

b. A third party billing agent who prior to the effective date of this ordinance has obtained a tenant's personally identifiable information may disclose such personally identifiable information only to the extent necessary to render its billing services.

c. To the extent required by federal, state, or local law, a billing entity may disclose personally identifiable information in its possession (i) pursuant to a subpoena or valid court order authorizing such disclosure, or (ii) to a governmental entity.

8. **Estimated Billing.** If Seattle Public Utilities or Seattle City Light has billed the landlord using an estimate of utility service consumed, the billing agent may estimate the charges to be billed to tenants until billing based on actual consumption resumes. Upon receipt of a corrected bill showing that the estimated bill overstated charges, the landlord must refund the difference to tenants. Upon receipt of a corrected bill showing that the estimated bill understated charges, the landlord may attempt to recover the underpayment from the tenants that actually incurred the charges during the billing period, but shall not attempt to recover an underpayment from a tenant who did not reside in the unit during the billing period in which the charges were incurred.

9. **Submetering.** Submetering is permitted as a way of allocating master metered utility services to tenants provided the following conditions are met:

a. The submeters must be read prior to each billing.

b. A landlord may not enter a unit without, and a tenant may not unreasonably withhold, consent to enter the unit in order to perform submeter installation, reading, repair, maintenance, and inspection, including removal of the submeter for testing, provided, however, that a landlord may enter a unit without a tenant's consent in the case of a submeter leak or emergency related to that unit's submeter.

c. (i) The accuracy tolerance for the maximum flow rate shall be within ~~((one and one-half))~~ 1.5-(%) percent for all submeter types. The accuracy tolerance for the minimum flow rate shall be within ~~((three))~~ 3-(%) percent for Multi-jet submeter types, and within a ~~((one and one-half))~~ 1.5-(%) percent over-registration and a ~~((five))~~ 5-(%) percent under-registration for other than Multi-jet submeter types.

(ii) If a tenant contests the accuracy of the submeter, the tenant shall have the option of demanding that the City of Seattle provide an independent test of the meter through the Department of Finance and Administrative Services~~(Executive Administration)~~.

(1) That, when unprovoked, inflicts severe injury on or kills a human being or domestic animal on public or private property;

(2) Whose owner has been previously found to have committed a civil violation of 9.25.084.G or has been convicted of a crime under 12A.06.060 of the Seattle Municipal Code and whose owner is found to have committed a violation of either 9.25.084.G or 12A.06.060 of the Seattle Municipal Code with respect to the behavior of that same animal;

(3) That, under circumstances other than as described in subsection G(2) above, has been the subject of one or more findings that its owner has committed a civil violation of 9.25.084.G or has been convicted of a crime under 12A.06.060 of the Seattle Municipal Code, whether involving the same or a different owner, whose owner is found to have committed a violation of either 9.25.084.G or 12A.06.060 of the Seattle Municipal Code; or

(4) Whose owner has received a written notification alleging behavior that would be in violation of either 9.25.084.G or 12A.06.060 of the Seattle Municipal Code issued under the laws of any other city, county or state agency within or outside of the State of Washington, which animal again engages in behavior that is in violation of either 9.25.084.G or 12A.06.060 of the Seattle Municipal Code.

The breed of a dog shall not be considered in any determination whether a dog is a "dangerous animal" under this section.

H. "Director" means the Director of Finance and Administrative Services~~(Executive Administration)~~ of The City of Seattle or his/her authorized representative.

I. "Department" means the Department of Finance and Administrative Services~~(Executive Administration)~~ of The City of Seattle.

J. "Disposed of in a humane manner" means euthanized by a lethal dose of sodium pentobarbital or its equivalent.

K. "Detain" means to place an animal in custody.

L. "Domestic Animal" means an animal that is livestock, a companion animal, or both.

1. "Livestock" means any species of animal commonly used by inhabitants of Washington State for food, fiber, or draft purposes.

2. "Companion animal" means any species of animal commonly kept by inhabitants of Washington State as a pet or for companionship, except that snakes exceeding ~~((eight))~~ 8-(ft) feet in length, venomous reptiles (regardless of whether the venom glands have been removed), and venomous amphibians (regardless of whether the venom glands have been removed) are not domestic animals, even if such animals are commonly kept by inhabitants of Washington State pets or for companionship.

M. "Exotic animal" means any species of animal that is both: (1) not a domestic animal, and (2) capable of killing or seriously injuring a human being. Subject to the preceding sentence, the definition of "exotic animal" contained in this section includes but is not limited to:

1. All animals of the order Primates (as primates) except humans;

Section 239. Section 10.02.030 of the Seattle Municipal Code, last amended by Ordinance 122200, is amended as follows:

10.02.030 Authority of Mayor to enter into contracts and incur obligations.

A. Upon the proclamation by the Mayor of a civil emergency resulting from a disaster caused by enemy attack, sabotage, or other hostile action, or by fire, flood, storm, earthquake, or other natural cause, and during the existence of such civil emergency, the Mayor, in carrying out the provisions of RCW Chapter 38.52, shall have the power by order to enter into contracts and incur obligations ("Order") necessary to combat such disaster, protect the health and safety of persons and property, and provide emergency assistance to the victims of such disaster. Such powers shall be exercised in the light of the exigencies of the situation without regard to time-consuming procedures and formalities prescribed by ordinance (excepting mandatory constitutional requirements), including, but not limited to, budget law limitations and requirements of competitive bidding and publication of notices pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the levying of taxes, and the appropriation and expenditures of public funds; provided, that the Mayor shall, wherever practical, advise and consult with the City Council with respect to disaster response activities, and any such Order shall at the earliest practical time be presented to the City Council pursuant to Section B herein for review and appropriate legislation including:

1. Findings by resolution with respect to actions taken;
2. Authorization of payment for services, supplies, equipment loans and commandeered property used during disaster response activities;
3. Approval of gifts, grants or loans accepted by the Mayor during the emergency; and
4. Levy of taxes to meet costs of disaster response and recovery operations.

B. Any such order shall, within ~~((forty-eight))~~ 48-(hr) hours of issuance of the Order, or as soon as practical, be filed with the City Clerk for presentation to the City Council for ratification and confirmation, modification or rejection, and if rejected any such Order shall be void. If the City Council modifies the Order, such modification shall be effective only if it is agreed to by the ordered or contracting party. If the ordered or contracting party refuses to accept the modification, the Order shall be deemed to be rejected by the City Council. If the City Council rejects the Order, such rejection shall not affect the City's responsibility for any actions taken prior to the rejection of the Order, including the City's responsibility for the actual costs incurred by those who were ordered by or entered into contracts with the City.

C. The ~~((City))~~ Director of Finance and Administrative Services~~(Executive Administration)~~ shall be authorized to draw and to pay the necessary warrants for expenditures made pursuant to Order and authorized by the City Council. If the applicable fund is solvent at the time payment is ordered, the Director ~~((of Executive Administration))~~ may elect to make payment by check.

Section 240. Section 10.02.060 of the Seattle Municipal Code, last amended by Ordinance

test fee and within ~~((thirty-))~~30((3)) days refund any overpayments for the past three ~~((3-))~~months based on a recalculation of the past year's billings by correcting for the inaccuracy of the submeter. Submetering thereafter shall only be permitted with a repaired submeter.

(iii) The meter test fee for each test of a submeter pursuant to this subsection shall be ~~((Sixty-five Dollars-))~~\$65((3)).

B. Nothing in this section shall be construed to prevent a landlord from addressing billing of master metered or other unmetered utility services in a written addendum to a lease. A lease addendum may be used to give the notice required under subsection A.1 of this subsection, so long as the lease addendum is provided to the tenant with the notice required under that subsection, and so long as all other requirements of this chapter are satisfied.

Section 236. Section 7.26.060 of the Seattle Municipal Code, last amended by Ordinance 121594, is amended as follows:

7.26.060 Administration and enforcement.

The Director of ~~((the Department of))~~ Finance and Administrative Services ~~((Executive Administration))~~ ("Director") shall enforce and administer this chapter, and is hereby authorized to adopt procedures for its implementation. The Director and the Director's duly authorized agents are authorized to enter the premises of any facilitator and inspect all disclosures, postings, and other relevant documents for the purpose of determining compliance with this chapter. The Director and the Director's duly authorized agents are authorized to issue citations for violations of this chapter.

Section 237. Section 9.25.020 of the Seattle Municipal Code, last amended by Ordinance 121178, is amended as follows:

9.25.020 Definitions -- A -- E.

As used in this chapter, except where a different meaning is plainly apparent from the context, the following definitions apply:

A. "Abandon" means the act of leaving an animal:

1. Without food, water, or care for ~~((twenty-four-))~~24((3)) hours or more; or
2. In a situation where the conditions present an immediate, direct, and serious threat to the life, safety, or health of the animal.

B. "Alter" means to permanently render an animal incapable of reproduction.

C. "Animal" means any living nonhuman mammal, bird, reptile, or amphibian.

D. "Animal Control Officer" means any person who is employed with the Animal Control section of the Department or appointed by the Director for the purpose of aiding in the enforcement of any ordinance, or relating to the licensing control, quarantine, seizure or impoundment of animals.

E. "At large" means a dog or other animal inside The City of Seattle, off the premises of the owner, and not under control by a leash of ~~((eight-))~~8-((3)) feet in length or shorter. "At large" does not include an animal on property other than the animal's owner with the permission of a lawful occupant of that property.

F. "City" means The City of Seattle.

G. "Dangerous animal" means any animal:

3. All animals of the family Felidae (as lions, tigers, jaguars, leopards, cougars, or cheetahs) and their hybrid, except for the domestic cat *Felis catus*;
 4. All animals of the family Ursidae (as bears);
 5. All animals of the family Hyaenidae (as hyenas);
 6. All animals of the order Crocodylia (as alligators, crocodiles, gavials, or caimans);
 7. All animals of the family Elephantidae (as elephants);
 8. All animals of the order Perissodactyla (as horses, rhinoceroses, or tapirs);
 9. All animals of the order Artiodactyla (as camels, cattle, deer, giraffes, goats, hippopotamuses, llamas, pigs, or sheep);
- "Exotic animal" also includes all venomous reptiles and amphibians, (regardless of whether the venom glands have been removed), and all snakes that are ~~((eight-))~~8-((3)) feet or more in length.

Section 238. Section 9.26.060 of the Seattle Municipal Code, last amended by Ordinance 123154, is amended as follows:

9.26.060 Spay and Neuter Clinic fees.

The fees at the Municipal Spay and Neuter Clinic shall be:

A. Surgery fees:

Cats

Spaying....\$90

Neutering....\$85

Dogs

Dog neuter under 50 pounds....\$120

Dog neuter 50 -- 80 pounds....\$135

Dog neuter over 80 pounds....\$155

Dog spay under 50 pounds....\$130

Dog spay 50 -- 80 pounds....\$145

Dog spay over 80 pounds....\$155

Animals other than cats and dogs may be spayed or neutered at the discretion of the Director of Finance and Administrative Services ~~((Executive Administration))~~, or his/her designee, who shall charge a fee for the service that is based upon estimated costs, not to exceed ~~((One Hundred Dollars-))~~\$100((.00)) per hour of surgery.

B. Vaccination fees:

Cat FvRCP....\$10

Dog DHLPP....\$10

Cat and dog rabies....\$10

C. Microchip implant fees:

Animals adopted from the shelter....\$20

Nonshelter animals....\$30

1. The department heads or their designees of the following departments and offices, or their successor agencies: City Light, the City Budget Office, the Office of Economic Development, the Department of Finance and Administrative Services ~~((Executive Administration))~~, ~~((Finance))~~, the Seattle Fire Department, ~~((Fleets and Facilities))~~, the Office of Housing, the Human Services Department, the Department of Information Technology, the Office of Intergovernmental Relations, the Law Department, the Legislative Department, the Department of Parks and Recreation, the Personnel Department, the Seattle Police Department, Seattle Public Library, the Department of Neighborhoods, Seattle Center, the Office of Sustainability and the Environment, Seattle Public Utilities, and the Seattle Department of Transportation; and

2. The D~~((d))~~irector of Public Health -- Seattle and King County or his or her designee; and

3. Representatives of other agencies or organizations, or other persons with expertise in disaster management as shall be appointed by the Mayor.

B. The Mayor shall designate the chair of the Disaster Management Committee.

C. Members of the Committee described in subsection A3 shall serve without compensation, but may be reimbursed for reasonable and necessary expenses incurred in the performance of their duties.

D. The Committee shall meet at least quarterly at the places and times as shall be prescribed by the Mayor, and shall:

1. Advise the Mayor on all matters pertaining to disaster readiness and response capabilities within the City;
2. Periodically review and make recommendations for the revision and/or maintenance of up-to-date disaster response plans for the City consistent with RCW Chapter 38.52 and including:

- a. Preparations for and the carrying out of executive emergency powers;
- b. The delegation and subdelegation of administrative authority by the Mayor;

c. The performance of emergency functions including firefighting, police, medical and health, welfare, rescue, engineering, transportation, communications and warning services, evacuation of persons from stricken areas, plant protection, restoration of utility services, and other functions relating to civilian protection together with all activities necessary or incidental to the preparation for and carrying out of such functions;

d. Requirements for department operation including management succession, procedures for providing ~~((twenty-four-))~~24((3)) hour capability, mobilization procedures, special disaster response procedures, plans for records protection, personnel procedures, finance plans, and training procedures for disaster response.

3. Provide cooperation and coordination with the disaster response plans of other local organizations and agencies;

SECTION B

- 4. Prepare and recommend to the Mayor plans for mutual aid operations with the state and political subdivisions thereof;
- 5. Recommend expenditures for disaster preparations and training.

Section 241. Section 10.02.070 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

10.02.070 Emergency purchases of supplies.

Upon the proclamation of a civil emergency by the Mayor, and during the existence thereof, emergency purchases of supplies, materials and equipment are authorized to be made in accordance with the following procedure:

A. Preprinted emergency purchasing forms shall be provided by the Director of Finance and Administrative Services ~~(Executive Administration)~~ for use for all emergency purchases or contracting for supplies, materials or labor during the existence of such emergency, which forms shall provide for the filling in of appropriate information prescribed by the Director ~~(of Executive Administration)~~ including: date and time of purchase; name and address of supplier; quantity, unit, description, unit price and total price of item; name and appropriate identification number from the City employee identification card of the person making the purchase; date required and date delivered; description of use of item, including disaster work order number, description of disaster work and location of use; and name and appropriate identification number from the City employee identification card of the person receiving the item.

B. An employee identification card shall be used in all cases to verify that the purchaser is an employee of the City.

C. A log of all purchases made during any emergency shall be maintained by each department and by the Director of Finance and Administrative Services ~~(Executive Administration)~~.

D. The heads of departments using emergency purchase forms shall account for all costs incurred in making such purchases.

E. Upon termination of the emergency, the heads of departments shall review all emergency purchase orders issued by their respective departments, and shall verify and authenticate such orders, and submit a summary thereof through the Director of Finance and Administrative Services ~~(Executive Administration)~~ to the City Council for authorization of payment.

Section 242. Section 10.02.080 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

10.02.080 City Budget Director to be informed of certain ~~(review)~~ purchases and review mutual aid agreements.

The City Budget Director, in cooperation with City departments making purchases or expenditures during the existence of an emergency, shall be informed ~~(review)~~ of all such purchases or expenditures for potential reimbursement under appropriate state or federal disaster assistance programs or other available state or federal grant funds. The City Budget Director shall also review all mutual aid agreements and services received thereunder by the City during any such civil emergency.

detection and reporting of any unauthorized entry or attempted entry or property damage upon real property protected by the system which may be activated by sensors or other techniques, and, when activated, automatically transmits a telephone message, emits an audible or visible signal that can be heard or seen by persons outside the protected premises, or transmits a signal beyond the protected premises.

M. "Residence" means a building or structure or portion thereof designed to be used as a place of abode for human beings and not used for any other purpose. The term includes all dwelling units within the definition of a "residential use," as defined in Chapter 23.84A.

N. "Robbery alarm" or "panic alarm" means any system, device, or mechanism, activated by an individual on or near the premises, to alert others that a robbery or any other crime is in progress, or that the user is in need of immediate assistance or aid in order to avoid injury or serious bodily harm, which meets the following criteria:

- 1. The system is installed on real property (the "protected premises");
- 2. It is designed to be activated by an individual for the purpose of summoning assistance to the premises;
- 3. It transmits a telephone message or emits an audible, visible, or electronic signal that can be heard, seen or received by persons outside the protected premises; and
- 4. It is intended to summon police assistance to the premises.

