

Title 3

ADMINISTRATION

This title is intended for those provisions of the Code which relate to city officers, departments and boards and to the administration of city affairs.

Chapters:

Subtitle I Administrative Code

3.02 Administrative Code

Subtitle II Departments and Offices¹

3.06 Building Department

3.08 City Light Department

3.10 Department of Community Development

3.12 Engineering Department

3.14 Executive Department

3.16 Fire Department

3.18 Department of General Services

3.20 Department of Human Resources

3.22 Department of Human Rights

3.24 Department of Licenses and Consumer Affairs

3.26 Parks and Recreation Department

3.28 Police Department

3.30 Seattle-King County Department of Public Health

3.32 Water Department²

1. Cross-reference:

Office of Cable Communications Ch. 21.60

Office of Election Administration Ch. 2.04

Finance Department Charter Art. VIII

Law Department Charter Art. XIII

Legislative Department Charter Art. IV

Library Department Charter Art. XII

Seattle Center Department Ch. 17.04

2. Cross-reference: Information on utility rates is codified in Title 21 of this Code.

Subtitle III Boards³

- 3.40 City-County Head Start Policy Board**
- 3.42 Public Reinvestment Review Board**
- 3.44 Board of Public Works**

3. Cross-reference:

- Ballard Avenue Landmark District Board Ch. 25.16
- Board of Adjustment Ch. 24.70
- Board of Ethics Ch. 4.16
- Board of Park Commissioners Ch. 3.26; Charter Art. XI § 2
- Citizens' Cable Communications Advisory Board Ch. 21.60
- Citizens' Housing Board Ch. 22.202
- International District Special Review Board § 24.68.250
- Library Board Charter Art. XII § 13
- Pioneer Square Historic Preservation Board Ch. 25.28
- Pioneer Square Special Review Board § 24.68.110
- Public Health Citizens Advisory Board Ch. 3.30
- (Refrigeration) Supervisory and Examining Board Ch. 6.90
- Seattle-King County Department of Public Health Citizens Advisory Board Ch. 3.30
- Seattle-King County Economic Opportunity Board § 3.22.140
- Special Review Boards § 24.68.040
- Steam License Advisory Board Ch. 6.54
- Suggestion Award Board Ch. 4.92
- Youth Coordinating Board § 3.68.060

Subtitle IV Commissions⁴

- 3.52 Seattle-King County Commission on Alcoholism**
- 3.54 Animal Control Commission**
- 3.56 Seattle Arts Commission**
- 3.58 Seattle Design Commission**
- 3.60 Seattle-King County Drug Commission**
- 3.62 Seattle Parking Commission**
- 3.64 City Planning Commission**
- 3.66 Seattle-King County Youth Commission**

4. Cross-reference:

- Civil Service Commission § 4.04.250; Charter Art. XVI § 5
- Fair Campaign Practices Commission §§ 2.04.080, 2.04.090
- Harbor Advisory Commission Ch. 16.16
- Human Rights Commission §§ 3.22.060-3.22.080
- Pike Place Market Historical Commission Ch. 25.24
- Public Safety Civil Service Commission Ch. 4.08
- Seattle Center Advisory Commission Ch. 17.08
- Seattle Women's Commission §§ 3.14.920-3.14.935

Subtitle V Committees⁵

- 3.76 Debt Management Policy Advisory Committee**
- 3.78 Salary Administration Policy Committee**
- 3.80 Seattle School Traffic Safety Committee**
- 3.82 Joint City-County Subcommittee on Shoreline and Tideland Planning**

5. Cross-reference:

Auditing Committee Charter Art. VIII § 13
 Cafeteria Advisory Committee § 3.18.120
 City Council Labor Committee § 4.04.120
 Committee on Purchasing Standards § 3.14.836
 Data Processing Advisory Committee §§ 3.14.520-3.14.550
 Employee Award Selection Committee §§ 4.84.050, 4.84.060
 Executive Labor Committee § 4.04.120
 Finance Committee Charter Art. IV § 5
 Investment Committee Ch. 5.04
 Joint Advisory Apprenticeship Committee § 4.04.200
 Labor Relations Policy Committee § 4.04.120
 Meat Advisory Committee § 10.12.140
 Refrigeration Advisory Committee Ch. 6.90
 Swimming Pool Advisory Committee § 22.906.020
 Technical Advisory Committee on Aging §§ 3.20.090-3.20.110

Subtitle VI General Regulations

- 3.90 Official Bonds
 3.92 Vacancies in Charter Offices
 3.94 City Comptroller—Appointment of Deputies
 3.96 Department Manuals
 3.98 Biennial Review of Boards and Commissions
 3.100 Soliciting Contributions
 3.102 Office Hours
 3.104 City Books and Records
 3.106 Refunding of Certain Fees
 3.108 Loan or Rental of City Equipment
 3.110 Public Corporations
 3.112 Sale of Metro Transit Passes by City Treasurer

Subtitle I Administrative Code

Chapter 3.02

ADMINISTRATIVE CODE

Sections:

- 3.02.010 Short title.
- 3.02.020 Definitions.
- 3.02.030 Notice and hearing on adoption of rules.
- 3.02.040 Petition for rules.
- 3.02.050 Emergency action.
- 3.02.060 Rules to be filed.
- 3.02.070 Public information.
- 3.02.080 Declaratory ruling.
- 3.02.090 Hearings in contested cases.
- 3.02.100 Report and review of examiner's recommendation or decision in contested cases.
- 3.02.110 Office of Hearing Examiner.
- 3.02.120 Powers of Hearing Examiners.
- 3.02.130 Agency action upon judicial review.

3.02.010 Short title.

This chapter shall constitute and may be referred to as the "Administrative Code" of The City of Seattle.
(Ord. 102228 § 1, 1973.)

3.02.020 Definitions.

A. "Agency" means The City of Seattle or any of its subdivisions including but not limited to, any city board, commission, committee, officer or department, including the City Council and its committees, when acting in accordance with or pursuant to authorization by ordinance or Charter¹ to make rules, hear appeals, or adjudicate contested cases.

B. "Contested case" means any proceeding before an agency in which the legal rights, duties, or privileges of specific parties are required by ordinance to be determined after a hearing by a Hearing Examiner.

C. "Interested person" means any individual, partnership, corporation, association, or public or private organization of any character significantly affected by or interested in proceedings before an agency, and shall include any party in a contested case.

D. "License" includes the whole or part of

any agency permit, certificate, approval, registration, or any form of permission required by law, including agency rules, to engage in any activity, but does not include a license required solely for revenue purposes.

E. "Rule" means any agency order, directive, or regulation of future effect, including amendment or repeal of a prior rule, which applies generally and which, if violated, subjects a person to a penalty or administrative sanction, including, but not limited to, an order, directive, or regulation which affects:

1. Any procedure, practice or requirement relating to agency hearings;
2. Any qualification or standards for the issuance, suspension or revocation of licenses;
3. Any mandatory standards for any product or material which must be met before distribution or sale; or
4. Any qualification or requirement relating to the enjoyment of benefits or privileges conferred by law.

Such term does not include statements concerning only the internal management of an agency and not affecting private rights or procedures available to the public, declaratory rulings issued pursuant to Section 3.02.080, or rules relating to the use of public ways and property when substance of such rules is indicated to the public by means of signs or signals.

(Ord. 107903 § 1, 1978; Ord. 102228 § 2, 1973.)

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

3.02.030 Notice and hearing on adoption of rules.

Prior to the adoption, amendment or repeal of any rule, an agency shall:

A. Within the time specified by the ordinance authorizing such action, or if no time is specified, at least fourteen days prior to the proposed action and at least ten days prior to a public hearing, if any, give notice thereof by: (1) publication in a newspaper in accordance with the City Charter and, where appropriate, in such trade, industry, or professional publication, as the agency may select; and (2) by mailing or delivery to the address specified by any person who has made written request therefor, which shall be filed with the agency and renewed annually. Such notice shall include: (a)

ADMINISTRATION

a reference to the authority under which such rule is proposed; (b) an accurate description of the substance of the proposed rule or of the subjects and issues involved; and (c) a statement of the time and place of any public hearing, and manner in which interested persons may present data, views or argument thereon to the agency;

B. Afford all interested persons an opportunity to present data, views, or arguments in regard to the proposed action; provided, that if the agency finds that oral presentation is unnecessary or impracticable, it may require that presentation be made in writing;

C. Give appropriate consideration to economic values, along with any environmental, social, health, and safety factors, affected by the proposed adoption, amendment or repeal of any rule.

(Ord. 107903 § 2, 1978: Ord. 106348-A § 1, 1977: Ord. 102228 § 3, 1973.)

3.02.040 Petition for rules.

Any interested person may petition an agency requesting the adoption, amendment or repeal of any rule. Each agency shall prescribe by rule the procedure for submission, consideration and disposition of such petitions. Within sixty days after the submission of a petition, the agency shall either deny such petition in writing (stating its reasons for the denial), or initiate rulemaking proceedings concerning the subject of such petition in accordance with Section 3.02.030. (Ord. 102228 § 4, 1973.)

3.02.050 Emergency action.

Where the agency finds that immediate adoption, amendment, or repeal of a rule is necessary for the immediate preservation of the public peace, health or safety, such action may be taken and become effective upon filing such adoption, amendment or repeal with the City Comptroller. This shall be accompanied by a statement of the facts upon which the findings of an emergency and necessity are based. The adoption, amendment or repeal of a rule under this section shall be for a period of sixty days unless the notice and hearing procedures set forth in Section 3.02.030 have been complied with within this time period, or unless there has been a more limiting statement placed within the rule itself. This emergency section does not relieve any agency from compliance with any law requiring that the adoption, amendment or repeal be approved by designated persons or

bodies before they become effective, nor shall any action be taken under this section which affects any pending case or controversy.

(Ord. 107903 § 3,¹ 1978: Ord. 102228 § 4-A, 1973.)

1. Editor's Note: Ord. 107903 contains two sections designated by the number "3."

3.02.060 Rules to be filed.

Each agency shall file with the City Comptroller two certified copies of all agency rules, which rules shall become effective on the date of filing. The City Comptroller shall keep, index and compile copies of all such rules filed with him, and shall make such rules available for inspection by the public during regular business hours and furnish copies thereof to any person requesting the same and paying such fee as shall be prescribed by ordinance.

(Ord. 107903 §3,¹ 1978: Ord. 102228 § 5, 1973.)

1. Editor's Note: Ord. 107903 contains two sections designated by the number "3."

3.02.070 Public information.

A. In addition to other rulemaking requirements imposed by ordinance, each agency shall:

1. Adopt as a rule a description of its organization, stating the general course and method of its operations, location of its offices, and the methods whereby the public may obtain information, make submittals or requests, or obtain copies of agency decisions;

2. File with the City Comptroller all procedures adopted pursuant to Ordinance 101810, as amended.¹

B. Each agency shall make available for public inspection all final opinions and orders, and all rules and written statements of policy or interpretation formulated, adopted, or used by the agency in the discharge of its functions, and shall further make available for public inspection and copying all indexes maintained for agency use.

C. Except to the extent that a person has actual knowledge thereof, no agency rule, order, or opinion shall be effective against any person, nor shall it be invoked by the city for any purpose until made available for public inspection as required in this section and Section 3.02.060.

D. Nothing in this section shall affect the confidentiality of records as provided by law.

(Ord. 107903 § 4, 1978: Ord. 102228 §6, 1973.)

1. Editor's Note: Ord. 101810 is codified in Chapter 3.96 of this Code.

3.02.080 Declaratory ruling.

On petition of any interested person, any agency may issue a declaratory ruling with respect to applicability to any person, property, or state of facts of any rules or ordinance enforceable by it. Such petition shall be considered, and granted or denied in accordance with Section 3.02.040. A declaratory ruling, if issued after argument and stated to be binding, is binding between the agency and the petitioner on the state of facts alleged, unless it is altered or set aside by a court upon judicial review in the manner prescribed by law.

(Ord. 102228 § 7, 1973.)

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 had 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.

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 ordinances 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 case 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 the chapter and other applicable ordinances for notice, hearings 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. 102228 § 8, 1973.)

ADMINISTRATION

3.02.100 Report and review of examiner's recommendation or decision in contested cases.

A. Within such period as may be fixed by agency rule or applicable ordinance, the examiner presiding at the hearing in a contested case shall prepare a written recommendation or decision which shall be filed as a public record and copies thereof mailed to each party and to other interested persons as provided by agency rule or applicable ordinance. Such recommendation or decision shall contain a brief summary of the evidence considered and shall state the examiner's findings and conclusions upon which such recommendation or decision is based, together with a brief statement of the examiner's reasons therefor. If the decision is to be made by the agency, an examiner's recommendation shall be in the form of a proposed decision which may be adopted by the agency as its decision in the case.

B. Where a decision is to be made by an agency based upon an examiner's recommendation, the agency shall set a date for consideration of the examiner's proposed decision, and shall give notice thereof to all parties not later than ten days prior to such date; provided, that at the discretion of the examiner, and upon written showing of adequate reason for the delay, evidence not previously presented may be submitted to the examiner prior to the date set for consideration of such proposed decision, and if the examiner determines to accept and consider such evidence, he shall immediately give notice to each party of record and to the agency which shall remand such proposed decision to the examiner for further consideration and hearing in accordance with Section 3.02.090, and for such modification of such proposed decision as the examiner may make pursuant to such hearing.

In connection with the consideration by the agency of any proposed decision, any party may file written exceptions to such proposed decision or part thereof and may submit a proposed substitute decision together with a written argument in support thereof. Following consideration of such proposed decision and any proposed substitute decision, written exceptions, and/or arguments, the agency may adopt, reject, or modify such proposed decision or any part thereof, and shall issue its decision with its written findings and reasons for any changes from the examiner's proposed decision. (Ord. 102228 § 9, 1973.)

3.02.110 Office of Hearing Examiner.

A. There is created the Office of Hearing Examiner as a separate and independent office of the city for the conduct of hearings in rule-making and contested cases as provided in this chapter or other applicable ordinances. The Office of Hearing Examiner shall not be in the municipal court as contemplated in RCW 35.20.205.

B. Appointment to the Office of Hearing Examiner shall be made by the City Council, from among three persons recommended by a committee composed of the City Personnel Director, the Director of the Seattle/King County Office of Citizen Complaints, and a representative of the Seattle/King County Bar Association. The Civil Service Commission having filed as a permanent record in the Office of the City Comptroller its recommendation that the Office of Hearing Examiner, as a professional or administrative office or position similar to offices and positions designated in Article XVI, Section 11 of the City Charter,¹ should not be included in the classified civil service, such office shall not be included in the classified civil service. Each Hearing Examiner shall be appointed to an initial term of one year, and may thereafter be reappointed to subsequent four-year terms, subject to removal for cause by the City Council.

C. The Hearing Examiner is authorized from time to time to appoint Hearing Examiners Pro Tempore to serve on a day-to-day basis during the absence, unavailability, incapacity or disqualification of the Hearing Examiner.

D. There is created in the Office of Hearing Examiner the position of Deputy Hearing Examiner. The Civil Service Commission having filed as a permanent record in the Office of the City Comptroller its recommendation that the position of Deputy Hearing Examiner is a professional or administrative office or position similar to offices and positions designated in Article XVI, Section 11 of the City Charter,¹ should not be included in the classified civil service, such position shall not be included in the classified civil service. Each Deputy Hearing Examiner shall be appointed by the Hearing Examiner, and perform such duties as shall be required by the Hearing Examiner, and may be removed at will by the Hearing Examiner.

E. Each Hearing Examiner and each Deputy Hearing Examiner shall be an attorney having training and experience for the conduct of

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administrative or quasi-judicial hearings, or shall have such other qualifications as may be prescribed by ordinance providing for the appointment of a special Hearing Examiner.

(Ord. 106724 § 1, 1977; Ord. 106477 § 1, 1977; Ord. 104383 § 1, 1975; Ord. 102228 10, 1973.)

