

Title 3

ADMINISTRATION

Subtitle I Administrative Code

Chapter 3.02

ADMINISTRATIVE CODE

Sections:

- 3.02.090 Hearings in contested cases.
- 3.02.125 Hearing Examiner appeal filing fees.

3.02.090 Hearings in contested cases.

A. In any contested case all parties shall be afforded an opportunity for hearing after not less than twenty days' notice in writing; provided that a hearing may be set on shorter notice where substantial injury to a party would otherwise result; provided further, that unless otherwise provided by ordinance or rule, no hearing shall be required in any case except upon the demand of a party. Notice of hearing shall be accompanied by a filing fee as established by ordinance, which the Hearing Examiner shall ensure is received by the City Treasurer.

B. Notice of such hearing shall include:

1. A statement of the time, place and nature of the proceeding;
2. A statement of the legal authority and jurisdiction under which the hearing is to be held;
3. A reference to the particular sections of the ordinance and rules involved;
4. A short and plain statement of the matters asserted.

If the agency or other party is unable to state the matters in detail at the time the notice is served, the initial notice may be limited to a statement of the issues involved, and thereafter upon request, a more definite and detailed statement shall be furnished.

C. Notice shall be given in person or by mail to each party, or may be transmitted through regular messenger service to any agency, officer, or employee of the city. Additional notice may be required by ordinance or rule.

D. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

E. Unless precluded by law, informal disposition may be made of any contested case by

stipulation, agreed settlement, consent order, or default.

F. The record in a contested cause shall include:

1. All pleadings, motions, and intermediate rulings;
2. Evidence received or considered;
3. A statement of matters officially noticed;
4. Questions and offers of proof, objections, and ruling thereon;
5. Proposed findings and conclusions;
6. Any decision, opinion, or report by the examiner presiding at the hearing.

G. Oral proceedings shall be electronically recorded. A copy of the record or any part thereof shall be transcribed and furnished to any party to the hearing upon request therefor and payment of the reasonable costs thereof.

H. Findings of fact shall be based exclusively on the evidence and on matters officially noticed.

I. Each agency shall adopt appropriate rules of procedure consistent with this chapter and other applicable ordinances for notice, hearing and agency review of contested cases.

J. The examiner presiding at the hearing shall admit and give probative effect to evidence which possesses probative value commonly accepted by reasonably prudent men in the conduct of their affairs, and shall give effect to the rules of privilege recognized by law.

K. All evidence, including records and documents in the possession of the agency which the examiner desires to consider, shall be offered and made a part of the record in the case, and no other factual information or evidence shall be considered in the determination of the case.

L. Examiners may take notice of judicially cognizable facts and of general, technical, or scientific facts within their specialized knowledge in the evaluation of the evidence presented to them; provided, that parties shall be notified during the hearing, or by reference in preliminary reports or otherwise, of the material so noticed, and they shall be afforded an opportunity to contest the facts so noticed.

M. Every party shall have the right of cross-examination of witnesses who testify, and shall have the right to submit rebuttal evidence. (Ord. 108650 § 1, 1979; Ord. 102228 § 8, 1973.)

3.02.125 Hearing Examiner appeal filing fees.

Filing fees for appeals to the City Hearing Examiner are as follows:

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Basis of Appeal	Fee
Zoning Ordinance (86300) appeal from variance, conditional use, special exception, and sign variance decisions	\$25.00
License Code (48022)	25.00
Fair Employment Practices Ordinance (102562)	No fee
Open Housing Ordinance (104839)	No fee
Cable Television Ordinance (105427)	No fee
Short Subdivisions (105636)	\$25.00
State Environmental Policy Act (SEPA) (105735)	25.00
Special Review Districts (86300)	25.00
Ballard Avenue Landmark District (100475)	25.00
Columbia City Landmark District (107679)	25.00
Pike Place Market Historical District (100475)	25.00

Type of Appeal	Fee
Relocation Assistance Housing Code (106319)	No fee
Noise Ordinance (106360)	\$25.00
Landmarks Preservation (106348)	25.00
Pioneer Square Minimum Maintenance Ordinance (107323)	No fee
Grading Ordinance (108080)	\$25.00
Seizure of Vehicles (RCW 69.50.505(a)(4))	No fee
B & O Tax Deficiency (72630) (Ord. 109524 § 1, 1980; Ord. 108861 § 1, 1980; Ord. 108649 § 1, 1979.)	25.00

Subtitle II Departments and Offices

Chapter 3.06

DEPARTMENT OF CONSTRUCTION AND LAND USE

Sections:

Subchapter I Department Regulations

- 3.06.010 Department created.
- 3.06.020 Director—Appointment and removal.
- 3.06.030 Director—Powers and duties.
- 3.06.040 Director—Agreements, rules and regulations.
- 3.06.050 Director—Fees and charges.

- 3.06.060 Transfer of Building Department responsibilities.
- 3.06.070 Land use duties transferred.
- 3.06.080 Continuation of rules and regulations.
- 3.06.090 Successor to Building Department.

Subchapter II Leases

- 3.06.100 Authority to negotiate and execute leases.
- 3.06.120 Reimbursement of Administrative Services Fund.

3.06.010 Department created.

As of June 4, 1980, there is created a Department of Construction and Land Use for the purpose of administering city ordinances which regulate building construction, the use of land, and housing.
(Ord. 109124 § 1, 1980.)

3.06.020 Director—Appointment and removal.

The Director of Construction and Land Use shall be appointed by the Mayor and confirmed by a majority of the City Council subject to reappointment and reconfirmation every four years; and the Mayor may at any time remove the Director of Construction and Land Use upon filing a statement of reasons therefor with the City Council.
(Ord. 109124 § 2, 1980.)

3.06.030 Director—Powers and duties.

As of June 4, 1980, the Director of Construction and Land Use, under direction of the Mayor, shall manage the Department of Construction and Land Use, appoint, assign and dismiss all employees in conformance with the city's personnel ordinances and rules, and perform the following functions:

A. Enforcing building ordinances of the city, including but not limited to the provisions of the Building Code, the Electrical Code, the Mechanical Code, the Housing Code, the Zoning Ordinance and Litter Ordinance, the Minimum Maintenance Ordinance, the Condominium Conversion Ordinance, the Energy Code, the Grading Ordinance, and appropriate regulations;

B. Processing applications for construction permits, for grading permits, for use permits, for zoning exceptions, for subdivisions and for other land use approvals, including those related to shorelines management, but excluding those related to design review and historic preservation;

C. Conducting reviews of the effects of proposed projects on the environment, as contemplated in the State Environmental Policy Act and city ordinances;

D. Promoting the conservation of the city's housing stock;

E. Maintaining appropriate records regarding property, permits and structures;

F. Closing out the remaining responsibilities of the Building Department, not transferred to other departments, as authorized in the 1980 budget of the Building Department; and

G. Discharging such other responsibilities as may be directed by ordinance.

The Director shall consult on all matters of structural strength and design with an assistant who is a licensed structural engineer or architect with at least five years' experience in the practice of his/her profession, unless the Director possesses such qualifications.
(Ord. 109124 § 3, 1980.)

3.06.040 Director—Agreements, rules and regulations.

As of June 4, 1980, the Director of Construction and Land Use is authorized to enter into such agreements, including interdepartmental agreements, consistent with provisions of law and the City Charter,¹ as he or she shall deem appropriate for carrying out the responsibilities, functions, and activities of the Department of Construction and Land Use and may establish such rules, procedures and regulations, consistent with this chapter and other ordinances, as may appear necessary and proper.
(Ord. 109124 § 4, 1980.)

1. Editor's Note: The Charter is included at the beginning of this Code.

3.06.050 Director—Fees and charges.

The Director of Construction and Land Use shall charge such fees for licenses, permits, inspections, reviews and other services and approvals as may be provided by ordinance.
(Ord. 109124 § 6, 1980.)

3.06.060 Transfer of Building Department responsibilities.

As of June 4, 1980, all of the responsibilities, books, papers, properties, equipment, rights and contractual and other obligations of the Building Department which have not been transferred to the Departments of Community Development

and Administrative Services are transferred to the Department of Construction and Land Use. Employees filling positions at the time of transfer shall continue employment in such positions without interruption of service. The Building Department and the Building Department Operating Fund are abolished as of June 4, 1980 and as of December 31, 1980 respectively, and assets and liabilities which are attributable to those activities of the Building Department transferred to the Department of Construction and Land Use are transferred to and shall become assets and liabilities of the Department of Construction and Land Use and of the Construction and Land Use Fund.
(Ord. 109124 § 7, 1980.)

3.06.070 Land use duties transferred.

As of June 4, 1980, the responsibilities associated with analyses, reports, presentations and other activities related to the processing of applications for variances, conditional uses and other matters under the Zoning Ordinance (86300), the Subdivision Ordinance (105636),¹ the State Environmental Policy Act and related city ordinances, the Shorelines Management Act and other legislation relating to land use regulation heretofore assigned to the Technical Review Section of the Environmental Management Division of the Department of Community Development are transferred to the Department of Construction and Land Use along with the obligations associated with the accomplishment of such responsibilities; provided, that the responsibility for providing staff support to the Board of Adjustment and conducting zoning studies and preparing zoning text amendments shall continue to be the responsibility of the Environmental Management Division of the Department of Community Development. Employees filling positions at the time of transfer shall continue employment in such positions without interruption of service. All equipment, furniture, maps, books, supplies, files and other appurtenances used by employees transferred from the department of Community Development to the Department of Construction and Land Use shall be transferred similarly.
(Ord. 109124 § 9, 1980.)

1. Editor's Note: The Zoning and Subdivisions Ordinances are codified in Title 24 of this Code.

3.06.080 Continuation of rules and regulations.

All rules, regulations and procedures in effect as of June 3, 1980, with respect to the activities carried on by, and being transferred to the Department of Construction and Land Use from, the Building Department and the Department of Community Development shall continue to be in effect until superseded by new rules, procedures and regulations adopted in conformance with the Administrative Code (Ordinance 102228, as amended)¹ or other applicable law.
(Ord. 109124 § 17, 1980.)

1. Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.