O. Verification. See Section 10.08.165.

Section 244. Section 10.08.165 of the Seattle Municipal Code, last amended by Ordinance 121932, is amended as follows:

10.08.165 Alarm system monitoring companies -- Verification process.

Every alarm system monitoring company engaged in business activities in Seattle shall:

A. Obtain a City of Seattle alarm system monitoring company license from the Department of Finance and Administrative Services ~~(Executive Administration)~~ as provided in ~~(SMC)~~ Chapter 6.10;

B. Provide the Chief of Police such information about the nature of its property alarms, burglary alarms, robbery alarms, and panic alarms; its method of monitoring; its program for preventing false alarms; and its method of disconnecting audible alarms, each as the Chief may require by rule adopted pursuant to ~~(the Administrative Code)~~ Chapter 3.02;

C. Maintain a current list of all subscribers' names and the associated protected premises it serves, which list shall be given to the Director on a quarterly basis;

D. Verify with those subscribers who have an automatic alarm system, each alarm signal that has been accepted by the alarm system monitoring company using a verification process to prevent false alarms from resulting in unnecessary police dispatches.

A verification process is an independent method of determining that a signal from an automatic alarm system reflects a need for police assistance or investigation. The means of verification shall include one ~~(+)~~ or more of the following:

- 1. An attempt by the alarm system monitoring company, or its representative, to contact the alarm site and/or alarm user by telephone and/or other electronic means;

personnel, including conflict de-escalation training;

6. The nightclub's procedures for crowd control and preventing overcrowding; and

7. Current contact information for the person or position responsible for addressing safety, security, or City Code related complaints by patrons or neighborhood residents.

Section 246. Section 10.24.030 of the Seattle Municipal Code as last amended by Ordinance 23147 is repealed.

Section 247. Section 10.38.050 of the Seattle Municipal Code as last amended by Ordinance 41908 is repealed.

Section 248. Section 10.46.010 of the Seattle Municipal Code as last amended by Ordinance 118396 is amended as follows:

10.46.010 Permit for disposal required.

It shall be unlawful for anyone to deposit or dispose of the cleanings of septic tanks, cesspools, grease traps and seepage pits within the City without a proper permit issued by the Director of Seattle Public Utilities authorizing the disposal of such cleanings at points to be specified by the Director of Seattle Public Utilities. The fee for such permit, which shall be issued only to the holder of a proper registration and inspection certificate to carry on or engage in the business of cleaning septic tanks, cesspools, grease traps and seepage pits issued by the Seattle-King County Health Department pursuant to law for carrying on such business, shall be ~~(Thirty Dollars)~~ \$30 ~~((\$99))~~ per month, payable in advance on the first day of each and every month to defray the costs of supervision of such waste disposal and in addition such permit holder shall deposit with the ~~(City)~~ Director of Finance and Administrative Services ~~(Director)~~ in the Guaranty Deposit Fund the sum of ~~(One Hundred Fifty Dollars)~~ \$150 ~~((\$99))~~ to guarantee compliance with the terms of Section 10.46.020.

Section 249. Section 11.16.480 of the Seattle Municipal Code, last amended by Ordinance 121388, is amended as follows:

11.16.480 Director of Finance and Administrative Services ~~(Executive Administration)~~ to collect parking payment device revenues.

The payments required to be deposited in parking payment devices as provided in ~~(this Subtitle)~~ Chapter 11.76 ~~(3)~~ are levied and assessed as fees to cover the costs of installations, inspection, supervision, regulation and maintenance involved in the control of traffic and parking upon the streets and the duly authorized agents of the ~~(City)~~ Director of Finance and Administrative Services ~~(Executive Administration)~~ shall, from time to time, collect, and deposit the same in the General Fund.

Section 250. Section 11.23.140 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

Section 243. Section 10.08.140 of the Seattle Municipal Code, last amended by Ordinance 122311, is amended as follows:

10.08.140 Definitions.

A. "Alarm system" or "alarm device" means any system, device, or mechanism which, when activated, transmits a telephonic, wireless, electronic, video, or other form of message to an alarm system monitoring company, or some other number, or emits an audible or visible signal that can be heard or seen by persons outside the protected premises, or transmits a signal beyond the premises in some other fashion, except any system, device, or mechanism primarily protecting a motor vehicle. An alarm system or alarm device may consist of one or more components (e.g., motion detector, window breach detector, or similar components) all reporting to a central unit/system panel which, in turn, is connected to or reports to an alarm system monitoring company via telephonic, wireless, electronic, video, or other form of message.

B. "Alarm system monitoring company" means any individual, partnership, corporation, or other form of association that engages in the business of monitoring property, burglary, robbery, or panic alarms.

C. "Alarm system user" means the person having or maintaining a property, burglary, robbery, or panic alarm. It means only the subscriber when the system is connected to an alarm system monitoring company.

D. "Alarm user class" means a class provided by the Alarm Unit of the Seattle Police Department for the purpose of educating alarm users about false alarms.

E. Burglary alarm. See "Property alarm" below.

F. "Chief of Police" or "Chief" means the Chief of Police of The City of Seattle and his or her designee.

G. "Department" means the Seattle Police Department.

H. "Director" means the Director of Finance and Administrative Services (~~Executive Administration~~) of the City or any officer, agent or employee of the City designated to act on the Director's behalf.

I. "False Alarm" means the notification to the Seattle Police Department concerning the activation of an alarm system or alarm device when:

1. There is no evidence of a crime or other activity that warrants the assistance of the Seattle Police Department on the premises, as indicated by the investigation of a police officer on the scene or by the lack of a police report filed by the property owner, and no individual who was on or near the premises or who had viewed a video communication from the premises, called for the dispatch or confirmed a need for police response; or
2. The dispatch of police personnel was cancelled by the alarm system monitoring company, whether the alarm was cancelled before or after the arrival of police personnel at the alarm site.

J. Panic alarm. See "Robbery alarm" below.

K. "Person" means any individual, partnership, corporation, trust, incorporated or unincorporated entity, or other entity or group of persons, but excludes the United States, the State of Washington and any political subdivision or municipal corporation thereof.

L. "Property alarm" or "burglary alarm" means any system, device, or mechanism for

to avoid an unnecessary alarm dispatch request. For the purpose of this ordinance, telephone verification shall require, as a minimum, that a second call be made to a different number if the first attempt fails to reach an alarm user who can properly identify themselves to determine whether an alarm signal is valid before requesting law enforcement dispatch;

2. A feature that permits the alarm system user or a person authorized by the user to send a cancellation code to the alarm system monitoring company that will cancel an alarm immediately after it has been sent and prevent the monitoring company calling for a police dispatch;

3. The installation of a video system that provides the alarm system monitoring company when the signal is received with the ability to ascertain that activity is occurring which warrants police assistance or investigation;

4. An independent confirmation that a signal reflects a need for police assistance or investigation either by the alarm system user, a person at or near the premises, or an alternate response agency made before dispatching police; or

5. An alternate system that the Chief determines has or is likely to have a high degree of reliability.

E. When the Chief reports that there appears to have been a false alarm at a subscriber's premises, work cooperatively with the subscriber and the Chief in order to determine the cause thereof and prevent recurrences.

Section 245. Section 10.11.010 of the Seattle Municipal Code, last amended by Ordinance 122474, is amended as follows:

10.11.010 Definitions.

A. "Director" means the Director of ~~(the Department of)~~ Finance and Administrative Services (~~Executive Administration~~), or successor entity, or his or her designee.

B. "Liquor" has the same meaning as in Chapter 66.04 of the Revised Code of Washington.

C. "Nightclub" means any business open to the public in which:

1. Liquor is served between the hours of 10:00 p.m., and 6:00 a.m., except where service of liquor is incidental to an event that is not open to the public; and
2. Has a maximum occupancy capacity of ~~((two hundred (2) 200(2)))~~ or more people.

D. "Nightclub operator" means any individual, sole proprietorship, partnership, corporation, association, or other public or private organization of any character with responsibility for operation of a nightclub.

E. "Written Safety Plan" means a written document produced by a nightclub operator that includes at minimum the following information about the nightclub:

1. The number and location of all security personnel;
2. The nightclub's identification checking and patron search procedures;
3. Procedures for ensuring that only persons ~~((twenty-one (21) 21(21)))~~ years or older are served alcohol;
4. The nightclub's procedures for handling violent incidents, other emergencies, and calling the Seattle Police Department;
5. A description of the training provided or completed by security and other

rights are exercised pursuant thereto and such permit is surrendered or the fee charged is erroneous for any reason and application is made for refund, the Traffic Engineer shall certify the facts justifying such refund, the amount thereof, and his or her approval of such refund, and upon presentation of such certificate the ~~((City))~~ Director of Finance and Administrative Services (~~Executive Administration~~) is authorized to draw and to pay a warrant on the General Fund in the amount of such refund, and the necessary appropriations are made from any surplus in the fund. If the appropriate fund is solvent at the time payment is ordered, the Director ~~((of Executive Administration))~~ may elect to make payment by check.

Section 251. Section 11.30.220 of the Seattle Municipal Code, last amended by Ordinance 122589, is amended as follows:

11.30.220 Contract for towing and storage.

A. The Director of Finance and Administrative Services (~~Executive Administration~~) is authorized and directed to prepare specifications for towing and storage of vehicles, including instructions to bidders, containing such provisions as the Director ~~((of Executive Administration))~~ shall deem advisable and not in conflict with this chapter.

B. A call for bids responsive to such specifications shall then be made, and the contract shall be awarded to the lowest and best bidder whose proposal is deemed by the Director of Finance and Administrative Services (~~Executive Administration~~) to be the most advantageous for the public and the City; provided that, in the event all bids are deemed by the Director ~~((of Executive Administration))~~ to be too high or irregular, he or she may reject all such bids and make another call for bids or proceed alternatively pursuant to ordinance passed for such purpose.

The Director ~~((of Executive Administration))~~ shall consider, among other relevant factors, the following:

1. Integrity, skill, and business judgment of the bidder;
2. General experience in providing towing and storage services;
3. Conduct and performance under a previous City towing impound contract demonstrating honesty, promptness, skill, efficiency, and a satisfactory relationship with vehicle owners;
4. Existing availability of equipment, facilities, and personnel; and
5. The bidder's financial ability and willingness to expand or improve available equipment, facilities, and services.

The contract award shall be in accordance with the specifications so approved for towing and storage service necessary for carrying out the provisions of this chapter.

C. Subsequent to the award of the contract, the Director of Finance and Administrative Services (~~Executive Administration~~) shall file a written statement with the City Clerk giving the name and address of the contractor for towing and storage of vehicles and, if more than ~~one((1))~~ place of storage has been provided, the name and address or location of each storage place. The Director ~~((of Executive Administration))~~ shall administer and enforce contracts made pursuant to this section.

Section 252. Section 11.30.240 of the Seattle Municipal Code as last amended by Ordinance 117306 is amended as follows:

11.30.240 Contract for towing and storage -- Financial responsibility.

Any contract for towing and storage under the provisions of this chapter shall require the contractor to demonstrate proof of financial responsibility for any liability which the City may have as a result of any negligence, willful conduct or breach of contract by the contractor and for any damages which the owner of an impounded vehicle may sustain as a result of damage to or loss of the vehicle, or the contents of a vehicle in the custody of the contractor. Proof of financial responsibility shall be furnished either by proof of insurance, by filing a surety bond and/or by depositing cash in such amounts as the ~~((Finance))~~ Director of Finance and Administrative Services shall determine necessary.

Section 253. Section 11.30.280 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

11.30.280 Contractor to file monthly claim for services.

The contractor shall, on or before the tenth day of each month, file his or her claim with the Department of Finance and Administrative Services~~((Executive Administration))~~ for towing and storage charges accruing to him or her upon vehicles redeemed as provided in this chapter during the preceding month, in accordance with this chapter and with the specifications for the contract authorized in Section 11.30.220, and such claim shall be sworn to by him or her under oath. The Director of Finance and Administrative Services~~((Executive Administration))~~ shall audit such claim and any payment thereof at least once annually. A warrant or warrants for payment of such claim shall be drawn and paid by the Director ~~((of Executive Administration))~~ from such expenditure allowances as may be provided therefor in the annual budget or from such moneys as may otherwise be appropriated for such purpose. If the appropriate fund is solvent at the time payment is ordered, the Director ~~((of Executive Administration))~~ may elect to make payment by check.

Section 254. Section 11.30.290 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

11.30.290 Contract for towing and storage -- Administrative fee.

A. If a vehicle is impounded pursuant to Section 11.30.105, an administrative fee shall be levied when the vehicle is redeemed under the specifications of the contract provided for by Section 11.30.220.

B. If a vehicle is impounded pursuant to ~~((S))~~ subsection 11.30.040~~((-))~~A7, an administrative fee shall be levied when the vehicle is redeemed under the specifications of the contract provided for by Section 11.30.220.

C. If a vehicle is impounded other than pursuant to ~~sub~~~~((S))~~ section 11.30.040~~((-))~~A7 or Section 11.30.~~((-))~~105, an administrative fee shall be levied when the vehicle is redeemed under the specifications of the contract provided for by Section 11.30. ~~((-))~~220.

D. The administrative fee shall be collected by the contractor performing the impound, and shall be remitted to the Department of Finance and Administrative Services~~((Executive Administration))~~ in the manner directed by the Director of Finance and Administrative Services~~((Executive Administration))~~ and as specified in the contract provided by ~~((S))~~ subsection 11.30.220~~((-))~~A. The administrative fee shall be for the purpose of offsetting, to the extent practicable, the cost to the City of implementing, enforcing, and administering the provisions of this chapter and shall be deposited in an appropriate account. The administrative

opens a parking payment device located within the limits of the City, unless authorized to do so by the Director of Transportation or the ~~((City))~~ Director of Finance and Administrative Services~~((Executive Administration))~~.

Section 259. Section 12A.62.020 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

12A.62.020 Payment authority.

Reimbursements made in accordance with Section 12A.62.010 shall be paid on vouchers approved by the City Attorney on the basis of facts as certified by the Chief of Police consistent with this chapter together with such other evidence as the City Attorney may require to substantiate such medical expenses, and for such purpose the sum of ~~((One Thousand Dollars))~~ ~~((-))~~\$1,000~~((-))~~ or so much thereof as may be necessary is appropriated from the Emergency Fund and the ~~((City Finance))~~ Director of Finance and Administrative Services (is authorized to draw and pay the necessary warrants. If the applicable fund is solvent at the time payment is ordered, the Director ~~((of Executive Administration))~~ may elect to make payment by check.

Section 260. Section 15.04.040 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

15.04.040 Indemnity deposit -- Escrow -- Surety bond.

A. If the authorizing official determines that there is a substantial risk of injury, damage, or expense to the City or probable City expenditures arising from an applicant's proposed use of any public place, the authorizing official may require the applicant to make an indemnity deposit with the ~~((City))~~ Director of Finance and Administrative Services~~((Executive Administration))~~ in an amount based on the official's estimate of the injury, damage or expense to the City and/or cost of restoration of the public place if a mishap or accident were to occur. The funds shall be deposited to the credit of the Guaranty Deposit Fund.

B. The indemnity deposit shall be used to pay the cost of restoring the public place, or removing any earth or other debris, of replacing or repairing any utility interrupted or damaged or of any trees in the public place, of completing any work left unfinished, of resetting any traffic control devices, of the expenses of engineering and other studies authorized by Section 15.04.035, and any other expense that the City may sustain in conjunction with the permitted work, plus a City administrative charge equal to ~~15-((fifteen))~~ percent ~~(((-))~~15~~((-))~~) of the amounts expended for the City's expenses for services such as inspections, surveys, preparing plans, letting contracts, and contract administration or supervision. The balance of the cash indemnity deposit, if any, after all deductions shall be returned to the applicant. If the indemnity deposit be insufficient, the applicant shall be liable for the deficiency.

C. The authorizing official may authorize the filing of a surety bond in accordance with Section 15.04.044 in lieu of making all or part of an indemnity deposit and may suspend its application or waive compliance when required by Section 15.02.027.

Section 261. Section 15.04.044 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

15.04.044 Surety bond.

Section 262. Section 15.04.050 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

15.04.050 Account or bond for multiple permits.

In the alternative to making an indemnity deposit for each permit under Section 15.04.040, an applicant who anticipates seeking two ~~((2))~~ or more permits from the same department, may establish with the City a subaccount by depositing with the ~~((City))~~ Director of Finance and Administrative Services~~((Executive Administration))~~, to the credit of the Guaranty Deposit Fund a minimum sum of at least ~~((Five Hundred Dollars-))~~\$500~~((-))~~ or the amount fixed for the permit being sought, whichever is greater. On notice from the City, the applicant shall replenish such sum from time to time, whenever the subaccount balance shall have been reduced to the sum of ~~((Three Hundred Dollars-))~~\$300~~((-))~~ or less.