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

3.02.120 Powers of Hearing Examiners.

A. In the performance of duties prescribed by this chapter or other ordinances, Hearing Examiners may:

1. Administer oaths and affirmations, examine witnesses, rule upon offers of proof, receive relevant evidence, and conduct discovery procedures which may include propounding interrogatories and taking oral depositions pursuant to rules promulgated by the agency; provided, that no person shall be compelled to divulge information which he could not be compelled to divulge in a court of law;

2. Upon the request of an agency or any party, or upon his own volition, issue and cause to be served subpoenas for the attendance of witnesses and for production for examination of any books, records, or other information in the possession and under the control of any witness; provided that any such subpoena shall state the name and address of the witness sought, and if for the production of books, documents or things, shall specifically identify the same and the relevance thereof to the issues involved;

3. Regulate the course of the hearing in accordance with agency rules and this chapter and other applicable ordinances;

4. Hold conferences for the settlement or simplification of the issues by consent of the parties;

5. Dispose of procedural requests or similar matters;

6. Make decisions or recommendations in accordance with Section 3.02.100; and

7. Take any other action authorized by ordinance or agency rule consistent therewith.

B. In case of failure or refusal without lawful excuse of any person duly subpoenaed to attend pursuant to such subpoena, or to be sworn, or to answer any material and proper question, or to produce upon reasonable notice any material or proper books or records or other information in his possession and under

his control, the Hearing Examiner 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. 102228 § 11, 1973.)

3.02.130 Agency action upon judicial review.

Whenever any party aggrieved by a final order or decision in a contested case seeks judicial review thereof, the agency may in accordance with guidelines established by rules filed pursuant to Section 3.02.060, and upon application therefor within ten days after the filing of the petition for review and notice to all parties, stay enforcement of such order or decision pending such judicial review. When judicial review is sought as to any order or decision made after hearing, the agency shall at the request of any party and upon payment of the reasonable costs thereof, prepare and transmit to the reviewing court a certified copy of the entire record of the proceedings or such shortened record as may be agreed to by the parties or ordered by the court. At the request or direction of the court, the agency may take additional evidence and modify its findings or order or decision in accordance therewith. Such additional evidence and any modification shall become a part of the record and where appropriate shall be prepared and transmitted to the reviewing court as provided in this section.

(Ord. 102228 § 12, 1973.)

Subtitle II Departments and Offices

Chapter 3.06

BUILDING DEPARTMENT

Sections:

Subchapter I Department Regulations

- 3.06.010 Department created—
Superintendent.
- 3.06.020 Adoption of rules.
- 3.06.030 Superintendent's duties.
- 3.06.040 Transfer from Charter
authorization.

Subchapter II Leases.

- 3.06.100 Authority to negotiate and execute leases.
- 3.06.110 Leases to social service and nonprofit organizations.
- 3.06.120 Reimbursement of Building Department Operating Fund.

Subchapter I Department Regulations

3.06.010 Department created—Superintendent.

A. There shall be a Building Department, the head of which shall be the Superintendent of Buildings.

B. The Superintendent of Buildings shall be appointed by the Mayor and confirmed by a majority of the City Council, subject to reappointment and reconfirmation every four years; provided, that the Superintendent appointed pursuant to the provisions of Charter Article VII prior to its 1977 amendment, and serving immediately prior to the effective date of the ordinance codified in this subchapter,¹ shall serve as the first Superintendent of Buildings pursuant to the provisions of this subchapter until December 31, 1982.

(Ord. 107786 § 1, 1978.)

1. Editor's Note: Ord. 107786 became effective on January 1, 1979.

3.06.020 Adoption of rules.

Pursuant to the Administrative Code (Ordinance 102228),¹ the Superintendent of Buildings may adopt whatever rules he or she deems useful for the conduct of the Department's business.

(Ord. 107786 § 2, 1978.)

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

3.06.030 Superintendent's duties.

Under the direction of the Mayor, the duties of the Superintendent of Buildings include:

A. Enforcing building ordinances of the city, including but not limited to provisions of the Building Code, the Housing Code, and the Zoning Ordinance;¹

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

C. Managing, controlling and maintaining an inventory of lands and buildings of the city, except Parks, Library, City Light and Water De-

partment property, and street and alley rights-of-way, sewer and solid waste utility property;

D. Constructing and maintaining municipal buildings;

E. Appointing, supervising and controlling the officers and employees of the Building Department, subject to personnel ordinances and rules of the city;²

F. Appointing and consulting on all matters of structural strength and design an assistant who is a registered structural engineer or licensed architect who has five years' experience in the practice of his/her profession unless the Superintendent possesses such qualifications;

G. Performing other duties as directed by the city.

(Ord. 107786 § 3, 1978.)

1. Editor's Note: The Building and Housing Codes are codified in Title 22 of this Code; the Zoning Ordinance is codified in Title 24.

2. Editor's Note: The personnel regulations included in this Code are codified in Title 4.

3.06.040 Transfer from Charter authorization.

A. The Building Department heretofore established by Charter Article VII shall become the Building Department established pursuant to the provisions of this subchapter. All of the records, books, papers, properties, equipment, offices, rights and responsibilities of the Department heretofore created by Charter are transferred to the department established by this subchapter.

B. The appointment of each and every employee of the Building Department heretofore established by Charter is ratified and confirmed as an appointment to the Building Department established pursuant to the provisions of this subchapter, and such employment shall be deemed to be continuous and without interruption of service, and no employee shall suffer any loss of accrued service credit, vacation time, sick leave, compensation time, or any other benefit, on account of the transfer from a department created by Charter to a department created by this subchapter.

(Ord. 107786 § 4, 1978.)

Subchapter II Leases

3.06.100 Authority to negotiate and execute leases.

Except as provided in Section 3.06.110, the Superintendent of Buildings is authorized to

Seattle Municipal Code as adopted by the City Council For current use by the Office of the City Clerk

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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 Building Department, 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 Superintendent of Buildings 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 term of the occupancy or use, condition of the premises, and current rental rates for similar property in the vicinity.
(Ord. 107634 § 1, 1978.)

3.06.110 Leases to social service and nonprofit organizations.

The execution of new leases and extensions of the terms of existing leases of city property to various community social service agencies and other nonprofit organizations as contemplated in Resolution 25609, and in the Statements of Legislative Intent pertaining to the Building Department contained in the various Attachments "A" to Resolution 25410 and Resolution 25723¹ (all relating to Mutual and Offsetting Benefits (MOB) leases) shall be authorized by individual ordinances.

(Ord. 107634 § 2, 1978.)

1. Editor's Note: These resolutions are not included in this codification. Copies are on file in the Office of the City Clerk.

3.06.120 Reimbursement of Building Department Operating Fund.

To provide for the reimbursement of the Building Department Operating Fund for expenses incurred by the Building Department 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 Building Department, to deposit such amounts in the Building Department Operating Fund, and to deposit the remainder of such funds (if any) in the fund from which money was expended to acquire said property.

(Ord. 107634 § 3, 1978.)

ADMINISTRATION

LEASE AGREEMENT

PART A - SIGNATURE FORM

PARTIES

THIS LEASE AGREEMENT, entered into by and between THE CITY OF SEATTLE, a municipal corporation duly organized and existing under the laws of the State of Washington, as Lessor (hereinafter referred to as the "City"), and

(a sole proprietorship) (a partnership) (a corporation organized under the laws of Washington), (hereinafter referred to as "Lessee"), WITNESSES THAT:

PREMISES

The City, as the legal owner of the real property described as follows:

hereby leases to the Lessee and the Lessee hereby leases from the City the building located on the above-described property, commonly known as (hereinafter referred to as the "Premises"), only for the following use(s) and purpose(s):

USE/PURPOSE

TERM

during the term of this lease and any extension(s) hereof as follows: Beginning, and terminating; Provided, that this lease may be extended upon mutual agreement for an additional period terminating, and thereafter, for an additional period terminating, all subject to the terms and conditions hereof; in consideration of which the Lessee shall abide by all of the terms and conditons of this lease and shall pay the City the following rent:

RENT

INSURANCE

and maintain a policy of public liability insurance as specified in Part B hereof, in at least the following amounts:

- \$...for injury to, or loss of life of, any individual person;
\$...in the aggregate for personal injuries suffered in each occurrence;
\$...property damage suffered in each occurrence;
\$...maximum deductible.

UTILITIES

Notwithstanding the provisions in the first sentence of Part B, Section 4. UTILITIES, the City, at its sole expense, shall provide the following:

but shall not be responsible for any costs incurred in modifying the systems therefor that are occasioned by the Lessee's requirements.

AGREEMENT CONTENTS

This lease consists of this Part A - Signature Form plus Part B - General Terms and Conditions, and Addendum I prohibiting discrimination, all of which, by this reference, are incorporated herein, and embody the entire agreement of the parties hereto. There are no other understandings or agreements, written or oral, between the parties relating to the subject matter hereof.

EFFECTUATION OF AGREEMENT

In order to be effective this lease must be (1) signed by an authorized representative of the Lessee and returned to the City at the address set forth below, on or before, accompanied by any required policy of insurance, and (2) signed by the Superintendent of Buildings pursuant to ordinance authority.

IN WITNESS WHEREOF, the parties hereto have affixed their signatures below:

THE CITY OF SEATTLE LESSOR LESSEE'S NAME
By Superintendent of Buildings (Name) (Title)

LEASE AGREEMENT

PART B – General Terms and Conditions

1. **LIMITATION ON USE/PURPOSE.** Notwithstanding any other provisions herein, the Lessee shall not enter into any sublease of the premises or any portion thereof or any assignment of any interest in this agreement, whether long or short term in nature, or engage in any activity with respect to or on the premises other than the express use(s) and purpose(s) stipulated herein, without obtaining the prior explicit written authorization therefor from the City.

2. **POSSESSION.** In the event of the inability of the City to deliver possession of the premises, or any portion thereof, at the time of the commencement of the term of this lease, neither the City nor any of the City's officers, employees, or agents shall be liable for any damage caused thereby, nor shall this lease thereby become void or voidable, nor shall the term herein specified be in any way extended, but in such event, the Lessee shall not be liable for any rent until such time as the City can deliver possession. If the Lessee shall take possession of the premises prior to the commencement date of this lease, the Lessee and the City agree to be bound by all of the provisions and obligations hereunder during such prior period, including payment of rent at the rate stated herein prorated on a daily basis.

3. **LICENSES AND TAXES.** The Lessee shall be liable for, and shall pay through the term of this lease, all license and excise fees and occupation taxes covering the business conducted on the premises, and all taxes on personal property of the Lessee on the premises and any excise or other taxes on the leasehold created by this Agreement. The Lessee shall also pay unemployment insurance, social security, workmen's compensation, applicable to its business, and otherwise fulfill all fiscal obligations imposed by law or contract.

4. **UTILITIES.** The Lessee, at the Lessee's sole expense, shall provide, or shall otherwise pay for, when due, all costs for providing, all utilities and other services on or to the premises including but not limited to elevator service, electricity, gas, water, telephone, sewer, garbage, heating, janitorial, security, and grounds keeping, and shall also pay all charges for utility installation and modifications thereto occasioned by the Lessee's requirements. The

City shall not be liable for any injury, loss or damage caused by or resulting from any interruption or failure of said services due to any causes whatsoever except the City's negligence. The Lessee shall not be entitled to an offset, reduction or return of rental as a result of any interruption or failure of said services.

5. **LIABILITY.** (a) **Indemnification:** The Lessee shall indemnify and hold the City harmless from any and all claims whatsoever arising out of the use and occupation of said premises including claims arising by reason of accident, injury or death caused to persons or property of any kind occurring by the fault or neglect of the Lessee, its officers, employees, agents, licensees, or invitees, or occurring without the fault or neglect of the City.

(b) **Assumption of Risk:** The placement and storage of personal property on said premises shall be the responsibility, and at the sole risk, of the Lessee.

(c) **Insurance:** During the term of this lease and any extension thereof, the Lessee shall secure and maintain a policy of standard form comprehensive general liability insurance with an insurance company licensed to do business in the State of Washington, providing protection and indemnification against any and all claims for injury to person or property or for loss of life, including the liability of the City for such to the Lessee and any of the Lessee's officers, employees and agents, and any liability of the Lessee as such to the City, its officers, employees and agents, arising out of or in connection with the occupancy and use of the premises as well as any and all claims and risks in connection with any acts or omissions performed by Lessee by virtue of the rights granted pursuant to this lease. Said policy limits shall be in the amount specified in Part A hereof. Said policy must specifically name The City of Seattle as an additional insured party thereunder and must stipulate that the coverages provided by said policy shall not be terminated, reduced, or otherwise changed in any respect without providing at least thirty (30) days' prior written notice to The City of Seattle, Attention: Superintendent of Buildings. Notwithstanding any provisions herein to the contrary, the failure of the Lessee to comply with the provisions of this section shall subject this lease to immediate termination without notice and without recourse by any person in order to protect the public interest.

(d) **Waiver of Subrogation:** The City and the Lessee hereby grant to each other on behalf of themselves and any or all insurers providing insurance to either of them covering the premises or any portion thereof, a waiver of any right of subrogation any such insurer of one party may acquire against the other by virtue of payment of any loss under such insurance.

(e) **Adjustments of Claims:** The Lessee shall provide for the prompt and efficient handling of all claims for bodily injury, property damage or theft arising out of the activities of the Lessee under this lease. The Lessee agrees that all such claims, whether processed by the Lessee or Lessee's insurer, either directly or by means of an agent, will be handled by a person with a permanent office in the Seattle area.

6. **USE AND CARE OF PREMISES.** (a) **General Condition:** The premises shall at all times be kept in a neat, clean, safe and sanitary condition, and kept and used in accordance with the laws of the State of Washington and Charter and ordinances of The City of Seattle, and in accordance with all authorized rules and regulations of the Health Officer, Fire Marshal, Building Inspector and other proper officers of The City of Seattle at the sole cost and expense of the Lessee. The Lessee shall not permit any waste, damage, or injury to the premises; use or permit on said premises anything that will increase the rate of fire insurance thereon; maintain anything on the premises that may be dangerous to life or limb; overload the floors; permit any objectionable noise or odor to escape or to be emitted from said premises; permit anything to be done upon said premises that in any way will tend to create a nuisance or, in the event of multiple occupancy, to disturb any other tenants of the building; or to use or permit the use of said premises for lodging or sleeping purposes.

(b) **Maintenance – Repairs:** The premises have been inspected by both parties and are accepted by Lessee in their existing condition as of the commencement date of this lease, without reservation except for latent defects or faulty construction of the premises not discoverable by inspection at the time of taking possession. All normal repairs to roof, walls and foundations and existing utility connections to and from the premises necessary to maintain premises in a tenantable condition shall be done by or under the direction of the City, and at the City's expense, except those caused by the

negligence or acts of the Lessee, or the Lessee's officers, employees, agents or invitees, which repairs shall be made at the sole expense of the Lessee. All other maintenance and repairs to the premises shall be the responsibility and at the sole expense of the Lessee, except that such maintenance and repairs shall be subject to the prior written approval of and shall be undertaken at the direction of the City.

(c) **Alterations:** The Lessee shall not make, or cause to be made, any alteration, addition or improvement in said premises without first obtaining the written consent of the City to such work. All alterations, additions and improvements which shall be made, shall be at the sole cost and expense of Lessee, and shall become the property of the City, and shall remain in and be surrendered with the premises as a part thereof at the termination of this lease, without disturbance, molestation or injury. The City reserves an unqualified right to make alterations to the premises or to the building in which the premises are situated (1) where conditions deemed by the Superintendent of Buildings to constitute an emergency, exist, or (2) in order to correct code-deficiencies. The City also reserves the right to make general alterations to the premises or to the building in which the premises are situated provided said general alterations do not unreasonably interfere with the ordinary operation of the premises by the Lessee.

(d) **Access:** The City reserves for itself, its officers, employees, agents and contractors, free access to said premises at all reasonable times for the purposes of inspecting, cleaning, or making repairs, additions or alterations to the premises or any other property owned by or under the control of City, but this right shall not be construed as an agreement on the part of the City to make said inspections, clean or make repairs, additions or alterations. The Lessee shall have reasonable access to other property of the City where necessary to provide utility services to the premises; all of the Lessee's work on such other City property shall be at the Lessee's sole expense.

(e) **Signs:** The Lessee shall not display, inscribe, paint or affix to any part of the premises any sign except such as shall have been approved in writing by the City prior to such placement. The City shall have the right to place and maintain "For Rent" signs in conspicuous places on said premises and to show the premises to prospective tenants during the thirty (30)

ADMINISTRATION

days prior to the expiration of this lease.

(f) **Keys:** In the event that the Lessee requests a change in locks or changes the locks, said changes shall be at the sole expense of the Lessee. The Lessee shall notify the City in writing of such change, and for emergency use, shall provide the City with one (1) key for each lock on the premises.

