

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.

Seattle Municipal Code
For current and updated information, contact the Office of the City Clerk

Section 4.08
4.08
4.08
4.08.04
A. T
Service
bers. C
Mayor,
by and
each C
vided,
mission
first M
Each t
appoint
unexpi
constit
compet
from ti
B. C
office,
Public
and em
be incl
C. A
who a
to vote
Civil Se
D. I
Compt
week b
ber, 19
Compt
and fu
permit
hours
of the
Ballots
office
City C
E. I
Novem
will be
Friday
date fo

Chapter 4.08

PUBLIC SAFETY CIVIL SERVICE

Sections:

- 4.08.040 Public Safety Civil Service Commission.
 4.08.060 Jurisdiction.
 4.08.080 Affirmative action.

4.08.040 Public Safety Civil Service Commission.

A. There is created a Public Safety Civil Service Commission composed of three members. One member shall be appointed by the Mayor, one by the City Council and one elected by and representing employees. The term of each Commissioner shall be three years; provided, that the term of the first Council Commissioner shall be two years and the term of the first Mayor's Commissioner shall be one year. Each term shall commence on January 1st, and appointments to fill vacancies shall be for the unexpired term. Two Commissioners shall constitute a quorum. Commissioners may receive compensation for their services as may be fixed from time to time by ordinance.

B. Officers and employees in the Mayor's office, on the City Council staff, and on the Public Safety Civil Service Commission staff, and employees holding exempt positions shall be ineligible for the office of Commissioner.

C. All regular and probationary employees who are members of this system are eligible to vote for an employee-selected Public Safety Civil Service Commissioner.

D. Election shall be administered by the City Comptroller. Election shall be held during the week beginning on the first Monday in December, 1978, and every third year thereafter. The Comptroller shall give notice of such election and furnish ballots therefor. Balloting shall be permitted by mail postmarked between the hours of 12:01 a.m. Monday to twelve midnight of the succeeding Friday of the election week. Ballots may also be deposited during regular office hours at polling places prescribed by the City Comptroller.

E. Not earlier than the first Monday in November of each year in which a Commissioner will be elected, nor later than the succeeding Friday, any person who is to become a candidate for Commissioner shall file a declaration of

candidacy for office with the City Comptroller, on a form furnished by the Comptroller; provided, that the filing period for the first election under this section shall be the first Monday through the succeeding Friday after the approval of the ordinance codified in this chapter¹ by the Mayor, or the first Monday through Friday in November, 1978, whichever is later.

F. The candidate receiving the majority of votes cast shall win the election. If no candidate receives a majority of the votes cast, the two candidates receiving the highest and next highest number of votes shall be candidates in a runoff election held during the week beginning on the third Monday after the first day of election. Notice and balloting shall be the same as for a regular Commissioner's election.

G. Vacancies occurring in the office of the employee's Commissioner shall be filled at a special election to be called for such purpose by resolution of the City Council.

H. No city employee who is elected to the Public Safety Civil Service Commission shall suffer a monetary loss or other penalty on account of his/her absence from his/her regular position during regular hours while performing the duties of Commissioner.

I. Candidates for Public Safety Civil Service Commission shall comply with the terms of the Fair Campaign Practices Ordinance of the City (Ordinance 106653)² regarding filing of disclosure statements regarding campaign financing.

J. Pursuant to the City Charter Article XIX,³ Commissioners may be removed for cause by the City Council following a hearing and the Mayor's appointee may also be removed by the Mayor upon filing a statement of reasons therefor.

(Ord. 109358 § 1, 1980; Ord. 107791 § 4, 1978.)

1. Editor's Note: Ord. 107791 was approved on November 6, 1978.

2. Editor's Note: The Fair Campaign Practices Ordinance is codified in Chapter 2.04 of this Code.

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

4.08.060 Jurisdiction.

A. The Public Safety Civil Service system includes and is limited to, and the provisions of this chapter apply only to police recruits, police officers, police sergeants, police lieutenants, and police captains; and fire fighter pre-recruits, fire fighters, fire lieutenants, fire

captains, fire battalion chiefs, and fireboat pilots, fireboat engineers, and assistant fireboat engineers.

B. Appointments and promotions to the positions:

1. Above the rank and position of Battalion Chief in the Fire Department; and

2. Above the rank and position of Police Captain in the Police Department shall be made by assignment from the ranks and positions of Battalion Chief or Captain in the Seattle Fire Department for Fire Department ranks and positions, and Captain or Lieutenant in the Seattle Police Department for Police Department ranks and positions, at the sole discretion of the appointing authority. In the event of removal from the assigned position, the officer shall resume the rank and position from which he or she was so assigned.