Section 263. Section 15.04.090 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

15.04.090 Refund of permit fee.

Whenever the fee paid for any use or occupation permit shall be erroneous for any reason, and application is made for refund, the authorizing official shall certify the facts justifying such refund, the amount thereof, and his or her approval of such refund, and upon presentation of such certificate to the ~~((City))~~ Director of Finance and Administrative Services~~((Executive Administration))~~, a warrant shall be drawn and paid in the amount of such refund. The necessary appropriations are hereby made and authorized. If the appropriate fund is solvent at the time payment is ordered, the Director ~~((of Executive Administration))~~ may elect to make payment by check.

Section 264. Section 15.38.030 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

15.38.030 Sale of impounded property.

A. If, at the expiration of the time set forth in Section 15.38.020 the property has not been released to the owner, the property is surplus to the City's needs, and has a sufficient value for sale, the authorizing official may arrange for its sale at public auction or through the City's Director of Finance and Administrative Services~~((Executive Administration))~~ in conjunction with the sale of surplus City property.

B. Upon sale of the property, the authorizing official shall deposit the proceeds into the City Treasury.

C. At any time within six ~~((6))~~ months from and after the date of the sale, the former owner, upon proper application to the authorizing official, and upon presentation of satisfactory proof that he or she was the owner of the property sold, shall receive the residue of the proceeds of such sale, after deducting the expenses of seizure, impounding, advertising and sale and charges under the fee schedule. The right to the proceeds conferred under this subsection expires if at the end of six ~~((6))~~ months the former owner shall not have applied to the City therefor.

Section 265. Section 15.38.050 of the Seattle Municipal Code as last amended by

Section 255. Section 11.30.320 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

11.30.320 Rules and regulations.

The Director of Finance and Administrative Services (~~Executive Administration~~) and the Chief of Police are authorized and directed to promulgate rules and regulations consistent with this chapter, the Charter of the City, and Chapter 3.02 (~~the Administrative Code of the City~~) to provide for the fair and efficient administration of any contract or contracts awarded pursuant to Section 11.30.220 and to provide for the fair and efficient administration of any vehicle impoundment, redemption, or release or any impoundment hearing under this chapter.

Section 256. Section 11.50.530 of the Seattle Municipal Code as last amended by Ordinance 108200 is amended as follows:

11.50.530 Unlawful erection of direction signs.

No person shall erect any device on a street or alley for the purpose of the information or the direction of traffic, giving the distance or direction to or from any point or place, unless such person shall have first applied for and obtained from the (~~Board of Public Works~~) Seattle Department of Transportation a permit to do so, and the same shall have been constructed, erected and located according to the specific requirements therefor contained in such permit. Any device erected or maintained without such a permit constitutes a public nuisance and may be removed by the Director of Transportation (~~Engineering~~) or his duly authorized agent and such removal of an unlawful device on private or public property, shall not be a breach of the peace. Furthermore, no liability shall attach to the City, its agents, or employees by reason of any damage or injury to persons or property when removing such unlawful device. (RCW 47.36.160)

Section 257. Section 11.60.240 of the Seattle Municipal Code as last amended by Ordinance 112092 is amended as follows:

11.60.240 Combination of units -- Lawful operations -- Special permits.

Notwithstanding the provisions of Section 11.60.220 and subject to such rules and regulations governing their operation as may be determined (~~adopted~~) by the (~~Board of Public Works~~) Seattle Department of Transportation, operation of the following combinations shall be lawful:

A. A combination consisting of a truck tractor, a semitrailer, and a full trailer. In this connection a converter gear used to convert a semitrailer into a full trailer shall be considered to be a part of the full trailer and not a separate vehicle. A converter gear being pulled without load and not used to convert a semitrailer into a full trailer may be substituted in lieu of a full trailer or a semitrailer in any lawful combination;

B. A combination consisting of three (~~(2)~~) trucks or truck tractors used in driveway service where two (~~(2)~~) of the vehicles are towed by the third in double saddlemount position(~~(s)~~) (RCW 46.44.037).

Section 258. Section 12A.08.105 of the Seattle Municipal Code, last amended by Ordinance 121388, is amended as follows:

12A.08.105 Unauthorized manufacture, duplication, use or possession of a key which opens a parking payment device.

It is unlawful for any person to knowingly manufacture, duplicate, use or possess a key which

bond approved as to surety and as to form by the City Attorney. The bond shall assume all the requirements provided in Section 15.04.060 in relation to an indemnity deposit, shall run for the full period of the permit, and shall be in an amount to be fixed by the authorizing official, and conditioned that such applicant shall faithfully comply with all the terms of the permit and all the provisions of this title and all other ordinances of the City, and, to the extent permitted by RCW Chapter 19.72, indemnify and save the City free and harmless from any and all claims, actions or damages of every kind and description which may accrue to, or be suffered by, any person by reason of the use of any public place, as provided for in the application.

B. If the application shall be to construct, reconstruct, repair, maintain, or remove any pavement, sewer, water main, storm drain, grading, street lighting, or appurtenance thereto, the applicant shall file with the (~~City~~) Director of Finance and Administrative Services (~~Executive Administration~~) or such official's functional successor a surety bond approved as to surety and as to form by the City Attorney. The bond shall be conditioned that the applicant shall faithfully complete all portions of the work according to the City's Standard Plans and Specifications, the special plans approved by the authorizing official, and the terms of the permit. The bond shall run for the full period of the permit plus one (~~(1)~~) year after City acceptance of the permitted work. The authorizing official shall set the amount of the bond.

C. If an applicant shall be periodically using public places, the authorizing official may require the applicant to post a surety bond in an amount the authorizing official deems sufficient to cover the accumulated cost or risk involved at any certain time in a calendar year for the number of permits outstanding. The bond shall be in force during the period of all outstanding permits, but in no case for less than one (~~(1)~~) year. The bond shall be subject to approval by the City Attorney as to surety and as to form. The bond shall be conditioned to assume all of the requirements of this title in relation to a cash indemnity deposit.

D. If at any time any applicant shall apply for a permit to use a public place or to modify an issued permit, and in the opinion of the authorizing official the aggregate amount of bonds needed for the additional work or risk involved in the proposed use, together with that involved under other permits outstanding to the applicant, exceed the amount of the then posted surety bond, the authorizing official may require the applicant, prior to issuing the permit, to post an additional or separate surety bond in an amount the authorizing official deems sufficient to cover the additional risk or work involved. The bond shall remain in force during the period of all outstanding permits, but in no case for less than one (~~(1)~~) year from and after the date of the permit. Also, the authorizing official may require any permittee to post a surety bond in the calendar year following the period of a permit when the extent of possible damage to a public place has not been completely determined.

E. Registered side sewer contractors who post a one (~~(1)~~) year bond under the provisions of subsection C or D shall not be required to post an additional surety bond specifically covering work under separate side sewer ordinances. An authorizing official may waive the requirement of surety bond under subsection C upon finding that the bond posted under (~~(S)~~) subsection 21.16.060, (~~(-)~~) C is adequate to fully protect the City. The surety bond shall contain all the requirements of side sewer ordinances in the same manner as required bonds posted pursuant to the side sewer ordinances and (~~(S)~~) subsection 21.16.060, (~~(-)~~) C.

F. Sections 15.02.027 and 15.04.017 may apply when constitutional freedoms or statutory rights are exercised.

The impoundment and disposition of abandoned and/or unauthorized vehicles is regulated by (~~Seattle Municipal Code~~) Chapter 11.30 and RCW 46.55.080 through 46.55.115, and as to a vehicle, watercraft, camper, or component part thereof whose manufacturer's serial or distinguishing number or mark has been removed or altered by RCW 46.12.310 -- 46.12.340. The Director of Transportation and the Superintendent are authorized to assist the Chief of Police and the Director of Finance and Administrative Services (~~Licenses and Consumer Affairs~~) in arranging for the removal thereof from public places.

The impounding of animals is regulated by (~~Seattle Municipal Code~~) Chapter 9.25.

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

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

15.42.050 Conformance to Street Tree Planting Standards.

Tree planting shall conform to the Street Planting Standards of the City of Seattle adopted (~~by Board of Public Works and continued in effect pursuant to this subtitle or as later modified~~) by the Director of Transportation, insofar as practical. Changes from those standards may not be granted without approval of the Director of Transportation.

Section 267. Section 15.52.020 of the Seattle Municipal Code, last amended by Ordinance 121276, is amended as follows:

15.52.020 Committee membership.

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

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

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

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

Section 268. Section 15.62.110 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

15.62.110 Payment of compensation or conveyance.

Upon securing an appraisal of the value of the street or alley area to be vacated as provided in this chapter, the Director of Transportation shall notify the petitioner of the amount of compensation, deducting therefrom any remaining appraisal fee deposit not previously refunded to petitioner. The payment shall be delivered to the Director of Transportation who, upon receipt of any such payment shall forthwith transmit the same to the ~~((City))~~ Director of Finance and Administrative Services~~((Executive Administration))~~ for deposit in the Cumulative Reserve Subfund~~((Fund))~~ and shall make a written report of such payment to the City Council. In the event that the petitioner has received approval of delivery of an instrument granting or dedicating to the City a parcel or parcels of land in lieu of a cash payment as contemplated by Section 15.62.090, the Director of Transportation, in his or her discretion, at the applicant's expense shall obtain either a policy of title insurance insuring title thereto in the City, or a certificate of title as to the title thereof, and upon receipt of such policy or certificate shall transmit the same to the City Council for inclusion in the appropriate file.

Section 269. Section 16.08.050 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

16.08.050 Waterway Operations and Maintenance Subfund.

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

B. The Waterway Operations and Maintenance Subfund shall be charged with the cost of administration, inspection and policing involved in the issuance and continuance of such permits, activities of the City in maintaining waterways as public ways for vessels or obstructions and for commerce and navigation; and for maintaining a reserve to clear waterways of vessels that may sink therein and for emergency activities related to waterways and navigation. Vouchers for expenditures shall be approved by the Director of Transportation or his or her designee, or by the Chief of Police or his or her designee.

Section 270. Section 18.12.080 of the Seattle Municipal Code, last amended by Ordinance 121788, is amended as follows:

18.12.080 Animals running at large prohibited.

A. Except as expressly allowed in subsection B hereof, it is unlawful for any person to allow or permit any dog or other pet to run at large in any park, or to permit any dog or other pet with or without a leash, except Seeing Eye or Hearing Ear dogs or dogs used by public law enforcement agencies and under control of a law enforcement officer, to enter any public beach

significant problems that cannot be practically corrected the Superintendent may close the site to off-leash use. In addition to any action taken pursuant to the review described above, the Superintendent is authorized to close to off-leash dog use any area described under subsection B of this section on a temporary or permanent basis if significant problems arise which cannot be resolved jointly by the Department of Parks and Recreation, Seattle Animal Control, and COLA, and if the Superintendent determines that such closure is necessary for the preservation and protection of the natural environment, public health or safety. Prior to closing any off-leash area, the Superintendent shall consult with the Director of Finance and Administrative Services~~((Executive Administration))~~. The Superintendent shall state in writing his or her reasons for closure.

Prior to any permanent closure, the Superintendent shall give ~~((thirty-))~~30~~(())~~ days written notice, to be posted at the site, stating the reason(s) for the closure and shall conduct one~~((-))~~ or more public hearings on the proposed closure.

Moreover, the Superintendent is authorized to manage all off-leash sites and this authority shall include, but not be limited to, the authority to make minor alterations to site boundaries after reasonable notice to the public, impose operating hours and curtail use at sites as necessary for renovation, repair or for other operational reasons.

Section 271. Section 18.28.040 of the Seattle Municipal Code as last amended by Ordinance 112568 is amended as follows:

18.28.040 Experimental rates.

A. With the concurrence of the City Budget Director, the Superintendent of Parks and Recreation is authorized to adjust the fee or charge contained in the established fee schedule for any particular facility on a temporary basis of up to ~~((sixty-))~~60~~(())~~ days in order to increase public attendance or usage and the resulting revenues. Temporary rates may take the form of special price during a special time, e.g., a half-price rate for entry to a park facility during the final hour before closing, a lower rate for children when half or more of the allotted time for family or children's usage has expired, or a two ~~((-))~~ for one ~~((-))~~ entry for a handicapped individual and a person who accompanies and assists a handicapped individual.

B. The Superintendent shall report to the City Council in conjunction with the presentation of the Department's proposed budget, the Department's experience with any experimental rates during the preceding ~~((twelve-))~~12~~(())~~ months.

Section 272. Section 20.04.050 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

20.04.050 Modes of payment.

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

"immediate payment" and "payment by bonds." The mode adopted shall be the mode petitioned for in case the improvement shall be made upon petition. Otherwise, the Director of Finance and Administrative Services~~((Executive Administration, in consultation with the Director of Finance,))~~ shall make a recommendation to the City Council as to the mode of payment, and the

penalty, interest or cost, and that unless payment be made within such time, the assessment or unpaid portion thereof will become delinquent. Within ~~((fifteen-))~~15~~(())~~ days of the first newspaper publication, the Director of Finance and Administrative Services~~((Executive Administration))~~ shall notify each owner or reputed owner whose name appears on the assessment roll, at the address shown on the King County tax rolls ~~((of the County Comptroller))~~ for each item of property described on the assessment roll, of the nature of the assessment, of the amount of his or her property subject to such assessment, of the total amount of the assessment due, and of the time during which such assessment may be paid without penalty, interest or costs. In the case of assessments the collection of which has been deferred pursuant to RCW 35.43.250 and RCW 35.54.100, as now existing or hereafter amended, the notice shall also state that the assessment shall be paid within the period of deferral and that unless the assessment the collection of which has been deferred is paid within such period of deferral, the assessment or any unpaid portion thereof will become delinquent. Reference to deferred collection assessments may be omitted from the notice when there is no provision for deferred collection in the ordinance creating the district.

B. Upon delinquency a penalty of ~~((twenty-))~~20~~(())~~ percent ~~((of the assessment))~~ of the assessment shall attach to, and become part of all assessments. Delinquent assessments shall bear interest until paid at a percentage rate to be fixed by the ordinance confirming the assessment roll. Delinquent assessments, penalties and interest shall forthwith be collected and the lien thereof enforced in the manner provided by statute, the City Charter¹ and ordinances of the City.

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

20.04.140 Mode of "payment by bonds."

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

20.04.060 Preliminary assessment roll.
B. Dogs may be allowed to run at large only in the following areas hereby designated as off-leash areas:

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

Any person who takes a dog into an off-leash area must have physical control of the dog by means of an adequate leash when entering and leaving the off-leash area and must maintain voice control over the dog at all times while in the off-leash area. All dogs in an off-leash area must be licensed and must display valid license tags attached to the dog collar. Dangerous animals, as defined in ((S))subsection 9.25.020((-))G of this Code, are not permitted to use the off-leash areas.

C. Any person with a dog or other pet in his or her possession or under his or her control in any park shall be responsible and liable for the conduct of the animal, shall carry equipment for removing feces, and shall place feces deposited by such animal in an appropriate receptacle.

D. The Superintendent shall review the impacts of off-leash activities at sites described in subsections B7 through B13 of this section after ((eighteen-))18(()) months of operations at each site. In the case of nonpark sites, this review shall include consultation with the City department with authority over the site. If, based on this review, the Superintendent finds

20.04.060 Preliminary assessment roll.
A. After the City has ordered a local improvement and created a local improvement district by ordinance, the Director of Transportation shall prepare, and within ((fifteen-))15(()) days after the improvement of work has been ordered and a local improvement district created, file with the Director of Finance and Administrative Services((Executive Administration)) the following:

1. The title of the improvement;
2. The district number;
3. Copy of a diagram or print showing the boundaries of the district;
4. Preliminary assessment roll or abstract thereof showing the lots, tracts and parcels of land that will be especially benefited;
5. The estimated cost and expense of such improvement to be borne by each such lot, tract or parcel; and
6. The name of the owner thereof, if known, but in no case shall a mistake in the name of the owner affect the validity of any assessment when the description of the property is correct.

B. The Director of Finance and Administrative Services((Executive Administration)) shall immediately post the proposed assessment roll upon his or her index of local improvement district assessments against the properties affected.

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

20.04.120 Confirmation by ordinance -- Procedure.

The ordinance confirming any assessment roll shall levy and assess against each lot, tract or parcel of land, or other property appearing upon such roll, the amount charged against the same. Upon the enactment of the ordinance, the roll shall be delivered to the City Clerk, together with a list containing the lots and the names of the owners thereof upon which the collection of local improvement district assessments will be deferred pursuant to RCW 35.43.250. The City Clerk shall forthwith transmit the same to the Director of Finance and Administrative Services((Executive Administration)), with his or her certificate that the same has been duly approved by ordinance, and annually thereafter, in the case of assessments payable by the mode of "payment of bonds," the Director of Finance and Administrative Services((Executive Administration)) shall extend the installments of principal and interest upon any unpaid balance as shown upon said approved roll. Interest shall be at the rate fixed by the ordinance confirming the assessment roll.