7. **DAMAGE OR DESTRUCTION.** In the event the premises are damaged by fire, earthquake, act of war, or other extraordinary casualty to such an extent as to render the same untenable in whole or in substantial part thereof, or are destroyed, it shall be optional with the City to repair or rebuild the same; and within forty-eight (48) hours after the happening of any such event, the Lessee shall give the City or City's agent notice thereof. The City shall have not more than sixty (60) days after the date of such notification to notify the Lessee in writing of the City's intentions to repair or rebuild said premises, or any part so damaged. If the City elects to repair or rebuild said premises, the City shall prosecute the work of such repairing or rebuilding without unreasonable delay, in accordance with the then existing City procedures, and during such period the rent for said premises shall be abated in the same ratio that that portion of the premises rendered for the time being unfit for occupancy shall bear to the whole of the leased premises; upon the completion of said rebuilding, the Lessee shall immediately reoccupy the premises and pay the rent as aforesaid. In the event the building in which the leased premises are located shall be substantially destroyed or damaged even though the leased premises shall not be damaged thereby, if in the opinion of the City it shall not be practical to repair or rebuild, then it shall be optional with the City to terminate this lease by providing written notice to the Lessee within sixty (60) days after such damage or destruction has been determined to be irreparable. If the City shall fail to give the notice aforesaid, the Lessee shall have the right to declare this lease terminated by written notice provided to the City. Notwithstanding any other provision herein, no party to this lease shall be liable in damages to any other party for termination of this lease because of the damage or destruction of the premises or the building in which the premises form a part, as described in this section.

8. **INTERIM TENANT STATUS/RELOCATION.** (a) The status of the Lessee is only that of an interim tenant; notwithstanding any other provision herein, the term of the Lessee's tenancy is limited by and is subject to the City's declaration of intended use and/or need for the subject property for public purposes.

(b) Under no circumstances shall the Lessee be deemed to be or to have become a "displaced person" as defined and used in state and federal laws, rules and regulations pertaining to relocation assistance; and no cancellation, termination, or failure to extend the term of this lease shall qualify the Lessee for any of the benefits under such relocation assistance laws, rules or regulations.

(c) The amount of rental stipulated as consideration for this lease includes, as a part thereof, full settlement for relocation benefits, if any are to be paid by the City, and all consequences of the Lessee's status as a tenant.

9. **NONDISCRIMINATION.** (a) The Lessee shall comply with all federal, state and local laws and ordinances prohibiting discrimination in employment with regard to age, sex, race, color, creed, national origin, or physical or mental handicap, unless based upon a bona fide occupational qualification.

(b) In the event the Lessee has three (3) or more employees, the following provision shall be deemed a part of this lease:

"During the performance of this lease, the Lessee agrees as follows:

"The Lessee will not discriminate against any employee or applicant for employment because of creed, race, color, sex, age, or national origin, unless based upon a bona fide occupational qualification. The Lessee will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their creed, race, color, sex, age or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Lessee agrees to post in conspicuous places, available to employees and applicants for employment notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause. The Lessee will take affirmative action to ensure that

all of its employees, agents, and subcontractors adhere to this provision; Provided, nothing herein shall prevent an employer from giving preference in employment to members of his immediate family.

"The Lessee will, upon the request of the Director (as used herein Director means the Director of the City's Human Rights Department, or his designee) furnish to the Director on such form as may be provided therefor, a report of the affirmative action taken by the Lessee in implementing the terms of this provision, and will permit access to his records of employment, employment advertisements, application forms, other pertinent data and records by the Director for the purpose of investigation to determine compliance with this provision.

"If, upon investigation, the Director determines that there is probable cause to believe that the Lessee has failed to comply with any of the terms of this provision, the Lessee shall be so notified in writing. The contracting authority shall give the Lessee an opportunity to be heard, after 10 days' notice. If the contracting authority concurs in the findings of the Director, it may suspend or terminate this lease.

"Failure to comply with any of the terms of this provision shall be a material breach of this lease."

The foregoing provision will be inserted in all subleases entered into under this lease.

(c) Concessionaire shall complete and submit to the proper authorities all information requested, as well as comply with all requirements contained in "Addendum I," which is attached hereto and by this reference incorporated herein, whenever required to do so by City pursuant to Ordinance 101432.

10. **NOTICES.** All notices to be given by either of the parties hereto to the other party, shall be in writing and may either be delivered personally or may be deposited in the United States Mail, postage prepaid, as either certified or regular mail, addressed as specified in Part A hereof, or to such other respective addresses as either party may from time to time designate in writing. Notices sent by mail shall be deemed to have been given when properly mailed; the postmark affixed by the United States Post Office shall be conclusive evidence of the date of mailing.

11. **RELATIONSHIP.** In no event shall the City be construed, or held to have become in

any way or for any purpose a partner, associate, or joint venturer of the Lessee or any party associated with the Lessee in the conduct of the Lessee's business or otherwise. This lease does not constitute the Lessee the agent or legal representative of the City for any purpose whatsoever.

12. **AMENDMENTS.** The parties hereto expressly reserve the right to renegotiate the provisions hereof, including the term of this lease, from time to time as may be necessary and to amend this lease accordingly; Provided, however, that no alteration or modification of the terms or conditions hereof shall be valid and binding unless made in writing and signed by the authorized representatives of the parties hereto.

13. **WAIVER OF DEFAULT.** The City does not waive full compliance with the terms and conditions of this lease by acceptance of rent. No waiver of default by either party of any of the terms, covenants and conditions hereof to be performed, kept and observed by the other party shall be construed as, or operate as, a waiver of any subsequent default of any of the terms, covenants and conditions herein contained, to be performed, kept and observed by the other party.

14. **TERMINATION.** In the event that the Lessee defaults in the performance of any of the terms, provisions, covenants and agreements on the Lessee's part to be kept, observed and performed, and such default is not corrected within thirty (30) days after the receipt of notice thereof from the City, or such shorter period as may be reasonable under the circumstances; or if the Lessee shall abandon, desert, vacate or remove from the premises; or if the Lessee shall file a petition in bankruptcy; or if the Lessee shall be adjudicated a bankrupt after the filing of an involuntary petition in bankruptcy; or if the Lessee shall take or receive the advantage or benefit of any insolvency; or if the Lessee shall enter into an agreement of composition with the Lessee's creditors; then, in such event, the City, at its option at any time thereafter, may terminate this lease together with all of the estate, right, and title thereby granted to or vested in the Lessee, by giving twenty (20) days' notice in writing of such election, by certified mail addressed to the Lessee at the address specified in Part A hereof, and at the expiration of such twenty (20) day period, this lease and all of the estate, right, title and interest thereby granted to or vested in the Lessee shall

ADMINISTRATION

then cease and terminate, and the City may re-enter said premises using such force as may be required. Notwithstanding such re-entry by the City and anything to the contrary in this agreement, the liability of the Lessee for the rent provided for herein shall not be extinguished for the balance of the term of this lease. The Superintendent of Buildings shall have the right to determine on the City's behalf the existence of any default in performance or other breach or violation of the terms and conditions hereof on the part of the Lessee.

15. **SURRENDER OF PREMISES.** At the expiration or termination of this lease, including any extensions thereof, whichever is earlier, the Lessee shall quit and surrender said premises and all keys thereto, without notice and in as good condition as received at commencement of the term, ordinary wear and tear, damage or destruction by fire or other casualty or circumstances uncontrollable by the Lessee excepted; Provided, that if alterations, additions or improvements have been made to the premises as provided in this lease, the Lessee shall not be required to restore the premises to the condition in which they were prior to such alterations, additions or improvements having been made.

16. **ADJUDICATION.** This lease shall be construed under all of the applicable laws, statutes, ordinances, rules and regulations of the United States, the State of Washington, County of King, and The City of Seattle. In the case of a dispute between the parties, jurisdiction over such dispute shall be with the Superior Court of King County, Washington.

17. **BINDING EFFECT.** This lease shall be binding upon the heirs, successors, assigns and all other parties legally empowered with signatory rights of any or all of the parties hereto.

18. **INVALIDITY OF PROVISIONS.** Should any term, provision, condition or other portion of this lease be held to be inoperative, invalid or void, the same shall not affect any other term, provision, condition or other portion of this lease; and the remainder of this lease shall be effective as if such term, provision, condition or portion had not been contained herein.

Seattle Municipal Code
As Adopted in 1980
For Current SMC, contact
the Office of the City Clerk

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ADDENDUM I

INSTRUCTIONS FOR CONTRACT
COMPLIANCE ORDINANCE 101432¹

Note: The term "Contractor" herein used, includes Consultants, Vendors, Permittees, Lessees, Concessions, Franchises, Suppliers and Services.

SUBMITTAL OF BID/PROPOSAL,
AGREEMENT OR PERMIT REQUEST

Sections 3.1, 3.2 and 3.3 of Ordinance 101432¹ establish specific requirements to be met in submitting proposals, bidding on Public Works contracts and/or doing business with The City of Seattle. Failure to meet these requirements will cause Contractor to be considered nonresponsible and not in compliance with the ordinance.

The following three forms are for compliance purposes and shall be completed and submitted to the Awarding Authority along with the invitation, request, proposal or bid:

1. **SWORN STATEMENT FOR COMPLIANCE WITH SECTION 4, ORDINANCE 101432.** On this form the Contractor is required to insert the name and title of the Equal Employment Officer (EEO) who has been designated as the person responsible for carrying out the Contractor's Affirmative Action Program. **Signature and notarization** of the Sworn Statement is also required.

2. The **LOCAL MANPOWER REPORT** (Form HRI.D-3) shall reflect the total workforce of the Contractor's company or division in and around the Seattle/King County area. This includes office staff as well as field staff.

3. An **ESTIMATED PROJECTED EMPLOYMENT PROFILE** (form HRI.D-4) is to be completed by the Contractor. This form will be used as a projection and commitment for minorities and females to be used on the work force should the contract be awarded.

COMPLIANCE PROCEDURES BEFORE
START OF CONTRACT

Before the final agreement is signed by the Contractor, a conference will be held between the Human Rights Department, the Contractor and the Awarding Authority to discuss the Contractor's Affirmative Action Program or

plan, and to explain the reporting procedures and other requirements during the term of the contract.

COMPLIANCE AFTER AWARD OF
CONTRACT AND START OF WORK

1. **EQUAL EMPLOYMENT OPPORTUNITY REPORTS** (Form HRI.A-1/D-5) shall be submitted, per instructions, to the Human Rights Department during the progress of the project. The A-1/D-5 Reports so submitted should not be estimates of future employment levels, but should be **actual** employment figures.

2. The **Prime Contractor** is held responsible for any Subcontractor's Affirmative Action Program and Equal Employment Opportunity Reports. During the progress of the work on the contract, the Prime must obtain A-1/D-5 Reports from all Subcontractors presently on the project, and must **submit them along with that of the Prime**, to the Human Rights Department.

3. All HRI.A-1/D-5 Reports will be examined by Contract Compliance Division of the Human Rights Department. In the event that the reports are unsatisfactory, Contractor will be approached by the Department in an attempt to reach a satisfactory resolution in regard to the Contractor's Affirmative Action in minority and female employment.

4. In the event that the A-1/D-5 Report is found unsatisfactory after the Contractor has been approached, and a satisfactory resolution cannot be reached between the Human Rights Department and the Contractor, a report shall be transmitted to the Awarding Authority for its findings. A request shall be made that the Awarding Authority take appropriate action as set forth in Ordinance 101432.¹

1. Editor's Note: Ord. 101432 is codified in Chapter 20.44 of this Code.

ADMINISTRATION

SWORN STATEMENT FOR COMPLIANCE WITH SECTION 4, ORDINANCE 101432¹

State of Washington)
) ss
County of King)

The Undersigned, being first duly sworn, on oath states on behalf of the contractor (contractor, as used herein includes: consultants, vendors, lessees, concessions, franchises, suppliers, permits, services) as follows:

A. Contractor hereby designates (name) (title) as the person who has been charged with the responsibility for securing compliance with such contract provisions, and reporting progress in connection with the affirmative action to be undertaken herewith.

B. Contractor shall cooperate fully with the Seattle Department of Human Rights while making every "good faith" effort to comply with the affirmative action requirements set forth in this sworn statement and Ordinance 101432. The Department of Human Rights will be kept fully informed in writing of all the contractor's affirmative actions taken during the contract's term and of any refusals by unions or others to cooperate with the contractor's affirmative action plan.

C. Contractor shall conduct a work force analysis which will identify job classifications wherein underrepresented persons (minorities and women) are underutilized in proportion to their representation in the available work force. This analysis shall be made separately for minorities and women.

D. Contractor shall correct deficiencies of underrepresented persons at all levels of the work force by considering underrepresented persons to fill new positions and vacancies. This will require the development of goals and timetables for use during the next twelve months in order to accomplish affirmative action objectives.

E. Contractor shall insure that equal opportunity of employment for underrepresented persons results during the term of this contract by taking (at a minimum) the following affirmative actions:

1. Provide written notification to organizations that are active in securing equal employment opportunities when position openings

occur. Send a copy of such announcements to the Human Rights Department.

2. Conduct constant recruitment efforts with organizations, schools, and/or training establishments concerned with securing employment for underrepresented persons.

3. Make specific efforts to encourage present underrepresented persons who are employees to recruit friends and relatives.

4. Sponsor, utilize and provide training/educational opportunity for the advancement of underrepresented persons employed by your firm.

5. Provide equal employment opportunity for after-school and summer employment to underrepresented young persons.

6. Notify pertinent employment referral agencies that your firm provides equal employment opportunities. Include such a statement in any advertising conducted when filling vacancies.

7. Give notice to his supervisors and other employees of the terms of the affirmative actions to be undertaken.

8. In the event that contractor already has an affirmative action plan which includes goals and timetables, said document may be submitted for review in lieu of implementing items one (1) through seven (7) of Section E.

Contractor (name) (title)
Company Name
By: (name) (title)

Subscribed and sworn to before me this day of, 19.

Notary Public in and for the State of Washington
Residing at

1. Editor's Note: Ord. 101432 is codified in Chapter 20.44 of this Code.

City of Seattle
 Department of Human Rights
 Contract Compliance Division

LOCAL MANPOWER REPORT

Contractor _____ Amount of Contract _____
 Address _____ Project Name _____
 City _____ State _____ Starting Date _____
 EEO Officer _____ Est. Completion Date _____
 Telephone Number _____ Prepared by _____
 Location of Project _____ Date of Report _____
 Awarding Authority _____

OCCUPATIONS	Total Empl.		Total Min.		Black		Asian		Amer Indian		Span. Amer		Appren.		On the Job Trainee	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Officials (Managers)																
Professionals																
Technicians																
Sales Workers																
Office/Clerical																
Skilled Craftsmen																
Others:																
*																
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* Identify Trade
 Affirmative action taken or proposed to increase minority/female representation in permanent work force:

City of Seattle
 Department of Human Rights
 Contract Compliance Division

ESTIMATED PROJECTED EMPLOYMENT PROFILE

Contractor _____

Doing Business at _____ Phone: _____
 (Address)

City _____ State: _____ Zip: _____

EEO Officer for this project _____

Type of Contract work _____

Tentative length of Contract _____

Total number of employees expected to work on project: _____
 Male _____ Female _____

Total number MINORITIES expected to work on project: _____
 Male _____ Female _____

List below skills of minority utilization on this project.

OCCUPATIONS	Black		Asian		American Indian		Spanish American	
	M	F	M	F	M	F	M	F
Principals								
*								
*								
*								
*								
*								
*								
*								
Trainee Positions								

* List Skills

How many Seattle City Contracts are now held by Contractor? _____

Names and trades* of all sub contractors, if any, to be used on project.

SUB - PROFESSIONALS	ADDRESS	PHONE	PROFESSION

* Trades: Electrical, Cement, Iron, etc.

ADMINISTRATION

Chapter 3.08

CITY LIGHT DEPARTMENT

Sections:

3.08.010 Department established—
Superintendent.

3.08.020 Adoption of rules.

3.08.030 Superintendent's duties.

3.08.040 Transfer from Charter
authorization.

3.08.010 Department established—
Superintendent.

A. There shall be a City Light Department, consisting of the municipal light and power system,¹ the head of which shall be the Superintendent of City Light.

B. The Superintendent of City Light shall be appointed by the Mayor and confirmed by a majority of the City Council, subject to reconfirmation every four years; provided, that the Superintendent of Lighting appointed pursuant to Charter Article VII prior to its 1977 amendment, and serving immediately prior to the effective date of the ordinance codified in this chapter,² shall serve as the first Superintendent of City Light pursuant to the provisions of this chapter until December 31, 1979.
(Ord. 107787 § 1, 1978.)

- 1. Cross-reference: For provisions regarding the municipal light and power system, see Chapter 21.48 of this Code.
- 2. Editor's Note: Ord. 107787 became effective on January 1, 1979.