3.06.090 Successor to Building Department.

As of June 4, 1980, the Department of Construction and Land Use is designated to be the successor agency, under direction of the Mayor, to the Building Department with respect to enforcing building ordinances of the city, including but not limited to the Building Code, the Electrical Code, the Mechanical Code, the Housing Code, the Zoning Code and Litter Ordinance, the Minimum Maintenance Ordinance, the Condominium Conversion Ordinance, the Energy Code, the Grading Ordinance, and appropriate regulations; enforcing city ordinances, contracts and rules relating to the Building Department for activities not transferred from the Building Department to the Department of Community Development or the Department of Administrative Services; and carrying out all other activities of the Building Department not transferred from the Building Department. All responsibilities, agreements, obligations, benefits and billings of the Building Department and the Building Department Operating Fund with respect to the activities of the Code Enforcement, Housing Conservation and Administrative Services Divisions of the Building Department shall be deemed to be responsibilities, agreements, obligations, benefits and billings of the Department of Construction and Land Use and of the Construction and Land Use Fund.
(Ord. 109124 § 18, 1980.)

Subchapter II Leases**3.06.100 Authority to negotiate and execute leases.**

Except as provided in Section 3.06.120, the Director of Administrative Services is authorized to negotiate and to enter into new interim leases and extensions of existing leases for all property heretofore acquired for various city programs and projects, and under the management of the Department of Administrative Services, and to execute for and on behalf of the city all necessary documents in connection therewith; provided, that:

A. The new leases shall be substantially in the form of the agreement identified as "LEASE AGREEMENT" and codified at the end of this chapter; and

B. The total term of any new lease together with all extensions of the initial term thereof, and the total term of any existing lease together with all extensions of the term thereof, shall not exceed three years in duration; provided, however, that this limitation shall not restrict the authority of the Director of Administrative Services to negotiate and to enter into new leases for the same property with the same tenant upon terms and conditions different from any earlier lease pertaining to such property; and

C. The consideration to be paid to the city for the leases and lease term extensions shall be in the form of legal tender of the United States of America or services rendered to or for the benefit of the city, or a combination thereof, in such amounts or value as shall be reasonable under the circumstances considering the negotiated terms of the occupancy or use, condition of the premises, and current rental rates for similar property in the vicinity.
(Ord. 109118 § 2, 1980; Ord. 107634 § 1, 1978.)

3.06.120 Reimbursement of Administrative Services Fund.

To provide for the reimbursement of the Administrative Services Fund for expenses incurred in the maintenance, repair, and administration of the property leased pursuant to the authority of this subchapter, the City Treasurer is authorized and directed to deduct from the rental payments received from the leasing of such property amounts equal to such expenses of the Department of Administrative

Services, to deposit such amounts in the Administrative Services Fund, and to deposit the remainder of such funds (if any) in the fund from which money was expended to acquire said property. (Ord. 109118 § 3, 1980; Ord. 107634 § 3, 1978.)

Chapter 3.10

DEPARTMENT OF COMMUNITY DEVELOPMENT

Sections:

Subchapter I Department Regulations

- 3.10.010 Department created—Duties.
- 3.10.020 Director—Appointment and duties.

Subchapter I Department Regulations

3.10.010 Department created—Duties.

There is created a Department of Community Development to administer the city's Comprehensive Plan; to provide the city with long, intermediate, and short-range development guidelines through direction of the Capital Improvement Program; to review and make recommendations regarding building codes administration; to administer joint private and public development projects such as urban renewal; and to cooperate with citizens for neighborhood planning. (Ord. 97473 § 1, 1969.)

3.10.020 Director—Appointment and duties.

A. There shall be a director of said department to be appointed by the Mayor, subject to confirmation by a majority vote of all members of the City Council, and such director, whose office shall not be included in the classified civil service, may be removed by the Mayor, upon filing a statement of his reasons therefor with the City Council; provided that no appointment shall be made under the authority of this section except upon the filing by the Civil Service Commission as a permanent record in the office of the City Comptroller, of its recommendation that such office, as a professional or administrative office or position similar to offices and positions designated in Article XVI Section 11 of the City Charter, should not be included in the classified civil service.

B. The director shall be the head of the

Department of Community Development, and shall be responsible for the administration of the Department of Community Development, and he shall:

1. Supervise and direct the City Planner;
2. Manage, control, and be responsible for federally assisted urban renewal projects, and in such connection shall:
 - a. Prepare application for federal financial and other assistance,
 - b. Prepare urban renewal plans and enter into contracts for professional and other expert and temporary services in connection therewith,
 - c. Undertake and carry out urban renewal projects as authorized by ordinance and enter into contracts for necessary professional and other expert services in such connection,
 - d. Schedule and coordinate project improvements within urban renewal areas in cooperation with appropriate public authorities, and
 - e. Lease or rent site offices for proposed or approved urban renewal projects; all subject to and consistent with the State Constitution and law and the Charter of the city;
3. Prepare and submit to the appropriate agencies such applications for intergovernmental cooperative projects as shall be authorized by the Mayor and City Council;
4. Develop policy recommendations concerning zoning and building codes;
5. Coordinate and direct the Capital Improvement Program;
6. Appoint, remove, supervise, and control all officers and employees of the Department of Community Development in accordance with civil service rules and regulations;
7. Manage the preparation of the proposed annual budget of the Department of Community Development, authorize necessary expenditures and supervise the maintenance of adequate accounting systems and procedures; and
8. Through the Mayor, make periodic reports to the City Council of the operations of the Department of Community Development. (Ord. 97473 § 2, 1969.)

Ordinance codes adopted that year
For current SMV codes contact the Office of the City Clerk

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Chapter 3.12

ENGINEERING DEPARTMENT

Sections:

Subchapter I Department Regulations

3.12.030 Director's duties.

Subchapter I Department Regulations

3.12.030 Director's duties.

Under the direction of the Mayor, the functions of the Director of Engineering include:

A. Making engineering surveys, maps, profiles, plans, specifications, estimates and reports as required by the city;

B. Laying out, directing and supervising the construction of public works required by the city within the city and on property belonging to or controlled by the city, except as otherwise provided by ordinance placing such responsibility in another department;

C. Superintending, managing, constructing, repairing, maintaining, cleaning and controlling bridges, wharves, streets, gutters, sidewalks, sewers and drains, and solid waste facilities of the city, subject to the Street Use Ordinance (90047);¹

D. Enforcing and implementing city ordinances, contracts, and rules that relate to the Engineering Department;

E. Appointing, supervising and controlling the officers and employees of the Engineering Department subject to personnel ordinances and rules of the city;

F. Conducting transportation planning; coordinating with and assisting the Municipality of Metropolitan Seattle (METRO) in transit activities; participating in regional transportation planning; operating programs and activities to reduce traffic congestion, including among other activities, encouragement of carpools, vanpools, ride sharing, the use of transit or traveling at other than peak hours, and furthering bicycling and other modes of travel; and managing and promoting the Waterfront Streetcar;

G. Managing, controlling, operating and maintaining the municipal sewerage utility system;

H. Managing, controlling, operating and maintaining the municipal solid waste utility and resource recovery programs and projects;

I. Maintaining a repository of city survey, graphic, climatic, soils and engineering records; of plans and construction notes of all work in street area; and city activities and contracts affecting drainage and the city's rights and duties with respect to stream flows and riparian rights within the city;

J. Performing such other functions as assigned by the city.

If the Director does not possess at least ten years' experience in civil engineering, he shall appoint and consult on all engineering matters with an assistant who is a professional engineer and has such experience.

(Ord. 109480 § 2, 1980: Ord. 107789 § 3, 1978.)

1. Editor's Note: The Street Use Ordinance is codified in Title 15 of this Code.

Chapter 3.14

EXECUTIVE DEPARTMENT

Sections:

Subchapter III Energy Office

3.14.300 Established—Duties.

3.14.310 Director—Appointment.

3.14.320 Director—Duties.

Subchapter V Office of Management and Budget

3.14.500 Repealed.

3.14.510 Repealed.

3.14.515 Electronic data processing plan—Preparation.

3.14.520 Repealed.

3.14.530 Repealed.

3.14.540 Repealed.

3.14.550 Repealed.

3.14.560 Repealed.

3.14.570 Electronic data processing plan—Modification.

Subchapter VII Office of Policy and Evaluation

3.14.700 Office created—Functions.

3.14.710 Director—Appointment.

3.14.720 Director—Duties.

3.14.730 Accounting and financial management.

3.14.740 Obligations of Office of Policy Planning.

Subchapter IX Office for Women's Rights

- 3.14.900 Office established—Purpose.
- 3.14.910 Director—Appointment.
- 3.14.920 Seattle Women's Commission—Established—Membership.
- 3.14.930 Commission—Duties.
- 3.14.940 Commission—Organization—Adoption of rules.
- 3.14.950 Transfer of employees and records.

Subchapter III Energy Office

3.14.300 Established—Duties.

In order to promote and implement sound energy management policies, programs, and practices for the most efficient use of all forms of energy, an Energy Office is established in the Executive Department to perform the following duties and functions, consistent with adopted city goals and policies:

A. To prepare an annual energy plan, with assistance from all appropriate city departments and agencies, for the purposes of:

1. Promoting the development and adoption of energy management goals and policies and helping ensure the allocation of resources necessary to implement those goals and policies, and

2. Coordinating the implementation of city energy programs and helping to ensure that city energy policies are carried out in a timely and effective manner,

3. Providing the Mayor, the City Council, and the general public with the documentation and other information needed to assess the city's progress toward achieving the city's energy goals;

B. To direct or coordinate program planning and development for interdepartmental energy issues and for energy issues not clearly appropriate for a city department, taking care to complement the efforts of other city departments;

C. To conduct or coordinate energy research, as appropriate, in support of the city's energy management goals and policies;

D. To participate in the development of the city's energy management goals and policies, and to coordinate significant energy management activities undertaken by the city;

E. To work in close cooperation with the City Light Department in developing electric energy management programs;

F. To work in close cooperation with the City Light Department and the Office of Intergovernmental Relations to coordinate the city's energy management activities with respect to other agencies, jurisdictions, and institutions, including the development of applications for grant funds relating primarily to energy management;

G. To provide objective information to the general public regarding energy management, including information on all city energy goals, policies, and programs, as appropriate;

H. To coordinate the development, implementation, and maintenance of a municipal government energy management program, with assistance from all city departments;

I. To coordinate the continued development of revisions to Seattle's structure-related codes to incorporate energy conservation measures, in new and existing buildings, with specific technical and staff support from the Department of Construction and Land Use and the City Light Department; and to participate in the review and development of federal, state, and other local government building and energy codes and standards;

J. To develop contingency plans in the event of future disruptions in the supplies of oil or natural gas;

K. To accomplish other tasks identified or assigned by the Mayor and City Council as part of the city's energy management policies and programs. (Ord. 109313 § 1, 1980; Ord. 106214 § 1, 1977.)