Section 275. Section 20.04.130 of the Seattle Municipal Code as last amended by Ordinance 120794 as follows:

20.04.130 Mode of "immediate payment."

A. Whenever the cost and expense of any improvement shall be payable by the mode of "immediate payment," the Director of Finance and Administrative Services((Executive Administration)), upon receipt of the assessment roll as confirmed by ordinance, shall publish a notice in the official newspaper of the City once a week for two ((2))consecutive weeks that the roll is in his or her hands for collection, and that all or any portion of the assessment may be paid within ((thirty-))30(()) days from the date of the first publication of the notice without

payable during the ((thirty-))30(()) day period succeeding a date one ((1))year after the date of first publication of the notice by the Director of Finance and Administrative Services((Executive Administration)) that the assessment roll is in his or her hands for collection and annually thereafter each succeeding installment of principal or interest shall become due and payable in like manner. All installments must be paid in sequential order. Whenever an installment shall become due and payable, the Director of Finance and Administrative Services((Executive Administration)) shall mail a notice thereof to the owner of the property assessed, when the post office address of such owner is known, but failure to mail the same shall not affect the validity of the assessment lien. Any such installment not paid prior to the expiration of the ((thirty-))30(()) day period during which such installment is due and payable shall thereupon become delinquent.

C. Whenever the collection of an installment of an assessment has been deferred pursuant to RCW 35.43.250 and RCW 35.54.100 as existing or hereafter amended, the installment of principal or interest shall become due and payable upon expiration of the period of such deferral and each succeeding installment of principal or interest shall become due and payable in like manner. Any such installment not paid within ((thirty-))30(()) days after expiration of the period of such deferral shall thereupon become delinquent.

D. All delinquent installments shall, until paid, be subject to an additional charge of ((twenty)) 20-percent ((20%)) levied upon the principal and interest due on such installment or installments.

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

20.04.145 Installment notes.

In addition to the issuance of bonds and warrants in payment of the cost of any local improvement, the City Council may, in the ordinance ordering any such improvement and adopting the mode of payment, direct the issuance of local improvement installment notes and certificates payable out of the local improvement district fund, and to the extent provided by law from the Local Improvement Guaranty Fund, when such notes are to be held exclusively by one ((1))or more other City funds as authorized by RCW 35.45.150. Loans evidenced by such notes shall comply with RCW 35.45.150. The total sum of all outstanding principal on such installment notes shall not at any time exceed ((One Million dollars-))\$1,000,000((,000)). The ((Finance)) Director of Finance and Administrative Services may refund such installment notes by the issuance of local improvement district bonds or consolidated local improvement district bonds in accordance with RCW Chapter 35.45, and may transfer any such notes, at par plus accrued interest among funds of the City.

Section 278. Section 20.04.150 of the Seattle Municipal Code as last amended by Ordinance 120794 as follows:

20.04.150 Special fund for each district.

The ordinance creating any local improvement district shall also create a special fund to be called "Local Improvement Fund, District No. _____," into which shall be placed all sums from any source intended for use in the prosecution of the work contemplated by such ordinance and, when the assessment roll has been confirmed, all sums paid on account of such assessment,

including all interest and penalty thereon, and in the event of sale of bonds by the City, all proceeds of sale and all premiums and accrued interest on bonds issued for such improvement. The moneys in such local improvement district fund derived from assessments shall be used for no other purpose than the redemption of warrants drawn upon and bonds issued against the fund to provide payment for the cost and expense of the improvement. Provided, that if the fund is solvent at the time payment is ordered, the Director of Finance and Administrative Services may elect to make payment for the cost and expense of the improvement by check.

Section 279. Section 20.04.170 of the Seattle Municipal Code as last amended by Ordinance 116368 is amended as follows:

20.04.170 Bonds -- Register required.

The ~~((City Finance))~~ Director of Finance and Administrative Services shall keep in his or her office a register of all such bonds issued. He or she shall enter therein the local improvement fund district number, for which the same are issued, and the date, amount and number of each bond and term of payment.

Section 280. Section 20.04.200 of the Seattle Municipal Code as last amended by Ordinance 116368 is amended as follows:

20.04.200 Warrants -- Call and payment.

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

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

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

20.04.210 Contracts -- Requirements generally.

A. Contracts for local improvements shall provide for a retainage from the moneys earned by the contractor on estimates during the progress of the improvement or work of a sum to be used as a trust fund for the protection and payment of any person or persons, mechanics, subcontractors or material men who shall perform any labor upon such contract or the doing of said work, and all persons who shall supply such person or persons or subcontractors with

interest-bearing warrants a sum equivalent to interest at the rate prevailing in the market on outstanding warrants from the day when interest ceased, as above mentioned, to a date ~~((two hundred forty))~~240~~((3))~~ days from the date on which the extension period expires.

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

H. All warrants issued shall be redeemed in cash, in order of issuance within ~~((two hundred forty))~~240~~((3))~~ days after the completion and acceptance of the contract, so far as payment into the local improvement district fund shall permit. Warrants not so redeemed in cash shall, except as otherwise provided in this chapter, be redeemed in order of their issuance in local improvement district bonds, the lowest numbered warrants being redeemed with the lowest numbered bonds, if the mode of payment is "payment by bonds"; or, if the mode of payment be "immediate payment," by the issuance of local improvement district fund warrants with interest at the rate prevailing in the market from the date of issuance until redeemed, such redemption to be made in the same manner as that followed under the mode of payment "payment by bonds."

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

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

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

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

Section 283. Section 20.04.230 of the Seattle Municipal Code as last amended by

case of assessment payable in five ~~((5))~~ annual installments, ~~((Twenty-six Dollars))~~ \$26~~((.00))~~ per description; in case of assessment payable in ten ~~((10))~~ annual installments, ~~((Forty-six Dollars))~~ \$46~~((.00))~~ per description; in case of assessment payable in ~~((fifteen))~~ 15~~((3))~~ annual installments, ~~((Sixty-six Dollars))~~ \$66~~((.00))~~ per description; in case of assessment payable in ~~((twenty))~~ 20~~((3))~~ annual installments or more of either principal or interest, ~~((Eighty-six Dollars))~~ \$86~~((.00))~~ per description; which is the charge of accounting, clerical labor, books and blanks used by the City; provided, however, that when any assessment payable in installments is paid in full within the ~~((thirty))~~ 30~~((3))~~ day period fixed by law for the payment of assessments without interest, the Director of Finance and Administrative Services ~~((Executive Administration))~~ shall allow a rebate of the charge in this subsection in excess of the sum of ~~((Six Dollars))~~ \$6~~((.00))~~ per description. In all instances wherein the contractor doing the work in any local improvement district deposits cash with the Director of Finance and Administrative Services ~~((Executive Administration))~~ under the terms of his or her contract to cover items of cost shown by the department head supervising the contract in his or her final estimate and specified in this section, the Director of Finance and Administrative Services ~~((Executive Administration))~~ shall transfer the amount of such rebate from the fund in which it has been deposited to the appropriate local improvement fund.

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

20.04.280 Segregation of assessments.

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

B. Whenever, on account of the filing of a plat or replat on account of a sale or contract to sell or other proper evidence of the change of ownership of a divided portion of any lot, tract or parcel of land assessed for local improvements, it shall appear to be to the best interest of the City to segregate a local improvement district assessment thereupon, the Director of Transportation is authorized to make the proper certification as provided in this chapter, upon the written application of the owner, approved by the Director of Finance and Administrative Services ~~((Executive Administration))~~, and confirmed by the City Council by resolution, and upon payment of the fee hereinafter provided. In all instances it shall be the duty of the Director of Transportation to submit the necessary Resolution for Segregation for City Council approval. A fee of ~~((Sixty Dollars))~~ \$60~~((.00))~~ shall be charged for each tract of land for which a segregation is to be made together with a fee of ~~((Ten Dollars))~~ \$10~~((.00))~~ per description for each description added to the assessment roll, to defray the cost of the engineering and clerical work involved. Such fees shall be paid to the Director of Finance and Administrative Services ~~((Executive Administration))~~ and shall be deposited in the General Fund.

C. Upon receipt of a certified copy of a resolution of the City Council authorizing

imposed pursuant to RCW Title 82 which may be due from subcontractor. Said fund shall be computed and administered pursuant to Chapter 205, 1st Ex. Sess., Laws of 1977, presently codified as RCW 60.28.010. No improvement shall be deemed completed until the department head supervising the project shall have filed with the City Clerk a statement in duplicate declaring the same to have been completed.

B. During the time allowed for the completion of the contract the department head supervising the project shall each month issue an estimate of the amount of work completed by the contractor during the preceding month; provided, that after the expiration of the time allowed for such completion no estimate other than the final estimate shall be issued. The final estimate shall include a statement of the amount of money due the contractor, a statement of the amount of money expended for abstracts, advertising, accounting and collection, and engineering expense incurred prior to the expiration of the time allowed for the completion of the contract. The City's engineering expenses incurred after the time allowed for the completion of the contract, shall be borne by the contractor as the minimum penalty for failure to complete the work within the specified time.

C. After the issuance of the estimate by the department head supervising the project, the Director of Finance and Administrative Services~~(Executive Administration)~~ shall, on or about the ~~((twenty-fifth))~~ 25th day of the month, deliver to the contractor money or warrants in an amount equal to such estimate less the percentage to be retained therefrom as herein provided. After the expiration of ~~((thirty-))~~30 days following the final acceptance of said improvement or work and the expiration of the time for the filing of lien claims as provided by law, said reserve, or all amounts thereof in excess of a sufficient sum to meet and discharge the claims of material men and laborers who have filed their claim as provided by law, together with a sum sufficient to defray the cost of such action, and to pay attorney's fees, shall be paid to said contractor.

D. Such warrants shall be drawn against the local improvement district fund and shall bear interest at the rate prevailing in the market from the date of issuance until redeemed; provided, that warrants shall not bear interest after ~~((two hundred forty-))~~240 days from the time fixed in the proposal and contract for the completion of the contract.

E. If the work is completed within the time fixed by the contract, or any extension thereof, and there is no money available for payment of contractors' warrants at the expiration of the ~~((two hundred forty-))~~240 day period above mentioned, the contractor may be paid by separate non-interest-bearing warrants a sum equivalent to interest at the rate prevailing in the market on outstanding warrants from the date when interest on such warrants ceased to the date when funds are available for the redemption thereof.

F. If an extension of time is granted for the completion of the contract and the work is not completed when the extension period has expired, the contractor may be paid by separate non-interest-bearing warrants a sum equivalent to interest at the rate prevailing in the market on outstanding warrants from the day when interest ceased, as above mentioned, to a date ~~((two hundred forty-))~~240 days from the date on which the extension period expires.

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

H. All warrants issued shall be redeemed in cash, in order of issuance within ~~((two~~

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

At the time and place named, such bids shall be publicly opened and read; no bid shall be rejected for informality but shall be received if it can be understood what is meant thereby. The department head supervising the project shall proceed to determine the lowest and best bidder, and may let such contract to such bidder, or if all bids received exceed by ten percent ~~((10%))~~ preliminary cost estimates prepared by an independent consulting engineer or registered professional engineer retained for that purpose by the City, he or she may reject all of them and re-advertise, or may proceed to do the work under the direction of the department head supervising the project by "day labor," and, in case of rejection of all bids all checks shall be returned to the bidders; but if the contract be let, then, and in such case, all checks shall be returned to the bidders, except that of the successful bidder, which shall be retained until the contract be entered into for making such improvement between the bidder and the City, in accordance with such bid, and the duly approved and accepted bond therefor be filed in the office of the City Clerk. If the successful bidder fails to enter into the contract in accordance with his bid within ten ~~((10))~~ days from the date at which he is notified that he is the successful bidder, the said check and the amount thereof shall be forfeited to the City, and the same shall be delivered to the Director of Finance and Administrative Services~~(Executive Administration)~~, who pay the same into the City Treasury to the credit of the appropriate Local Improvement District Fund. Neither the department head nor the City Council shall have the power to remit such forfeiture.

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

20.04.270 Items of cost and expense for estimates.

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

- A. The cost of all of the construction or improvement authorized for the district including, but not limited to, that portion of the improvement within street intersections;
- B. The estimated cost and expense of all engineering and surveying necessary for the improvement done under the supervision of the City;
- C. The estimated cost and expense of ascertaining the ownership of the lots or parcels of land included in the assessment district;
- D. The estimated cost and expense of advertising, mailing and publishing all necessary notices;
- E. The estimated cost and expense of accounting, clerical labor, and of books and blanks extended or used on the part of the City in connection with the improvement;
- F. The cost of acquisition of rights-of-way, property, easements or other facilities or rights, whether acquired by eminent domain, purchase, gift, or in any other manner; provided, that any of the costs enumerated in this subsection may be excluded from the cost and expense to be assessed against the property in the local improvement district if the legislative authority so designates by ordinance at any time and may be paid from any other moneys available therefor;
- G. The cost of legal, financial, and appraisal services and any other expense incurred by the City for the district or in the formation thereof, or by the City in connection with the construction or improvement and in the financing thereof, including the issuance of any bonds;
- H. A charge against each description of property in the following amounts, to wit: in case of "immediate payment," ~~((Six Dollars-))~~\$6~~((.00))~~ per description; in case of assessment payable in three ~~((3-))~~ annual installments, ~~((Eighteen Dollars-))~~\$18~~((.00))~~ per description; in

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

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

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

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

20.04.290 Cancellation of assessment -- Release of assessment lien.

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

- A. The amount due shown on the district's books and records has been found to be void by a final judgment of a court with jurisdiction over the local improvement district;
- B. RCW 35.50.050, which limits the time for commencing foreclosure proceedings, bars a foreclosure action to enforce the payment;
- C. King County has resold the property to pay property taxes, the resale is free and clear of the assessment lien, and pursuant to RCW 35.49.160, the City has received or will receive from the proceeds of the county sale such funds as are due to the district; or
- D. The City Attorney by written opinion advises the Director of Finance and Administrative Services~~(Executive Administration)~~ that the assessment, interest or penalty to be cancelled is void or that the law otherwise prevents its collection.

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

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

20.08.030 Issuance and payment of warrants or checks.

In order to effectuate the purposes of this chapter, the Director of Finance and Administrative Services is authorized to from time to time ~~((direct the Director of Executive Administration))~~ draw and pay warrants drawing interest at a rate not to exceed ~~((six-))~~6~~((.7-))~~ percent on the

SECTION B

Local Improvement Guaranty Fund for the purposes contemplated in Section 20.08.010; provided, that such warrants shall at no time exceed ~~((five-))5-(0-))~~ percent of the outstanding bond obligations guaranteed by the fund. Warrants on the Local Improvement Guaranty Fund shall be numbered serially in the order of their issuance. If the Local Improvement Guaranty Fund is solvent at the time payment is ordered, the Director of Finance and Administrative Services ~~((Executive Administration in consultation with the Director of Finance))~~ may elect to make payment by check.

Section 288. Section 20.08.040 of the Seattle Municipal Code as last amended by Ordinance 116368 is amended as follows:

20.08.040 Defaulted interest coupons, bonds or warrants.

A. As among the several issues of bonds or warrants guaranteed by the fund, no preference shall exist, but defaulted interest coupons, bonds and warrants shall be purchased out of the fund in the order of their presentation. Whenever any defaulted interest coupons, bonds or warrants shall be presented to the ~~((City Finance))~~ Director of Finance and Administrative Services for purchase, if the outstanding warrants against the Local Improvement Guaranty Fund (including the amount of the coupons, bonds or warrants so presented) do not then exceed ~~((five-))5-(0-))~~ percent of the outstanding bond obligations guaranteed by the fund, the ~~((City Finance))~~ Director of Finance and Administrative Services shall examine such coupons, bonds or warrants and if satisfied that the same are guaranteed by such fund he shall receive and keep such coupons, bonds or warrants, issuing his or her receipt therefor to the holder of the same, together with a warrant upon the Local Improvement Guaranty Fund in the amount thereof. Warrants so issued shall be paid from the Local Improvement Guaranty Fund in the order of their serial numbers.