3.08.020 Adoption of rules.

Pursuant to the Administrative Code (Ordinance 102228),¹ the Superintendent of City Light may adopt whatever rule he or she deems useful for the conduct of the Department's business.
(Ord. 107787 § 2, 1978.)

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

3.08.030 Superintendent's duties.

Under the direction of the Mayor, the duties of the Superintendent of City Light include:

A. Managing, controlling, operating and maintaining the municipal light and power system and related facilities;

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

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

D. Making maps, surveys, profiles, plans, specifications, estimates and reports in connection with the City Light Department as directed by the city;

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

F. Performing other duties as directed by the city.

(Ord. 107787 § 3, 1978.)

3.08.040 Transfer from Charter authorization.

A. The Department of Lighting heretofore established by Charter Article VII shall become the Department of City Light established pursuant to the provisions of this chapter.

B. All of the records, books, papers, properties, equipment, offices, rights and responsibilities of the Department heretofore created by Charter are transferred to the department established by this chapter.

C. The appointment of each and every employee of the City Light Department heretofore established by Charter is ratified and confirmed as an appointment to the City Light Department established pursuant to the provisions of this chapter, and such employment shall be deemed to be continuous and without interruption of service, and no employee shall suffer any loss of accrued service credit, vacation time, sick leave, compensation time, or any other benefit, on account of the transfer from a department created by Charter to a department created by this chapter.

(Ord. 107787 § 4, 1978.)

Seattle Municipal Code
As adopted by the City Council
For current use by the City Clerk
Office of the City Clerk

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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 II Office of Economic Development

- 3.10.050 Office created—Purpose.
3.10.060 Entrepreneurial Assistance
Program—Confidentiality.

Subchapter III Office of Housing Policy

- 3.10.100 Office established—Purpose.
3.10.110 Administrator—Appointment.
3.10.120 Administrator—Duties.
3.10.130 Housing Advisory Council.

Severability: The invalidity of any section, subsection, provision, clause or portion of Subchapter III, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of Subchapter III or the validity of its application to other persons or circumstances.
(Ord. 101475 § 4, 1972.)

Subchapter I Department Regulations

3.10.010 Department created—Duties.

There is created a Department of Community Development to advise the Mayor, the City Council and the Director of the Office of Policy Planning regarding the City's Comprehensive Plan; to review and make recommendations regarding zoning and building codes' administration; to administer joint private and public development projects such as urban renewal; and to cooperate with citizens for neighborhood planning.
(Ord. 104067 § 7, 1974; Ord. 97473 § 1, 1969.)

3.10.020 Director—Appointment and duties.

A. There shall be a Director of the 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,¹ 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. Manage, control, and be responsible for federally assisted urban renewal projects, and in such connection shall:

a. Prepare applications 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;¹

2. Develop policy recommendations concerning zoning and building codes;

3. Appoint, remove, supervise, and control all officers and employees of the Department of Community Development in accordance with civil service laws and rules;

4. 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

5. Through the Mayor, make periodic reports to the City Council of the operations

ADMINISTRATION

of the Department of Community Development.

(Ord. 104067 § 8, 1974; Ord. 97473 § 2, 1969.)

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

Subchapter II Office of Economic Development

3.10.050 Office created—Purpose.

There is created in the Department of Community Development an Office of Economic Development to provide information in terms of economic data and local regulations affecting businesses considering expansion in or relocation to the city; to receive and refer inquiries as to local economic conditions and development problems to the appropriate governmental or private agencies; to provide liaison with such agencies for the sharing of information and data pertaining to local economic activity; cooperate with community organizations seeking to improve conditions affecting economic development; and prepare a monthly summary of local economic conditions in the Seattle area and as affecting city operations.

(Ord. 99745 § 1, 1971.)

3.10.060 Entrepreneurial Assistance Program—Confidentiality.

As of July 1, 1972, such specific creative proposals, product information and financial information as is contained in the Office of Economic Development Entrepreneurial Assistance Program forms shall be confidential and shall not be made public, nor shall they be subject to the inspection of any person except duly authorized city employees.

(Ord. 101281 § 1, 1972.)

Subchapter III Office of Housing Policy

3.10.100 Office established—Purpose.

There is established in the Department of Community Development an Office of Housing Policy to improve neighborhood planning, policy formulation and information exchange regarding housing within the city.

(Ord. 101475 § 1, 1972.)

3.10.110 Administrator—Appointment.

There shall be an Administrator of Housing Policy whose office shall not be included in the classified civil service, and who shall be appointed by and serve at the pleasure of the Director

of Community Development from among persons qualified by training and experience to direct the work of said office; 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 position, as a professional or administrative office or position similar to offices and positions designated in Article XVI Section 11 of the City Charter,¹ should not be included in the classified civil service.

(Ord. 101475 § 2(part), 1972.)

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

3.10.120 Administrator—Duties.

The Administrator of Housing Policy shall be the head of the Office of Housing Policy and shall be responsible for the administration of said office under the direction and supervision of the Director of Community Development and shall perform such other duties as the Director shall prescribe including:

A. The development of housing goals and policies and the translation of both short- and long-term goals into a housing strategy for the city;

B. The development of a housing research capability to include current information concerning:

1. Impact, operation, and funding of federal, state, and city housing programs,
2. Relationships of proposed and existing housing programs, and
3. Statistical data and statutory regulations affecting housing;

C. The coordination of city housing policies and programs, including:

1. Establishing liaison among all housing agencies having an effect upon the area for the purpose of avoiding duplication of programs, exchanging information pertaining to the inter-relationship of such programs, and providing all possible support and assistance to the Housing Conservation Program of the Building Department,

2. Preparing and assisting in the preparation of integrated housing-related proposals in conjunction with various agencies, and evaluating resulting programs for implementation of housing goals,

3. Identifying obstacles to the realization

of housing goals and suggesting modifications or alternative programs and/or procedures where indicated,

4. Giving special emphasis to low income housing programs, the expediting of existing programs, and the development of distribution formulas;

D. The preparation of an annual report summarizing the activities of the Office of Housing Policy during the preceding year and detailing its efforts toward meeting the city's housing goals.

(Ord. 101475 § 2(part), 1972.)

3.10.130 Housing Advisory Council.

A. There is established a Seattle Housing Advisory Council to be composed of the members of the Housing Task Force of the Seattle 2000 Commission, who shall serve without compensation.

B. The Council shall organize, elect officers, and adopt rules of organization and procedure for its own government, and shall meet at least once each quarter upon the call of the Chairman at such time and place as the Chairman shall designate.

C. The Council shall act in an advisory capacity to and shall consult with the Director of Community Development in respect to matters concerning the function of the Office of Housing Policy.

(Ord. 101475 § 3, 1972.)

Chapter 3.12

ENGINEERING DEPARTMENT

Sections:

Subchapter I Department Regulations

- 3.12.010 Department created—Director.
- 3.12.020 Adoption of rules.
- 3.12.030 Director's duties.
- 3.12.040 Transfer from Charter authorization.
- 3.12.050 Operation of debris collection barge.

Subchapter II Consultants

- 3.12.100 Contracts for architectural and geological consultants.
- 3.12.110 Bridge design.
- 3.12.120 Traffic engineering and transportation planning.

Subchapter I Department Regulations

3.12.010 Department created—Director.

A. There shall be an Engineering Department, the head of which shall be the Director of Engineering.

B. The Director of Engineering shall be appointed by the Mayor and confirmed by a majority of the City Council, and shall be subject to reappointment and reconfirmation every four years; provided, that the City Engineer appointed pursuant to Charter Article VII prior to its 1977 amendment, and serving immediately prior to the effective date of the ordinance codified in this subchapter,¹ shall serve as the first Director of Engineering pursuant to the provisions of this subchapter until December 31, 1980.

(Ord. 107789 § 1, 1978.)

1. Editor's Note: Ord. 107789 became effective on January 1, 1979.

3.12.020 Adoption of rules.

Pursuant to the Administrative Code (Ordinance 102228),¹ the Director of Engineering may adopt whatever rule he or she deems useful for the conduct of the Department's business.

(Ord. 107789 § 2, 1978.)

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

3.12.030 Director's duties.

Under the direction of the Mayor, the duties 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,

ADMINISTRATION

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. Appointing and consulting on all engineering matters with an assistant who is a registered professional engineer having at least ten years' experience, unless the Director possesses those qualifications;

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

H. Managing, controlling, operating and maintaining the municipal solid waste utility;

I. Performing other duties as directed by the city.

(Ord. 107789 § 3, 1978.)

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

3.12.040 Transfer from Charter authorization.

A. The Department of Engineering heretofore established by Charter Article VII prior to its 1977 amendments shall become the Engineering Department established pursuant to the provisions of this subchapter.

B. All of the records, books, papers, properties, equipment, offices, rights, and responsibilities of the department heretofore created by Charter are transferred to the department established by this subchapter.

C. The appointment of each employee of the Engineering Department heretofore established by Charter is ratified and confirmed as an appointment to the Engineering Department established pursuant to the provisions of this subchapter, and such employment shall be deemed to be continuous and without interruption of service, and no employee shall suffer any loss of accrued service credit, vacation time or any other benefit, on account of the transfer from a department created by Charter to the department created by this subchapter.
(Ord. 107789 § 4, 1978.)

3.12.050 Operation of debris collection barge.

As of February 1, 1963, the debris collection barge operation on waters adjacent to the city is transferred to the Engineering Department.
(Ord. 91819 § 1, 1963.)

Subchapter II Consultants¹

1. Editor's Note: As used in this subchapter, "City Engineer" means "Director of Engineering."

3.12.100 Contracts for architectural and geological consultants.

As requested by the Engineering Department and recommended by the Mayor, the City Engineer, under the direction of the Board of Public Works, is authorized to negotiate for and execute one-year contracts for the performance of intermittent expert services by architectural, soils shoring, soils geological, photogrammetric, field inspection, drafting, and noise impact consultant firms; provided, that no such expert or consultant contract shall provide for payment in excess of Ten Thousand Dollars (\$10,000.00) for any individual project performed by any such expert or consultant firm.
(Ord. 106216 § 1, 1977.)

3.12.110 Bridge design.

As requested by the City Engineer and recommended by the Mayor, the City Engineer is authorized to negotiate for and enter into a contract on an annual basis for the services of an engineering consultant with specialized knowledge in bridge design. Payment for such services shall be charged to specific projects for which such services are performed.
(Ord. 106565 § 1, 1977.)

3.12.120 Traffic engineering and transportation planning.

As requested by the City Engineer and recommended by the Mayor, the City Engineer is authorized to negotiate for and enter into annual contracts with engineering consultants not exceeding four in number to provide traffic engineering and transportation planning services. Payment for such services shall be charged to specific projects for which such services are performed.
(Ord. 106844 § 1, 1977.)

Chapter 3.14

EXECUTIVE DEPARTMENT

Statutory Reference: For Charter provisions on the Executive Department, see Charter Art. V.

Sections:

Subchapter I Office of Cable Communications

Subchapter II Citizens' Service Bureau

3.14.200 Handbooks

Subchapter III Energy Office

3.14.300 Established—Duties.

3.14.310 Director—Appointment.

3.14.320 Director—Duties.

Subchapter IV Office of Intergovernmental Relations

3.14.400 Office created.

3.14.410 Director—Appointment.

3.14.420 Director—Duties.

3.14.430 Transfer of records and responsibilities.

Subchapter V Office of Management and Budget

3.14.500 Data Processing Center—Administration.

3.14.510 Data processing services—Supervision.

3.14.520 Data Processing Advisory Committee—Membership.

3.14.530 Committee—Duties.

3.14.540 Committee—Assistance and staff.

3.14.550 Committee—Meetings.

3.14.560 Budget Director to establish rates for data processing services.

Subchapter VI Personnel Office

3.14.600 Temporary employment service.

Subchapter VII Office of Policy Planning

3.14.700 Office created—Goals.

3.14.710 Director—Appointment.

3.14.720 Director—Duties.

3.14.730 Program 6000.

Subchapter VIII Division of Purchases

3.14.800 Transfer of Division—Purchasing Agent as head of Division.

3.14.802 Purchasing Agent—Administrative duties.

3.14.804 Purchasing Agent—Powers.

3.14.806 Compliance by city officers and employees—Exceptions.

3.14.808 Estimates of requirements for supplies and services.

3.14.810 Competitive bidding—Cost over \$2,500.00.

3.14.812 Zoo animals and specimens.

3.14.814 Expenditures under \$2,500.00.

3.14.816 Open market purchases where bidding is impractical.

3.14.818 Emergency purchases.

3.14.820 Items purchased by published price list.

3.14.822 Leasing or rental of equipment.

3.14.824 Repair or maintenance of equipment.

3.14.826 Inspection of deliveries.

3.14.828 Reports of supplies on hand—Sale or transfer of surplus.

3.14.830 Testing of samples.

3.14.832 Determination if requisition is in current budget.

3.14.834 Examination of requisition—Brand and trade names.

3.14.836 Committee on Purchasing Standards.

3.14.838 Establishment of rules.

Statutory Reference: For Charter provisions on the Division of Purchases, see Charter Art. VIII § 16.

Subchapter IX Office of Women's Rights

3.14.900 Office established—Purpose.

3.14.905 Director—Appointment.

3.14.910 Director—Duties.

3.14.915 Testimony of witnesses at investigations.

3.14.920 Seattle Women's Commission—Membership.

3.14.925 Commission—Duties.

3.14.930 Commission—Organization—Adoption of rules.

3.14.935 Commission—Meetings.

ADMINISTRATION

Subchapter I Office of Cable Communications¹

1. Cross-reference: For provisions on the Office of Cable Communications, see Chapter 21.60 Cable Communications, of this Code.

Subchapter II Citizens' Service Bureau

3.14.200 Handbooks.

A. The Citizens' Service Bureau of the Executive Department is authorized and directed to offer for sale to any person a citizen handbook.

B. The charge to be made for such handbook shall be One Dollar and Nineteen Cents (\$1.19) per handbook, exclusive of retail sales tax, and proceeds from such sale shall be deposited into the General Fund.

(Ord. 106522 §1, 1977; Ord. 105847 §§ 1 and 2, 1976.)

Subchapter III Energy Office

3.14.300 Established—Duties.

In order to undertake and encourage energy conservation measures which will yield substantial savings of all forms of energy, and specifically achieve a savings of two hundred thirty megawatts of average electrical energy by the year 1990, as the established goal of the city, an Energy Office is established as of January 1, 1977 in the Executive Department to perform the following duties and functions consistent with adopted city goals and policies:

A. To coordinate the development, implementation and maintenance of a municipal energy conservation program, with assistance from all operational departments;

B. To coordinate the development of proposed revisions to Seattle's structure-related codes to incorporate energy conservation measures, with specific technical and staff support from the Seattle Building Department;

C. To develop the recommendations for an energy use disclosure and coordinate the implementation, operation and evaluation of such a measure;

D. To coordinate all significant nonelectric energy conservation activities undertaken by the city and to work in close cooperation with the Lighting Department in their development of electric energy conservation programs;

E. To coordinate the involvement of the city in conservation programs such as the State of Washington Energy Conservation Program,

under the terms of Federal Public Laws 94-163 and 94-385;

F. To develop or coordinate the development of application for federal demonstration or grant funds relating primarily to energy conservation;

G. To provide objective information to the public regarding energy conservation through developed or acquired literature or through referral to appropriate primary sources such as the Lighting Department, Washington Natural Gas or Oil Heat Institute;

H. Recognizing the delineation of defined conservation responsibilities, conduct or coordinate research and evaluation efforts, taking care to maximize major survey or data collection efforts for maximum efficiency;

I. To develop contingency plans in the event of future oil embargoes or possible natural gas disruptions;

J. To accomplish such other tasks as may be identified or assigned, as part of the city's energy conservation policies and programs, by the Mayor and City Council.

(Ord. 106214 §1, 1977.)

3.14.310 Director—Appointment.

There is created in the Executive Department the office of Director of the Energy Office and the Director, whose office shall not be included in the classified civil service, shall be appointed and may be removed by the Mayor.

(Ord. 106214 § 2(part), 1977.)

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 and he 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 and duties as shall be prescribed by ordinance.

(Ord. 106214 § 2(part), 1977.)

Subchapter IV Office of Intergovernmental Relations

3.14.400 Office created.

As of January 1, 1979, there is created, within the Executive Department, an Office of Intergovernmental Relations.
(Ord. 108098 § 1, 1979.)