(Ord. 109358 § 2, 1980; Ord. 107791 § 6, 1978.)

4.08.080 Affirmative action.

Personnel actions regarding employees covered by the system set forth in this chapter shall be subject to and consistent with the city's Affirmative Action Plan as adopted by ordinance 109112¹ and as subsequently amended. (Ord. 109112 § 7, 1980; Ord. 107791 § 8, 1978.)

1. Editor's Note: The affirmative action provisions of Ord. 107791 are codified in Chapter 4.80 of this Code.

Chapter 4.12

EXEMPTIONS FROM CIVIL SERVICE

Sections:

- 4.12.010 Exempt positions designated.
- 4.12.020 Return to regular position upon termination of exempt appointment.

4.12.010 Exempt positions designated.

In addition to those positions exempted by statute or City Charter¹ (elected officers, officers appointed pursuant to charter, assistant city attorneys, heads of departments, members of boards and commissions established by charter, members of boards and commissions established by ordinance, and library employees), the posi-

tions of city employment listed in subsections A through F, requiring a particularly high degree of professional responsiveness and individual accountability, and/or requiring a confidential or fiduciary relationship with the appointing authority, and/or being judicial positions requiring insulation as a third branch of government, are declared to be exempt from compliance with the Personnel Ordinance, the Public Safety Civil Service Ordinance,² and the rules of the Personnel Department and the Public Safety Civil Service Commission regarding examination and selection, discipline and termination, and appeals.

Department	Position Titles
A. All Departments	All Administrator and Director I through Director XII positions
	All physicians, surgeons, dentists and interns
	All personal secretaries to heads of departments and directors of executive offices
	All legal advisors and associate legal advisors to departments
	All student interns and work-study program students
	All summer youth program enrollees
	Student engineers
Arts Commission	Special Assistant for the Arts
Board of Ethics	Confidential Secretary
Board of Public Works	Executive Secretary to the Board of Public Works
Building	City Architect
	Superintendent of Buildings, Assistant
	Administrative Services Director
Civil Service Commission	Staff Assistant to the Civil Service Commission
Comptroller	Chief Deputy Comptroller
	Assistant City Clerk
B. Elections Administrator, Office of Engineering	Elections Administrator
	Engineering Director, Assistant - Administration

Seattle Municipal Code
 Verified and adopted that year
 For current SMC, contact
 the Office of the City Clerk

Department
 Executiv
 General
 Hearing
 Office o
 Human
 C. Law
 Legislati
 Licenses
 Consum
 Lighting

Department	Position Titles	Department	Position Titles
	Engineering Director, Principal Assistant – Engineering		Finance and Accounts Director – Light
	Engineering Director, Assistant – Management Planning		Administrative Services Director – Light
	Engineering Director, Principal Assistant – Operations		Operations Director – Lighting
Executive	All positions in the Office of Mayor, except clerical positions classified in the Office Assistant class		Distribution Director
	All directors of offices in the Executive Department		Assistant Superintendent, Lighting
	The highest ranking position in the Citizens Service Bureau		Chief Engineer, Lighting
	Special Assistant to the Energy Office Director		Chief Civil Engineer
	Assistant Budget Director – Management Information Services	D. Municipal Courts	Chief Electrical Engineer
	Assistant Budget Director – OMB		Power Management Director
	Policy Planning Director – OPE		Bailiff
General Services	Fleets and Shops Administrator		Magistrate
Hearing Examiner, Office of	All positions in the office of Hearing Examiner, except clerical positions classified in the Office Assistant class		Magistrate, Supervising
Human Rights	Manager II		Ordinance Violations Director
C. Law	All positions in the Law Department except clerical positions classified in the Office Assistant Class		Municipal Court Administrator
	Law Department Administrator		Probation Counselor
Legislative	All positions in the Legislative Department except clerical positions classified in the Office Assistant class		Probation Service Director
	Executive Director, Legislative Department		Warrant Server
Licenses and Consumer Affairs	Assistant Consumer Affairs Director		Citizen Dispute Settlement Director
	Assistant Licenses Director		Citizen Dispute Settlement Counselor
Lighting	Community Affairs Coordinator		Zoo Director
	Environmentalist		Project Development Director
	Management Planning and Evaluation Director		Operations Director
	Marketing and Commercial Activities Director		Aquarium Director
			Management Director
		Police	Recreation Programs Director
			Police Department Psychologist
		E. Public Health	Administrative Assistant to the Chief
			Administrative Services Director – Public Health
			Chief of Dental Services
			Chief of Environmental Health Services
			Chief of Nursing Services
			Chief of Physician Services