B. If at the time any defaulted interest coupons, bonds or warrants are presented for purchase the warrants upon the Local Improvement Guaranty Fund then outstanding (including the amount of the coupons, bonds or warrants so presented) shall exceed ~~((five-))5-(0-))~~ percent of the outstanding bond obligations guaranteed by the fund, the ~~((City Finance))~~ Director of Finance and Administrative Services shall examine such coupons, bonds or warrants and if satisfied that the same are guaranteed by such fund he or she shall issue to the holder a presentation certificate describing such coupons, bonds or warrants and showing the date and time of the day when the same were so presented for purchase, and the name and address of the holder thereof. Such presentation certificate shall be issued and numbered serially in the order of the presentation for purchase of defaulted interest coupons, bonds or warrants by the respective holders thereof. Whenever the amount of outstanding warrants against the Local Improvement Guaranty Fund shall be retired in an amount sufficient to authorize the issuance of a warrant upon the fund for the purchase of the coupons, bonds or warrants described in any presentation certificate it shall be the duty of the ~~((City Finance))~~ Director of Finance and Administrative Services to notify the holder of such presentation certificate by mail at the address stated in the presentation certificate; and upon presentation to him of the presentation certificate, together with the coupons, bonds or warrants described therein, the ~~((City Finance))~~ Director of Finance

Section 290. Section 20.20.020 of the Seattle Municipal Code as last amended by Ordinance 35083 is amended as follows:

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

Whenever the City shall establish or shall have established the grade of any street or streets, alley or alleys, at a higher elevation than any private property abutting thereon, thereby rendering the drainage of such private property or any part thereof impracticable without the raising of the surface of such private property, or whenever the surface of any private property in the City shall be so low as to make sanitary drainage thereof impracticable, the City Council may determine by resolution that a fill of such private property is necessary as a sanitary measure. The Council shall in such resolution direct the Seattle Department of Transportation ~~((Board of Public Works))~~ to make the necessary surveys of the district proposed to be improved and the necessary plans and specifications for such improvement, and to submit, within ~~((twenty-))20(0-))~~ days after the first publication of such resolution, a report to the City Council to be filed with the City Clerk giving a description of the property proposed to be improved by such fill, the grade to which it is necessary to fill the same and the estimated cost thereof.

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

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

20.38.010 Definitions.

When used in this chapter:

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

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

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

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

20.38.020 Powers.

The Department of Finance and Administrative Services ~~((Executive Administration))~~ shall be responsible for the implementation and administration of this chapter and is authorized to develop and adopt rules consistent with the requirements of this chapter. The Director ~~((Department of Executive Administration))~~ shall establish contract specification language to implement the apprenticeship requirement, which may change from time to time. The

Services ~~((Executive Administration))~~.

J. "Women or Minority Business" means a business that is at least ~~((fifty-one-))51-(0-))~~ percent owned by women and/or minority (including, but not limited to, African Americans, Native Americans, Asians, and Hispanics) group members.

Section 297. Section 20.45.010 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

20.45.010 Definitions.

For the purposes of this chapter:

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

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

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

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

E. "Domestic partner" means any person who is registered with his/her employer as a domestic partner, or, in the absence of such employer-provided registry, is registered as a domestic partner with a governmental body pursuant to state or local law authorizing such registration. Any internal employer registry of domestic partnership must comply with criteria for domestic partnerships specified by rule by the Department.

F. "Employee benefits" means the provision of bereavement leave; disability, life, and other types of insurance; family medical leave; health benefits; membership or membership discounts; moving expenses; pension and retirement benefits; vacation; travel benefits; and any other benefits given to employees, provided that it does not include benefits to the extent that the application of the requirements of this chapter to such benefits may be preempted by federal or state law.

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

20.45.040 Powers and duties of the Director.

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

A. Adopt rules and regulations, in accordance with this chapter and ~~((the Administrative Code of The City of Seattle-))~~ Chapter 3.02 ~~((0-))~~, establishing standards and procedures for effectively carrying out this chapter;

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

presentation certificates.

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

20.12.080 Administration by City officials.

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

1. Give notice to property owners of the availability of ordinance procedures for deferral of collection of assessments;
2. Accept and process applications for deferral of collection of assessments, and amendments thereof as appropriate;
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.

B. The Director of Finance and Administrative Services((Executive Administration)) shall draw such warrants upon the Local Improvement Guaranty Fund as necessary and appropriate to make payments to the local improvement district fund for assessments, the collection of which has been deferred, and shall report annually to the City Council ((and the Director of Finance)) about the amount of payments made from the Local Improvement Guaranty Fund for assessments or installments deferred pursuant to this chapter and RCW 35.43.250, 35.50.050, and 35.50.100, as now existing or hereafter amended; the current balance in such fund and outstanding obligations guaranteed by such fund. If the Local Improvement Guaranty Fund is solvent at the time payment is ordered, the Director of Finance and Administrative Services((Executive Administration)) may elect to make payment by check.

Section 294. Section 20.40.010 of the Seattle Municipal Code, last amended by Ordinance 121720, is amended as follows:

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

Notwithstanding the provisions of Chapters((3-04)) 3.39 and 20.60, the Director of Finance and Administrative Services ((Executive Administration)) may authorize other departments to administer and execute public works contracts that are less than or equal to ((Five Thousand Dollars (\$5,000))) \$7,000 in 2010. This amount shall be adjusted pursuant to and be equal to the dollar limit for direct vouchers resulting from the application of subsection 20.60.140((c))B to direct vouchers. Such departments shall comply with all state laws and City ordinances governing public works contracts.

Section 295. Section 20.40.020 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

20.40.020 Small Works Roster.

The Director of Finance and Administrative Services((Executive Administration)) shall establish and administer a Small Works Roster for use on City of Seattle public works projects that meet the requirements of Revised Code of Washington (RCW) 39.04.155 and 35.22.620, as now or hereafter amended. The Director ((of Executive Administration)) shall adopt rules and regulations regarding procedures for the use of the Small Works Roster. The Director ((of Executive Administration)) may also execute interagency agreements or other contractual documents as required to establish such a Small Works Roster.

Section 296. Section 20.42.020 of the Seattle Municipal Code, last amended by Ordinance 121722, is amended as follows:

20.42.020 Definitions.

For the purposes of this chapter:

- A. "Affirmative Efforts" means documented reasonable attempts in good faith to contact and employ women and minorities and to contact and contract with Women and Minority Businesses.
- B. "Availability" or "Available" as used in this chapter means a business that is interested in and Capable of performing the item of work in question; and able to perform the work within the time frame required by the bid specifications or request for proposals or qualifications.
- C. "Capability" or "Capable" as used in this section means that a business appears able to perform a Commercially useful function on the item of work in question.
- D. "Commercially useful function" means the performance of real and actual services in the discharge of any contractual endeavor.
- E. "Contract" means an agreement for: public works; consulting as set forth in Chapter 20.50; or supplies, material, equipment or services as set forth in Chapter 20.60((100 et seq)).
- F. "Contract awarding authority" means the City officer, department, commission, employee, or board authorized to enter into or to administer Contracts on behalf of the City.
- G. "Contractor" means a business that has a Contract with the City.
- H. "Department" means the Department of Finance and Administrative Services((Executive Administration)).
- I. "Director" means the Director of ((the Department of)) Finance and Administrative

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

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

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

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

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

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

20.48.030 Funds to be available before entering into contract.

Before the construction of any public work or improvement, or any part thereof, either by contract or by day labor, is authorized or begun under the direction and general supervision of the Director of Finance and Administrative Services((Executive Administration)), said Director shall obtain from the head of the City department for which such work is to be undertaken, such department head's certification that sufficient funds have been appropriated to cover the full cost and expense of completing the desired public work or improvement (which appropriations shall be identified, by ordinance number and, where appropriate, by Capital Improvement Project number, in such certification). No contract shall be entered into, nor shall the construction of such work or improvement, or any part thereof, be undertaken by said Director, unless there is a balance in the appropriation sufficient to cover such cost and expense. For contracts executed pursuant to Chapter 39.10 RCW, the Director or department head is authorized to enter into contracts without such certification, provided that no phase of any public work may be started unless sufficient funds have been appropriated to cover the full cost and expense of completing that phase.

Section 300. Section 20.48.040 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

20.48.040 Filing of statement of contract amount.

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

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

20.48.060 Contracts in violation -- Voidable.

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

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

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

20.50.010 Definitions.

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

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

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

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

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

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

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

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

successive arrangement) for more than five ~~((S))~~ consecutive years. This restriction shall not apply to:

1. A contract for services in connection with a particular project or activity although completion of the assignment may extend for more than five ~~((S))~~ years;
2. A retainer agreement used to establish eligibility for placement on a roster from which Consultants are selected from time to time for particular assignments; or
3. An agreement implementing a deferred compensation plan for City employees contemplated by 26 USC Section 457.

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

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

Every Contract between or among the City and a Consultant shall be in writing and signed by at least one ~~((+))~~ authorized representative of each contracting party. Each such Contract shall include a specific and detailed description of the scope of work or services to be provided by the Consultant(s) and the products of any sort to be delivered to the City; the maximum amount of compensation to be paid and any other consideration to be provided to the parties to the Contract, together with a description of the timing and method(s) of such payment and any retainage to be held; the dates the Contract is effective and is to expire; all equal employment opportunity, women's and minority business enterprise, and affirmative action provisions required by law, ordinance, rule or regulation to be included in such Contract; the authority of the City to audit the Consultant's books and records with respect to the services to be provided, costs thereof, and compensation paid therefor; and any appropriate or required funding or other provision. All such Contracts ~~((providing compensation of a value of Twenty Thousand Dollars (\$20,000) or more))~~ shall be subject to review by the City Attorney, for, among other things, form; the specificity of descriptions of work to be performed for and products or results to be delivered to the City; and liability, insurance, indemnification, and bonding provisions.

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

20.50.110 Establishment and operation of rosters.

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

A. Establishment and Duration.

1. The Director, in conjunction with participating Departments, shall establish Consultant rosters based on the different consultant skills or services that the City is likely to need during the effective time of the Consultant rosters.
2. The Director, in conjunction with participating Departments, shall issue Requests for Qualifications ("RFQ(s)") to establish Consultant rosters for use by any Department. At a minimum, the RFQ shall describe the skills or services needed by the City; the minimum qualifications to be placed on the particular Consultant roster; the roster contract dollar limits; the expected duration of the roster, if known; standard contract

20.50.120 Escalation of dollar limitations.

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

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

20.50.130 Retention of expert witnesses and legal counsel.

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

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

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

20.60.100 Purchasing powers.

Except as otherwise provided in this subchapter, the Director ~~((of Executive Administration))~~ shall purchase, sell or transfer, contract for, rent or lease all supplies, materials, equipment, and services other than expert and consultant services needed by various departments of the City government, referred to in this subchapter as "using" agencies; provided, that the Director ~~((of Executive Administration))~~ is authorized to enter into cooperative and/or joint agreements with any state or governmental agency or subdivision thereof, or any other governmental unit or any public benefit nonprofit corporation for the purchase of such supplies, materials, equipment, and services under the purview of this chapter; provided, further, that such public benefit nonprofit corporation is an agency that is receiving local, state, or federal funds either directly or through a public agency; provided, further, that purchases made pursuant to any such agreement shall be separately invoiced to the respective purchasers in accordance with the purchases made by each; and provided, further, that each such purchaser shall be responsible for payment for its own purchases only. Purchases made for the City under a purchasing contract executed by a state, or agency or subdivision thereof, or by another governmental unit or public benefit nonprofit corporation shall be exempt from the competitive bidding and related requirements of Section 20.60.106.

Section 311. Section 20.60.101 of the Seattle Municipal Code, last amended by Ordinance

20.50.030 Advertising of need for Consultant services.

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

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

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

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

20.50.040 Consultant selection.

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

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

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

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

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

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

G. Departments shall not enter into a Contract with any Consultant for performance of services on a retainer basis (whether for a term of years, or from year-to-year, or on another

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

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

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

C. Limitations.

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

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

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

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

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

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

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

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

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

A. Except in emergencies provided for in this subchapter, all expenditures for supplies, materials, equipment, and services within the purview of this subchapter the estimated cost of which is in excess of \$44,000 ~~((Thirty Thousand Dollars (\$30,000)))~~ per requisition in 2010 dollars shall be made on written contract entered into upon the basis of competitive bids and are subject to the preferences provided by ~~((SMC))~~ Section 20.60.210. Notices inviting sealed competitive bids shall be published at least once in the City official newspaper, and at least five ~~((5))~~ calendar days must intervene between the date of the last publication and the final date for submitting the bids; provided, that purchases of patented or proprietary items available from a single source, or purchases or contracts for services within the purview of this subchapter where competitive bidding is deemed impracticable by the Director, shall be exempt from the competitive bidding requirements of the section; provided, further, that the purchase of supplies, materials, and equipment to be resold by the using agency may be negotiated for by the Director when, in his or her judgment, the lowest and best price can be obtained by such negotiation.

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

20.60.110 Expenditures under ~~((30,000))~~ the competitive threshold

All expenditures for supplies, materials, equipment, and services within the purview of this subchapter below the competitive threshold in Section 20.60.106 ~~((the estimated cost of which will not exceed Thirty Thousand Dollars (\$30,000)))~~ per requisition may be made in the open market; provided, that to the extent possible, the Director or his or her designated representative shall endeavor to obtain from prospective vendors at least three ~~((3))~~ competitive bids, and shall award such purchase to the lowest and best bidder, subject to the preferences provided by ~~((SMC))~~ Section 20.60.210. The Director or his or her designated representative may, in his or her discretion, determine the lowest and best bidder for expenditures under ~~((Thirty Thousand Dollars (\$30,000) per requisition))~~ this threshold by the same criteria as used for larger purchases. When the Invitation to Bid so specifies, and if sufficient life cycle cost information is readily available, the Director shall consider the life cycle cost in determining the lowest and best bidder in accordance with the Invitation to Bid.

Section 314. Section 20.60.112 of the Seattle Municipal Code as last amended by Ordinance 121720 is amended as follows:

20.60.112 Open market purchases where bidding is impractical.

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

SECTION B

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

20.60.140 Escalation of dollar limits.

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

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

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

20.60.206 Annual report.

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

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

20.70.010 Purpose.

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

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

20.70.020 Definitions.

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

A. "Contracting Authority" means the Department of Finance and Administrative Services ~~(Executive Administration)~~ or any City Agency to which the City Council or the

allegations, the Director determines that a Contractor should be Debarred, the Director shall notify the Respondent of the City's intent to issue an Order of Debarment. The Notice of Debarment shall be in writing, and shall be either personally served or sent by certified mail. The Notice of Debarment shall include:

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

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

D. Notice Protest.

1. A Respondent may contest the Notice of Debarment by filing a written Notice Protest with the Director no later than ~~((fourteen-))~~ 14 ~~((-))~~ calendar days after the Date of Service of the Notice of Debarment. Unless waived by the Director, filing a Notice Protest is an administrative remedy that the Respondent must exhaust before seeking judicial review.
2. If the Respondent does not timely contest the Notice of Debarment, the Director shall issue an Order of Debarment, which shall set forth:
 - a. The contracting activities from which the Respondent is barred from participating;
 - b. The length of the Debarment;
 - c. A brief statement of the facts upon which the Debarment is based; and,
 - d. A response to any written comments submitted by the Respondent.

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

4. The Contractor may request a hearing to discuss the Notice Protest and, if such request is granted, may discuss only those issues raised in the Notice Protest unless the Director allows otherwise. If a hearing is held, the Department of Finance and Administrative Services ~~(Executive Administration)~~ shall have the burden of establishing by a preponderance of the evidence that the grounds exist for an Order of Debarment.

5. The Director shall consider the Notice of Debarment, the Respondent's Notice Protest, and, if a hearing is held, the evidence presented at the hearing. The Director shall issue a final written decision and Order regarding whether the

and that no bid for less than par and accrued interest will be considered. The time and place when and where bids will be received shall also be stated in the advertisement. The ~~((Finanee))~~ Director shall report all such bids to the City Council, who shall promptly act upon the same. The action of the City Council in accepting any such bids shall be by resolution. Bidders shall bid for such bonds upon forms prepared by the City with the approval of the City Attorney.

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

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

20.76.060 Payment in installments.

Whenever the City shall have sold bonds of any such local improvement district, either upon bids or at private sale, as in this subchapter, the assessments for such improvement shall be payable in installments, and notice thereof shall be given, and the collection and enforcement thereof had as provided by law and this subchapter. In the case of sale upon bids, the City Clerk shall transmit to the Director of Finance and Administrative Services a certified copy of the resolution accepting any such bid, and in the case of sale at private sale the Director of Finance and Administrative Services shall certify that such bonds have been sold, pursuant to the resolution of the City Council directing such sale, and in either case the Director ~~((of Executive Administration))~~ thereupon shall proceed with the collection and enforcement of such assessments under the mode of "payment by bonds." As to assessments payable in ten ~~((10-))~~ or less annual installments, the Director ~~((of Executive Administration))~~ shall annually extend the installments of principal and interest upon the unpaid balance as shown upon such roll, and as to assessments payable in ~~((twenty-))~~ 20 ~~((-))~~ annual installments, the Director ~~((of Executive Administration))~~ shall for the first ten ~~((10-))~~ years annually extend the installments of interest upon such roll, and for the last ten ~~((10-))~~ years the Director ~~((of Executive Administration))~~ shall annually extend the installments of principal and interest upon the unpaid balance as shown upon such roll.