3.14.410 Director—Appointment.

The Director of the Office of Intergovernmental Relations shall be appointed by the Mayor, subject to confirmation by a majority vote of all members of the City Council. Pending permanent appointment of such Director under the authority of this section, the Mayor is authorized as of January 1, 1979, to appoint a person to temporarily act as the Director of the Office of Intergovernmental Relations for a period of sixty days and thereafter for successive sixty-day periods with the approval of the City Council.
(Ord. 108098 § 2, 1979.)

3.14.420 Director—Duties.

Under the direction of the Mayor, the duties of the Director of the Office of Intergovernmental Relations shall be as follows:

A. To represent and support the interests of the City in interactions with Congress, federal agencies, national organizations, and appointed and elected national officials, and to influence lawfully the decisions and actions of such individuals, Congress and agencies in support of City activities and policies;

B. To represent and support the interests of the city and its policies in relationship with the State Legislature, Governor's Office, agencies and state boards and commissions, and to develop and represent the city's annual State Legislative Program;

C. To coordinate and provide staff support in the representation of the city and its interests and policies in interactions with special and multipurpose regional agencies and general purpose local government, and to influence the decisions and actions of these agencies in accordance with city policy;

D. To appoint, remove, supervise, and control all officers and employees of the Office of Intergovernmental Relations in accordance with civil service laws and rules;

E. To manage the preparation of the proposed annual budget of the Office of Inter-

governmental Relations, authorize necessary expenditures, and supervise the maintenance of adequate accounting systems and procedures;

F. To ensure that the city's elected officials and departments are made aware of major federal funding programs, regulatory and legislative activity and to coordinate the city's response to these federal actions;

G. To ensure that the city's elected officials and departments are supported and staffed on all policy issues arising in the regional agencies such as King County Government, Metro, Puget Sound Council of Governments, Puget Sound Health Systems Agency, Puget Sound Air Pollution Control Agency, Economic Development District and any other regional governmental agencies as needed;

H. To ensure that the city's elected officials and departments are made aware of major state funding programs, regulatory and legislative actions and assist them in participating in these state activities.

(Ord. 108098 § 3, 1979.)

3.14.430 Transfer of records and responsibilities.

All of the records, books, papers, properties, equipment, rights, and responsibilities of the division heretofore created by Ordinance 104067¹ are transferred to the office established by this subchapter.

(Ord. 108098 § 4, 1979.)

1. Editor's Note: Ord. 104067 has been amended accordingly and is codified in Subchapter VII of this chapter, Office of Policy Planning.

Subchapter V Office of Management and Budget

3.14.500 Data Processing Center—Administration.

Effective January 1, 1976, responsibility for the management, administration and operation of the city's Data Processing Center and the records, facilities and equipment of the Data Processing Center is transferred from the General Services Department to the Executive Department, Office of Management and Budget and the Director of the Office of Management and Budget shall be responsible to the Mayor for management, administration and operation of the Data Processing Center; and for such purpose and in implementation thereof, all assets and liabilities as of January 1, 1976 of the Data Processing Center in the General Services

ADMINISTRATION

Operating Fund are transferred to the General Fund and the City Comptroller is authorized to draw and the City Treasurer to pay the necessary warrants and make the necessary transfers. (Ord. 106764 § 1, 1977; Ord. 105296 § 1, 1976.)

3.14.510 Data processing services—Supervision.

The responsibility for the planning and coordination of automated data processing services for the city are vested in, and all facilities and equipment now used or hereafter acquired for the purpose of or related to the maintenance and operation of an Electronic Data Processing Center shall be subject to the supervision of, the Executive Department, Management Systems Office.

(Ord. 108097 § 1, 1979; Ord. 98511 § 1, 1970.)

3.14.520 Data Processing Advisory Committee—Membership.

As of January 1, 1970 there is established a Data Processing Advisory Committee to act in an advisory capacity to the Mayor, City Council and other appropriate city officers in connection with policies, programs and projects for data processing functions within the city. Such Committee shall consist of seven members to be appointed by the Mayor for a term of one year subject to confirmation by a majority of the City Council and may be removed by the Mayor subject to like confirmation. Membership shall include one representative of the City Council, who shall be a member of the Finance Committee; one representative of the Mayor, who shall be the Budget Director; one representative of city departments, who shall be the Director of General Services; one representative of financial interests in the city; one representative of a major business firm in the city; one representative of a governmental jurisdiction other than the city; and one member having background and expertise in electronic data processing services; provided, that the representatives of the Mayor and City Council may designate alternates to act in their absence and to exercise their duties and responsibilities as members of such Committee, including the right to vote on any matter coming before such Committee. The Data Processing Committee shall elect a chairman who shall serve at the pleasure of the members of the Committee.

(Ord. 101210 § 1(part), 1972; Ord. 98511 § 3(part), 1970.)

3.14.530 Committee—Duties.

The functions, duties and responsibilities of the Committee shall be as follows:

A. Review proposed policy changes and major programs and projects of the Electronic Data Processing Center and make recommendations to the Mayor, City Council and other appropriate city officials as to the advisability thereof;

B. Formulate and propose new policies, programs and projects and make recommendations for the adoption and implementation of new and advanced management concepts and tools in the field of data processing;

C. Provide assistance and make recommendations for conformance by the city to proper planning, coordination, development, operation, maintenance, and implementation of data processing applications;

D. Advise on the control and use of data processing equipment;

E. Provide liaison with the organizations, officers, firms and entities of which the members of the Committee are representative, and present the views of such organizations, offices, firms and entities as to matters proposed or reviewed by the Committee, and make an annual report to the City Council as to all such matters. (Ord. 101210 § 1(part), 1972; Ord. 98511 § 3(part), 1970.)

3.14.540 Committee—Assistance and staff.

The Committee shall, on a continuing basis, be kept informed of proposed policy changes and new programs and projects and made aware of progress in the development and implementation of new or changed policies, programs and projects. The City shall provide appropriate staff, one member of which shall serve as Executive Secretary of the Committee and be responsible for all records and necessary clerical support. The Executive Secretary shall be responsible for the preparation and distribution to members of the Committee of status reports, proposals, agenda for Committee meetings and minutes thereof.

(Ord. 101210 § 1(part), 1972; Ord. 98511 § 3(part), 1970.)

3.14.550 Committee—Meetings.

Meetings of the Committee shall be held bi-monthly on a regular basis with such special meetings as may be necessary to be called by

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the Chairman. Minutes shall be kept of all such meetings.
(Ord. 101210 § 1(part), 1972; Ord. 98511 § 3(part), 1970.)

3.14.560 Budget Director to establish rates for data processing services.¹

The Budget Director is authorized to establish rates for data processing services and to impose either a rebate or a surcharge on users of data processing services at the end of each fiscal year for the purpose of clearing an overrecovery or underrecovery of the costs of providing data processing services to users; provided, that any surcharge or rebate thus imposed will be calculated on a proportional use basis of data processing services delivered to each city department in that fiscal year.

(Ord. 107840 § 1, 1978.)

1. Cross-reference: For provisions regarding contracting for data processing equipment and services, see Chapter 20.52 of this Code.

Subchapter VI Personnel Office

3.14.600 Temporary employment service.

As of August 1, 1974, the Mayor is authorized to establish a temporary employment service in the Executive Department, Personnel Office, to provide temporary, intermittent clerical assistance to city departments upon request therefor and upon payment by the requesting department for the cost of such assistance for deposit in the Personnel Services Operating Fund, as recommended by the Mayor in C.F. 279381.

(Ord. 103661 § 1(part), 1974.)

Subchapter VII Office of Policy Planning

3.14.700 Office created—Goals.

A. As of October 16, 1974, there is created, within the Executive Department, an Office of Policy Planning to direct, coordinate and maintain an integrated and systematic planning process for Seattle's overall physical and social development consistent with adopted goals and policies of the city.

B. Specific goals for the Office of Policy Planning shall be as follows:

1. To formulate goals, policies and priorities for the city, and to administer and coordinate the city's Comprehensive Policy Plan,

defined in Section 3.14.720 D;

2. To direct, coordinate and make recommendations as to the development of city policies and plans to eliminate fragmented, conflicting or duplicative planning efforts;

3. To integrate planning activities and policy development in a broad range of functional areas including, but not limited to human resources, law and justice, housing, transportation, urban design, and land use, including administration of the comprehensive plan of Seattle;

4. To facilitate cooperation between the Mayor and City Council, particularly with respect to the identification of major policy issues, determination of priorities, identification and analysis of alternative courses of action, and program decisionmaking;

5. To facilitate citizen participation in the city's decisionmaking process to assure compliance with federal and other regulations; and

6. To review and evaluate existing and planned city programs and activities on a continuing basis to ensure that such programs and activities fulfill adopted goals, policies and priorities of the city.

(Ord. 108098 § 5, 1979; Ord. 104067 § 1, 1974.)

3.14.710 Director—Appointment.

There shall be a Director of Policy Planning to be appointed by the Mayor, subject to confirmation by a majority vote of all members of the City Council, and the 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.

(Ord. 108098 § 6(part), 1979; Ord. 104067 § 2(part), 1974.)

3.14.720 Director—Duties.

The Director of Policy Planning, referred to in this subchapter as "Director," shall be the head of the Office of Policy Planning and shall be responsible for the administration of the Office and he shall:

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

- B. Manage the preparation of the proposed annual budget of the Office of Policy Planning, authorize necessary expenditures and supervise

ADMINISTRATION

the maintenance of adequate accounting systems and procedures;

C. Through the Mayor, make periodic reports to the City Council concerning the status of the city's planning activities;

D. Direct and coordinate the preparation of a Comprehensive Policy Plan which shall be the primary policy instrument directing the city's overall physical and social development and guiding the preparation of other city planning and budgeting documents, and coordinate activities closely with the City Council, the Planning Commission and city departments in the preparation of the Plan;

E. Design, coordinate, and monitor citizen participation in the city's decisionmaking process, provide for dissemination of information to residents of the city and assist other city departments in effectuating citizen participation in the city's decisionmaking process;

F. Provide staff support to the City's Planning Commission and consult with the Commission in the development of the city's Comprehensive Policy Plan;

G. Manage and administer the comprehensive plan of Seattle;

H. Develop a more precise and workable capital improvement program, identifying specific city capital priorities and available funding sources to assure that the Capital Improvement Program is integrated annually with the city's budget and Comprehensive Policy Plan, and, in developing such Capital Improvement Program, coordinate activities with the Office of Management and Budget to assure effective financial analysis and projections needed as background for capital improvements programming, and perform a review of both the capital and operating budget implications of individual project requests;

I. Prepare and disseminate appropriate statistical information and analyses, including city demographic characteristic land use, economic conditions and the economic implications and aspects of city policies and programs, to assure maintenance of the capability to report accurately to the Mayor and City Council the successes and failures of city programs and specific projects; and

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

(Ord. 108098 § 6(part), 1979; Ord. 104067 § 2(part), 1974.)

3.14.730 Program 6000.

As of January 1, 1979, there are established in the 1979 budget of the Executive Department a new program, Program 6000—Office of Policy Planning, and the following Program Categories:

- A. 6100 Policy Management;
- B. 6200 Policy Development;
- C. 6400 Law and Justice Planning.

Such programs shall carry out the activities, functions and responsibilities described in Ordinance 104067.¹

(Ord. 107879 § 1, 1978.)

1. Editor's Note: Portions of Ord. 104067 are codified in Sections 3.14.700, 3.14.710 and 3.14.720 of this chapter.

Subchapter VIII Division of Purchases

3.14.800 Transfer of Division—Purchasing Agent as head of Division.

The Division of Purchases established by Article VIII, Section 16 of the City Charter¹ is transferred to and established as a division of the Executive Department, and in accordance with said Article VIII, Section 16, the City Purchasing Agent, who shall be the head of such division, shall be directly responsible to and appointed under civil service regulations by the Mayor.

(Ord. 102151 § 1(part), 1973.)

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

3.14.802 Purchasing Agent—Administrative duties.

The City Purchasing Agent shall have general supervision of the Division of Purchases, and shall have power to delegate such authority as may be necessary for the performance of the functions thereof, and he shall, subject to civil service regulations, appoint, remove, supervise and control all employees in the Division of Purchases, and prescribe their duties when such duties are not otherwise fixed by ordinance.

(Ord. 102151 § 1(part), 1973.)

3.14.804 Purchasing Agent—Powers.¹

The City Purchasing Agent shall except as otherwise provided in this subchapter, purchase, sell or transfer, contract for, rent or lease all supplies, materials, equipment, and services other than expert and consultant services needed by various departments of the city government, referred to in this subchapter as using agencies;

provided, that the City Purchasing Agent is authorized to enter into cooperative and/or joint agreements with the state or agency or subdivision thereof, or other governmental units for the purchase of such supplies, materials and equipment; provided further that purchases made pursuant to any such agreement shall be separately invoiced to the respective governmental units in accordance with the purchases made by each; and provided further that each such governmental unit shall be responsible for payment for its own purchases only. Purchases made for the city under a purchasing contract executed by the state, or agency or subdivision thereof, or other governmental unit shall be exempt from the competitive bidding and related requirements of Section 3.14.810. (Ord. 102151 § 2, 1973.)

1. Cross-reference: For provisions on the Purchasing Agent's authority to make rules regarding the loan or rental of city equipment, see Chapter 3.108 of this Code; for provisions on his/her duty regarding the cost of enforcement of anti-discrimination provisions of city contracts, see Chapter 20.44.

3.14.806 Compliance by city officers and employees—Exceptions.

No city officer or employee shall have authority to order or contract for the purchase of any supplies, materials, equipment, or service within the purview of this subchapter except through, or in accordance with rules and regulations prescribed by the City Purchasing Agent, and no order or contract made contrary to the provisions of this subchapter shall be approved by the City Purchasing Agent or be binding upon the city; provided that all using agencies contracting for expert and consultant services shall file with the Purchasing Agent specifications as to the scope of work covered by any such contract for expert and consultant services and the Office of Management and Budget shall keep a record of all such contracts; and provided further, that contracts for services in connection with public works or which the Board of Public Works is or shall be authorized to enter into, and all contracts for services in connection with the acquisition of real property and property rights, processing of claims and all litigation of the city or in which the city or any of its departments may be interested, shall be exempt from the requirements of this section.

(Ord. 102151 § 3, 1973.)

3.14.808 Estimates of requirements for supplies and services.

All using agencies of the city shall file detailed estimates of their requirements in supplies, materials, equipment, and services within the purview of this subchapter in such manner, at such times, and for such future periods as the City Purchasing Agent shall prescribe; provided that nothing in this subchapter shall prevent any using agency from filing with the City Purchasing Agent at any time a requisition for supplies, materials, equipment, and services, the need for which was not foreseen at the time such detailed estimates were filed.

(Ord. 102151 § 4, 1973.)

3.14.810 Competitive bidding—Cost over \$2,500.00.

A. Except in emergencies provided for in this subchapter, all expenditures for supplies, materials, equipment, and services within the purview of this subchapter the estimated cost of which is in excess of Two Thousand Five Hundred Dollars (\$2,500.00) per item shall be made on written contract entered into upon the basis of competitive bids. Notices inviting sealed competitive bids shall be published at least once in the city official newspaper, and at least five calendar days must intervene between the date of the last publication and the final date for submitting the bids; provided, that purchases of patented or proprietary items available from a single source, or purchases or contracts for services within the purview of this subchapter where competitive bidding is deemed impracticable by the City Purchasing Agent, shall be exempt from the competitive bidding requirements of this section; provided further that purchase of supplies, materials, and equipment which is to be resold by the using agency may be negotiated for by the City Purchasing Agent when in his judgment the lowest and best price can be obtained by such negotiation.

B. All such bids shall be submitted sealed to the City Purchasing Agent and shall be accompanied by surety in such form and amount as shall be prescribed by the City Purchasing Agent in the notice inviting bids.

C. The bids shall be opened in public at the time and place stated in the notice inviting bids. No bids will be considered which arrive at the place of bid opening at any time later than the time specified in the notice inviting bids. After

ADMINISTRATION

examination and tabulation by the City Purchasing Agent, all bids may be inspected by the competing bidders. The City Purchasing Agent may reject any or all bids, or parts of bids, and shall state in writing and keep a record of the reason or reasons for such rejection, which record shall be open to public inspection. Otherwise the City Purchasing Agent shall award the contract to the lowest and best bidder, or in the case of multiple awards to the lowest and best bidders, and in determining the best bidder may consider such factors, among others, as quality, delivery terms, and service reputation of the vendor.