All updates to the Seattle Municipal Code For current SMC, contact the Office of the City Clerk

Department	Position Titles
	Communicable Disease Control Officer
	Public Health Veterinarian
	Seattle Division Director – Public Health
	County Division Director – Public Health
	Regional Division Director – Public Health
	Tuberculosis Control Officer
	Venereal Disease Control Officer
Retirement	Executive Secretary
Seattle Center	Assistant Director, Planning and Program Development
	Assistant Director, Administration and Operations
Treasurer	Assistant City Treasurer
Water	Water Management and Engineering Director
	Water Operations Director
	Assistant Superintendent, Management Planning

(Ord. 109004 §§ 1–6, 1980.)

1. Editor's Note: The Charter is included at the beginning of this Code.
2. Editor's Note: The Personnel Ordinance is codified in Chapter 4.04 of this code; The Public Safety Civil Service Ordinance is codified in Chapter 4.08.

4.12.020 Return to regular position upon termination of exempt appointment.

Any regular employee appointed to an exempt position and any regular employee exempted by this chapter shall have the right to return to a similar regular position upon the termination of the exempt appointment, unless dismissed from the exempt position for cause. "Regular employee" is one who has been appointed from an eligible register and who has completed a one-year period of probationary employment. "Cause" means any of the items listed in the Personnel Ordinance¹ as grounds for discipline or termination of employment. (Ord. 109004 § 7, 1980.)

1. Editor's Note: The Personnel Ordinance is codified in Chapter 4.04 of this Code.

Chapter 4.16

CODE OF ETHICS

Sections:

- 4.16.010 Title.
- 4.16.020 Purpose.
- 4.16.030 Definitions.
- 4.16.040 Board of Ethics—Membership.
- 4.16.050 Board of Ethics—Powers and duties.
- 4.16.060 Board of Ethics—Oaths—Subpoenas.
- 4.16.070 Prohibited conduct.
- 4.16.080 Statements of economic interests.
- 4.16.090 Complaints, investigations, hearings and enforcement.
- 4.16.100 Penalty for violation.

Severability: The invalidity of any section, subsection, provision, clause, or portion of this chapter, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of this chapter or the validity of its application to other persons or circumstances. (Ord. 108882 § 11, 1980.)

4.16.010 Title.

This chapter shall be known as the "Code of Ethics" and may be cited as such. (Ord. 108882 § 1, 1980.)

4.16.020 Purpose.

The city finds that the proper operation of democratic representative government requires that public officers and employees be independent, impartial, and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. Accordingly, it is the purpose of this chapter to establish ethical standards of conduct for all officers and employees of the city, whether elected or appointed, paid or unpaid; to set forth those acts that are incompatible with such standards; to require disclosure by such officers and employees of private financial or other interests in matters affecting the city; and to provide effective means for enforcement thereof. This chapter is not to be construed so as to impair the ability of city officers and employees to participate in ceremonial, representational, or informational functions in the pursuit of their official duties.

This chapter shall be liberally construed in favor of protecting the public's interest in full disclosure of conflicts of interest and promoting ethical standards of conduct for city officers and employees.

(Ord. 108882 § 2, 1980.)

4.16.030 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

A. "City agency" means every department, office, board, commission, or committee of the city, or any subdivision thereof.

B. "City officer or employee" means every individual elected or appointed to an office or position of employment in any city agency or Board or Commission member, whether such individual is paid or unpaid.

C. "Immediate family" means a spouse, any dependent parent, parent-in-law, child or son-in-law or daughter-in-law; or any parent, parent-in-law, child or son-in-law or daughter-in-law, sibling, and uncle, cousin, niece or nephew residing in the household of the city officer or employee.

(Ord. 108882 § 3, 1980.)

4.16.040 Board of Ethics—Membership.

A. There is created a Board of Ethics for the city, which shall have the same membership and tenure of office as the Fair Campaign Practices Commission (Ordinance 106653, as amended).¹ The members of the Board of Ethics shall select a chairperson who need not be the same individual as the chairperson of the Fair Campaign Practices Commission. The members of the Board of Ethics shall also elect from among their members a vice-chairperson. The vice-chairperson shall act as chairperson in the absence of the chairperson or in the event of a vacancy in that position.

B. Any member of the Board of Ethics may be removed by the appointing authority for neglect of duty or misconduct in office, which removal shall be subject to concurrence by a two-thirds vote of the City Council. Misconduct in office includes, but is not limited to, subverting or attempting to influence the independence and separation of the office of Election Administrator from the Board of Ethics.