3.14.310 Director—Appointment.

To carry out the duties and functions of the Energy Office established in Section 3.14.300, there is created in the Executive Department the position of Director of the Energy Office at a salary rate provided in the Salary Ordinance.¹ The Director, whose position shall not be included in the classified civil service, shall be appointed by the Mayor, subject to confirmation by the City Council, and may be removed by the Mayor.

(Ord. 109313 § 2(part), 1980; Ord. 106214 § 2(part), 1977.)

1. Editor's Note: The Salary Ordinance is on file in the office of the City Clerk.

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3.14.320 Director—Duties.

The Director of the Energy Office shall be the head of the Energy Office and shall be responsible for the administration of the Office and the performance of its duties and functions. The Director shall:

A. Appoint, remove, supervise, and control all officers and employees of the Energy Office in accordance with civil service laws and rules;

B. Manage the preparation of the proposed annual budget of the Energy Office, authorize necessary expenditures, and supervise the maintenance of adequate accounting systems and procedures;

C. Through the Mayor, make periodic reports to the City Council concerning the status of the Energy Office's activities; and

D. Have such other and further powers as shall be prescribed by ordinance.
(Ord. 109313 § 2(part), 1980; Ord. 106214 § 2(part), 1977.)

Subchapter V Office of Management and Budget**3.14.500 Data Processing Center—Administration.**

Repealed by Ordinance 109576.

3.14.510 Data processing services—Supervision.

Repealed by Ordinance 109576.

3.14.515 Electronic data processing plan—Preparation.

The Director of Administrative Services, with the concurrence of the Budget Director, is authorized and directed to prepare annually a three-year electronic data processing plan and submit such plan to the City Council for approval coincidentally with the annual city budget. The electronic data processing plan shall contain for each such three-year period:

A. Data processing goals, objectives and policies;

B. Planning policy guidelines describing the procedure to be used in developing appropriate annual cost levels for departmental and overall city data processing expenditures;

C. A descriptive schedule of systems being developed and proposed new systems;

D. A fully documented inventory of existing systems and equipment;

E. Proposed annual data processing expenditures for each city department for each existing system, system being developed and new system;

F. Cost-benefit justification and relative priority for each system being developed and proposed new system;

G. A description of plans for equipment upgrade, major changes in software, organization, staffing levels, and sharing of data processing resources with other public and private agencies;

H. A summary of the data processing budget proposed for the first year of the plan, describing interdepartmental charges for data processing services; and

I. An evaluation of the prior year's data processing activities and costs.

(Ord. 109576 § 5, 1980; Ord. 105296 § 5, 1976.)

3.14.520 Data Processing Advisory Committee—Membership.

Repealed by Ordinance 109576.

3.14.530 Committee—Duties.

Repealed by Ordinance 109576.

3.14.540 Committee—Assistance and staff.

Repealed by Ordinance 109576.

3.14.550 Committee—Meetings.

Repealed by Ordinance 109576.

3.14.560 Budget Director to establish rates for data processing services.

Repealed by Ordinance 108656.

3.14.570 Electronic data processing plan—Modification.

The Budget Director is authorized, within the constraints for budget modification provided in Ordinance 100895,¹ to approve or disapprove requests by department heads to modify and amend the data processing plan by adding, changing or deleting their departmental projects. The Budget Director shall publish a record of such changes, and shall furnish to the City Council a copy thereof.
(Ord. 108656 § 5, 1980.)

1. Editor's Note: Ordinance 100895 is codified in Chapter 5.08 of this Code.

Subchapter VII Office of Policy and Evaluation**3.14.700 Office created—Functions.**

As of January 1, 1980, there is established in

the Executive Department an Office of Policy and Evaluation. The purposes of this office are to develop broad policy recommendations, including policies to guide resource allocations, coordinate expanded program planning activities of the departments, conduct policy review and analysis, and undertake policy evaluations. Specific function of the Office of Policy and Evaluation shall include:

A. Ensuring that procedures and systems are designed to facilitate the identification and performance of major policy planning and evaluation priorities; and helping to ensure that adopted city policies and plans are represented in planning guidelines, program plans, and resource allocations;

B. Developing and coordinating the preparation of policies and reviewing the plans and evaluating the programs of the city and other public and private agencies pertaining to energy, land use, transportation, environmental quality, natural resources, and utilities;

C. Developing and coordinating the preparation of policies, and reviewing the plans and evaluating the programs of the city and other public and private agencies pertaining to community and economic development, health, human services, housing, and other matters related to the role of city government;

D. Examining relevant crime data; performing crime specific problem analyses; identifying strategies to reduce crime, increase public safety, and improving the criminal justice system; recommending crimes for priority attention by the city; developing criminal justice projects based on demonstration strategies; and making recommendations for city policies and programs based on the results of project evaluations and other policy development analyses.

(Ord. 108735 § 1, 1979.)

3.14.710 Director—Appointment.

The Director of the Office of Policy and Evaluation shall be appointed by the Mayor, subject to confirmation by a majority vote of all members of the City Council. As of January 1, 1980, pending permanent appointment of the Director under the authority of this section, the Mayor is authorized to appoint a person to act as the Director for the period of sixty days. Thereafter, the Mayor may appoint another temporary Director, or reappoint the person initially appointed as temporary Director, for

successive sixty-day periods, all subject to the approval of the City Council. (Ord. 108735 § 2, 1979.)

3.14.720 Director—Duties.

Under the direction of the Mayor, the Director of the Office of Policy and Evaluation shall perform the following duties:

A. To design the processes by which major planning, policy development, and evaluation priorities are formulated in the Executive Branch and prepare the Mayor's proposal for the Annual Policy and Planning Agenda. Such agenda shall be adopted jointly by the Mayor and City Council. It shall set forth issues to be addressed, and the dates on which discrete work products shall be completed and available for consideration by the Mayor and City Council;

B. To maintain records and report to the Mayor and City Council on the status of major city planning, policy development, and evaluation activities represented in the Annual Policy and Planning Agenda;

C. To coordinate the preparation of the Housing and Community Development Block Grant Plan, design the process for and manage the project review and allocations, and oversee the preparation of the Housing and Community Development Block Grant Application;

D. To analyze Seattle's criminal justice and juvenile justice system, develop strategies for resolving the major problems and issues affecting those systems, and develop the annual Seattle Criminal Justice Plan;

E. To appoint, remove, supervise, and control all officers and employees of the Office of Policy and Evaluation in accordance with the city's personnel laws and rules; and

F. To manage the preparation of the proposed annual budget of the Office of Policy and Evaluation, authorize necessary expenditures, and supervise the maintenance of adequate accounting systems and procedures. (Ord. 108735 § 3, 1979.)

3.14.730 Accounting and financial management.

The Director of the Office of Policy and Evaluation is authorized to enter into agreement with the Director of the Department of Community Development to serve such accounting and other financial management services as the Director of the Office of Policy and Evaluation shall deem necessary and appropriate. (Ord. 108735 § 5, 1979.)

3.14.740 Obligations of Office of Policy Planning.

All financial and contractual obligations, including all liabilities and assets of the Office of Policy Planning and grants awarded to the Office of Policy Planning, shall become obligations of the Office of Policy and Evaluation. (Ord. 108735 § 6, 1979.)

Subchapter IX Office for Women's Rights

3.14.900 Office established—Purpose.

There shall be established in the Executive Department an Office for Women's Rights to study and act to identify and relieve the problems of women's rights; to recommend policies to all departments and divisions of city government in matters affecting women's rights; to recommend legislation for the implementation of such programs and policies; and to provide staff support for the Seattle Women's Commission. The Office for Women's Rights shall address issues of concern to sexual minorities.

(Ord. 109114 § 1, 1980.)

3.14.910 Director—Appointment.

There shall be a Director of the Office for Women's Rights who shall be appointed by the Mayor, who may, but is not required, to make such appointment from among those persons, not less than three in number, recommended for appointment by the Women's Commission. Such appointment shall be subject to confirmation by a majority vote of all members of the City Council. The Director of the Office for Women's Rights shall not be included in the classified civil service.

The Director of the Office of Women's Rights shall be the head of and responsible for the administration of the office and in connection with such administration shall have duties and responsibilities including but not limited to the following:

A. Undertake all activities consistent with the purpose of the Office of Women's Rights;

B. For the governance and control of the Office for Women's Rights;

C. Appoint, remove, supervise, and control officers and employees in the Office for Women's Rights;

D. Provide staff support for the Seattle Women's Commission; and consult with and report regularly to the Seattle Women's Com-

mission on the workings of the Office for Women's Rights, submit quarterly written reports to the Commission on the activities of the office, and attend either in person or by designated representative, all regular meetings of the Women's Commission;

E. Administer all ordinances pertaining to the Office for Women's Rights;

F. With the advice of Women's Commission, manage the preparation of the proposed annual budget of the Office for Women's Rights, and authorize necessary expenditures, and supervise the maintenance of adequate accounting systems;

G. Develop programs serving women and seek additional funding sources;

H. Make periodic reports and recommendations to the Mayor and City Council concerning the operations of the Women's Commission and the Office for Women's Rights;

I. Exercise such other and further powers and duties as shall be prescribed by ordinance. (Ord. 109114 § 2, 1980.)

3.14.920 Seattle Women's Commission—Established—Membership.

There is established a Seattle Women's Commission, to be composed of fifteen members residing in the city, appointed from among those persons who are conscious of the discrimination against and oppression of women and sexual minorities in this society, and who are working to eliminate these injustices; provided, that the present members of the Seattle Women's Commission established by Ordinance No. 99534¹ are appointed and confirmed to the Seattle Women's Commission established in this section to serve for the remainder of the terms to which they were originally appointed. Upon the expiration of existing terms, new appointments to each position shall be made under this section by the authority originally appointing persons to that position, as follows:

A. Seven members shall be appointed by the Mayor, seven members shall be appointed by the City Council and the fifteenth member shall be appointed by the Commission as constituted; provided that, such appointments shall be made so as to include low income persons and minorities. Nominees shall be selected by a committee appointed by the Commission from among its members. The nominating committee shall openly advertise a vacant position.