D. When in the judgment of the City Purchasing Agent, bids require further information and analysis for the purpose of determining the lowest and best bidder, he may request that bidders provide pertinent information, and on receipt thereof may negotiate with one or more bidders and award such contract to the lowest and best bidder as determined by such negotiation.

E. When two or more low bids received are for the same total amount or unit price, the City Purchasing Agent may allow such tied bidders to offer a lower price, or may make such purchase in the open market at a price not exceeding such bid price.

F. The City Purchasing Agent may require before any contract is executed, that the successful bidder furnish a performance bond in such amount as the Purchasing Agent shall find reasonable and necessary, which requirement shall be stated in the notice inviting bids. All surety bonds shall be approved as to form by the City Attorney. If the successful bidder shall not within ten days after the award enter into a contract and file any required surety, he shall forfeit the surety which accompanied his bid. A copy of each contract covering a term of three months or more, together with any required surety for performance thereof, shall be filed with the City Comptroller. (Ord. 105150 § 1, 1975; Ord. 104710 § 1, 1975; Ord. 102151 § 5, 1973.)

3.14.812 Zoo animals and specimens.

The Purchasing Agent shall effect acquisition or disposal by sale, purchase, trade, exchange, or loan, of all zoo animals and other zoo specimens and where competitive bidding is deemed impracticable by the Purchasing Agent, such acquisition or disposal shall be exempt from the

competitive bidding requirements of this subchapter and the same may be effected by negotiated agreements by the Purchasing Agent in cooperation with the Superintendent of Parks and Recreation in accordance with such procedures as may be established by the Purchasing Agent.

(Ord. 104710 § 2, 1975; Ord. 102151 § 5A, 1973.)

3.14.814 Expenditures under \$2,500.00.

All expenditures for supplies, materials, equipment, and services, the estimated cost of which will not exceed Two Thousand Five Hundred Dollars (\$2,500.00) per item may be made in the open market; provided, that to the extent possible the City Purchasing Agent shall endeavor to obtain from prospective vendors at least three competitive bids, and shall award such purchase to the lowest and best bidder.

(Ord. 102151 § 6, 1973.)

3.14.816 Open market purchases where bidding is impractical.

The City Purchasing Agent may secure in the open market without bids any supplies, materials, equipment, or services, the cost of which will not exceed One Thousand Dollars (\$1,000.00) per item, when the delay and expense of handling bids on small purchases would not be advantageous to the city.

(Ord. 102151 § 7, 1973.)

3.14.818 Emergency purchases.

In case of an emergency which requires immediate purchase of supplies, materials, equipment, or services within the purview of this subchapter the City Purchasing Agent or such city officers or employees who have been authorized by ordinance to act in such event may make such purchases in the open market without advertisement at the best obtainable price regardless of the amount of the expenditure and in determining the best price, such factors, among others, as quality, delivery terms, and service reputation of the vendor, may be considered; provided, that expenditures amounting to more than Two Thousand Five Hundred Dollars (\$2,500.00) per item shall be based on written contract; and provided further that a full explanation of the circumstances of such emergency shall be filed by the using agency with the City Purchasing Agent.

(Ord. 102151 § 8, 1973.)

3.14.820 Items purchased by published price list.

In the purchase of supplies, materials, equipment or services needed continuously or repeatedly, including catalog or standard production items, the price of which is determined by published price lists, the City Purchasing Agent may enter into "open-end," "blanket-order," or "price-agreement" contracts. (Ord. 102151 § 9, 1973.)

3.14.822 Leasing or rental of equipment.

The leasing and renting of equipment by the using agencies shall be contracted for by the City Purchasing Agent, subject, where practicable, to competitive bidding. (Ord. 102151 § 10, 1973.)

3.14.824 Repair or maintenance of equipment.

In the repairing or maintenance of city equipment where the city is not equipped or able to perform the work, and when it is impossible to estimate the repairs necessary until such equipment is dismantled, the City Purchasing Agent may award a contract or contracts to those responsible firms who he is convinced can do satisfactory repairing. (Ord. 102151 § 11, 1973.)

3.14.826 Inspection of deliveries.

A. The City Purchasing Agent shall be responsible for the inspection of all deliveries of supplies, materials, equipment, and services within the purview of this subchapter, and the acceptance thereof as to conformance with the specifications set forth in the order or contract.

B. To facilitate such inspection, personnel employed by the using agencies and having assigned responsibility for receiving supplies, materials, equipment, and services may be designated as representatives of the City Purchasing Agent to make inspections and accept deliveries in accordance with rules and regulations prescribed by the City Purchasing Agent.

C. All such supplies, materials, equipment or services shall be receipted for by an authorized receiving clerk of the Division of Purchases or by such designated representative in the using agency, and a written report of such receipt shall be transmitted to the City Purchasing Agent. No payment shall be made for any such supplies, materials, equipment, or services unless the same have been receipted and written report thereof made as provided in this section.

D. The return or exchange of any merchandise received by a using agency shall be handled directly through a receiving clerk in the Division of Purchases or such designated representative in the using agency, who shall obtain a credit memorandum from the firm which originally supplied the merchandise.

E. Invoices issued against such supplies, materials, equipment, leases, rentals, repairs, or services shall be submitted to the City Purchasing Agent, who shall approve the same as to price, delivery, or work performed before any voucher for payment shall be issued. (Ord. 102151 § 12, 1973.)

3.14.828 Reports of supplies on hand—Sale or transfer of surplus.

All using agencies shall submit to the City Purchasing Agent, at such times and in such form as he shall prescribe, reports showing stocks of supplies, materials and equipment on hand awaiting use. When any stock is surplus or no longer of use to any using agency, the City Purchasing Agent may transfer it to another or other agencies which have need for it, subject to adjustment between the agencies concerned. The City Purchasing Agent may sell all supplies, materials, and equipment not needed for public use or that may have become unsuitable for public use; provided, that any such sale shall be based on competitive bids in the same manner required for purchases unless the City Purchasing Agent shall determine competitive bidding to be impracticable. (Ord. 102151 § 13, 1973.)

3.14.830 Testing of samples.

The City Purchasing Agent may prescribe chemical and physical tests of samples submitted with bids and samples of deliveries to determine their quality and conformance with the city's specifications. In the performance of such tests, the City Purchasing Agent may make use of laboratory facilities of any agency of the city government, and in case city facilities are not adequate for making certain tests, the City Purchasing Agent may use private testing laboratories. The costs of such test shall be charged to the appropriate budget allowance of the using agency on whose behalf such test is made. (Ord. 102151 § 14, 1973.)

3.14.832 Determination if requisition is in current budget.

It shall be the duty of the City Purchasing Agent to determine as to each requisition submitted by a using agency whether the same is for an expenditure contemplated by the current annual budget of such using agency. If in his judgment such requisition is for such expenditure, he shall approve the same; otherwise he shall refer such requisition to the Budget Director for approval or disapproval. (Ord. 102151 § 15, 1973.)

3.14.834 Examination of requisition—Brand and trade names.

A. It shall be the duty of the City Purchasing Agent to examine each requisition and specification submitted by any using agency and determine whether the same is clear and may be readily understood by prospective bidders and provides a sound basis for competitive bidding. When, in the judgment of the City Purchasing Agent, any requisition or specification is vague, ambiguous or unduly restricts competitive bidding, he shall return the same to the using agency for clarification or modification.

B. The City Purchasing Agent shall avoid, to all practicable extent, the use of brand or trade names as criteria for procurement of supplies, materials, equipment and services when, in his judgment, such purchases can be accomplished to the greater advantage of the city through use of general specifications. (Ord. 102151 § 16, 1973.)

3.14.836 Committee on Purchasing Standards.

A. There is established a Committee on Purchasing Standards which shall consist of the Mayor, the City Purchasing Agent, and a member of the Board of Public Works, or their duly designated representatives. The members of such Committee shall serve without additional compensation.

B. It shall be the duty of such Committee to classify and standardize, and to prepare and adopt and amend from time to time written specifications including a standard purchasing nomenclature for all supplies, materials and equipment used by the city. Such specifications shall establish minimum standards required to meet the needs of the using agencies including minimum quality, number of sizes and varieties and shall permit competitive bidding to the extent practicable.

C. The Committee shall consult with the using agencies for the purpose of determining such agencies' needs and requirements, and may make use of laboratory and engineering facilities of the city and technical staffs thereof in the preparation of such specifications and standards.

D. Such written specifications shall apply to all purchases and/or contracts for the supplies, material and equipment covered by such specifications; provided, that the City Purchasing Agent may, in order to meet special needs, exempt any using agency from the use of specific supplies, materials and equipment. (Ord. 102151 § 17, 1973.)

3.14.838 Establishment of rules.

The City Purchasing Agent shall establish and from time to time amend rules and regulations consistent with and to carry out the purpose of this subchapter. (Ord. 102151 § 18, 1973.)

Subchapter IX Office of Women's Rights

3.14.900 Office established—Purpose.

The Women's Division heretofore transferred to and established in the Executive Department by Ordinance 101670¹ is designated as the Office of Women's Rights and established in the Executive Department to study and act to identify and relieve problems of women's rights; to design and carry out and seek resources for programs that promote equality, justice and understanding among all citizens of the city; to recommend policies to all departments and divisions of city government in matters affecting such women's rights; to recommend legislation for the implementation of such programs and policies; and to provide staff support to carry out the policies, programs and priorities of the Seattle Women's Commission. (Ord. 102182 § 1, 1973.)

1. Editor's Note: Ord. 101670 is not included in this codification. Copies are on file in the office of the City Clerk.

3.14.905 Director—Appointment.

There is created in the Executive Department the office of Director of the Office of Women's Rights whose office shall not be included in the classified civil service, the Civil Service Commission having filed as a permanent record in the office of the City Comptroller 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,¹ should not be included in the classified civil service. The Director 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 such appointments by the Women's Commission. Such appointment shall be subject to confirmation by a majority vote of all members of the City Council, and the Director may be removed by the Mayor only with the consent of the Women's Commission and subject to like confirmation by the City Council. (Ord. 107128 § 1(part), 1978: Ord. 102182 § 2(part), 1973.)

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

3.14.910 Director—Duties.

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. Appoint, remove, supervise and control officers and employees in the Office of Women's Rights in accordance with civil service rules and regulations;

B. Consult with and report regularly to the Seattle Women's Commission on the workings of the Office of Women's Rights, and submit quarterly written reports to the Commission on the activities of the office;

C. Administer all ordinances pertaining to the Office of Women's Rights and take appropriate remedial action;

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

E. With the advice of the Women's Commission, prescribe rules and regulations consistent with law, for the government and control of the Office of Women's Rights;

F. Attend either in person or by designated representative, all regular meetings of the Women's Commission;

G. With the advice of the Women's Commission, manage the preparation of the proposed

annual budget of the Office of Women's Rights, and authorize necessary expenditures and supervise the maintenance of adequate accounting systems;

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

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

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

(Ord. 107128 § 1(part), 1978: Ord. 102182 § 2(part), 1973.)

3.14.915 Testimony of witnesses at investigations.

A. In the performance of the duties imposed upon him or her by this subchapter or any other ordinance, the Director of the Office of Women's 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 by the Office of Women's Rights or the Seattle Women's Commission after notice to the party charged 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/she is compelled, after having claimed his/her privilege against self-incrimination, to testify or produce evidence, except that the person so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

(Ord. 107128 § 1(part), 1978: Ord. 102182 § 2(part), 1973.)

3.14.920 Seattle Women's Commission—Membership.

There is established a Seattle Women's Commission to be composed of fifteen members appointed from among those persons whose names

ADMINISTRATION

are submitted by individuals and/or groups conscious of the discrimination against and oppression of women 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 99534 are appointed to the Seattle Women's Commission established in this subchapter to serve for the remainder of the terms to which they were originally appointed and upon the expiration of such terms appointments shall be made as follows:

Seven members shall be appointed by the Mayor, seven members shall be appointed by the City Council, and the fourteen members so appointed shall appoint the fifteenth member; provided that such appointments shall be so made as to insure the inclusion of minority and low income persons as members of the Commission. All appointments shall be subject to confirmation by a majority vote of the City Council. Each member so appointed shall serve for a term of three years; provided that no member shall serve more than two consecutive three-year terms; and provided further that any vacancy shall be filled for the unexpired term in the same manner as original appointments. (Ord. 104907 § 1, 1975; Ord. 102182 § 3, 1973.)

3.14.925 Commission—Duties.

The Seattle Women's Commission shall act in an advisory capacity to the Mayor, City Council, other city departments and offices in respect to matters concerning women and shall establish long-range goals, priorities and immediate action objectives and provide direction for the Office of Women's Rights, in furtherance of functions and responsibilities including but not limited to the following:

A. To activate full and equal participation of women in the workings of the city;

B. To develop efforts and programs within the community for equal opportunities for women and to consult with and make recommendations to the Director of the Office of Women's Rights, to other departments and officials of the city and to individuals and community organizations for the coordination of such efforts and programs;

C. To coordinate and cooperate with private and public groups and agencies dealing with women's needs, rights and opportunities at the county, regional, state and national levels;

D. To seek identification of women's needs and problems arising in the city which may result from or in sex discrimination and to act as a forum with regard thereto;

E. To consult with and make recommendations to the Director of the Office of Women's Rights and to other city departments and officials with regard to the development of programs for the promotion of equality, justice and understanding within the city;

F. To prepare an annual report with staff participation; and

G. To advise the Director of the Office of Women's Rights concerning the preparation of the proposed annual budget of the Office of Women's Rights.

(Ord. 102182 § 4, 1973.)

3.14.930 Commission—Organization—Adoption of rules.

The Commission shall organize, elect a President and other officers, and shall adopt such rules and administrative procedures for its own government consistent with the City Charter¹ and this subchapter, as are necessary for the conduct of its affairs and performance of its functions and responsibilities prescribed in Section 3.14.925.

(Ord. 102182 § 5, 1973.)

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

3.14.935 Commission—Meetings.

The Commission shall meet at least once a month at such time and place as the President of the Commission shall designate. All meetings shall be open to the public. Any member of the Commission or of any committee thereof who without having been excused by the Commission shall fail to attend three regularly scheduled consecutive meetings of the Commission or of such committee, or who without having been so excused shall fail to attend at least one-half of such meetings during any four-month period, shall be removed and the position declared vacant by the appointing authority. It shall be the responsibility of the Commission president to inform the appropriate appointing authority of such absences.

(Ord. 102182 § 6, 1973.)

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Chapter 3.16

FIRE DEPARTMENT

Sections:

Subchapter I Badges¹

- 3.16.010 Wearing of badge when not in uniform.
- 3.16.020 Unlawful use of badge.
- 3.16.030 Violation—Penalty.

1. Cross-reference: For further provisions regarding unlawful use of firemen's badge or uniform, see § 12A.60.070.

Subchapter II Firefighting Assistance

- 3.16.070 Use of equipment outside city limits.
- 3.16.080 Aid in fighting shipboard fires.
- 3.16.090 Marine firefighting assistance.

Subchapter III Special Programs and Services

- 3.16.130 Fees for reports and tests.
- 3.16.140 CPR training program.
- 3.16.150 Paramedic training services.
- 3.16.160 Training in use of fire extinguishers.

Statutory Reference: For Charter provisions on the fire department, see Charter Art. X; for statutory provisions on fire prevention and extinguishment in cities of the first class, see RCW 35.22.280(23).

Subchapter I Badges

- 3.16.010 Wearing of badge when not in uniform.

Firemen in the service of the Fire Department of the city when not wearing the regular uniform of the department shall wear a badge, furnished by the city, entitling such firemen to ride upon the streetcars of the city and to go within the fire lines in case of fire, or to enjoy any other privilege or authority to which the wearing of their uniforms may entitle them. (Ord. 19117 § 1, 1908.)

- 3.16.020 Unlawful use of badge.

It is unlawful for any fireman in the employ of the city to give away or sell the badge provided in Section 3.16.010 to any person for the

purpose of enabling such person to procure transportation on the streetcars of the city or to gain admittance within the fire lines, or for any other purpose, and it shall be unlawful for any other person, not a fireman entitled to wear such badge under the provisions of this subchapter, to wear or display such badge for the purpose of securing privileges or authority set forth in Section 3.16.010. (Ord. 19117 § 2, 1908.)

- 3.16.030 Violation—Penalty.

Any person found guilty of a violation of the provisions of this subchapter, shall be fined in any sum not exceeding One Hundred Dollars (\$100.00) or be imprisoned in the City Jail for a term not exceeding thirty days, or may be both fined and imprisoned. (Ord. 19117 § 3, 1908.)

Subchapter II Firefighting Assistance

- 3.16.070 Use of equipment outside city limits.