C. Four members of the Board shall constitute a quorum for the conduct of all business and proceedings of the Board; provided, that for the conduct of hearings as to any alleged viola-

tion of this chapter, five members shall constitute a quorum. Any matter coming before the Board may be decided by majority vote of those members present and voting, provided that the quorum requirements have been met.

D. Meetings of the Board may be called by the chairperson or any four members of the Board.

(Ord. 108882 § 4, 1980.)

1. Editor's Note: The Fair Campaign Practices Ordinance is codified in Chapter 2.04 of this Code.

4.16.050 Board of Ethics—Powers and duties.

The Board of Ethics shall have the following duties and powers:

A. To adopt, amend and rescind rules and regulations to carry out the provisions of this chapter, to govern the conduct of the Board in accordance with the Administrative Code of the city, (Ordinance 102228),¹ and to conduct investigations, and hold hearings in accordance with such administrative rules and proceedings as may be adopted by it in furtherance of its purposes;

B. To make expenditures in accordance with the annual budget adopted by the City Council and to utilize the services of the City Attorney as the Board may deem necessary or advisable for assistance in carrying out its duties;

C. To consider questions as to ethical conduct, conflicts of interest, and the application of ethical standards set forth in this chapter, and upon the written request of any city officer or employee, or without such request if in the public interest, to issue its advisory opinion in writing as to any such question;

D. To make recommendations to the City Council for amendments to this chapter and for such other legislation affecting the subject matter of this chapter as the Board may deem necessary or desirable;

E. To provide a continuing program of education, assistance, and information regarding ethical conduct to all city officers and employees; and

F. Upon the request of any city officer or employee, the Board may issue an advisory opinion as to the application or interpretation of any provision of this chapter. Such request shall be in writing, shall set forth all pertinent facts which may assist the Board in rendering an advisory opinion, and shall be signed by the individual seeking the opinion. If requested by

the individual seeking the opinion, the request shall be confidential and shall not be disclosed except as may be otherwise required by applicable law.

(Ord. 108882 § 5, 1980.)

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

4.16.060 Board of Ethics—Oaths—Subpoenas.

In the performance of the duties imposed upon the Board and the Elections Administrator by this chapter, the chairperson and in his/her absence the presiding member of the Board shall have the power, and such chairperson or presiding Board member and the Elections Administrator are authorized, to administer oaths and affirmations, examine witnesses, and compel attendance of persons, and production of documents, papers, books, accounts, letters, and records by subpoena. Any person summoned to appear before such Board and give evidence shall have the right to be represented by counsel at his or her own expense.

(Ord. 108882 § 6, 1980.)

4.16.070 Prohibited conduct.

No city officer or employee shall engage in any act in conflict with the performance of his or her official duties. Among the acts and circumstances which are in conflict with the performance of the official duties of an officer or employee are that such officer or employee:

A. Engages in any transaction or activity, which is, or would to a reasonable person appear to be, in conflict with or incompatible with the proper discharge of official duties; or which impairs, or would to a reasonable person appear to impair, the officer's or employee's independence of judgment or action in the performance of official duties and does not disqualify him or herself from official action in those instances where the conflict occurs;

B. Uses his or her official position for a purpose that is, or would to a reasonable person appear to be, motivated by a desire for private gain or an exemption from duty or responsibility for the officer or employee or any other person or entity;

C. Has solicited, accepted or received any retainer, gift, loan, entertainment, favor, or other thing of monetary value from any person or entity where the retainer, gift, loan, entertainment, favor, or other thing of monetary

value has been solicited, or accepted or given or, to a reasonable person, would appear to have been solicited, accepted, or given with intent to give or obtain special consideration or influence as to any action by such officer or employee in his or her official capacity; provided, that this section shall apply to neither campaign contributions nor public office fund contributions which are solicited, accepted or received in accordance with applicable law;

D. Uses or permits the use of any person, funds, or property under his or her official control, direction, or custody, or of any city funds or city property, for a purpose which is, or to a reasonable person would appear to be, for the private benefit of the officer or employee or any other person or entity; provided, that this subsection shall not prevent the private use of city property which is available on equal terms to the public generally (such as the use of library books or tennis courts); nor shall this subsection prevent such officers' or employee's use of city property in accordance with municipal policy for the conduct of official city business (such as the use of city automobile), if in fact the property is used appropriately;