B. The Commission shall then recommend

not fewer than three nominees for each vacancy, and shall submit the names of nominees to the appropriate appointing authority.

C. All appointments shall be subject to confirmation by a majority vote of the City Council. Each member appointed pursuant to the authority of this section shall serve for a term of three years, but no member shall serve more than two consecutive three-year terms. Any vacancy shall be filled for the unexpired term in the same manner as original appointment. (Ord. 109114 § 3, 1980.)

1. Editor's Note: Ord. 99534 was superseded by Ord. 109114 on the same subject.

3.14.930 Commission—Duties.

The Seattle Women's Commission shall act in a direct advisory capacity to the Mayor, City Council, and other city departments and offices with respect to matters concerning women and sexual minorities, and shall provide direction to and propose annual goals for the Office for Women's Rights. (Ord. 109114 § 4, 1980.)

3.14.940 Commission—Organization—Adoption of rules.

The Commission shall organize itself and shall adopt such rules and administrative procedures for its own governance, consistent with City Charter and ordinances, as are necessary for the functions and responsibilities. (Ord. 109114 § 5, 1980.)

3.14.950 Transfer of employees and records.

A. The appointment of each employee of the Office of Women's Rights is ratified and confirmed as an appointment to the Office for Women's Rights. The employment of each such employee shall be deemed to be continuous and without loss of any benefit solely on account of transfer to the new office.

B. All of the records, books, supplies and equipment of the Office of Women's Rights are transferred to the Office for Women's Rights; provided, that all records regarding formal complaints of discrimination, contract compliance and discrimination enforcement activities are transferred to the Department of Human Rights. (Ord. 109114 § 6, 1980.)

Chapter 3.16

FIRE DEPARTMENT

Sections:

Subchapter II Firefighting Assistance

- 3.16.100 Uncompensated experts—Consultation authorized.
- 3.16.105 Uncompensated experts—Claims and litigation.
- 3.16.110 Uncompensated expert—Claims procedures not modified.

Subchapter II Firefighting Assistance

3.16.100 Uncompensated experts—Consultation authorized.

The Fire Chief or his representative is authorized to request and accept uncompensated advice and assistance from experts during an emergency as declared by the Fire Chief or his representative, provided, that such experts shall be designated in writing by the Fire Chief or the staff duty officer as noncompensated experts prior to the request for advice and assistance. In no event shall such experts be deemed to be employees of the city. (Ord. 109229 § 1, 1980.)

3.16.105 Uncompensated experts—Claims and litigation.

If any claim for damages shall be made or litigation instituted against a designated expert for personal injuries, wrongful death or property damage arising out of the rendering of assistance or advice under the circumstances set forth in Section 3.16.100, the City Attorney shall, at the written request of the Fire Chief on behalf of such expert, investigate and defend the claim and/or litigation and, if a claim is deemed by the City Attorney a valid one, or if judgment is rendered against such expert, said claim or judgment shall be paid by the city in the same manner as a claim or judgment against the city; provided that, such expert shall immediately forward to the City Attorney every demand, notice, summons or other process relating to any such claim or litigation received by him or his representative, and shall fully cooperate with the City Attorney and the Law Department in the making of settlements or in the handling of claims and/or litigation and in enforcing any claim or any right of contribution or indemnity

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against any person or organization who may be liable to the city because of an alleged loss or damage arising in connection with such expert's advice or assistance, and the expert shall attend interviews, depositions, hearings and trials and assist in securing and giving evidence, and the expert shall not, except at his own cost, voluntarily make any payment, assume any obligation or incur any expense; provided further, that in the event any such expert fails or refuses to fully cooperate as specified in this section or elects to provide his own legal representation with respect to any such claims and/or litigation, then the provisions of this section will be inapplicable and of no force and effect with respect to any such claim and/or litigation involving the expert.

(Ord. 109229 § 2, 1980.)

3.16.110 Uncompensated expert—Claims procedures not modified.

Sections 3.16.100 and 3.16.105 shall not modify existing procedures or requirements of law for the processing and payment of any claims against the city or payment of judgments in those cases in which the city is a party defendant.

(Ord. 109229 § 3, 1980.)

Chapter 3.18

DEPARTMENT OF ADMINISTRATIVE SERVICES

Sections:

Subchapter I Department Regulations

- 3.18.010 Department created—Duties.
- 3.18.020 Director—Appointment and removal.
- 3.18.030 Director—Duties.
- 3.18.040 Director—Ancillary powers.
- 3.18.050 Director—List of services—Data processing plan.
- 3.18.060 Recycling program.
- 3.18.070 Merger of Department of General Services.
- 3.18.080 Transfer of Municipal Facilities Division.
- 3.18.090 Departmental continuity.

Subchapter II Cafeteria

- 3.18.100 Responsibility for operation.
- 3.18.110 Proceeds to Administrative Services Fund.
- 3.18.120 Cafeteria Advisory Committee.

Subchapter I Department Regulations

3.18.010 Department created—Duties.

There is established a Department of Administrative Services for managing general municipal purpose property, the city's motor pool and vehicular fleet, its centralized data processing system, and its telephone and telecommunications services; for providing office services, storage, and printing and duplicating; and performing other functions assigned by ordinance. The head of the Department of Administrative Services shall be the Director of Administrative Services.

(Ord. 109129 § 1, 1980.)

3.18.020 Director—Appointment and removal.

The Director of Administrative Services shall be appointed by the Mayor and confirmed by a majority of the City Council, subject to reappointment and reconfirmation every four years. The Mayor, at any time, may remove the Director of Administrative Services upon filing a statement of reasons therefor with the City Council.

(Ord. 109129 § 2, 1980.)

3.18.030 Director—Duties.

The Director of Administrative Services shall manage the Department of Administrative Services and shall perform the following functions:

A. Maintaining and managing city real property held for general municipal purposes and not assigned to or managed by the Library, the Department of Parks and Recreation, the Seattle Center Department or a municipal utility and certain property administered by the Department of Engineering; keeping an inventory thereof; assigning space in such municipal buildings to city departments and agencies; granting leases and concessions, operating or contracting for operation of cafeterias therein; designing and constructing new municipal facilities and improvements for such uses; and renting such real property to be used by city departments; and disposal of such realty;

B. Managing and maintaining the city's

motor pool and vehicular fleet for all city departments subject to rules and regulations promulgated for such purpose; and operating its maintenance shops;

C. Providing general office services to city departments, including storage of records, microfilming, and disposal of records; distributing supplies; delivering interdepartmental mail; recycling paper and other products; and coordinating city office machine maintenance;

D. Providing general copying and duplication services, as distinct from photography, reprographics and specialized reproduction; and operating the city's printing and bindery shops;

E. Developing and maintaining the city's telephone and telecommunications systems; and planning for integration of data processing, word processing, data storage and communication equipment;

F. Operating the city's centralized data processing system and equipment;

G. Acquiring equipment, making repairs, improvements or replacement as appropriate thereto; providing information and encouraging the use of more efficient technology or techniques; and performing other activities necessary or proper for accomplishing the foregoing tasks; and

H. Performing other functions and executing such other powers as may be prescribed by ordinance.
(Ord. 109129 § 3, 1980.)

3.18.040 Director—Ancillary powers.

In order to carry out departmental functions, the Director of Administrative Services shall have the power to:

A. Consistent with this subchapter and as otherwise authorized by ordinance, execute contracts for and on behalf of the city and interdepartmental agreements on behalf of the Department of Administrative Services; solicit offers or proposals; and administer agreements made;

B. Subject to the city's personnel ordinances and rules, appoint, assign, supervise and control all officers and employees in the Department;

C. Establish a system of prices and rates and charge city departments for the true and full value for goods and services furnished by the Department of Administrative Services and the use of city facilities and equipment;

D. Promulgate rules and regulations in accordance with the City's Administrative Code

(Ordinance 102228, as amended or succeeded)¹ as deemed necessary and proper; and

E. Perform functions similar to those identified in Section 3.18.030 for other public agencies and charge the true and full value for goods and services furnished. Prices and rates for goods and services and rents for use of property when feasible may include allowances for administrative and other indirect costs and accumulating reserves.

(Ord. 109129 § 4, 1980.)

1. Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.

3.18.050 Director—List of services—Data processing plan.

A. The Director of Administrative Services shall each year distribute to all city departments a listing of services offered and the estimated charges therefor.

B. The Director of Administrative Services shall annually prepare a three-year data processing plan.

(Ord. 109129 § 5, 1980.)

3.18.060 Recycling program.

The Director of Administrative Services shall manage and maintain the City's program for recycling waste paper products, including office paper, computer paper, tab cards, and other paper products, and for such purpose the Director is hereby authorized to promulgate such rules, in accordance with the Administrative Code (Ordinance 102228),¹ as are necessary to manage and maintain the paper recycling program in an efficient, economic and environmentally sound manner. Revenues from the sale of paper products collected under the recycling program shall be deposited in the Administrative Services Fund.

(Ord. 109129 § 11, 1980; Ord. 106965 § 1, 1977.)

1. Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.

3.18.070 Merger of Department of General Services.

The Department of General Services is merged into the new Department of Administrative Services and the General Services Operating Fund is merged into the Administrative Services Fund. The Director of Administrative Services shall

succeed to all contracts, functions and responsibilities of the Director of General Services; and the Administrative Services Fund shall succeed to the funds, assets, obligations and liabilities of the General Services Operating Fund. The Department of General Services and the General Services Operating Fund shall cease as independent entities.
(Ord. 109129 § 7, 1980.)