Section 324. Section 20.76.070 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

20.76.070 Certificates of purchase.

A. Two ~~((2-))~~ years after the date of delinquency of an assessment payable by the mode of "immediate payment," or of an installment of an assessment payable by the mode of "payment by bonds," it shall be the duty of the Director of Finance and Administrative Services ~~(Executive Administration)~~ to proceed to sell the property described in any such local assessment roll for the amount of such delinquent assessment, or installment, together with the penalty and interest accruing to date of sale, and for the costs of the sale; provided, it shall be the duty of the Director ~~((of Executive Administration))~~ in the case of the last installment of an assessment payable by the mode of "payment by bonds" to proceed with the sale provided for in this section at the

39,040,010, a purchasing contract as provided for in ((SMC)) Section 20.60.100 et seq., or a consultant contract as provided for in ((SMC)) Chapter((:)) 20.50.

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

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

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

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

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

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

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

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

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

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

20.70.050 Procedures.

A. Notice of Investigation. The Director or any Contracting Authority may initiate an investigation of a Contractor. The Director or Contracting Authority shall notify the Contractor in writing that an investigation has been initiated and the allegations that form the basis for the investigation. The Notice of Investigation shall be either personally served or sent by certified mail. The Contractor shall have ((twenty-one(1))21((3)) days from the Date of Service of the notice of investigation and allegations on the Contractor to file an answer to the allegations.

B. Investigation Results. The results of the investigation shall be in writing and shall state, at a minimum, the allegation(s), the conclusion(s) reached regarding the allegation(s), the facts upon which the conclusion(s) are based, and the investigator's recommendation, including a recommended length of Debarment, if any. If the investigator is a Contracting Authority, it shall forward the results of the investigation to the Director. The Director shall personally serve or send by certified mail, the results of the investigation to the Contractor.

C. Findings and Notice of Debarment. The Director shall consider both the results of the investigation and the Contractor's answer, if any, to the allegation(s). The Director shall make a preliminary determination on whether the Contractor should be Debarred within six ((6)) months of the Date of Service of the Notice of Investigation and provide the Contractor with findings, or the matter will be dismissed, unless the Director provides notice to the Contractor that there is good cause to extend the period of investigation for an additional specific period of time. If, after reviewing the results of the investigation and the Contractor's answer to

participating;

b. The length of the Debarment; and

c. Findings and conclusions upon which the Debarment is based.

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

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

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

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

20.76.020 Acceptance of awards.

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

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

20.76.040 Mode of "payment by bonds."

In case the City Council shall provide for the payment of special assessments in any such proceeding by the mode of "payment by bonds," it shall specify the term of such bonds, the maximum rate of interest thereon, and shall provide that bonds of such improvement district shall be issued in an amount equal to the sum of the assessments levied for such local improvement, less the amount of such assessments paid in cash into the special fund created for such local improvement during the ((thirty(3))30((3)) day period following the date of the first publication of the notice of collection of the Director of Finance and Administrative Services((Executive Administration)), and the bonds may be sold and delivered, in such manner as the City Council may by ordinance or resolution direct.

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

20.76.050 Sale of bonds.

A. When the mode of "payment by bonds" is adopted for any such improvement, such bonds may be sold and delivered either upon bids or at private sale, as provided in this section. When the sale of such bonds upon bids shall be authorized, the Finance Director of Finance and Administrative Services shall advertise the same for sale in at least one ((1)) issue of the official newspaper of the City not less than ten ((10)) days prior to the date of sale. The advertisement shall state the approximate amount and date of the bonds, the number of years in 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))12((3)) years or less and bearing no greater than six percent (6%) interest on bonds issued to mature in ((twenty-two(22))22((3)) years,

Administrative Services((Executive Administration)) to the purchasers at such sale, and assessment deeds shall be executed and delivered by him to the persons thereunto entitled. All steps and proceedings required to be done in connection with such sale, certificates of purchase and assessment deeds shall be had and conducted according to law and this subchapter.

C. When assessments, or installments of assessments, have been delinquent the full period provided by law and ordinances of the City, before which such assessments or installments of assessments are subject to sale, the Director of Finance and Administrative Services((Executive Administration)) shall certify that there are delinquent and unpaid assessments or installments thereof, giving the district number and installment thereof, if it be an installment roll, ordinance number under which it was created, street name, nature of the improvement and the date of delinquency.

D. The Director of Finance and Administrative Services((Executive Administration)) shall sell all the property described upon the roll upon which assessments are levied to satisfy all such delinquent and unpaid assessments or installments thereof, together with interest, penalties and costs as provided by law.

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

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

20.76.080 Special fund.

The City Council shall, by ordinance, create a special fund for each such improvement district to be called "Local Improvement Fund, Condemnation Award, District No. _____," into which shall be placed the proceeds of the sale of bonds for such improvement, all sums paid on account of assessments levied for such improvement including all interest and penalty thereon, and all sums received from rents, profits and income from the property condemned by such proceeding, and from which shall be paid all warrants issued upon transcripts of judgments on awards and all bonds issued for such improvement. Provided, that if the fund is solvent at the time payment is ordered, the Director of Finance and Administrative Services((Executive Administration in consultation with the Director of Finance)) may elect to make payment for the cost and expense of the improvement by check.

Section 326. Section 20.76.090 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

20.76.090 Issuance of bonds.

At the expiration of ((thirty(3))30((3)) days after the date of first publication of the Executive Administration Director's notice of any such assessments payable in installments, the Director of Finance and Administrative Services((Executive Administration)) shall record the total amount of the assessment, the total amount paid to him or her to redeem any lots, tracts, or parcels of land, or other property, from the assessment levied thereon, and the total amount unpaid on such assessment; whereupon the Mayor and Director of Finance and Administrative Services shall issue the bonds of such local improvement condemnation award district, in an amount equal to the amount remaining unpaid on the assessment roll as shown by such report. The bonds provided for in this section shall not be issued prior to twenty ((20)) days after the expiration of the ((thirty(3))30((3)) days abovementioned.

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

20.76.110 Bond registry.

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

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

20.76.120 Warrants or checks -- When issued.

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

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

20.76.130 Payment of awards, interest and costs.

The proceeds of the sale of bonds issued therefor, together with the proceeds of the collection of special assessments therefor, made during the ~~((thirty-))30((3))~~ day period following the date of the first publication of the Director of Finance and Administrative Services' ~~((Executive Administration's))~~ notice of collection, shall be applied by the Director of Finance and Administrative Services ~~((Executive Administration))~~ in payment of awards, interest and costs of any judgment in any eminent domain proceedings, and the redemption of any warrants issued in payment of any portion of such judgment. No priority of payment shall exist as between any such warrants and any portion of such judgment, but warrants shall be paid in the order of their issuance; provided, that warrants payable to the General Fund may be held until warrants issued for the payment of awards have been paid. If the applicable fund is solvent at the time payment is ordered, the Director of Finance and Administrative Services ~~((Executive Administration in consultation with the Director of Finance))~~ may elect to make payment by check.

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

20.76.140 Items of cost.

In preparing the assessment roll to pay the cost and expense of any such condemnation improvement as provided in this subchapter, the Board of Eminent Domain Commissioners shall include the costs and expenses of the proceedings up to the time of the filing of the assessment roll, together with the probable further costs and expenses of the proceedings, including therein a charge against each description of property appearing upon any assessment roll in the following sum: In case of "immediate payment" of assessment, ~~((One-Dollar-))\$1((3))~~ per description; in case of assessment payable in five ~~((5))~~ annual installments, the sum of ~~((Five-Dollars~~

notation thereof upon the assessment roll.

Section 334. Section 20.76.260 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

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.

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

20.76.280 Segregation of condemnation assessments.

A. The Director of Finance and Administrative Services ~~((Executive Administration))~~ is authorized to collect and receive from any owner or owners of any subdivision or subdivisions of any lot, tract or parcel of land upon which a condemnation assessment has been, or may hereafter, be made, such portion of the assessment or assessments levied or to be levied against such lot, tract or parcel of land in the payment of the condemnation improvement as the ~~((City))~~ Director of Transportation shall certify to be chargeable to such subdivision or subdivisions in accordance with state law. Upon receipt of a certified copy of a resolution of the legislative authority authorizing such segregation the Director of Finance and Administrative Services ~~((Executive Administration))~~ shall enter such segregation, together with the amount of the bonded interest with respect thereto, upon the assessment records, and upon payment thereof, together with any penalties accruing according to law and any additional interest due with respect to such segregated portion, give a proper receipt; provided that this section shall not authorize the segregation of any assessment which has been delinquent for a period of two ~~((2))~~ years or more, or in any case where it appears that such property, when or as already divided

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

Section 339. Section 20.80.030 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

20.80.030 Authority to contract with professional realtors.

The Director of Finance and Administrative Services ~~((Executive Administration))~~ is authorized on behalf of the City to contract from time to time with professional realtors or real estate appraisers to ascertain for purposes of sale the value of City property acquired in the enforcement and for the protection of local improvement assessment liens, and in such connection the Director ~~((of Executive Administration))~~ is authorized to negotiate the terms of such employment, including the fees therefor, payment of which fees shall be charged to the appropriate item in the annual City budget.

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

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

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

21.04.020 Connection to water supply system -- Application.

Any person desiring to have premises connected with the water supply system of the City shall present at the office of the Seattle Public Utilities a copy of a building permit or a regular

per description; in case of assessment payable in ~~((twenty-))~~20~~((0))~~ annual installments of either principal or interest, ~~((Five Dollars-))~~\$5~~((0))~~ per description, which is the charge for accounting, clerical labor, books and blanks used by the Director of Finance and Administrative Services~~((Executive Administration))~~; provided, however, that when any assessment payable in installments is paid in full within the ~~((thirty-))~~30~~((0))~~ day period fixed by law for the payment of assessments without interest, the Director ~~((of Executive Administration))~~ shall allow a rebate of the ~~((Director of Executive Administration's))~~ charge in this section provided in excess of ~~((One Dollar-))~~\$1~~((0))~~ per description.

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

20.76.200 Payment of local improvement assessments against condemned property.

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

Section 332. Section 20.76.230 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

20.76.230 Offsetting compensation against damages -- Court certificate.

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

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

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

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

the undivided whole. In such instances, upon a recommendation by the Director of Finance and Administrative Services~~((Executive Administration))~~, the City Council shall determine such question of fact. No segregation of any assessment on unplatted lands or large platted tracts shall be made until a plat thereof has been furnished the ~~((City))~~ Director of Transportation by the applicant, showing that the proposed segregation of property will conform to the system of streets as platted in adjacent territory. In all such instances, upon a recommendation by the ~~((City))~~ Director of Transportation, the City Council shall determine such question of fact.

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

C. A fee of ~~((Ten Dollars-))~~\$10~~((00))~~ shall be charged for each tract of land for which a segregation is to be made together with a fee of ~~((Five Dollars-))~~\$5~~((00))~~ per description for each description added to the assessment roll, to defray the reasonable costs of the reasonable engineering and clerical work involved, by such certificate of the ~~((City))~~ Director of Transportation, as approved by City Council resolution. Such fees shall be paid to the Director of Finance and Administrative Services~~((Executive Administration))~~, and shall be deposited in the General Fund.

Section 337. Section 20.80.010 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

20.80.010 Contract for sale of foreclosed property.

The Director of Finance and Administrative Services~~((Executive Administration))~~, is authorized to enter into contracts from time to time for and on behalf of the City for the sale, at not less than the appraised value thereof, determined as provided in Section 20.80.030, or at a price not less than enough to pay all taxes and assessments in full of any real property acquired by the City upon foreclosure of local improvement assessments and of any real property which the City may acquire from King County to protect the lien of any such assessments outstanding against such property, or any part thereof. Any such property shall be sold for cash, or on terms providing for the payment of ~~((one-fifth-))~~1/5~~((0))~~ of the purchase price in cash at the time of execution by the purchaser of the contract of sale and the remainder of such price to be paid in installments over a period not exceeding five ~~((5-))~~ years, with interest on deferred payments at the rate of not less than five percent ~~((5%))~~ per year, or on such terms as may be approved by the City Council. No contract for the sale of any such property shall be valid or binding upon the City unless the same has first been authorized by the City Council by ordinance.

Section 338. Section 20.80.020 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

20.80.020 Deposit on purchase of foreclosed property.

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

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

21.04.050 Connection -- City responsibility.

Upon the presentation at the office of the Director of the Director of Executive Administration's receipt for the installation fees and the execution of the contract provided for in Section 21.04.030, the Director shall cause the premises described in the application, if the same abut upon a street in which there is a City water main, to be connected with the City's water main by a service pipe extending at right angles from the main to the property line, except as provided in Sections 21.04.060, 21.04.070, and 21.04.080. The City connection, which shall include a union placed at the end of pipe, and a stopcock placed within the curbline, shall be maintained by and kept within the exclusive control of the City.

Section 343. Section 21.04.260 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

21.04.260 Accounts to be in name of owner or leaseholder.

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

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

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

21.16.050 Connection -- Notice to owner or occupant.

A. Whenever any land, buildings, or premises are required to be connected with the public sewer system as provided in Section 21.16.040, the Director of Health, upon notice from the Director of Seattle Public Utilities that a connection is accessible, shall serve upon the owner or occupant of the lands, buildings, premises or habitable structures, a notice in writing specifying the time within which such connection must be made, which time shall not be more than ~~((sixty-))~~60~~((0))~~ days from the date of delivery of such notice.

B. If such owner or occupant shall fail or neglect to connect the land, buildings, premises

or habitable structures to the public sewer system within the time specified, the Director of Health shall notify the Director of Seattle Public Utilities, whereupon the Director of Seattle Public Utilities may make such connection and the connection cost plus ~~((fifteen))~~ 15-percent ~~((+15%))~~ thereof, for engineering design and administrative costs, shall be charged to the owner or occupant, and a bill showing the amount thereof shall be mailed or delivered to the owner or occupant, or posted upon the premises, whereupon the amount shall immediately be paid to the ~~((City))~~ Director of Finance and Administrative Services ~~((Executive Administration))~~. The amount of said costs or any portion thereof which becomes delinquent shall immediately become a lien upon the premises and such lien may be foreclosed by the City as provided by State law.

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

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

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

1. Pay a registration fee of \$200 to the Director of the Department of Planning and Development;
2. Successfully complete an oral and written examination administered by the Director of the Department of Planning and Development, or employ an individual who has successfully completed the examination. Each applicant for the oral and written exam must pay to the Director of the Department of Planning and Development an examination fee of \$100 to take the examination required by this subsection;
3. Provide to the Director of the Department of Planning and Development a roster of all individuals employed by the applicant who have passed the examination provided for in subsection A2 of this Section;
4. Provide evidence to the Department of Planning and Development that the applicant possesses a current Washington State Contractor's license;
5. Provide evidence to the Department of Planning and Development that the applicant possesses a current City Business license issued pursuant to Section 5.55.030 of the Seattle Municipal Code;
6. File with the Risk Management Division of the Department of Finance and Administrative Services ~~((Executive Administration))~~ a certificate of insurance that meets the standards of subsection B, and maintain the insurance as required by subsection B;
7. Post with the City Clerk and maintain in full force and effect a bond as required by subsection C of this section;
8. Agree in writing, to defend, indemnify and hold harmless the City from all claims, actions or damages of every kind and description, including reasonable attorney fees and necessary litigation expenses incurred by the City, that may accrue to or be suffered by any person arising out of any opening in any street, alley, avenue or other public place made by the registered contractor or those in the registered contractor's employ, in making any connection with any public or private sewer, or for any other purpose or object associated with side sewer

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posted upon the premises and directed to the owner or occupant of the premises; and in the event the side sewer or drains are not disconnected or reconstructed as required at the expiration of ~~((sixty-))~~60~~(())~~ days the Director of Seattle Public Utilities may disconnect the same and reconstruct it as necessary, and charge the cost plus ~~((fifteen))~~ 15-percent ~~((+15%))~~ thereof, for engineering design and administration costs, to the owner or occupant. Such charges shall be immediately payable to the ~~((City))~~ Director of Finance and Administrative Services ~~((Executive Administration))~~ following a written notice of the amount thereof given to such owner or occupant or posted on the premises. The amount of said costs or any portion thereof which becomes delinquent shall immediately become a lien upon the premises and such lien may be foreclosed by the City as provided by state law. The Director of Seattle Public Utilities may require that the applicant record with ~~((the))~~ King County ~~((Department of Records and Elections))~~ an acceptable instrument agreeing to reconstruct the side sewer if required to do so, and to save the City harmless from all damage or claims resulting to the City by reason of such temporary connection or disconnection, and exhibit to the Director of Seattle Public Utilities the recording number of said instrument.