The Chief of the Fire Department is authorized to use such Fire Department apparatus, equipment, and personnel outside the city limits as he deems necessary for the purpose of extinguishing or aiding in the extinguishing or the control of fires as recommended in C.F. 251442. (Ord. 93145 § 1, 1964.)

- 3.16.080 Aid in fighting shipboard fires.

The Chief of the Fire Department is authorized for and on behalf of the city to execute a "Mutual Fire Fighting Assistance Agreement" substantially in the form contained in C.F. 280804, with the cities of Aberdeen, Anacortes, Bellingham, Bremerton, Edmonds, Everett, Hoquiam, Kennewick, Longview, Olympia, Pasco, Port Angeles, Port Townsend, Richland, Tacoma, Vancouver and such other cities, towns, counties, port districts and other governmental entities authorized and expressing willingness to enter into such agreement providing for mutual aid in fighting major shipboard fires, which agreement shall be executed in such number of copies as are necessary, including one copy to be retained by the Chief of the Fire Department and one copy to be filed in the records of the City Comptroller's office. (Ord. 104623 § 1, 1975; Ord. 104346 § 1, 1975.)

ADMINISTRATION

3.16.090 Marine firefighting assistance.

The Chief of the Fire Department, or his designee, is authorized, for and on behalf of the city to execute in such counterparts as may be necessary a "Marine Fire Fighting Assistance Agreement," or agreements with such vessel masters, owners, charterers, agents, or others as may be necessary from time to time to provide marine firefighting assistance in shipboard fires outside the corporate limits of the city, or to extend agreements entered into pursuant to Ordinance 104624 on or prior to July 1, 1976, to and including February 28, 1978 or until funding for the Marine Fire Protection Project no longer is available.

(Ord. 105725 § 1, 1976.)

Subchapter III Special Programs and Services

3.16.130 Fees for reports and tests.

The Fire Department shall, under the direction of the Fire Chief, collect fees for certain reports and test services furnished by the Department as follows:

Report, Record or Service	Fee
1. Aid car response report per report	\$ 3.00
2. Fire and other response reports per report	3.00
3. Carpet material flammability test (Fire Prevention Division) per test	10.00

Provided, governmental agencies shall be exempt from such fees.

(Ord. 99481 § 1, 1970.)

3.16.140 CPR training program.

The Fire Chief is authorized to plan for and initiate a Fire Department program for training interested volunteers in cardiopulmonary resuscitation techniques; to accept donations on behalf of the city from the public to bear the costs of such program, including particularly contributions from the Seattle Downtown Rotary Club and from the American Heart Association, all such donations to be deposited in the Cardiopulmonary Resuscitation Training Account, hereby created, in the General Donations and Gift Trust Fund; to accept contributions of services, clerical assistance, and other

materials from civic organizations and citizens; and, effective upon deposit in the account of sufficient funds therefor, to conduct such program, retain instructors, procure necessary supplies and equipment, and incur other necessary expenses in connection therewith, all as recommended in C.F. 270765.
(Ord. 100336 § 1, 1971.)

3.16.150 Paramedic training services.

As requested by the Chief of the Fire Department and recommended by the Mayor in C.F. 281342, the Fire Department is authorized to collect a fee of Twenty Dollars (\$20.00) per person per shift for practical paramedic training services provided to other than city personnel by Fire Department personnel in connection with training courses conducted by Harborview Medical Center or other similar training agencies.
(Ord. 104670 § 1, 1975.)

3.16.160 Training in use of fire extinguishers.

As requested by the Chief of the Fire Department and recommended by the Mayor in C.F. 281685, the Fire Department is authorized to establish a training program for other than city personnel to provide training in the use of fire extinguishers to extinguish flammable liquid fires and to collect and deposit into the General Fund, a fee of One Hundred Dollars (\$100.00) per training class for classroom instruction and practical "hands-on" training given by two instructors, and a fee of Fifty Dollars (\$50.00) per training class for classroom instruction only, given by one instructor.
(Ord. 107539 § 1, 1978; Ord. 104731 § 1, 1975.)

Chapter 3.18

DEPARTMENT OF GENERAL SERVICES

Sections:

Subchapter I Department Regulations

- 3.18.010 Department created—Duties.
- 3.18.020 Supervision of city vehicles and duplicating shop.
- 3.18.030 Director—Appointment.
- 3.18.040 Director—Duties.
- 3.18.050 Paper recycling program.

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Subchapter II Cafeteria

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

Subchapter I Department Regulations**3.18.010 Department created—Duties.**

There is created a Department of General Services for the management, maintenance, coordination, and planning of the city vehicle fleet; coordination and planning of the city communication system; assisting appropriate city department heads in coordinating the general equipment repair shops of the city; management and coordination of city printing and duplicating services, coordination of city office machine maintenance; coordination of the storage and distribution of supplies to city departments subject to the authority of the Purchasing Agent under Charter Article VIII, Section 16;¹ and coordination of messenger, delivery and mail services for city departments. (Ord. 106474 § 1, 1977; Ord. 99554 § 1, 1970.)

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

3.18.020 Supervision of city vehicles and duplicating shop.

In furtherance of the performance of the functions provided in Section 3.18.010, all facilities and equipment now used or hereafter acquired for the purpose of or related to the maintenance and operation of the city vehicle fleet and the Central Duplicating Shop shall be subject to the supervision of the Department of General Services. (Ord. 106474 § 2, 1977; Ord. 99554 § 2, 1970.)

3.18.030 Director—Appointment.

There shall be a Director of the Department to be appointed by the Mayor, subject to confirmation by a majority vote of all members of the City Council, and such Director, may be removed by the Mayor upon filing a statement of his reasons therefor with the City Council. The Civil Service Commission having filed as a permanent record in the office of the City Comptroller, 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,¹ should not be included in the classified civil service, the office of the Director of the Department of General Services shall not be included in the classified civil service. (Ord. 106474 § 3(part), 1977; Ord. 99554 § 3(part), 1970.)

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

3.18.040 Director—Duties.

The Director shall be the head of the Department of General Services and shall be responsible for the administration of the Department of General Services and he shall:

A. Appoint, remove, supervise and control officers and employees in the Department of General Services in accordance with the civil service rules and regulations;

B. Develop and manage programs providing the services for which the Department of General Services is responsible;

C. In furtherance of and consistent with performance of the functions provided in Section 3.18.010, have authority to negotiate agreements with other public agencies to obtain services from and provide services to such public agencies, and the Mayor is authorized to execute any such agreement for and on behalf of the city; and upon execution by the Mayor and subject to the authority of the Purchasing Agent under Article VIII, Section 16 of the City Charter and Ordinance 102151;¹ the Director shall administer such agreements;

D. Manage the preparation of the proposed annual budget of the Department of General Services, authorize necessary expenditures, and supervise the maintenance of adequate accounting systems and procedures; and

E. Make periodic reports to the Mayor of the operations of the Department of General Services.

(Ord. 106474 § 3(part), 1977; Ord. 99554 § 3(part), 1970.)

1. Editor's Note: The Charter is included at the beginning of this Code. Ord. 102151 is codified in Subchapter VIII of Chapter 3.14.

3.18.050 Paper recycling program.

The Director of General 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

ADMINISTRATION

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 General Fund.
(Ord. 106965 § 1, 1977.)

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 General Services and in furtherance thereof the Director is authorized to solicit bids and execute for and on behalf of the city an agreement substantially in the form contained in C.F. 270216 providing for the furnishing by a qualified, independent contractor of cafeteria meals and related food services as requested and recommended in said C.F.
(Ord. 100174 § 1, 1971.)

3.18.110 Proceeds to General Services Operating Fund.

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

3.18.120 Cafeteria Advisory Committee.

A. There is established a Cafeteria Advisory Committee composed of the Director of General Services, ex officio, and four members appointed by the Mayor for a term of two years; provided that one 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 shall adopt for its own government, and shall consider such written complaints pertaining to the operation of the cafeteria as shall come before it and shall

consult with and advise the Director of General 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 3.18.100 shall make such reasonable rules and regulations as may be necessary for the orderly use of the cafeteria by city employees.
(Ord. 100174 § 3, 1971.)

Chapter 3.20

DEPARTMENT OF HUMAN RESOURCES

Sections:

Subchapter I Department Regulations

- 3.20.010 Department created—Purpose.
- 3.20.020 Director—Appointment.
- 3.20.030 Director—Duties.
- 3.20.040 Transfer of certain Divisions.

Subchapter II Division on Aging

- 3.20.080 Division created—Purposes.
- 3.20.090 Technical Advisory Committee on Aging—Established—Appointments.
- 3.20.100 Committee—Organization and responsibilities.
- 3.20.110 Committee—Meetings.
- 3.20.120 Director—Created—Duties.

Subchapter III Senior Citizen and Handicapped Person Identification Program

- 3.20.150 Definitions.
- 3.20.160 Form of identification.
- 3.20.170 Information to be furnished and verified.
- 3.20.180 Benefits.

Subchapter I Department Regulations

3.20.010 Department created—Purpose.

As of January 1, 1973 there is created a Department of Human Resources to act as coordinator and advocate for social needs and concerns of the city's population; and for the administration, coordination and operation of

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city programs and functions relating to human problems and needs including specifically those of the aged, youth, veterans, handicapped, and victims of drug and alcohol abuse, and unemployed and underemployed.

(Ord. 104067 § 10, 1974; Ord. 101667 § 1, 1972.)

3.20.020 Director—Appointment.

There shall be a Director of the 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,¹ should not be included in the classified civil service; provided further that pending appointment of such Director under the authority of this section, the Mayor is authorized to appoint as of January 1, 1973 a person to temporarily act as Director of the Department for a period of sixty days and thereafter for successive sixty-day periods with the approval of the City Council.

(Ord. 101667 § 2(part), 1972.)

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

3.20.030 Director—Duties.

The Director shall be the head of the Department of Human Resources and shall be responsible for the administration of the department and he shall:

A. Appoint, remove, supervise and control officers and employees in the Department of Human Resources in accordance with civil service rules and regulations;

B. Develop and manage programs providing the services for which the Department of Human Resources is responsible;

C. Manage the preparation of the proposed annual budget of the Department of Human Resources, authorize necessary expenditures and enter into contracts for professional and

expert services in accordance with the annual budget, and supervise development and maintenance of adequate managerial and accounting systems and procedures; and

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

(Ord. 101667 § 2(part), 1972.)

3.20.040 Transfer of certain Divisions.

In implementation of the functions contemplated in Section 3.20.010, the Youth Programs Division and the Manpower Grants Administration, the Division on Aging, and the Division of Veterans' Affairs heretofore established as divisions of the Executive Department, office of Human Resources, are transferred to the Department of Human Resources.

(Ord. 101667 § 3, 1972.)

Subchapter II Division on Aging

3.20.080 Division created—Purposes.

There is created in the Department of Human Resources a Division on Aging¹ to coordinate city programs directed to or affecting the aging; to provide short-term planning and programming related to meeting problems of the aging; to assist the Mayor in development of broad policies focusing on such problems; to provide liaison with public and private agencies and groups serving or interested in the aging; to provide staff support to the Technical Advisory Committee on Aging; and to seek and encourage additional funding sources for programs serving the aging.

(Ord. 99901 § 1, 1971.)

1. Editor's Note: The Division on Aging was transferred to the Department of Human Resources by Ord. 101667 as of January 1, 1973.

3.20.090 Technical Advisory Committee on Aging—Established—Appointments.

A. There is established a Technical Advisory Committee on Aging to be composed of fifteen members appointed by the Mayor subject to confirmation by a majority vote of all members of the City Council from among persons who individually or as representative of a public or private agency or group have demonstrated concern with problems of the aging.

B. Each member so appointed shall serve for a term of three years; provided that of the first members so appointed, five shall be appointed

ADMINISTRATION

for a term ending May 1, 1972, five shall be appointed for a term ending May 1, 1973, and five shall be appointed for a term ending May 1, 1974; provided, further, that no person shall be appointed to more than two consecutive three-year terms; and provided further that any vacancy shall be filled for the unexpired term in the same manner as original appointments. (Ord. 99901 § 2(part), 1971.)

3.20.100 Committee—Organization and responsibilities.

The Committee shall organize, elect officers, and adopt such rules and administrative procedures consistent with the City Charter¹ and this subchapter as are necessary for the conduct of its affairs and performance of its functions and responsibilities which shall be to act in an advisory capacity to the Mayor, City Council and Division on Aging in respect to matters concerning the development of efforts and programs within the community to serve and assist aging persons in the city. (Ord. 99901 § 2(part), 1971.)

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

3.20.110 Committee—Meetings.

The Committee shall meet at least once each month at such time and place as the Chairman thereof shall designate, and all meetings shall be open to the public for presentation of, or proposed solutions to, specific problems concerning or relating to the aging. (Ord. 99901 § 2(part), 1971.)

3.20.120 Director—Created—Duties.

There is created in the Department of Human Resources the position of Director of the Division on Aging¹ 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. The Director shall be responsible under the direction of the Mayor for the administration of the Division on Aging, and shall annually prepare and furnish to the Mayor, City Council, Advisory Committee on Aging, departments of the city and appropriate community organizations a report of the activities of the Division and recom-

mendations for further action. (Ord. 99901 § 3, 1971.)

1. Editor's Note: The Division on Aging was transferred to the Department of Human Resources by Ord. 101667 as of January 1, 1973.

Subchapter III Senior Citizen and Handicapped Person Identification Program

3.20.150 Definitions.

As used in this subchapter:

A. "Director" means the Director of the Department of Human Resources of the city, and includes the Director's authorized representative.

B. "Handicapped person" means any individual who, by reason of illness, injury, congenital malfunction, or other permanent or temporary incapacity or disability, whether non-ambulatory, wheelchairbound or having semi-ambulatory capability, is unable, without special facilities or special planning or design, to utilize mass transportation facilities and services as effectively as persons who are not so affected.

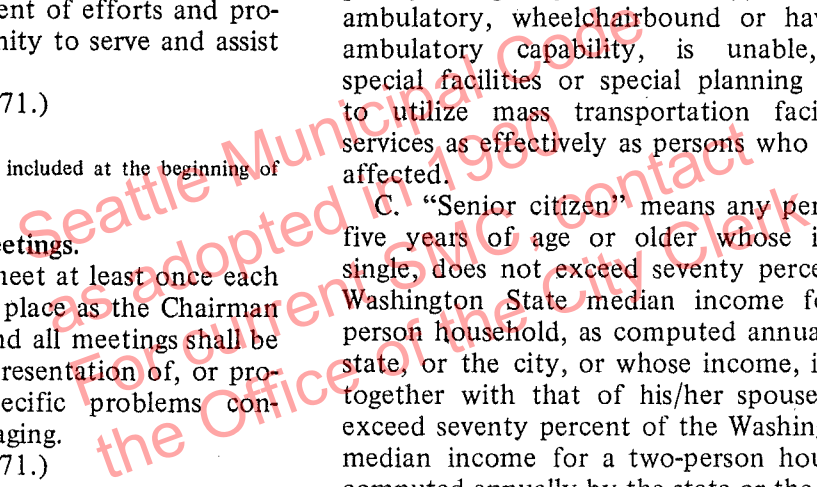
C. "Senior citizen" means any person sixty-five years of age or older whose income, if single, does not exceed seventy percent of the Washington State median income for a one-person household, as computed annually by the state, or the city, or whose income, if married, together with that of his/her spouse does not exceed seventy percent of the Washington State median income for a two-person household as computed annually by the state or the city. (Ord. 107133 § 1, 1978.)

3.20.160 Form of identification.

The Director shall establish the form of identification for use by eligible handicapped persons and senior citizens in connection with such benefit programs as may be provided by the city. (Ord. 107133 § 2, 1978.)

3.20.170 Information to be furnished and verified.

Each applicant for senior citizen or handicapped person identification shall verify and furnish the Director with such information as s/he may require in order to determine eligibility. (Ord. 107133 § 3, 1978.)



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3.20.180 Benefits.

Each holder of senior citizen or handicapped person identification is entitled to benefits as may be prescribed by ordinance or as set forth by the Director of the Department of Human Resources.

(Ord. 107133 § 4, 1978.)

Chapter 3.22**DEPARTMENT OF HUMAN RIGHTS****Sections:****Subchapter I Department Regulations**

- 3.22.010 Department created—Purpose.
- 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.
- 3.22.080 Commission—Responsibilities.

Subchapter II Poverty Programs

- 3.22.130 Mayoral authority.
- 3.22.140 Economic Opportunity Board—Membership.