3.18.080 Transfer of Municipal Facilities Division.

All responsibilities and functions of the Superintendent of Buildings performed through the Municipal Facilities Division of the Building Department, including managing general purpose municipal property, maintaining municipal buildings, acquiring and disposing of real property and property rights, renting space, and making improvements, are transferred to the Director of Administrative Services. All assets currently managed by the Municipal Facilities Division shall be administered through the Department of Administrative Services. All rights and obligations of the Building Operating Fund attributable to the Municipal Facilities Division or properties under its management are transferred to the Administrative Services Fund. The Director of Administrative Services and the Administrative Services Fund shall be considered in such matters to be the successors to the Superintendent of Buildings and the Building Department Operating Fund respectively.
(Ord. 109129 § 12, 1980.)

3.18.090 Departmental continuity.

All rules and regulations in effect on June 3, 1980, with respect to the activities carried on by and transferred to the Department of Administrative Services from the Building and General Services Department, shall continue to be in effect until superseded by new rules and regulations adopted in conformance with the city's Administrative Code (Ordinance 102228, as amended or succeeded)¹ or other applicable law. All contracts made through departments or divisions transferred to the Department of Administrative Services, shall remain in full force and effect according to the terms thereof.
(Ord. 109129 § 21, 1980.)

1. Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.

Subchapter II Cafeteria

3.18.100 Responsibility for operation.

Responsibility for the operation of a cafeteria on the second floor of the Seattle Municipal Building is vested in the Director of Administrative Services and the Director is authorized to solicit bids and execute for and on behalf of the city agreements authorized by ordinance from time to time providing for the furnishing by a qualified, independent contractor of cafeteria meals and related food services.
(Ord. 109129 § 8, 1980; Ord. 100174 § 1, 1971.)

3.18.110 Proceeds to Administrative Services Fund.

Proceeds accruing to the city from the operation of the cafeteria are designated as revenue of the Administrative Services Fund and said proceeds and all other cash assets of such cafeteria operation shall be deposited in said fund.
(Ord. 109129 § 9, 1980; Ord. 100174 § 2, 1971.)

3.18.120 Cafeteria Advisory Committee.

A. There is established a Cafeteria Advisory Committee composed of the Director of Administrative Services, ex officio, and four members appointed by the Mayor for a term of two years; provided that the term of office of the first appointive members shall be staggered so that two members serve for two years ending July 31, 1973, and two members serve for one year ending July 31, 1972.

B. The Committee shall meet and organize in accordance with such rules as it adopts for its own government, and shall consider such written complaints pertaining to the operation of the cafeteria as come before it and shall consult with and advise the Director of Administrative Services as to any such complaints and make recommendations for changes in food preparation, item selection or food service, and in accordance with the agreement authorized in Section 3.18.150 shall make such reasonable rules and regulations as may be necessary for the orderly use of the cafeteria.
(Ord. 109129 § 10, 1980; Ord. 100174 § 3, 1971.)

Chapter 3.20

DEPARTMENT OF HUMAN RESOURCES

Sections:

Subchapter III Senior Citizen and Handicapped Person Identification Program

- 3.20.150 Repealed.
- 3.20.160 Repealed.
- 3.20.170 Repealed.
- 3.20.180 Repealed.

Subchapter IV Poverty Programs

- 3.20.190 Mayoral authority.
- 3.20.200 Economic opportunity board—Membership.

Subchapter III Senior Citizen and Handicapped Person Identification Program

3.20.150 Definitions.

Repealed by Ordinance 109560.

3.20.160 Form of identification.

Repealed by Ordinance 109560.

3.20.170 Information to be furnished and verified.

Repealed by Ordinance 109560.

3.20.180 Benefits.

Repealed by Ordinance 109560.

Subchapter IV Poverty Programs

3.20.190 Mayoral authority.

A. The mayor is authorized to prepare a comprehensive community action program for the mobilization and utilization of public and private resources to provide services, assistance and other activities of sufficient scope and size to give promise of progress toward elimination of poverty or a cause or causes of poverty through developing employment opportunities, improving human performance, motivation and productivity, or bettering the conditions under which people live, learn and work and which will be developed, conducted and administered with the maximum feasible participation of residents of the city and members of the groups served; to conduct research and studies for the preparation

of such community action program and for the continued evaluation of that program and component parts thereof while in operation, and to enter into contracts for such research and studies with funds available therefor; to receive, approve and review from time to time proposals from others for component parts of the community action program and such other proposals as may be submitted pursuant to the Economic Opportunity Act of 1964 (Public Law 88-452) or the regulations adopted thereunder or contracts made pursuant thereto, and to submit such proposals to the federal office of Economic Opportunity or such other agency as may be required; to enter into such contracts on behalf of the city as may be authorized by ordinance with the United States or any of its agencies, the state or any of its agencies, any local governmental unit, or any private non-profit group, organization or corporation to receive and disburse moneys for the purpose of coordinating and carrying out the community action program or component parts thereof; and to conduct, administer or operate or contract to conduct, administer or operate such component parts of the community action program or other programs under the Economic Opportunity Act of 1964 as may be authorized by ordinance.

B. The full joint participation by King County is necessary and desirable to accomplish the objectives of the Economic Opportunity Act of 1964 and the Mayor is further authorized to take such action as he may deem necessary to assure such participation. (Ord. 109560 § 10(part), 1980: Ord. 93562 § 1; 1965.)

3.20.200 Economic Opportunity Board—Membership.

To assist the Mayor in carrying out the duties contemplated by Section 3.20.190, there is established the Seattle-King County Economic Opportunity Board composed of twenty-four members, including the Mayor of Seattle, Chairman of the Board of King County Commissioners, Chairman of the Seattle-King County Youth Commission, President of the King County Labor Council, President of the Seattle Chamber of Commerce, President of the Seattle-King County United Good Neighbors, and Superintendent of Seattle School District No. 1. The remaining seventeen members shall be appointed for two-year terms jointly by the

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Mayor and the Chairman of the Board of King County Commissioners as provided in King County Resolution 28973, shall include the Seattle City Councilman, an elected official of a city or town in King County other than Seattle, a member of a rural or agricultural organization located in King County, the president of one of the institutions of higher learning located in King County, a superintendent of another school district in King County, and twelve other members representative of geographical areas and/or population groups directly knowledgeable and concerned with the social, economic and institutional causes and consequences of poverty. The Board shall elect a chairman and other officers and adopt such rules of procedure as are necessary to accomplish its purposes.

(Ord. 109560 § 10(part), 1980: Ord. 93562 § 2, 1965.)

Chapter 3.22

DEPARTMENT OF HUMAN RIGHTS

Sections:

Subchapter I Department Regulations

- 3.22.020 Director—Appointment.
- 3.22.030 Director—Duties.
- 3.22.040 Adoption of rules.
- 3.22.050 Director's right to subpoena witnesses and take testimony.
- 3.22.060 Human Rights Commission—Membership.
- 3.22.070 Commission—Organization.

Subchapter II Poverty Programs

Subchapter I Department Regulations

3.22.020 Director—Appointment.

There shall be a director of the department to be appointed by the Mayor from among those persons, not less than three, recommended for such appointment by the Human Rights Commission, whose appointment shall be subject to confirmation by a majority vote of all members of the City Council, and who shall be exempt from the civil service. If the Mayor rejects the first group of nominees for the position of Director, the Commission shall nominate successive groups of candidates until a candidate is nominated.

If the Mayor intends to remove the Director, the Mayor shall, prior to such action, meet and confer with the Human Rights Commission concerning the reasons therefor.
(Ord. 109115 § 1(part), 1980: Ord. 101477 § 1(part), 1972: Ord. 97971 § 2(part), 1969.)

3.22.030 Director—Duties.

The Director shall be the head of the Department of Human Rights, and shall be responsible for the administration of the Department of Human Rights, and his/her duties in connection with such administration shall include but not be limited to the following:

A. Appoint, remove, supervise and control in accordance with civil service rules and regulations such subordinate officers and employees in the Department of Human Rights as may be prescribed by ordinance;

B. Administer all ordinances pertaining to the Department of Human Rights and take appropriate remedial action where necessary;

C. Receive, consider and make recommendations concerning statements, reports and complaints relative to problems of human rights including such problems of human rights as may arise in connection with the treatment, facilities or services of any office or department of the city;

D. With the advice of the Human Rights Commission, prescribe rules and regulations, consistent with law, for the government and control of the Department of Human Rights;

E. Support, provide staff for, encourage and consult regularly with the Human Rights Commission in its efforts to promote equality, justice and understanding among all citizens of the city and keep the Commission informed of the activities of the Department of Human Rights, and for such purposes attend, either in person or by designated representative, all regular meetings of the Human Rights Commission;

F. With the advice of the Human Rights Commission, manage the preparation of the proposed annual budget of the Department of Human Rights, authorize necessary expenditures, and supervise the maintenance of adequate accounting systems;

G. Make periodic reports and recommendations to the Mayor and City Council concerning the operation of the Human Rights Commission and Department of Human Rights;

H. Have such other and further powers and duties as shall be prescribed by ordinance.

(Ord. 109115 § 1(part), 1980: Ord. 101477 § 1(part), 1972: Ord. 97971 § 2(part), 1969.)

3.22.040 Adoption of rules.

The Director of Human Rights, with the advice of the Human Rights Commission, shall adopt, promulgate, amend, and rescind suitable rules and regulations consistent with, and to carry out the provisions of this subchapter or any other ordinance administered or enforced by the Director of Human Rights.

(Ord. 109115 §1(part), 1980: Ord. 101477 § 1 (part), 1972: Ord. 97971 § 2(part), 1969.)

3.22.050 Director's right to subpoena witnesses and take testimony.

A. In the performance of the duties imposed upon him/her by this subchapter or any other ordinance, the Director of Human Rights may subpoena witnesses, compel their attendance, administer oaths, take the testimony of any person, under oath, and in connection therewith, require the production for examination of any books, records or other information relating to any subject matter under investigation or in question by the Department of Human Rights or the Human Rights Commission and conduct discovery procedures which may include the taking of interrogatories and oral depositions.

