 open to the public. The Oversight Committee members shall select a Chair.

19 The Oversight Committee will make annual reports to the Mayor and City Council and
20 will prepare a triennial report to the citizens of Seattle. Between January 1 and July 31 of
21 2015, the Oversight Committee is requested to make a recommendation to the Mayor and
22 City Council regarding (1) the advisability of proposing to the voters of Seattle another
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1 levy to authorize additional property taxes for implementation of the 20-year spending
2 plan adopted in Resolution 30915 and the appropriate magnitude of such a levy, and (2)
3 any recommended adjustments to the remaining period of the proposed 20-((-))year
4 spending plan. The factors to be considered by the Oversight Committee in making any
5 such recommendations will include, but are not limited to: (a) the City's success in
6 project implementation, including its ability to manage and control project costs; (b) the
7 availability of alternative revenue sources that provide a more direct link between the tax
8 or fee paid and the use of the City's transportation system; and (c) the underlying need for
9 funding to support the uses identified in Section 6. The Mayor and the Council will
10 consider any timely recommendations that may have been made by the Oversight
11 Committee.
12

13 The Seattle Department of Transportation shall provide staff and logistical support for the
14 Oversight Committee. Members shall serve without pay, but may be reimbursed for their
15 expenses, including payments for child care while attending meetings. The Oversight
16 Committee shall continue in existence through December 31, 2015, and thereafter if so
17 provided by ordinance.
18

19
20
21 **AMENDMENTS TO UNCODIFIED ORDINANCE ATTACHMENTS**

22
23 Section 401. Program Updates, Attachment A, Section V of Ordinance 122991 is
24 amended as follows:

25
26 Attachment A
27

V. PROGRAM UPDATES

1
2 The Director of Finance and Administrative Services (~~Executive~~
3 ~~Administration~~)), or his or her (~~their~~) designee, shall serve as
4 Program Administrator. The Program Administrator shall
5 periodically review and update this Program to reflect changes in
6 risks to customers and the soundness of the City from Identity
7 Theft. In doing so, the Program Administrator shall consider the
8 City's experiences with Identity Theft situations, changes in
9 Identity Theft methods, changes in Identity Theft detection and
10 prevention methods, and changes in the City's business
11 arrangements with other entities. After considering these factors,
12 the Program Administrator will determine whether changes to the
13 Program, including the listing of Red Flags, are warranted. If
14 warranted, the Program Administrator will update the Program or
15 present the City Council with his or her recommended changes and
16 the City Council will make a determination of whether to accept,
17 modify or reject those changes to the Program.
18
19
20
21

22 Section 402. Each reference in previously-enacted uncodified ordinances to "Purchasing
23 Agent," "Department of Administrative Services," "Director of Administrative Services,"
24 "Department of Licenses and Consumer Affairs," "Director of Licenses and Consumer Affairs,"
25 "Executive Services Department," "Director of Executive Services," "Department of Executive
26
27
28

THIS VERSION IS NOT ADOPTED



1 Administration,” “Director of Executive Administration,” “Fleets and Facilities Department,”
2 “Fleets and Facilities Director,” or “Board of Public Works,” unless otherwise specified in this
3 ordinance shall be deemed to be a reference to “Department of Finance and Administrative
4 Services” or “Director of Finance and Administrative Services” as may be applicable, except
5 where the historical reference to “Purchasing Agent,” “Department of Administrative Services,”
6 “Director of Administrative Services,” “Department of Licenses and Consumer Affairs,”
7 “Director of Licenses and Consumer Affairs,” “Executive Services Department,” “Director of
8 Executive Services,” “Department of Executive Administration,” “Director of Executive
9 Administration,” “Fleets and Facilities Department,” “Fleets and Facilities Director,” or “Board
10 of Public Works,” is called for by context.
11

12 13 14 **MISCELLANEOUS PROVISIONS**

15 Section 403. The Director of Finance and Administrative Services, under the authority of
16 the Mayor, shall have the power to make administrative decisions necessary to carry out the
17 intent of this ordinance.
18

19 Section 404. The Director of Finance, under the authority of the Mayor, shall have the
20 power to make administrative decisions necessary to carry out the intent of this ordinance.
21

22 Section 405. The City Budget Director, under the authority of the Mayor, shall have the
23 power to make administrative decisions necessary to carry out the intent of this ordinance.
24
25
26
27

THIS VERSION IS NOT ADOPTED



1 Section 406. The headings in this ordinance are for reference purposes only. They have
2 no legal effect, and shall not be codified.

3
4 Section 407. In the event any section or subsection of the Seattle Municipal Code
5 purported to be amended or recodified herein has heretofore been repealed, that earlier repeal
6 shall be given full effect, and nothing in this ordinance shall be construed to re-enact or preserve
7 that section or subsection.
8

9
10 Section 408. It is the express intent of the City Council that, in the event a subsequent
11 ordinance refers to a position or office that was abolished by this ordinance, that reference shall
12 be deemed to be to the new position or office created by this ordinance, and shall not be
13 construed to resurrect the old position or office unless it expressly so provides. Reference to
14 this ordinance.
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17 Section 409. It is the express intent of the City Council that, in the event a subsequent
18 ordinance refers to or amends a section or subsection of the Seattle Municipal Code or a
19 previously enacted ordinance that is amended or recodified herein, but the later ordinance fails to
20 account for the change made by this ordinance, the two sets of amendments should be given
21 effect together if at all possible.
22

23
24 Section 410. This ordinance does not affect any existing right acquired or liability or
25 obligation incurred under the sections amended or repealed in this ordinance or under any rule or
26
27



1 order adopted under those sections, nor does it affect any proceeding instituted under those
2 sections.

3
4 Section 411. The several provisions of this ordinance are declared to be separate and
5 severable and the invalidity of any clause, sentence, paragraph, subdivision, section, or portion of
6 this ordinance, or the invalidity of the application thereof to any person or circumstance, shall
7 not affect the validity of the remainder of this ordinance of the validity of its application to other
8 persons or circumstances.
9

10
11 Section 412. Any act consistent with the authority and prior to the effective date of this
12 ordinance is ratified and confirmed.
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THIS VERSION IS NOT ADOPTED



1 Section 413. This ordinance shall take effect and be in force 30 days from and after its
2 approval by the Mayor, but if not approved and returned by the Mayor within ten days after
3 presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4
5 Passed by a two-thirds (2/3) vote of all the members of the City Council the ____ day of
6 _____, 2010, and signed by me in open session in authentication of its passage this
7 day of _____, 2010.

8
9
10 President _____ of the City Council

11
12 Approved by me this ____ day of _____, 2010.

13
14
15
16 _____
17 Michael McGinn, Mayor

18 Filed by me this ____ day of _____, 2010.

19
20 _____
21 City Clerk

22
23 (Seal)

24 **Exhibit 1: Expenditure Allowances By Budget Control Level**
25 **(Amendments to Attachment A of Budget Adoption Ordinance 123177)**

THIS VERSION IS NOT ADOPTED