E. Discloses or uses any information gained by reason of his or her official position for the immediate or anticipated personal gain or benefit of the officer or employee or any other person or entity; provided, that this subsection shall not apply to the disclosure or use of information which is a matter of public knowledge or is available to the public on request;

F. Represents, appears on behalf of, or renders assistance to or on behalf of any person or entity on any matter before any city agency; or represents any such person or entity in any judicial or administrative action or proceeding in which the city is a party with interests adverse to those of such private individual or entity; provided, that this subsection shall not apply to:

1. Any member of the City Council appearing before governmental agencies on behalf of or as a representative of his or her constituents in the course of his or her official duties or performing public or civil obligations without additional compensation therefor, or

2. Any officer or employee appearing on his or her own behalf or representing himself or herself as to any matter in which he or she has a proprietary interest,

3. Any officer or employee receiving no

compensation from the city; provided, that such officer or employee may not represent, appear on behalf of, or render assistance to any private individual or entity on any matter upon which such officer or employee is or would be acting in the course of his or her official duties,

4. Any actions which a city officer or employee is required to take in carrying out his/her official duties;

G. Has or acquires financial or other private interest, direct or indirect, personally or through a member of his or her immediate family, in any transaction which in whole or in part is or may be made by, through, or under the supervision of such officer or employee or the city agency in which he or she holds office or is employed, or which may be made for the benefit of such city agency; or accepts, directly or indirectly, any compensation, gratuity, or reward in connection with such transaction from any other person or entity beneficially interested therein, in violation of RCW Chapter 42.23;

H. Has a financial interest, direct or indirect, personally or through a member of his or her immediate family, in a business entity doing or seeking to do business with the city, and influences or attempts to influence the selection of, or conduct of business with, such business entity by the city;

I. Has a financial or other private interest, direct or indirect, personally or through a member of his or her immediate family, in any contract or transaction to which the city or any city agency may be a party, and fails to disclose such interest to the appropriate city authority prior to the formation of the contract or the time the city or city agency enters into the transaction; provided, that this subsection shall not apply to any contract awarded through the public bid process in accordance with applicable law;

J. Has a financial or other private interest, direct or indirect, personally or through a member of his or her immediate family, in any matter upon which the officer or employee is required to act in the discharge of his or her official duties, and fails to disclose the nature and extent of such interest and, where possible, to disqualify himself or herself from acting or participating;

K. Fails to disqualify himself or herself from acting on a matter which involves any person or entity which is, or has at any time within the preceding twelve-month period been, a client of his or hers, or of his or her firm or partnership;

L. The following prohibitions apply to former officers and employees for a period of one year after leaving office or employment:

1. The prohibition on disclosure or use of information set forth in subsection E; and

2. The prohibition on representation of, or assistance to, a person or entity set forth in subsection F, but only where the matter is before a city agency with which the former employee or official was employed, or where the matter is one in which he or she participated or acted in the course of his or her official duties.

(Ord. 108882 § 7, 1980.)

4.16.080 Statement of economic interests.

A. Officers and Employees Subject to RCW 42.17.240. Every officer or employee of the city subject to the reporting requirements of RCW 42.17.240 shall file a duplicate copy of the required report with the Board of Ethics at the same time the original report is required to be filed with the Public Disclosure Commission.

B. Officers and Employees Not Subject to RCW 42.17.240.

1. All city officers and employees whose compensation from the city equals or exceeds Twenty-five Thousand Dollars (\$25,000.00) per year, and all city officers or employees in executive or administrative positions enumerated in this chapter and all members of city boards and commissions shall, after January 1st and before April 15th of each year; and every person appointed or hired to fill a vacancy in any of the foregoing classifications shall, within two weeks of being appointed or hired, file with the Board of Ethics a written statement sworn as to its truth and accuracy stating for himself or herself and all members of his or her immediate family for the preceding twelve months:

a. The names and addresses of each person or entity doing business with the city from which the officer or employee or a member of his/her immediate family has received compensation in any form of a total value of Two Thousand Five Hundred Dollars (\$2500.00) or more, excluding campaign contributions reported in accordance with applicable law;

b. The names and addresses of each entity doing business with the city in which the officer or employee or a member of his/her immediate family has a direct financial interest with a value of One Thousand Five Dollars

(\$1500.00) or more; provided that policies of insurance and amounts on deposit in accounts with banks, savings and loan associations or credit unions shall not constitute a direct financial interest within the meaning of this section;

c. The names and addresses of each entity doing business with the city in which the officer or employee or a member of his/her immediate family holds a position as officer, director or trustee, and the title of each position held;

d. A list, including legal or other sufficient description as prescribed by the Board, of all real property in the city in which the officer, employee, or member of his/her immediate family holds a direct financial interest or any option to purchase and, if the facilities and properties of the city agency in which the officer or employee holds a position extend beyond the city limits, the list shall include all real property located within the county or counties within which such city agency has property or facilities.