B. No person shall be excused from attending and testifying or from producing records, correspondence, documents or other evidence in obedience to a subpoena on the ground that the testimony or evidence required may tend to incriminate or subject that person to penalty or forfeiture, but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such person so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

C. In case of contumacy or refusal to obey a subpoena or other process or discovery issued to any person, the Director of Human Rights may invoke the aid of the City Attorney who shall apply to the appropriate court for an order or other court action necessary to secure enforcement of the subpoena.

(Ord. 109115 § 1(part), 1980: Ord. 101477 § 1 (part), 1972: Ord. 97971 § 2(part), 1969.)

3.22.060 Human Rights Commission—Membership.

There is established a Human Rights Commis-

sion to be composed of fifteen members who shall be representative citizens. Membership shall include representatives of minority communities, other protected classes, and persons with a demonstrated concern and background in human rights. Seven members of the Commission shall be appointed by the Mayor and confirmed by the Council for terms of three years; seven members shall be appointed by the Council for terms of three years; the fifteenth member shall be appointed by the other members of the Commission; provided that present commissioners serve until the expiration of their current terms. The first existing term to expire shall be refilled by the Mayor's appointee, and the second by a Council appointee, and thereafter, positions shall be appointed by the Mayor and the Council alternatively. Of the thirteenth, fourteenth and fifteenth positions created by this section, one shall be appointed by the Mayor, one by the Council, and one by the Commission itself.

The Mayor and the Council shall seek nominees to the Commission from a wide variety of Seattle communities, and shall consider nominees suggested by the Commission itself.
(Ord. 109115 § 2(part), 1980: Ord. 97971 § 3 (part), 1969.)

3.22.070 Commission—Organization.

The Commission shall organize, elect officers, and adopt such rules and administrative procedures consistent with the City Charter and this subchapter as are necessary to accomplish the duties prescribed in Section 3.22.080.

(Ord. 109115 § 2(part), 1980: Ord. 97971 § 3 (part), 1969.)

Subchapter II Poverty Programs¹

1. Editor's Note: Sections 3.22.130 and 3.22.140 were renumbered to 3.20.190 and 3.20.200 by Ordinance 109560.

Chapter 3.28

POLICE DEPARTMENT

Sections:

Subchapter I Police Department Regulations

- 3.28.070 Fees for certain records and services.
- 3.28.110 Firearms—Purpose of provisions
- 3.28.115 Firearms—Discharge authorized when.

3.28.120 Firearms—Chief may establish rules.

3.28.125 Firearms—Penalty for violation.

Severability: If any provision of Sections 3.28.110 through 3.28.125, or their application to any person or circumstances is held invalid, the remainder of Sections 3.28.110 through 3.28.125, or the application of the terms and provisions to other persons or circumstances is not affected.
(Ord. 109019 § 5, 1980.)

Subchapter I Police Department Regulations

3.28.070 Fees for certain records and services.

The Police Department is authorized to collect fees for certain reports or services by said department as follows:

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3.28.070 ADMINISTRATION

Service		Charge
1. Conviction record check (person provides forms and has no record)	per name	\$ 6.00
2. Conviction record check with a clearance letter	per name each additional clearance letter	13.00 2.00
3. Conviction record check, fingerprinting and classification	per name	20.00
4. Conviction record check and fingerprint classification (fingerprint provided by applicant)	per name	16.00
5. Fingerprint classification	per classification	3.00
6. Fingerprint cards (not classified—not including applicants for concealed weapons permits)	first card each additional	5.00 2.00
7. Fingerprinting for review of criminal history record	with copy of conviction record	3.00 10.00
8. Copy of incident/crime report	per report	6.00
9. Annual report (Police Department)	per report	6.00
10. Census tract code book	per book	13.00
11. Traffic accident report	per report	6.00
12. Traffic accident witness statements	per statement	3.00
13. Polygraph examination (at the request of and for any law enforcement agency)	per exam	60.00
<p>Note: If an appointment is made for a polygraph exam and the appointee is unable to attend and fails to notify the Police Department twenty-four hours prior to the scheduled time, a "no-show" charge of \$25.00 will be assessed.</p>		
14. Photographs and prints		
a. Original (taken on-site) (includes one copy of print)	per original print black and white color	50.00 54.00
b. Prints (when in possession of Police Department) (up to 8" x 10")	first copy black and white color	8.00 9.00

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	additional copies	
	black and white	2.00
	color	3.00
	extra negatives	
	black and white	3.00
	color	4.00
c. Aerial/boat photographs	original	90.00
	additional copies	16.00
	extra negatives	16.00
15. Polaroid ID-3 identification system cards for non-police city employees	per card	4.00
16. Use of firearm qualification facility	per person	4.00
17. Data processing services	per hour	MIS charges
18. Consultation and/or examination of physical evidence by Police Department personnel	per person-hour	25.00
19. Notary services	per notarization	2.00

(Ord. 109498 § 1, 1980: Ord. 107906 § 1, 1978: Ord. 107153 § 1, 1978: Ord. 106962 § 1, 1977:
Ord. 103473 § 1, 1974: Ord. 100364 § 1, 1971: Ord. 99870 § 1, 1971.)

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3.28.110 Firearms—Purpose of provisions.

The purpose of Sections 3.28.110 through 3.28.125 is to regulate the discharge of firearms by Seattle police officers during the performance of their duty to protect life, property and the public safety and to provide effective law enforcement. Sections 3.28.110 through 3.28.125 are not intended, nor may they be construed or applied, to create a duty toward any person who may be injured by the use of a firearm by a Seattle police officer, or to provide a basis for tort liability against the city, its officials, or its individual police officers. (Ord. 109019 § 1, 1978.)

3.28.115 Firearms—Discharge authorized when.

While engaged in the performance of duties of a Seattle police officer, an officer may discharge a firearm at another person when necessary to:

A. Defend himself or another person from death or serious bodily injury;

B. Apprehend, arrest or prevent the escape of a person, whom the officer reasonably believes from the evidence available, has committed murder, manslaughter, mayhem, felonious assault, robbery, burglary, kidnapping, arson, rape or a felony involving a bomb;

C. Apprehend an escaped or rescued felon, who has been arrested for, convicted of, or committed for a felony.

A police officer may not use a firearm unless all other reasonable alternatives have been exhausted or would appear to a reasonable police officer to be ineffective under the particular circumstances.

(Ord. 109019 § 2, 1978.)

3.28.120 Firearms—Chief may establish rules.

The Chief of Police may promulgate rules and regulations to implement Sections 3.28.110 through 3.28.125; provided, that such rules and regulations shall be consistent with the purpose and provisions of Section 3.28.110 through 3.28.125.

(Ord. 109019 § 3, 1978.)

3.28.125 Firearms—Penalty for violation.

Any police officer who discharges a firearm at another person in violation of Sections 3.28.110 through 3.28.125 shall be subject to disciplinary proceedings and punishment authorized by the city of Seattle Charter, Article XVI,¹ including but not limited to reprimand, suspension without pay, demotion and discharge. (Ord. 109019 § 4, 1978.)

1. Editor's Note: The Charter is included at the beginning of this Code.

Chapter 3.30

SEATTLE-KING COUNTY DEPARTMENT OF PUBLIC HEALTH

Sections:

Subchapter I Health Department Regulations

3.30.010 Agreement between city and King County.

3.30.020 Organization—Funding.

3.30.030 City-County Health Fund established.

3.30.040 Repealed.

Subchapter I Health Department Regulations

3.30.010 Agreement between city and King County.

As of January 1, 1981, the city of Seattle (referred to in this chapter as the "city") declares its intent to operate and establish with King County (referred to in this chapter as the "county") a combined city and county health department to be known as the "Seattle-King County Department of Public Health," (referred to in this chapter as the "Department") to be operated in accordance with an agreement made between the city and the county. The department shall be administered by the county, except as provided in this chapter. The Director of the Department shall be responsible for the management of the Department and shall be jointly appointed by the County Executive and the Mayor for a four-year term, subject to confirmation by the County and City Councils, and may be removed by the County Executive after consultation with the Mayor upon the filing of a statement of the reasons therefor with the County and City Councils, as authorized by R.C.W. 70.08.040, as amended.

(Ord. 109522 § 1, 1980.)

3.30.020 Organization—Funding.

The Department shall include an Administrative Division, County Services Division, Regional Services Division and Seattle Services Division. The County shall be financially responsible for the funding of the County Division and the Regional Services Division. The city shall fund the Seattle Services Division. The city and the

county shall jointly fund the Administrative Division as follows: The county's share shall be the ratio of the population within the county, exclusive of the city, to the total population of the county; the city's share shall be the ratio of the population within its corporate limits to the total population within the county. The funding ratio shall be determined annually in accordance with the official population figures for the city and the county as determined by the state of Washington, Office of Fiscal Management, or its successor, in the publication entitled "State of Washington Population Trends," or its successor.
(Ord. 109522 § 2, 1980.)

3.30.030 City-County Health Fund established.

As of January 1, 1981, there is established in the City Treasury a fund to be designated "City-County Health Fund" into which shall be paid all money budgeted or appropriated by the city for the Department, and into which may be paid funds for the exclusive support of city programs implemented by the Seattle Services Division, and from which shall be paid the city share of expenditures and disbursements for the Department.
(Ord. 109522 § 3, 1980.)

3.30.040 Combined equipment—Buildings excepted.

Repealed by Ordinance 109522.

Chapter 3.32

WATER DEPARTMENT

Sections:

3.32.030 Superintendent's duties.

3.32.030 Superintendent's duties.

Under the direction of the Mayor, the functions of the Superintendent of Water include:

A. Operating, maintaining, managing and controlling the municipal water system and related facilities;

B. Enforcing and implementing city ordinances, contracts and rules which relate to the Water Department;

C. Appointing, supervising and controlling officers and employees of the Water Department, subject to personnel ordinances and rules of the city;

D. Making surveys, maps, profiles, plans, specifications, estimates and reports in connection with the Water Department;

E. Laying out, directing, constructing and supervising all public works of the Water Department;

F. Performing other duties as assigned by the city.

(Ord. 109480 § 1, 1980; Ord. 107788 § 3, 1978.)