Section 347. Section 21.16.160 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

21.16.160 Filling of excavations.

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

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

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

21.16.180 Repair of inoperative or inadequate sewer or drain.

Where it is determined by the Director of Health or the Director of Seattle Public Utilities that a side sewer, drain, ditch, or natural watercourse is obstructed, broken, inoperative or inadequate and is a menace to health, or is liable to cause damage to public or private property, the Director of Health and/or the Director of Seattle Public Utilities may give notice to the owner of the side sewer and, if different than the owner of the side sewer, to the owner or occupant of the property in which such condition exists. The owner or occupant shall correct such condition within the time specified in the written notice. If the owner or occupant shall fail to correct such condition within the time specified in such notice, the Director of Seattle Public Utilities may perform such

Services. Nothing contained in this chapter is intended to be nor shall be construed to create or form the basis for any liability on the part of the City, or its officers, employees or agents, for any injury or damage resulting from or by reason of any act or omission in connection with the implementation or enforcement of this chapter on the part of the City by its officers, employees or agents.

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

21.28.020 Administration of utility.

The Director of Seattle Public Utilities, through the Seattle Public Utilities, shall operate and administer drainage and wastewater functions and enforce this chapter and there shall be kept 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.

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

21.28.250 Wastewater charges -- When payable.

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

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

21.28.260 Billing and collection of wastewater charges.

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

the sole negligence of the City; and

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

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

C. Each registered side sewer contractor shall post with the City Clerk and maintain in full force and effect a bond in the sum of \$30,000 (~~(-00)~~) conditioned that the contractor shall replace and restore such street, alley, avenue or other public place as required by ~~(SMC)~~ Section 21.16.280. If a claim is made on the bond, the registered side sewer contractor shall immediately post with the City Clerk a new bond with the same terms and conditions.

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

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

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

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

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

21.16.110 Permit for temporary connection.

The Director of Seattle Public Utilities may, upon receiving an application containing such information as is required by this chapter, issue a permit for a temporary connection to a combined sewer, sanitary sewer, side sewer, storm drain or natural outlet, and may include as a condition to the issuance of a permit a requirement to connect to another combined sewer, sanitary sewer, side sewer, storm drain or natural outlet at some later date. The permit may be revoked by the Director of Seattle Public Utilities at any time upon ~~(sixty-)~~60(~~(0)~~) days' notice

Director of Seattle Public Utilities, plus ~~(fifteen)~~ 15-percent ~~((15%))~~ for administrative costs, shall be charged to the property owner or occupant and shall become immediately payable to the ~~((City))~~ Director of Finance and Administrative Services (~~Executive Administration~~) upon written notice of such amount being given to the property owner or occupant or posted upon the premises. The amount of said costs or any portion thereof which becomes delinquent shall immediately become a lien upon the premises and such lien may be foreclosed by the City as provided by state law.

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

21.24.070 Fee payment.

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

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

21.24.090 Refund of sewer permit fees.

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

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

21.28.010 Sewerage system a public utility.

It is necessary for the public health, safety and welfare that the existing sewerage system of the City, in conjunction with the storm and surface water sewers, together with such extensions, additions and improvements thereto as may from time to time be authorized, continue to be maintained, conducted and operated as a public utility of the City within the Seattle Public Utilities. The Seattle Public Utilities shall have jurisdiction over those properties, interests, and physical and intangible rights of every kind and nature owned or held by the City within its boundaries which comprise or relate to storm and surface water sewers, including all facilities constructed and to be constructed with moneys from the Drainage and Wastewater Fund, formerly the Sewer Improvement Fund, but excepting such properties, interests and rights under the jurisdiction of the Parks and Recreation Department, the Seattle Center Department, the City Light Department and the Department of ~~((Fleet and Facilities))~~ Finance and Administrative

Public Utilities shall have the authority to cut off the water service or supply from the premises to which such rate or charge for wastewater has attached until such rates and charges are paid.

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

21.28.350 Refunds of wastewater charges.

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

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

21.36.087 White goods and bulky items.

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

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

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

D. The Director of Seattle Public Utilities may:

1. Remove all hazardous and toxic constituents, including the recovery of CFCs (chlorofluorocarbons), from white goods delivered to the City recycling and disposal stations and require that the resultant scrap metal not be landfilled;
2. Accept a maximum of two ~~((2))~~ white goods per load at a rate established in subsection A of Section 21.40.080 and subsection D of Section 21.40.080;
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 charges are due and payable with respect to residences or other dwelling units contemporaneously served, and partial payment on any bill will first be credited to amounts due for garbage and rubbish collection services, then to charges for wastewater services, and the balance to outstanding charges for water services. The charges imposed under Sections 21.40.050, 21.40.060, and 21.40.080 shall apply to all residences and other dwelling units, whether occupied or not; provided, however, that where no portion of the premises is being used and occupied as a dwelling place the owner or agent responsible therefor may apply to the Director of Seattle Public Utilities for an adjustment to garbage and rubbish collection charges. In such connection the Director of Seattle Public Utilities may from time to time reduce the liability for such charges upon request therefor whenever he or she is satisfied that the premises are not being used and occupied as a dwelling place. Garbage and rubbish collection charges shall be computed and billed from time to time by the Director of Seattle Public Utilities as a separate charge on the water bill for residences or dwelling units served, and the Director of Seattle Public Utilities shall establish common billing practices and procedures to the extent permitted by law.

B. Garbage and rubbish collection charges shall be against the premises served and when such charges have not been paid within ~~((ninety-0))~~90(0) days after billing, they shall constitute a lien against the residence or dwelling units served. Notice of the City's lien specifying the amount due, the period covered and giving the legal description of the premises sought to be charged may be filed with the County Auditor within the time required and may be foreclosed in the manner and within the time prescribed for liens for labor and material, as authorized by RCW 35.21.140.

C. Penalty interest at the rate of ~~((twelve-0))~~12(0) percent per year, computed monthly, shall be added to garbage and rubbish collection charges imposed under Sections 21.40.050 and 21.40.060 through the combined utility bill, or any part thereof, that become delinquent. Penalty interest shall be imposed on all such charges that remain unpaid ~~((thirty-0))~~30(0) days after their bill date and shall continue until such charges are paid.

line of Denny Way; thence east along said north line to the easterly line of the Central Freeway; thence southerly along said easterly line to the south line of South Jackson Street; thence west along said south line to the east line of Occidental Avenue South; thence south to the south line of South King Street; thence west to the east line of Occidental Avenue South; thence south to the south line of South Connecticut Street; thence west to the west line of Occidental Avenue South; thence north to the north line of South King Street; thence east to the west line of Occidental Avenue South; thence north to the south line of South Jackson Street; thence west along said south line to beginning; also all of the Central Freeway inside the limits of the City lying within the area of limited access as approved by the City by Ordinance ~~((No-))~~ 86152 and such resolutions as have hereto or which may hereafter be approved, defining specifically the limits of the Freeway;

as illustrated by the blueprint map marked Exhibit "A" attached to Ordinance 90695¹ and by this reference made a part of this subchapter and

Beginning at the intersection of the west margin of 15th Avenue N.E. and the south margin of N.E. 50th Street; thence northerly along the westerly margin of 15th Avenue N.E. to the south margin of N.E. 55th Street; thence westerly along the south margin of N.E. 55th Street to the east margin of University Way N.E.; thence southerly along the east margin of University Way N.E. to the south margin of N.E. 50th Street; thence westerly along the south margin of N.E. 50th Street to the northwest corner of Lot 1, Block 1 of McGuire and Holden Addition; thence southerly along the platted centerline of said Block 1 to the north margin of N.E. 47th Street; thence southerly across N.E. 47th Street to the northwest corner of Lot 1, Block 2 of said Addition; thence southerly along the platted centerline of said Block 2 to the north margin of N.E. 45th Street; thence southerly across N.E. 45th Street to the northwest corner of Lot 1, Block A of Brooklyn Supplemental Addition; thence southerly along the platted centerline of said Block A to the north margin of N.E. 43rd Street; thence southerly across N.E. 43rd Street to the northwest corner of Lot 1, Block B of said Supplemental Addition; thence southerly along the platted centerline of said Block B to the north margin of N.E. 42nd Street; thence southerly across N.E. 42nd Street to the northwest corner of lot 1, Block C of Brooklyn Supplemental Addition; thence southerly along the platted centerline of said Block C to the northerly margin of N.E. Campus Parkway; thence easterly along the north margin of N.E. Campus Parkway to the west margin of 15th Avenue N.E.; thence northerly along the westerly margin of 15th Avenue N.E. to the south margin of N.E. 50th Street, the point of beginning; all in the City of Seattle; as illustrated by the blueprint map marked Exhibit "B" attached to Ordinance 90695¹ and by this reference made a part of this subchapter.

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

21.68.030 Undergrounding required.

Everyone owning, using or maintaining any such wires ~~((be, and they))~~ are directed, ordered and required to place the same underground as their interest therein may appear, and at their own cost and expense, and thereafter, at their own cost and expense, to maintain and replace the underground wires as public interest may require and to the satisfaction, and subject to the supervision, of the Seattle Department of Transportation in consultation with the City Light

Department and Seattle Public Utilities, as appropriate ~~((Board of Public Works of the City))~~

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 Seattle City Light and Seattle Public Utilities as appropriate, ~~((the Board of Public Works, 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 369. Section 21.68.100 of the Seattle Municipal Code as last amended by Ordinance 96796 is amended as follows:

21.68.100 CATV connections.

When electrical, telephone, telegraph or CATV or other electric services are available to customers from underground facilities within the district describ~~((i))~~ed in Section 21.68.080, or a part thereof, the owners of the facilities or services shall notify the City Light Department and, under the Department's ~~((Board of Public Works, and, under the Board's))~~ direction and supervision, the owners of the facilities or services shall then notify each such customer and/or property owner within the district, or such part thereof, that such services shall be thereafter available only from such underground facilities. Property owners and/or customers desiring continued electric services within said district, or part thereof, shall within ~~((ninety-0))~~90(0) days of receipt of such notice, provide at their own expense on their own property necessary underground facilities for conducting such services from such underground facilities to any building and structure on their property, and the above notices shall so provide.

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

21.68.130 Area described.

Everyone engaged in the distribution of electric energy by overhead wires and appurtenances or using or maintaining wires and appurtenances for telephone, telegraph, CATV, or other electric service shall at their own expense, subject to the aid and assistance of urban renewal project funds if, or to the extent that, such funds are legally available for such work, remove and place underground all wires and appurtenances used for the purposes stated in this section in the streets, alleys and other public places within the boundaries of the district described in this section, and 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

Ordinance 107614 is repealed.

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

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

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

21.60.450 Connection point.

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

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

21.68.020 Area described.

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

Beginning at the intersection of the south line of South Jackson Street and the west line of Alaskan Way South; thence north along said west line to the westerly line of Alaskan Way; thence northerly along said westerly line to the north line of West Denny Way; thence east along said north line and along the north line of Denny Way to the centerline of Second Avenue North; thence north along said centerline to the centerline of Thomas Street; thence west along last described centerline to the centerline of First Avenue North; thence north along last described centerline to the centerline of Republican Street; thence east along last described centerline to the centerline of Warren Avenue North; thence north along last described centerline to the centerline of Mercer Street; thence east along last described centerline to the centerline of Third Avenue North; thence north along last described centerline to the centerline of Roy Street; thence east along last described centerline to the centerline of Fourth Avenue North; thence south along last described centerline to the centerline of Mercer Street; thence east along last described centerline to the centerline of Fifth Avenue North; thence south along last described centerline to the north

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

21.68.040 Commencement of work.

Everyone owning, using or maintaining such wires be, and they are directed, ordered and required to commence forthwith and to diligently prosecute the work of placing such wires underground 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, as appropriate, ~~((Board of Public Works))~~; provided, however, that in any part of the areas where streets are being paved or repaved, the work shall be completed before such paving or repaving.

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

21.68.050 Restoration of pavement and public utility equipment.

The owners of such wires shall, at their own cost and expense, cause to be restored to good condition and repair, ~~((to the satisfaction of the Board of Public Works))~~, any pavement, sidewalk, sewer, water main, or public utility equipment or facilities disturbed in connection with the work of removing any existing poles supporting the wires referred to in this subchapter in said areas, or in connection with the placing of such wires underground; such restoration and repair to be made pursuant to ordinances relating thereto. 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 367. Section 21.68.060 of the Seattle Municipal Code as last amended by Ordinance 90695 is amended as follows:

21.68.060 Maintenance and replacement of wires.

After said wires have been placed underground, ~~((F))~~ those owning said wires shall, ~~((after the same shall have been placed underground,))~~ in accordance with this subchapter, maintain, remove, move or replace the ~~((same))~~ wires, ~~((or))~~ apparatus, or ~~((the))~~ conduits that contain, ~~((ing the same))~~ or are used in connection ~~((there))~~ with, the wires on order of the Seattle Department of Transportation in consultation with the City Light Department and Seattle Public Utilities, as appropriate, and ~~((Board of Public Works))~~ as the public interest may require, ~~((and to the satisfaction of the Board.))~~

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

21.68.090 Undergrounding required -- Restoration of pavement and public utility equipment.

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

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

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.

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

Section 373. Section 21.68.180 of the Seattle Municipal Code as last amended by

Ordinance 99641 is amended as follows:

21.68.180 Area described.

Everyone engaged in the distribution of electric energy by overhead wires and appurtenances or using or maintaining wires and appurtenances for telephone, telegraph, CATV, or other electric service shall at their own expense, subject to the aid and assistance of urban renewal project funds if, or to the extent that, such funds are legally available for such work, remove and place underground all wires and appurtenances used for the purposes stated in this section in the streets, alleys and other public places within the boundaries of the district described in this section, and 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, as appropriate. ~~(Board of Public Works)~~, said district being bounded and described as follows:

Beginning at the intersection of the centerline of East Yesler Way and a line drawn midway between 28th Avenue and 29th Avenue; thence north along last described midway line to its intersection with the south line of Lots 1 and 2, Block 11, Gamma Poncin's Addition, as recorded in Volume 20 of Plats, page 51, Records of King County, Washington; thence west along said south line and same produced west to its intersection with the centerline of 28th Avenue; thence north along last described centerline to its intersection with the centerline of East Cherry Street; thence east along last described centerline to its intersection with a line drawn midway between 32nd Avenue and 33rd Avenue; thence south along last described midway line to its intersection with the centerline of East Alder Street; thence east along last described centerline to its intersection with the production northwesterly of the northeasterly line of Lot 3, Block 3, Dodge and Dodge Addition, as recorded in Volume 3 of Plats, page 106, Records of King County, Washington; thence southeasterly along said produced and northeasterly line and same produced southeasterly to its intersection with the centerline of Lake Dell Avenue; thence southerly along last described centerline to its intersection with the production north of the centerline of the vacated alley as platted adjoining Block 49 in Yesler's Third Addition as recorded in Volume 6 of Plats, page 41, Records of King County, Washington; thence south along last described centerline and same produced south to its intersection with the centerline of East Yesler Way; thence west along last described centerline to the beginning; and as illustrated by the blueprint map marked Exhibit "A" attached to Ordinance 99641 and by this reference made a part of this subchapter.

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

21.68.190 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

22.208.110 Recovery of costs.

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

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

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

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

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

Section 379. Section 22.220.100 of the Seattle Municipal Code as last amended by Ordinance 120794 is amended as follows:

22.220.100 Downtown Housing Maintenance Account.

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

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

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

C. The moneys in the account are hereby appropriated for the purposes described above

the calculation of the fee for any future year. If review of a project on which a fee has been assessed under this subsection C is canceled, or if review commences on a project that, but for timeliness, would have been included but was not included in the calculation of a fee under this subsection C, the City Budget Director shall adjust the department's total assessable appropriation downwards or upwards, respectively, when establishing the subsequent year's fee.

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

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

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

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

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

22.904.060 License applications.

Applications for mobile home park licenses and renewals thereof shall be made to the Director of Finance and Administrative Services ~~((Executive Administration))~~ upon forms provided by him/her and shall set forth the name and residence address of the applicant, the location of the mobile home park, and the number of mobile home lots to which such license applies. The Director of Finance and Administrative Services ~~((Executive Administration))~~ thereupon shall request the Director of Public Health, the Director of Planning and Development ~~((Construction and Land Use))~~ and the Fire Chief to inspect the premises therein described and the fixtures and

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 ~~(and to the satisfaction of the Board)~~ of the City of Seattle 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 375. Section 21.68.200 of the Seattle Municipal Code as last amended by Ordinance 99641 is amended as follows:

21.68.200 CATV connection.

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

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

21.72.010 Use of City Directors' names prohibited.

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

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

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

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

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

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

Housing from the appropriated account. If the applicable fund is solvent at the time payment is ordered, the Director of Finance and Administrative Services ~~(Executive Administration)~~ may elect to make payment by check, electronic payment, or credit card.