2. The executive and administrative positions referred to in this section are listed in Exhibit A, attached to Ordinance 108882.¹

3. After hearing, the Board may by order suspend or modify any of the reporting requirements under this chapter in a particular case if it finds that literal application of the requirements works a manifestly unreasonable hardship and that such suspension or modification will not frustrate the purposes of this chapter. (Ord. 108882 § 8, 1980.)

1. Editor's Note: Attachment A of Ordinance 108882 has not been codified. It is available in the City Clerk's office.

4.16.090 Complaints, investigations, hearings and enforcement.

A. Any person may file a complaint alleging a violation of this chapter. If such complaint is filed by a member of the Board of Ethics, he or she is than disqualified from participating in any proceedings that may arise from the complaint.

B. The complaint shall be in writing and shall be signed by the complainant. The written complaint shall state the nature of the alleged violation(s), the date(s), time and place of each occurrence, and name of the person(s) charged with the violation(s). The complaint shall be filed with the Elections Administrator who shall provide a copy to the person charged with a

violation. The complainant shall provide the Administrator with all available documentation or other evidence to demonstrate a reason for believing that a violation has occurred.

C. Within thirty days after receipt of a complaint, the Administrator shall conduct a preliminary investigation; provided, that the Administrator may request that the Board extend the time for the completion of such preliminary investigation, and if the Board determines that such extension is necessary or desirable and would not be prejudicial to the person charged with the violation, the Board shall grant the extension; provided, further, that if the Board determines that the preliminary investigation must be completed in less than thirty days in order to avoid prejudice or irreparable harm to the person charged with the violation, the Board shall order the Administrator to complete the preliminary investigation in a shorter period of time, and the Administrator shall comply.

D. If the Administrator determines, after preliminary investigation, that there are no reasonable grounds to believe that a violation has occurred, the Administrator shall dismiss the complaint. If the Administrator does so dismiss the complaint, he or she shall do so in writing, setting forth the facts and the provisions of law upon which the dismissal is based, and shall provide a copy of the written dismissal to the complainant, to the person charged with the violation and to the Board.

E. If, after a preliminary investigation, the Administrator does not dismiss the complaint or ask for additional time to conduct a more extensive investigation, he or she shall refer the complaint to the Board for hearing, unless the matter is resolved at a prehearing conference between the Administrator and the person charged with the violation, and the prehearing resolution is approved by the Board, all in accordance with applicable rules and regulations.

F. All hearings that are held to determine whether the provisions of this chapter have been violated shall be conducted in conformance with Board rules and regulations except as otherwise provided in this chapter.

G. Within thirty days from the date the Administrator refers a complaint to the Board for hearing, the Board shall hold a hearing and issue a written determination stating whether the chapter has been violated and setting forth the facts and the provisions of law upon which this determination is based. A copy of the

Submitted to the
Sealed Municipal Code
Filed and address
For current SMC, City Clerk
Office of the City Clerk

deter
comp
violat
super
H.
cond
the
(Ord
I.
or en
chap
offic
actio
chap
shall
remo
actio
be de
with
repor
of th
the
with
the E
secti
right
or c
gated
ity d
plina
reco
be n
days
tion,
any
ordin
appr
Boar
recei
the
plina
Boar
disci
repor
matt
as m
(Ord
1. Ed
ter
4.16
V
or

determination shall be delivered to the complainant, to the person charged with the violation and, where appropriate, to the person's superior.

H. All hearings under this chapter shall be conducted as "contested case" hearings under the Administrative Code of the city (Ordinance 102228, as amended).¹

I. If the Board determines that a city officer or employee has violated the provisions of this chapter, the Board may recommend that the officer or employee be subject to disciplinary action. In addition to any other penalty in this chapter or otherwise provided by law, a violation shall be cause for suspension, discharge, or removal from office, or such other disciplinary action as may, by the appropriate city authority, be deemed necessary and proper, and consistent with personnel ordinances and rules. A written report of the disciplinary action taken as a result of the Board recommendation shall be made by the appropriate city authority to the Board within fourteen calendar days after receipt of the Board's recommendation; provided, that this section shall not derogate from employee rights under any collective bargaining agreement or city personnel ordinance, or rules promulgated thereunto. If the appropriate city authority determines that the written report of disciplinary action taken as a result of the Board recommendation required in this section cannot be made to the Board within fourteen calendar days after receipt of the Board's recommendation, because of procedures prescribed under any collective bargaining agreement, personnel ordinance, or rule promulgated thereunto, the appropriate city authority shall so report to the Board within fourteen calendar days after receipt of the Board's recommendation, stating the date on which the written report of disciplinary action taken will be submitted to the Board. Upon receipt of the written report of the disciplinary action taken, or in the event no report is received, the Board shall review such matter and make such further recommendation as may be appropriate.