Subtitle III Boards

Chapter 3.44

BOARD OF PUBLIC WORKS

Sections:

3.44.020 Membership.

3.44.020 Membership.

A. There shall be a Board of Public Works composed of five members who shall be the heads of the following city departments: Engineering, Water, Administrative Services, City Light, and Parks and Recreation.

B. The Superintendents of the Lighting, and Water Departments and the Directors of Engineering and Administrative Services shall serve on the Board of Public Works for terms coincident with their terms as heads of city departments. The Director of Parks and Recreation shall serve on the Board of Public Works for a four-year term; provided, that the first term of the Director of Parks and Recreation as a member of the Board of Public Works shall expire on December 31, 1979.

C. Members of the Board of Public Works may be removed as Board members, and as department heads while serving on the Board, only for cause, by the Mayor, by filing a statement of reasons constituting such cause with the City Council. Cause shall be substantial, not frivolous; shall relate to the Board member's or department head's performance of public duties; and shall reflect upon the person's fitness to perform the duties of his/her office. Announced or actual refusal to follow the written official policies of the Mayor or adopted policies of the City Council constitutes cause. Upon the resignation of any member of the Board in response to the Mayor's request, the Mayor shall file with the City Council a

statement of his or her reasons for making such request.

D. The Mayor shall appoint the Chairperson of the Board of Public Works. (Ord. 109299 § 1, 1980: Ord. 107785 § 2, 1978.)

Subtitle IV Commissions

Chapter 3.64

CITY PLANNING COMMISSION

Sections:

- 3.64.010 Purpose.
- 3.64.020 Membership.
- 3.64.030 Appointment term.
- 3.64.040 Ancillary powers.
- 3.64.050 Temporary participants.
- 3.64.060 Focus of activities.
- 3.64.070 Duties.
- 3.64.080 Unexcused absences.

3.64.010 Purpose.

There shall be a City Planning Commission (referred to in this chapter as the "Commission") to provide advice and make recommendation on broad planning goals and policies and on which-ever plans for the development of the city on which the City Council and Mayor may request the Commission's advice by ordinance or joint resolution. The Commission shall provide opportunities for public participation in city planning by:

A. Providing through its own broadly based membership an informed opinion to complement the work of the city's elected officials and administrative departments;

B. When pertinent, soliciting public comment on planning issues of city-wide importance or of a substantial community concern, and evaluating comments received; and

C. Securing the assistance of experts and others with knowledge or ideas to contribute to city planning.

Its functions shall be advisory only. (Ord. 109155 § 1, 1980.)

3.64.020 Membership.

The Commission shall consist of fifteen members. The membership as a whole shall reflect a broad range of opinion, experience, and expertise with the objective of providing sound

advice representative of the citizenry. To achieve that purpose, it shall include residents from different neighborhoods within the city, at least one engineer or architect and an urban planner, and among others, members of ethnic minorities and citizens active in neighborhood or community affairs. (Ord. 109155 § 2, 1980.)

3.64.030 Appointment term.

The Mayor shall appoint members of the Commission subject to confirmation by the City Council. The term of office shall be for three years, and the terms of one-third of the members shall expire each year. A Commission member whose term has expired shall continue to hold office until a successor has qualified. No member shall serve more than two consecutive terms. Any vacancy shall be filled for an unexpired term in the same manner as for an original appointment. All Commission members shall be qualified electors of the city. Present members of the Planning Commission are appointed members of the Planning Commission, to serve for the remainder of the terms for which they were appointed. (Ord. 109155 § 3, 1980.)

3.64.040 Ancillary powers.

The Commission shall have the power to:

A. Select one member as the presiding officer of the Commission for a term of one year. No person shall serve as presiding officer for more than two years;

B. Organize itself, establish committees or subcommittees, and delegate duties for the performance of its work;

C. Adopt rules of procedure in accordance with the Administrative Code (Ordinance 102228)¹ and Section 26.3 of the Zoning Ordinance (Ordinance 86300)² to accomplish its functions;

D. Obtain administrative support and staff to assist the Commission in the performance of its functions, maintenance of its records, conduct of official correspondence, arrangement for meetings, preparation of estimates of expenditures, and administration of any budget of the Commission; and

E. Authorize payment of expenses incurred in the course of its activities, including reimbursement of expenditures by its members.

Meetings of the Commission, the minutes of its proceedings, and its findings and

recommendations shall be open to the public. (Ord. 109155 § 4, 1980.)

1. Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.
2. Editor's Note: The Zoning Ordinance is codified in Title 24 of this Code.

3.64.050 Temporary participants.

A. The Mayor, Council, or Commission may assign one or more persons to sit with and participate in the proceedings of any committee of the Commission while considering a specific matter as deemed appropriate to provide expertise or a viewpoint. No such person shall be considered to be a member of the Commission or have any authority to vote, and the person's participation shall cease upon completion of the assignment.

B. A temporary participant shall not engage in conduct prohibited by the city's Code of Ethics (Ordinance 108882)¹ in Section 4.16.070, but need not file the written statement contemplated by Section 4.16.080. (Ord. 109155 § 5, 1980.)

1. Editor's Note: The city's Code of Ethics is codified in Chapter 4.16 of this Code.

3.64.060 Focus of activities.

It is the intention of the city's legislative authority that the Commission direct its activities toward providing recommendations on those broad planning goals and policies and plans for the physical development of the city as identified by the Mayor and City Council as matters for its attention, by ordinance or joint resolution. Whenever the Commission has failed to submit a recommendation within sixty days of a request for such recommendation, the Commission will return the matter as proposed unless a longer period is provided for by resolution or ordinance. (Ord. 109155 § 6, 1980.)

3.64.070 Duties.

In conjunction with the development of a schedule for city consideration of planning and policy issues, the Mayor and Council will by resolution adopt an annual schedule which will assign certain policy and planning issues for Commission consideration. In addition, the Commission shall:

A. When requested by resolution, solicit

information and comment from the public about planning goals and policies or plans for the city, and report to the Mayor, Council or administrative agency its recommendations and a summary and analysis of the comments received from the public; and

B. Assist citizens to obtain information and documents regarding planning goals and policies and plans for development of the city. (Ord. 109155 § 7, 1980.)

3.64.080 Unexcused absences.

A Commission member may be removed from office for cause if absent from three consecutive Commission meetings or six regularly scheduled meetings in a year. (Ord. 109155 § 8, 1980.)

Subtitle V Committees

Chapter 3.82

JOINT CITY-COUNTY SUBCOMMITTEE ON SHORELAND AND TIDELAND PLANNING

Repealed by Ordinance 109155

Subtitle IV General Regulations

Chapter 3.90

OFFICIAL BONDS

Sections:

3.90.010 Officer's bonds.

3.90.010 Officer's bonds.

The following officers of the city shall, before entering upon the duties of their respective offices, give approved bonds, the premiums for which shall be paid by the city. The bonds shall contain the conditions required by the City Charter¹ for official bonds, and be in the following amounts:

Mayor	\$ 1,000
Each City Councilman	1,000
City Treasurer	150,000
Assistant City Treasurer	50,000
City Comptroller	100,000
Chief Deputy City Comptroller	25,000

City Attorney	\$ 1,000
Each Assistant City Attorney	1,000
City Prosecutor	1,000
Superintendent of City Light	1,000
Superintendent of Water	1,000
Director of Construction and Land Use	1,000
Superintendent of Parks and Recreation	1,000
Director of Engineering	1,000
Director of Public Health	1,000
Librarian	1,000
Chief of Police	1,000
Fire Chief	1,000
Each Civil Service Commissioner	1,000
Director of Seattle Center Department	1,000
Director of Department of Human Rights	1,000
Director of Community Development	1,000
Director of Administrative Services	1,000
Purchasing Agent	1,000
Director of the Department of Licenses and Consumer Affairs	25,000

(Ord. 109120 § 1, 1980; Ord. 102735 § 1, 1973; Ord. 101084 § 1, 1972; Ord. 93603 § 1, 1965.)

1. Editor's Note: The Charter is included at the beginning of this Code.

Chapter 3.114

PROCUREMENT OF CONSULTANT SERVICES

Sections:

- 3.114.010 Definitions.
- 3.114.020 Consultants' statements of interest and qualifications.
- 3.114.030 Advertising of need for consultant services.
- 3.114.040 Consultant selection criteria.
- 3.114.050 Consultant evaluation committee.
- 3.114.060 Selection of consultants.
- 3.114.070 Notification of selection or nonselection.

- 3.114.080 Required form, terms and conditions of agreements with consultants.
- 3.114.090 Filing of consultant contracts.
- 3.114.100 Consultant's performance review and evaluation reports.
- 3.114.110 Requirement inapplicable under certain conditions.
- 3.114.120 Board of Public Works rules applicable to consultant contracts.
- 3.114.130 Audit responsibilities of City Comptroller.
- 3.114.140 Escalation of Fifteen-Thousand-Dollar (\$15,000.00) contract limitations.

3.114.010 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, association, partnership or corporation 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 preestablished term, as an independent contractor, delivering or providing for a monetary or other consideration, advice, recommendation(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 Ordinance 102151,¹ as amended; and

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.

B. "Contract" means and includes all types

of agreements between or among the city and one or more consultants, regardless of what such agreements may be called, for the procurement of consultant services, and includes agreements modifying or amending consultant contracts.

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. "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.

(Ord. 108762 § 1, 1979.)

1. Editor's Note: Ordinance 102151 is codified in Chapter 3.14 of this Code.

3.114.020 Consultants' statements of interest and qualifications.

A. The Board of Public Works shall develop a reference file on all consultants who, at any time during the twelve months following the effective date of the ordinance codified in this chapter,¹ express an interest in performing work for or providing services to or on the behalf of the city and any of its departments as well as those with which the city contracts for such work or services. The Board of Public Works shall maintain such file on the basis of expressions of interest received and contracts entered into by the city during the preceding twelve months.

B. Any consultant that desires to enter into a contract to perform work for or provide services to or on the behalf of the city and any of its departments may complete and file annually with the Board of Public Works a statement of areas of interest and qualifications; the Board of Public Works is authorized to prescribe the manner and form of such filing, and establish and charge a fee therefor. At any time during normal business hours of the Board of Public Works, any such consultant may correct information previously supplied.