Section 380. Section 22.900D.170 of the Seattle Municipal Code as last amended by Ordinance 120181 is amended as follows:

22.900D.170 Design Commission fees.

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

B. Major City Capital Improvement Projects. Except as specified in subsection D of this section, Design Commission fees shall be assessed at a rate of up to ~~((Three-Tenths of One-))~~0.3(9) percent of the construction cost for major City capital improvement projects (greater than ~~((Ten Million Dollars-))~~\$10,000,000~~((,000))~~ construction budget) for which billing will commence on or before December 31, 1998. The fee shall be set through negotiations with the City Budget Director and the Design Commission. Billing shall occur in accordance with a schedule agreed upon by the City Budget Director and the Design Commission.

- C. 1. For City capital improvement projects, as defined in Section 3.58.020, for which no billing commenced under subsection A or B on or before December 31, 1998, and that do not fall within an exception in subsection D of this section, the City Budget Director, the Design Commission, and each affected City department will attempt to agree on that department's projects, that are expected to be assessed by the Design Commission in the following year. If no agreement is reached by a date established by the City Budget Director, the City Budget Director will establish the list of such projects. The City Budget Director may establish the assessable appropriation of a City capital improvement below the actual appropriation in order that the project not be assessed an unduly high fee relative to the cost of the anticipated Design Commission review.
2. The City Budget Director will assess a uniform fee of up to ~~((9))~~one~~((+))~~ percent of the total of all departments' capital improvement project appropriations for those projects assessable for Design Commission fees. Such fee shall be set so as to be sufficient, when combined with other funding sources, to support the anticipated costs of the Design Commission for the following year, but in no case shall the fee exceed ~~((9))~~one~~((+))~~ percent.
3. The Director of Planning and Development ~~(Design, Construction and Land Use)~~ shall bill each department in the amount determined by the City Budget Director, and that amount shall be paid by fund transfer to the Department Operating Fund.
4. If a capital improvement project's appropriation has been included in a fee assessed under this section, but Design Commission review of that project is delayed into a future year, that appropriation amount shall not be counted again in

premises, fixtures and facilities are constructed, installed, operated and maintained in compliance with this chapter and other applicable ordinances, they shall approve the application and so notify the Director of Finance and Administrative Services ~~(Executive Administration)~~, who shall issue the license. If the Director of Public Health, Director of Planning and Development ~~(Construction and Land Use)~~ or the Fire Chief shall find that the premises, fixtures or facilities are not constructed, installed, operated or maintained in compliance with this chapter or any other applicable ordinance, he/she shall forthwith disapprove the application and so notify the applicant and the Director of Finance and Administrative Services ~~(Executive Administration)~~, citing the reason therefor. If, after ~~((thirty-))~~30(9) days from date of application for a new license, or, in the case of renewal, upon expiration of an existing license, approval of the Director of Public Health, Director of Planning and Development ~~(Construction and Land Use)~~ and the Fire Chief are not forthcoming, the Director of Finance and Administrative Services ~~(Executive Administration)~~ thereupon shall deny the license.

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

22.904.070 License revocation.

Any mobile home park license may be revoked by the Director of Finance and Administrative Services ~~(Executive Administration)~~ in the manner and subject to the procedure provided in the License Code¹ upon the filing with him or her by the Director of Public Health, the Director of Planning and Development ~~(Construction and Land Use)~~ or the Fire Chief of a written notice stating the premises licensed or any fixtures or facilities used therein have become or are unsafe or unsanitary, or that otherwise they are not being operated or maintained in compliance with the provisions of this chapter or any other applicable ordinance.

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

23.22.066 Technical standards for final plat.

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

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

- 8. The initial point;
- 9. All protective improvements and restrictions on uses;
- 10. All dedications and all conveyances to a homeowner's nonprofit maintenance corporation in lieu of dedication.

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

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

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

23.44.051 Bed and breakfasts

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

A. General Provisions.

- 1. The bed and breakfast use must have a business license issued by the Department of Finance and Administrative Services((Executive Administration));
- 2. The bed and breakfast use must be operated by an owner who owns at least a ((fifty-))50-((0-))percent interest in the dwelling in which the bed and breakfast is located;
- 3. An owner who owns at least a ((fifty-))50-((0-))percent interest in the dwelling must reside in the structure in which the bed and breakfast use is located during any period in which rooms are rented to guests;
- 4. No more than two ((2-))people who reside outside the dwelling unit may be employed, with or without compensation, in the operation of the bed and breakfast use;
- 5. The bed and breakfast use is operated within the principal structure, and a bed and breakfast use may not locate in a principal structure that is less than five ((5-))years old;
- 6. There is no evidence of the bed and breakfast use from the exterior of the structure except for a sign permitted by ((S))subsection 23.55.020D,1;
- 7. The bed and breakfast use has no more than five ((5-))guest rooms, provided that this limitation does not apply to bed and breakfasts that were established on or before and have been continuously operated as a bed and breakfast since April 1, 1987; and
- 8. Parking is provided as required in Chapter 23.54.

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

C. Dispersion. Any lot line of property containing any proposed new bed and breakfast use must be located ((one hundred-))600((0-)) feet or more from any lot line of any other bed and breakfast use.

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

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

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

D. Proceeds from fees and charges imposed pursuant to this subchapter shall be transmitted to the ((City)) Director of Finance and Administrative Services ((Executive Administration)) and shall be deposited in the General Fund; provided, that proceeds from fees and charges collected by the Director of Planning and Development((Construction and land use)) shall be deposited in the Department of Planning and Development((Construction and land use)) Fund.

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

25.28.350 Abatement.

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

B. The cost of such work shall be paid from amounts appropriate for abatement purposes. Unless the amount of the costs thereof are repaid within ((sixty-))60((0-)) days of the completion of the work, they shall be assessed against the real property as to which such costs were incurred. Upon certification by the Superintendent to the ((City)) Director of Finance and Administrative Services ((Executive Administration)) of the assessment amount being due and owing, the ((City)) Director of Finance and Administrative Services ((Executive Administration)) shall certify the amount to the county official performing the duties of the County Treasurer, who shall enter the amount of such assessment upon the tax rolls against such real property for the current year to be collected at the same time and with interest at such rates and in such manner as

facilities and maximizing revenue for the City. Approval by the City Budget Director ((of Finance)) is required for agreements where the City's risk for potential loss, excluding the cost of facility rental, exceeds \$50,000.

6. EVENTS PROMOTED BY SEATTLE CENTER

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

AMENDMENTS TO UNCODIFIED ORDINANCES

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

Section 4.

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

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

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

Section 6. The Director of Transportation, the Superintendent of Parks and Recreation, the Director of the Office of Arts and Cultural Affairs, the City Budget Director, the Director of Finance and Administrative Services, the Superintendent of City Light, the Director of Seattle Public Utilities, ((the Director of the Fleets and Facilities Department, the Director of Executive Administration,)) the City Librarian, the Chief Technology Officer, and the Director of the Seattle Center Department are authorized to negotiate for and enter into non-public works contracts, within their appropriation authority, to obtain property and services authorized in Section 4 to carry out those capital projects and programs included in the 2010-2015 Adopted CIP and assigned to their

breakfast use.

D. Neighborhood Mitigation provisions.

1. The owner will make public transit information available to patrons, and the owner's operating plan must describe how the transit information will be made available to patrons.
2. The design of the structure in which the use is located and the orientation of the access will minimize impacts, such as noise, light and parking, to neighboring structures.
3. The owner's operating plan includes quiet hours, limits on programmed on-site outdoor activities, and parking policies to minimize impacts on residential neighbors.
4. The delivery of goods and services associated with the bed and breakfast use are accommodated at a time and in a manner that will limit, to the extent feasible, impacts on surrounding properties.
5. The operating plan shall be distributed to all residents and property owners within ~~((three hundred (-) 300 (-)))~~ feet of the proposed bed and breakfast use. The distributed plan shall reference this Section and provide contact information for the Department of Planning and Development's Review and Inspection Center and contact information for the operator of the bed and breakfast. Applicants for a permit to establish a bed and breakfast use shall provide proof to the Department of Planning and Development that they made a good faith effort to provide the required distribution prior to issuance of a permit establishing the use.

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

25.05.914 SEPA costs and fees.

(See WAC 197-11-914).

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

1. For a threshold determination which requires information in addition to that contained in or accompanying the environmental checklist, a fee in an amount equal to the actual costs and expenses incurred by the City in conducting any studies or investigations necessary to provide such information; provided that the fee shall not be less than ~~((Twenty Dollars (-) \$20 (-)))~~ nor more than ~~((Five Hundred Dollars (-) \$500 (-)))~~;
2. For all private projects requiring an EIS for which the City is the lead agency and for which the responsible official determines that the EIS shall be prepared by employees of the City, or that the City will contract directly with a consultant or consultants for the preparation of an EIS, a fee in an amount equal to the actual costs and expenses incurred by the City in preparing the EIS. Such fee shall also apply when the applicant prepares the EIS, and the responsible official determines that substantial rewriting or reassessing of impacts must be performed by employees of the City to insure compliance with the provisions of the SEPA Guidelines and this subchapter.

year to be collected at the same time and with interest at such rates and in such manner as provided for in RCW 84.56.020, as now or hereafter amended, for delinquent taxes, and when collected, shall be deposited in the General Fund and credited to the Minimum Maintenance Historic Building Fund as provided in Section 25.28.260. The assessment shall constitute a lien against the property of equal rank with state, county, and municipal taxes.

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

5.34 Small Donations

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

AMENDMENTS TO CODIFIED ORDINANCE ATTACHMENTS

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

1. DIRECTOR'S AUTHORITY

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

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

4. SEATTLE CENTER PRODUCTIONS EVENTS

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

5. EVENTS CO-PROMOTED BY SEATTLE CENTER

The Director is authorized to negotiate and enter into agreements as a co-promotion partner for Events in any Facility. For these Events, all sources of Event revenue and Event-related expenses may be shared with the co-promoter. Co-promotion decisions shall be made judiciously for sound business reasons with the intent of achieving Seattle Center goals, increasing use of the

those capital projects and programs included in the 2010-2015 Adopted CIP and assigned to their respective departments or offices.

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

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

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

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

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

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

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

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

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

Section 1. The Department of ~~((Executive Administration))~~ Finance and Administrative Services is hereby authorized to develop and implement a program whereby computer equipment no longer needed by City departments may, after being declared surplus to the City as a whole, be made available to the Seattle School District No. 1 (the "School District") and to not-for-profit private or public community service agencies who will use that equipment to accomplish City goals. Equipment acquired with funding from restricted sources shall be disposed of only in ways permitted by the source of funding; in the case of Seattle Public Utilities and Seattle City Light, surplus computer equipment may be disposed of under this ordinance only after the utility has received from a non-utility source compensation for any true and full value that equipment may

have.

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

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

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

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

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

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

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

SECTION B

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

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

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

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

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

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

Section 4. Levy Revenues.

A. Unless otherwise directed by ordinance, all revenues collected from the additional taxes authorized pursuant to this ordinance shall be deposited in the Low-Income Housing Fund to be used to finance housing for low-income households and otherwise to provide for the housing needs of such households. The Director of Finance and Administrative Services ~~((Executive Administration))~~ is authorized to create other subfunds or accounts within the Low-Income Housing Fund as may be needed or appropriate to implement the purposes of this ordinance.

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

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

funding to support the uses identified in Section 6. The Mayor and the Council will consider any timely recommendations that may have been made by the Oversight Committee.

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

AMENDMENTS TO UNCODIFIED ORDINANCE ATTACHMENTS

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

Attachment A

V. PROGRAM UPDATES

The Director of Finance and Administrative Services ~~((Executive Administration))~~, or his or her ~~((their))~~ designee, shall serve as Program Administrator. The Program Administrator shall periodically review and update this Program to reflect changes in risks to customers and the soundness of the City from Identity Theft. In doing so, the Program Administrator shall consider the City's experiences with Identity Theft situations, changes in Identity Theft methods, changes in Identity Theft detection and prevention methods, and changes in the City's business arrangements with other entities. After considering these factors, the Program Administrator will determine whether changes to the Program, including the listing of Red Flags, are warranted. If warranted, the Program Administrator will update the Program or present the City Council with his or her recommended changes and the City Council will make a determination of whether to accept, modify or reject those changes to the Program.

Section 402. Each reference in previously-enacted uncodified ordinances to "Purchasing Agent," "Department of Administrative Services," "Director of Administrative Services," "Department of Licenses and Consumer Affairs," "Director of Licenses and Consumer Affairs," "Executive Services Department," "Director of Executive Services," "Department of Executive Administration," "Director of Executive Administration," "Fleets and Facilities Department," "Fleets and Facilities Director," or "Board of Public Works," unless otherwise specified in this ordinance shall be deemed to be a reference to "Department of Finance and Administrative Services" or "Director of Finance and Administrative Services" as may be applicable, except where the historical reference to "Purchasing Agent," "Department of Administrative Services," "Director of Administrative Services," "Department of Licenses and Consumer Affairs," "Director of Licenses and Consumer Affairs," "Executive Services Department," "Director of Executive Services," "Department of Executive Administration," "Director of Executive

point of sale terminal transaction services for the payment of ~~((e))~~ City imposed fines, fees, and taxes.

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

Section 3. Cost. Each department authorized by the Director of ~~((Executive Administration))~~ Finance and Administrative Services to accept point of sale "debit card" terminal transactions shall be responsible for any related costs incurred for accepting point of sale "debit card" terminal transaction cards for payment of City-imposed fines, fees, and taxes that it collects or that are collected on its behalf. The Department of ~~((Executive Administration))~~ Finance and Administrative Services will deduct any related charges from amounts credited to each department's revenue account.

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

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

Section 2. Authority to approve departments and set limits. Effective upon execution of the agreement authorized in Section 1, the Director of ~~((Executive Administration))~~ Finance and Administrative Services is authorized, in his or her discretion, to approve a city department or city departments to accept credit cards for the payment of city imposed fines and fees without such approval. The Director of ~~((Executive Administration))~~ Finance and Administrative Services is further authorized to establish appropriate business practices and set any limitations concerning the acceptance of credit cards on participating departments.

create other subfunds or accounts as may be needed to implement the purposes of this ordinance.

Section 7. Oversight Committee.

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

The Oversight Committee shall consist of ~~((fifteen (15)))~~ ~~((6))~~ ~~((15))~~ members: a City Council member (the Chair of the City Council's Transportation Committee or its successor committee with responsibility for transportation), the City Budget Director ~~((of Finance))~~, one representative each chosen by and from among the respective members of the Seattle Pedestrian Advisory Board, Seattle Bicycle Advisory Board and Seattle Freight Advisory Committee, five ~~((5))~~ Seattle residents appointed by the City Council and five ~~((5))~~ Seattle residents appointed by the Mayor.

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

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

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

Executive Services," "Department of Executive Administration," "Director of Executive Administration," "Fleets and Facilities Department," "Fleets and Facilities Director," or "Board of Public Works," is called for by context.

MISCELLANEOUS PROVISIONS

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

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

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

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

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

Section 408. It is the express intent of the City Council that, in the event a subsequent ordinance refers to a position or office that was abolished by this ordinance, that reference shall be deemed to be to the new position or office created by this ordinance, and shall not be construed to resurrect the old position or office unless it expressly so provides by reference to this ordinance.

Section 409. It is the express intent of the City Council that, in the event a subsequent ordinance refers to or amends a section or subsection of the Seattle Municipal Code or a previously enacted ordinance that is amended or recodified herein, but the later ordinance fails to account for the change made by this ordinance, the two sets of amendments should be given effect together if at all possible.

Section 410. This ordinance does not affect any existing right acquired or liability or obligation incurred under the sections amended or repealed in this ordinance or under any rule or order adopted under those sections, nor does it affect any proceeding instituted under those sections.

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

Section 412. Any act consistent with the authority and prior to the effective date of this ordinance is ratified and confirmed.

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

Passed by a two-thirds (2/3) vote of all the members of the City Council the 26th day of July, 2010, and signed by me in open session in authentication of its passage this 26th day of July, 2010.

RICHARD CONLIN,

President of the City Council

Approved by me this 30th day of July, 2010.

MICHAEL MCGINN,

Mayor.

Filed by me this 30th day of July, 2010.

(Seal) JUDITH E. PIPPIN,

City Clerk.

Exhibit 1: Expenditure Allowances By Budget Control Level

(Amendments to Attachment A of Budget Adoption Ordinance 123177.

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