(Ord. 108882 § 9, 1980.)

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

4.16.100 Penalty for violation.

Violation of any provision of Section 4.16.070 or Section 4.16.080 constitutes a violation

subject to the provisions of Chapter 12A.01 and Chapter 12A.02 of the Seattle Criminal Code (Ordinance 102843),¹ and any person convicted thereof may be punished by a fine not to exceed Five Hundred Dollars (\$500.00). If the Board finds, after a hearing conducted in accordance with Section 4.16.090, that there has been an apparent violation of this chapter, the Board shall report such apparent violation to the office of the City Attorney which may bring a charge of violation of this chapter subject to provisions of Chapter 12A.01 and Chapter 12A.02 of the Seattle Criminal Code (Ordinance 102843).¹ (Ord. 108882 § 10, 1980.)

1. Editor's Note: The Criminal Code is codified in Title 12A of this Code.

Chapter 4.36

CITY EMPLOYEES' RETIREMENT SYSTEM

Sections:

4.36.110 Contributions—City matching funds.

4.36.110 Contributions—City matching funds.

A. Members of the retirement system shall make contributions to the retirement fund at the rate of 7.70% of the compensation of each such member; provided, that any member whose rate of contribution prior to June 23, 1972, was less than six percent but whose rate of contribution was increased pursuant to Ordinances 108009 and 108612,¹ shall have such rate further increased by 0.57%; provided, further, that any reinstated member who has redeposited his/her withdrawn contributions plus interest as provided in Section 4.36.190 B, who was a member of the retirement system at any time prior to June 23, 1972, and whose rate of contribution at such prior time was less than six percent but whose rate of contribution was increased pursuant to Ordinances 108009 and 108612,¹ shall have such rate further increased by 0.57% of the compensation of such member; all rate increases made by this section shall be effective as of the commencement of the first pay period of each affected member following January 1, 1981.

B. Subject to the provisions of this chapter,

the Board of Administration shall adopt rules and regulations governing the making of deductions from the compensation of employees and shall certify to the head of each office or department the normal rate of contribution for each member provided for in subsection A of this section. The head of each department shall apply the rate of contribution to the compensation of each member, exclusive of overtime, and shall certify to the City Comptroller on each and every payroll the amount to be contributed and shall furnish immediately to the Board a copy of each and every payroll; and each of the amounts shall be deducted by the city Comptroller and shall be paid into the retirement fund, provided for in this chapter, and shall be credited by the Board together with regular interest to an individual account of the member for whom the contribution was made.

Every member shall be deemed to consent and agree to the contribution made and provided for in this section, and shall receipt in full for his/her salary or compensation. Payment less said contributions shall be a full and complete discharge of all claims and demands whatsoever for the service rendered by such person during the period covered by such payment, except his/her claim to the benefits to which he/she may be entitled under the provisions of this chapter.

C. The city shall match the normal contributions of members and the board shall determine the amount of normal contributions to be matched each month and shall notify the proper authorities when such matching contributions are due and payable. The proper authorities shall then provide for payment of the matching contributions into the retirement fund at the earliest time possible.

The city shall also contribute, in excess of the matching contributions, the actuarially determined city contribution to provide the moneys necessary to guarantee benefits payable under Sections 4.36.210 and 4.36.230.

(Ord. 109514 § 1, 1980; Ord. 108612 § 1, 1979; Ord. 108009 § 1, 1979; Ord. 104572 § 2, 1975; Ord. 101024 § 1, 1972; Ord. 92193 § 1, 1963; Ord. 89420 § 1, 1960; Ord. 88897 § 2, 1960; Ord. 84566 § 1, 1955; Ord. 81521 § 1(part), 1952; Ord. 79403 § 2, 1950; Ord. 78444 § 5, 1949.)

1. Editor's Note: Ordinances 108009 and 108612 were previous amendments to this section. Copies are on file in the office of the City Clerk.

Chapter 4.48

GROUP TERM LIFE INSURANCE PROGRAM

Sections:

- 4.48.020 Administration—Duties of Board.
4.48.050 Program availability to officers and employees.