Nothing in this section shall limit the authority of any city department soliciting proposals from consultants to require additional information

to be submitted to it regarding any such consultant's qualifications.

C. Whenever a city department desires consultant services estimated to cost a total of Fifteen Thousand Dollars (\$15,000.00) or more, as adjusted pursuant to Section 3.114.140, the Department shall review the consultant reference file maintained pursuant to this section and shall specifically inform every consultant that has expressed an interest in, or has documented qualifications for, performing work or providing services of the type or nature contemplated by such department, of such department's desire or need for such consultant services and the date by which such consultant must request further information from the department in order to be eligible for a contract for such work. Upon receipt of a consultant's timely request for further information, said department shall provide to the consultant all information to be made available to consultants pursuant to Section 3.114.030 together with any other information made available to potential consultants in connection with such work. (Ord. 108762 § 2, 1979.)

1. Editor's Note: Ord. 108762 became effective on April 1, 1980.

3.114.030 Advertising of need for consultant services.

Any proposed contract for consultant services estimated to cost Fifteen Thousand Dollars (\$15,000.00) or more as adjusted pursuant to Section 3.114.140, shall be advertised in the city's official newspaper for at least two 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; and if established or known, the range of fees the department will consider paying the consultant for the services to be provided, the time within which such services are to be provided, and the anticipated beginning date of the work.

(Ord. 108762 § 3, 1979.)

3.114.040 Consultant selection criteria.

A. On or before March 31, 1980, the Board of Public Works shall adopt rules and regulations regarding the procedures by which city departments seek out qualified applicants and contract with consultants for work; provided, that under such rules and regulations, consultants shall be selected on the basis of, among other factors, their competence and qualifications for the type of services to be provided, the cost, price, compensation, or consideration to be paid by the city for such services and the affirmative action/equal employment opportunity record of the consultant.

B. The selection of every consultant responsible for providing to the city services estimated to cost Fifteen Thousand Dollars (\$15,000.00) or more, as adjusted pursuant to Section 3.114.140, shall be based upon specific written evaluation criteria relevant to the services to be provided. Every request for proposals (RFP) or other material in which consultants are given detailed information about consultant services sought by a department shall include a detailed description of such evaluation criteria together with the maximum score or weighting to be given to each listed criterion.

(Ord. 108762 § 4, 1979.)

3.114.050 Consultant evaluation committee.

Whenever a city department desires consultant services estimated to cost Fifteen Thousand Dollars (\$15,000.00) or more, as adjusted pursuant to Section 3.114.140, the department head shall appoint and utilize a consultant evaluation committee of not less than three members and representative, where practical, of women and minorities. Each consultant evaluation committee shall review the proposals, applications, questionnaires, and related materials submitted by consultants interested in providing the particular service(s) sought by the concerned department and on the basis of the specific written evaluation criteria announced with respect to such consultant selection, report in writing, to the head of the concerned department, its recommendations, including where possible, the ranking of the top five consultants evaluated, and where appropriate, the lack of measurable differences among consultants evaluated, together with such explanation of evaluation processes used as is necessary to fully advise the director of the committee's evaluation results. Thereafter, such evaluation report shall

be filed with the Board of Public Works by the evaluating department, and made available for public inspection consistent with the provisions of RCW Chapter 42.17.

(Ord. 108762 § 5, 1980.)

3.114.060 Selection of consultants.

In selecting a consultant to provide services estimated to cost Fifteen Thousand Dollars (\$15,000.00) or more, as adjusted pursuant to Section 3.114.140, each department head shall take into consideration the report and recommendations of the consultant evaluation committee appointed in connection with said proposed selection. In the event said department head determines not to accept and act on the recommendation of the consultant evaluation committee, said department head shall file with the Board of Public Works a written justification describing the reasons for such determination. Each such department head shall make a good faith effort to rotate the award of departmental consultant service(s) contracts among consultants evaluated as being equally qualified and capable of performing the desired services.

(Ord. 108762 § 6, 1980.)

3.114.070 Notification of selection or nonselection.

Every department that receives a proposal from a consultant to provide services for which such department has advertised in accordance with Section 3.114.030, shall notify each such consultant, in writing, as to whether such consultant was selected to provide the desired services.

(Ord. 108762 § 7, 1980.)

3.114.080 Required form, terms and conditions of agreements with consultants.

Every contract, retainer, change order, amendment, and any other form of agreement between or among the city and one or more consultants shall be in writing and signed by at least one authorized representative of each contracting party. Each such agreement 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 agreement, together with a description of the timing and method(s) of such payment and any retainage to be held; the dates the agreement 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 agreement; 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 agreements providing compensation or consideration of a value of Fifteen Thousand Dollars (\$15,000.00) or more, as adjusted pursuant to Section 3.114.140, shall be subject to the review by the City Attorney, of, among other aspects, 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 clauses.
(Ord. 108762 § 8, 1980.)

3.114.090 Filing of consultant contracts.

The city shall be provided at least one complete copy of each consultant contract to which the city is a party, which copy shall have affixed to it an original signature of an authorized representative of each party to the contract, and which copy shall be filed by the contracting department with the City Clerk immediately following execution by all parties. A copy of such contract shall also be filed by the concerned department with the Board of Public Works immediately following execution by all parties.
(Ord. 108762 § 9, 1980.)

3.114.100 Consultant's performance review and evaluation reports.

Each city department that contracts with any consultant shall prepare, in writing, a summary evaluation report upon expiration or termination of each such contract, which report shall describe the deficiencies noted in any periodic consultant performance evaluations and the action (if any) taken by the consultant in response thereto; indicate whether such responsive actions by the consultant corrected the noted deficiencies to the satisfaction of the concerned department; any unresolved problems with respect to the consultant's performance; and

indicate to the City Comptroller whether any final payment or payment of retainage should be made, the amount (if any) of such payment that is approved by the department, and whether the concerned department has imposed conditions upon such payment because of such deficiencies that warrant the withholding of all or any portion of the consultant's compensation. Within thirty days after the expiration or termination of every consultant contract, a copy of each such report shall be filed with the City Comptroller and the Board of Public Works, the latter of which shall file the same in its consultant reference file.
(Ord. 108762 § 10, 1980.)

3.114.110 Requirement inapplicable under certain conditions.

The provisions of Section 3.114.020 C and 3.114.030 through 3.114.070 shall be inapplicable in the following circumstances:

A. Whenever such provisions would adversely affect the city's interests either because of an emergency as determined by the head of the department desiring consultant services or because of a particular aspect of the services to be provided or the need therefor that would be compromised by compliance with such provisions (such as but not limited to the need to perform a confidential or surprise security review or evaluation or an anonymous management audit), in which case, the department head shall file with the Board of Public Works as soon as is practicable, a written explanation of the circumstances of the emergency or justification for the nonapplication of such provisions to said procurement.

B. Whenever it can be established to the satisfaction of the department head contracting for consultant services that only one consultant is available with the expertise required to provide the services desired; provided, that each department securing any consultant under such circumstances shall file a written justification for such action with the Board of Public Works at least twenty-four hours prior to executing any agreement committing the city to pay for such services.
(Ord. 108762 § 11, 1980.)

3.114.120 Board of Public Works rules applicable to consultant contracts.

In addition to the requirements imposed by this chapter, the contracting with any consultant

for work to be performed or services to be provided shall be subject to rules and regulations adopted by the Board of Public Works not inconsistent with this chapter. (Ord. 108762 § 12, 1980.)

3.114.130 Audit responsibilities of City Comptroller.

The City Comptroller is authorized to audit each consultant contract entered into by a city department to verify, among other things, that the procedures prescribed in this chapter were followed; that the compensation or other consideration provided to any consultant has been appropriate, under the circumstances; and that the contracted for services were provided in a timely manner. (Ord. 108762 § 13, 1980.)

3.114.140 Escalation of Fifteen-Thousand-Dollar (\$15,000.00) contract limitations.

All monetary amounts specified in Sections 3.114.020 through 3.114.060 and 3.114.080 may be annually adjusted hereafter by the Board of Public Works, immediately following publication of the preceding year's annual Consumer Price Index for all urban consumers Seattle-Everett, All Items, 1967 = 100, 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 chapter. (Ord. 108762 § 14, 1980.)

Title 4

PERSONNEL

Chapter 4.04

PERSONNEL REGULATIONS

Sections:

- 4.04.080 Affirmative action.
- 4.04.090 Affirmative action—Plan.
- 4.04.100 Affirmative action—Monitoring and implementation.
- 4.04.110 Handicapped persons.

4.04.080 Affirmative action.

The city shall have an affirmative action plan,

as adopted by Ordinance 109112¹ and as subsequently amended, in order to provide its employees with a workplace free from discrimination, and to remedy the effects of past discrimination against women, minorities, handicapped and older workers. Personnel actions taken in accordance with this chapter shall be subject to and consistent with the affirmative action plan.

(Ord. 109112 § 5, 1980: Ord. 107790 § 8, 1978.)

1. Editor's Note: The affirmative action plan provisions of Ord. 109112 are codified in Chapter 4.80 of this Code.

4.04.090 Affirmative action—Plan.¹

This section was eliminated through consolidation with Section 4.04.080 by Ordinance 109112 § 5.

1. Editor's Note: The affirmative action plan is codified in Chapter 4.80 of this Code.

4.04.100 Affirmative action—Monitoring and implementation.¹

This section was eliminated through consolidation with Section 4.04.080 by Ordinance 109112 § 5.

1. Editor's Note: The affirmative action plan is codified in Chapter 4.80 of this Code.

4.04.110 Handicapped persons.

A. The city's affirmative action plan, as adopted by Ordinance 109112¹ and as subsequently amended, shall contain provisions to encourage recruitment, hiring and retention of handicapped workers.

B. A preemployment physical which discloses existence of a disability that would affect job performance may result in the disqualification of that applicant for that particular job; provided that an applicant may be hired as long as the handicap or disability does not affect the proper performance of the job; provided further that the applicant may be hired if the job may be accommodated to the employee's limitations. (Ord. 109112 § 6, 1980: Ord. 107790 § 9, 1978.)

1. Editor's Note: The affirmative action provisions of Ord. 109112 are codified in Chapter 4.80 of this Code.