4.48.020 Administration—Duties of Board.

A. The administration of such program is vested in the Personnel Department.

B. The Department, in addition to other duties imposed by ordinance, shall prepare, adopt and revise in an advisory capacity plans for the betterment of the group term life insurance program; review disputed claims thereunder; designate a broker on a nonvested basis by and with the consent of the City Council; and conduct any administrative duties required of the city in connection with such program or incidental thereto.

(Ord. 109376 § 1, 1980; Ord. 95466 § 2, 1967.)

4.48.050 Program availability to officers and employees.

Subject to the terms of the contract provided for in Section 4.48.030 the benefits of the group term life insurance program shall be available to all officers and employees of the city, including all such city officers appointed or elected to a term of office to the extent permitted by law and officers and employees of the Seattle Public Library.

(Ord. 109376 § 2, 1980; Ord. 100917 § 1, 1972; Ord. 95466 § 5, 1967.)

Chapter 4.80

AFFIRMATIVE ACTION PLAN

Sections:

- 4.80.010 Title.
4.80.020 Policy.
4.80.030 Findings.
4.80.040 Plan adopted.

4.80.010 Title.

This chapter shall be entitled "The Affirmative Action Plan Ordinance."

(Ord. 109112 § 1, 1980.)

4.80.020 Policy.

It is the policy of the city to provide a workplace for its employees that is free from discrimination on the basis of race, sex, marital status, sexual orientation, political ideology, age, creed, religion, ancestry, national origin, or the presence of any sensory, mental or physical handicap. It is also the policy of the city to take strong affirmative action to remedy the effects of past discrimination against minorities, women, handicapped and older workers, and to avoid practices which are suspect and capable of abuse or which have an adverse impact on the opportunities of such groups where it reasonably can to produce an efficient system. By doing so, the city will then be able to provide equal employment and advancement opportunities for all qualified persons and obtain a workforce in which such groups are fairly represented. (Ord. 109112 § 2, 1980.)

4.80.030 Findings.

A. The City Council has considered the analysis of the city's present and past employment practices contained in the Appendix of the attached Affirmative Action Plan, incorporated in this chapter by reference,¹ and other materials presented to it and previously before it relative to the need for affirmative action, and finds that affirmative action to improve the progress of such groups and remove impediments to their employment opportunities within the city continues to be necessary and proper.

B. The City Council recognizes that two Washington State Superior Courts have already found certain of the city's past practices to be discriminatory against minorities and have determined not only that affirmative action within the city was necessary but was required under the circumstances evidenced as late as 1976 to eliminate the effects of such practices, and that those decisions were affirmed on appeal in *Lindsay v. Seattle*, 86 Wn.2d 698, 548 P.2d 320 (1976) and *Maehren et al. v. Seattle, et al.*, 92 Wn.2d 480, _____ P.2d _____ (August 1979).

(Ord. 109112 § 3, 1980.)

1. Editor's Note: The appendix to the Affirmative Action Plan is on file in the office of the City Clerk.

4.80.040 Plan adopted.

The "Affirmative Action Plan" attached to Ordinance 109112¹ incorporated in this chapter by reference, is adopted. City officials and

employees will act in accordance with the duties and procedures set forth in the adopted plan. (Ord. 109112 § 4, 1980.)

1. Editor's Note: The ordinance codified in this chapter and its attachments are on file in the office of the City Clerk.

Title 5

REVENUE, FINANCE, AND TAXATION

Subtitle I General Regulations

Chapter 5.04

INVESTMENT OF CITY FUNDS

Sections:

5.04.020 Property tax—Investment policy.

5.04.030 Property tax—Transfer from County Comptroller.

5.04.040 Property tax—Investment by County Comptroller.

5.04.020 Property tax—Investment policy.

It shall be the policy of the city to receive collections of property taxes and abatement liens as soon as practical and to invest funds not required or available for immediate expenditure for the benefit of the city as authorized by law.

(Ord. 108998 § 1, 1980.)

5.04.030 Property tax—Transfer from County Comptroller.

The King County Comptroller is authorized and requested to distribute to the City Treasurer for and on behalf of the city all property taxes and abatement liens collected as frequently as daily; and the City Treasurer is authorized to deliver a receipt therefor whenever funds are delivered to the city. Delivery may be in money or as a transfer of an investment authorized by RCW 36.29.020 and made by the King County Comptroller for the city.

(Ord. 108998 § 2, 1980.)

5.04.040 Property tax—Investment by County Comptroller.

The King County Comptroller is authorized to invest in the manner and in the investments