Subchapter I Department Regulations**3.22.010 Department created—Purpose.**

There is created a Department of Human Rights to investigate, study and act to identify and relieve problems of human rights relating to race, religion, creed, color, or national origin; to design and carry out programs to promote equality, justice and understanding among all citizens of the city; to recommend policies to all departments and divisions of city government in matters affecting such human rights; and to recommend legislation for the implementation of such programs and policies.

(Ord. 97971 § 1, 1969.)

3.22.020 Director—Appointment.

There shall be Director of the Department to be appointed by the Mayor from among those

persons, not less than five, recommended for such appointment by the Human Rights Commission, which appointment shall be 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 the recommendation of the Human Rights Commission, subject to like confirmation of 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,¹ should not be included in the classified civil service.

(Ord. 101477 § 1(part), 1972; Ord. 97971 § 2(part), 1969.)

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

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 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

ADMINISTRATION

city and keep the Commission informed of the activities of the Department of Human Rights, and for such purpose 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 operations 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. 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. 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 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 for 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 Corporation Counsel who shall apply to the appropriate court for an order or other court action necessary to secure enforcement of the subpoena.

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

3.22.060 Human Rights Commission—Membership.

There is established a Human Rights Commission to be composed of twelve members who shall be representative citizens of the city appointed by the Mayor and confirmed by the City Council for a term of three years; provided that any vacancy shall be filled for the unexpired term in the same manner as original appointments; and provided further that the City Council by a two-thirds vote of all its members, may remove any member for cause.

(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 Charter¹ and this subchapter as are necessary to accomplish the duties prescribed in Section 3.22.080.

(Ord. 97971 § 3(part), 1969.)

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

3.22.080 Commission—Responsibilities.

The Commission shall act in an advisory capacity to the Mayor, City Council, Department of Human Rights and other city departments in respect to matters affecting human rights and in furtherance thereof shall have the following specific responsibilities:

A. To consult with and make recommendations to the Director of Human Rights and other city departments and officials with regard to the development of programs for the promotion of equality, justice and understanding among all citizens of the city;

B. To consult with and make recommendations to the Director of Human Rights with regard to problems arising in the city which may result in discrimination because of race, religion, creed, color, or national origin, and to make such investigations and hold such hearings as may be necessary to identify such problems;

C. To consult with the Director of Human Rights on matters pertaining to the proposed annual budget of the Department of Human Rights during the period of its preparation and from time to time thereafter.

(Ord. 97971 § 4, 1969.)

Subchapter II Poverty Programs

3.22.130 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. 93562 § 1, 1965.)

3.22.140 Economic Opportunity Board— Membership.

To assist the Mayor in carrying out the duties contemplated by Section 3.22.130, 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 Mayor and the Chairman of the Board of King County Commissioners as provided in King County Resolution 28973, shall include a 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. 93562 § 2, 1965.)

ADMINISTRATION

Chapter 3.24

DEPARTMENT OF LICENSES AND CONSUMER AFFAIRS

Sections:

- 3.24.010 Department created.
- 3.24.020 Director—Duties.
- 3.24.030 Division of Consumer Affairs—
Division of Licenses.
- 3.24.040 Hearing Examiner duties.

3.24.010 Department created.

There is created a Department of Licenses and Consumer Affairs for the administration and enforcement of city ordinances relating to weights and measures, consumer protection, and licenses issued for regulatory and/or revenue purposes. The City Comptroller shall issue such licenses as provided by Charter Article VIII, Section 1¹ upon certification by the Director of the Department of Licenses and Consumer Affairs. (Ord. 102252 § 1, 1973.)

1. Editor's Note: The Charter is included at the beginning of this Code, and was amended in 1977 to authorize the Director of Licenses and Consumer Affairs to issue licenses.

3.24.020 Director—Duties.

A. There shall be a Director of the 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,¹ should not be included in the classified civil service.

B. The Director shall be the head of the Department of Licenses and Consumer Affairs and shall be responsible for the administration of the department and he shall:

1. Except as otherwise provided in this chapter, appoint, remove, supervise and control officers and employees in the Department of Licenses and Consumer Affairs in accordance

with civil service rules and regulations;

2. Administer and enforce all ordinances pertaining to the Department of Licenses and Consumer Affairs, and in accordance with law perform such duties and have such powers in relation to licensing, weights and measures, advertising, and consumer protection regulations as shall be prescribed by ordinance;

3. Promote consumer education and receive, investigate, and take appropriate action in connection with consumer inquiries and complaints, and make information and reports on consumer protection available to the public;

4. Review city, state, and federal laws relating to the Department's responsibilities and make recommendations to the Mayor, City Council and other appropriate city, state, federal or private agencies for legislation or other appropriate remedial action related to the responsibilities of the Department;

5. Make periodic reports to the Mayor and City Council of the operations of the Department of Licenses and Consumer Affairs; and

6. Have such other and further powers and duties as shall be prescribed by ordinance. (Ord. 102252 § 2, 1973.)

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

3.24.030. Division of Consumer Affairs—
Division of Licenses.

In implementation of the functions contemplated in Section 3.24.010 there is created in the Department of Licenses and Consumer Affairs a Division of Consumer Affairs and a Division of Licenses, and as the respective heads of such divisions the following positions are established:

- A. Assistant Director of Consumer Affairs;
 - B. Assistant Director of Licenses;
- and the Director of the Department of Licenses and Consumer Affairs is authorized to fill said positions, subject to civil service laws and rules. (Ord. 102252 § 3, 1973.)

3.24.040 Hearing Examiner duties.

A. For the conduct of hearings as prescribed by ordinance in connection with the functions contemplated in Section 3.24.010, there is created in the Office of Hearing Examiner the position of Hearing Examiner and such Hearing Examiner, whose position shall not be included in the classified civil service, shall be appointed

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by the City Council in accordance with the Administrative Code¹ of the city; 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 position, as a professional or administrative office or position similar to offices and positions designated in Article XVI, Section 11 of the City Charter² should not be included in the classified civil service.

B. It shall be the duty of such Hearing Examiner to conduct hearings on appeals concerning the granting, denial, revocation, suspension or amendment of licenses, and to make investigations and hear appeals, protests and other matters, as prescribed by and in accordance with the provisions of this ordinance, the License Code,³ and the Administrative Code of the city. Written decisions of the Hearing Examiner made pursuant to such hearings shall be final, and the Director of the Department of Licenses and Consumer Affairs shall implement such decisions in accordance with the provisions of this ordinance, the License Code, and the Administrative Code of the city.
(Ord. 102252 § 4, 1973.)

1. Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.
2. Editor's Note: The Charter is included at the beginning of this Code.
3. Editor's Note: The License Code is codified in Title 6 of this Code.

Chapter 3.26

PARKS AND RECREATION DEPARTMENT¹

Sections:

- 3.26.010 Board of Park Commissioners—Membership.**
- 3.26.020 Board—Adoption of rules.**
- 3.26.030 Board—Duties.**
- 3.26.040 Superintendent—Duties.**

Statutory Reference: For Charter provisions on the Department of Parks, see Charter Art. XI.

1. Cross-reference:
Associated Recreation Council Ch. 18.04
Community Advisory Council Ch. 18.04

3.26.010 Board of Park Commissioners—Membership.

The Board of Park Commissioners shall consist of seven members to be appointed by the Mayor subject to confirmation by a majority of the City Council. Original appointees to the Board shall serve terms of two for one year ending December 31, 1968, two for two years ending December 31, 1969, and three for three years ending December 31, 1970, respectively. Thereafter all appointments shall be for three-year terms ending on December 31st of the third year of such term, provided that any vacancy shall be filled for the unexpired term in the same manner as original appointments. The Mayor shall annually appoint, subject to confirmation by the City Council, one member of the Board to serve as Chairman for a term of one year, beginning on January 1st.
(Ord. 96453 § 1(part), 1968.)

3.26.020 Board—Adoption of rules.

The Board shall meet not less than twice each month at a time and place set by the Board and shall adopt such rules and administrative procedures consistent with the City Charter¹ and this chapter as are necessary to accomplish the duties prescribed in Section 3.26.030.
(Ord. 96453 § 1(part), 1968.)

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

3.26.030 Board—Duties.

The Board shall act in an advisory capacity to the Mayor, City Council, Department of Parks and Recreation and other city departments in respect to park and recreation matters and in furtherance thereof shall have the following specific responsibilities:

A. To consult with and make recommendations to the Superintendent of Parks and Recreation and other city departments and officials with regard to the development and amendment from time to time of the city's parks and recreation comprehensive plan and capital improvement program;

B. To consult with and make recommendations to the Superintendent of Parks and Recreation regarding policies for the planning, development and implementation of policy concerning the city's recreation program;

D. To consult with the Superintendent of Parks and Recreation on matters pertaining to the proposed annual budget of the Park and

ADMINISTRATION

Recreation Department during the period of its preparation and from time to time thereafter;

E. To hold public meetings from time to time in various parts of the city for the purpose of reviewing park and recreation programs and objectives with citizen groups and the community at large. A major objective of the Board shall be to develop public interest in the activities of the Park and Recreation Department and to solicit, to the fullest extent, participation of community groups, the general public, and public and private agencies;

F. To make recommendations on the acceptance of gifts and bequests to the city's park and recreation system;

G. To meet from time to time with local, regional, and national park and recreation agencies and, when possible, attend park and recreation meetings and seminars in order to keep informed of new trends in policy, programs and park facilities' development.
(Ord. 96453 § 2, 1968.)

* 3.26.040 Superintendent—Duties.

The Superintendent of Parks and Recreation shall have responsibility for the management and control of the park and recreation system of the city and shall:

A. Direct the planning, design, construction, improvement and maintenance of all parks and recreation areas and facilities;

B. Develop and administer broad and varied programs of public recreation activities;

C. Develop, in cooperation with other city departments and officials, policies relating to the city's parks and recreation comprehensive plan and capital improvement program;

D. Support and encourage the Board of Park Commissioners in its efforts to assess and interpret the city's recreational and parks needs;

E. Administer all ordinances pertaining to the Parks and Recreation Department;

F. Appoint, remove, supervise and control officers and employees in the Department of Parks and Recreation in accordance with civil service rules and regulations;

G. Manage the preparation of the proposed annual budget of the Parks and Recreation Department, authorize necessary expenditures, and supervise the maintenance of adequate accounting systems and procedures;

H. Supervise, under the direction of the Board of Public Works, all public works construction

contracts, service contracts, leases, and permits pertaining to the Parks and Recreation System, in accordance with city ordinances and rules adopted from time to time by the Board of Public Works;

I. Enter into and administer such concession contracts as are authorized by ordinance;

J. Provide staff support for and consult regularly with the Board of Park Commissioners to keep the Board informed of the activities of the Park and Recreation Department, and for such purpose attend, either in person or by designated representative, all regular meetings of the Board of Park Commissioners;

K. Meet with community groups and individuals to determine park and recreation program needs, facility requirements, and other improvements;

L. Make rules and regulations not inconsistent with the City Charter¹ and the provisions of this chapter and other city ordinances for the management, control and use of the park and recreation system of the city, a copy of which rules and regulations shall be filed and be available for public examination in the office of the City Comptroller;

M. Prepare and recommend a schedule of fees for the use of park and recreation facilities, which schedule, when approved by the City Council by resolution, shall govern the amount of the fee to be collected as a condition to the use of such facilities.
(Ord. 96453 § 3, 1968.)

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

Chapter 3.28

POLICE DEPARTMENT

Sections:

Subchapter I Police Department Regulations¹

3.28.010 Sale of unclaimed property.

3.28.020 Police authority of retired members.

3.28.030 Authority to kill dog which has bitten a person.

3.28.040 Duty to report defective or dangerous buildings or public places.

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- 3.28.050 Unlawful representation as Police Officer.
- 3.28.060 Violation of Sections 3.28.010 through 3.28.050.
- 3.28.070 Fees for certain records and services.
- 3.28.080 Reports and services to be furnished under direction of Chief.
- 3.28.090 Modification of fee schedule.
- 3.28.100 Transfer of parking meter regulations.

Statutory Reference: For Charter provisions on the Police Department, see Charter Art. VI.

1. Cross-reference: For provisions regarding collection of information for law enforcement purposes, see Chapter 14.12 of this Code; for provisions on unauthorized use of police badges, see Chapter 12A.58.

Subchapter II Special Police

- 3.28.150 Appointment—Number limited.
- 3.28.160 Eligibility.
- 3.28.170 Application information.
- 3.28.180 Appointment—Badge issuance.
- 3.28.190 Appointment—Invalidation or expiration.
- 3.28.200 Duties.
- 3.28.210 Uniforms.
- 3.28.220 Appointment of city employees.
- 3.28.230 Appointment of Civilian Auxiliary Police and Federal Civilian Guards.
- 3.28.240 Record of names and addresses.
- 3.28.250 Revocation or expiration of appointment—Surrender of badge.
- 3.28.260 Unlawful acts.
- 3.28.270 Violation—Penalty.

Subchapter III Police Officers' Bill of Rights

- 3.28.320 Purpose.
- 3.28.330 Definitions.
- 3.28.340 Internal investigation—Information provided to subject officer.
- 3.28.350 Criminal investigation—Legal counsel.
- 3.28.360 Information as to nature of investigation—Recordings—Transcripts.
- 3.28.370 Interviews—Procedures.
- 3.28.380 Threats and abusive conduct prohibited.

Severability: The invalidity of any section, subsection, provision, clause, or portion of this subchapter, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of this subchapter or the validity of its application to other persons or circumstances. (Ord. 102150 § 8, 1973.)

Subchapter IV Community Service Officer Program

- 3.28.420 Authorization.

Subchapter I Police Department Regulations

3.28.010 Sale of unclaimed property.

A. The Chief of Police shall, at least once a year and as often as he may deem advisable, cause to be sold at public auction to the highest bidder for cash, all personal property which shall come into the possession of the Police Department by being taken from persons arrested for crime or which may be found, and which shall remain unclaimed by any person or persons entitled thereto for a period of not less than sixty days after the same has come into the possession of the Department.

B. At least ten days' notice of such sale shall be given to the owner of the property, if the owner is known. Notice shall be given either personally, or by leaving a written notice at his/her residence or place of business with some person of suitable age and discretion residing or employed therein. Before making any such sale the Chief of Police shall cause his/her signed notice thereof to be published in the official newspaper of the city at least once ten days preceding the date of such sale, stating: (1) that such sale will take place at the police headquarters, or another suitable place designated by the Chief of Police, (2) at a day and hour specified in such notice, (3) to the highest and best bidder, and (4) describing the property, as near as may be, and (5) that it is unclaimed and taken from persons arrested for violation of the law or has been found, and (6) that any person or persons owning or entitled to any of such property may recover the same at the date of such sale by proving that they are entitled thereto to the satisfaction of the Chief of Police; provided, however, that any firearms so coming into the possession of the Police Department, shall be destroyed by the Chief of Police when their retention as evidence is no longer required and when release to a claiming party would be forbidden under applicable federal or state

ADMINISTRATION

law. Provided further, that firearms subject to destruction under the provisions of Section 3.28.010 through 3.28.060 must be held for at least thirty days after the Chief shall determine that such firearms are no longer required as evidence.

C. The proceeds of such sale shall be applied first to the payment of the costs and expenses of the sale and then to the payment of lawful charges and expenses for the keep of the personal property. The balance, if any, shall be paid into the Police Pension Fund, so long as such fund exists; otherwise into the City Current Expense Fund.

D. If the owner of property so sold, at any time within three years after such money is deposited in the pension fund or expense fund, furnishes satisfactory evidence of his ownership of such property to the Police Pension Fund Board or the City Treasurer, he/she shall be entitled to receive the amount deposited, plus interest.

(Ord. 108118 § 1, 1979; Ord. 102844 § 1, 1973; Ord. 16374 § 1, 1907.)

3.28.020 Police authority of retired members.

Whenever any member of the Police Department shall be retired from active service by reason of age, he may, if he shall so elect and shall notify the Chief of Police in writing of such election, subject to written approval thereof by the Chief of Police and annual renewal of such approval on January 1st of each year, remain and be continued as a member of the police force without pay, and shall have the same authority as a regular active patrolman, and shall engage in no other profession or calling, and shall be subject to the orders of the Chief of Police and the regulations of the Department, and shall be subject to removal and to have his police authority revoked at any time for cause, in like manner as regular active members of the Department.

(Ord. 108124 § 1, 1979; Ord. 100759 § 1, 1972; Ord. 16374 § 2, 1907.)

3.28.030 Authority to kill dog which has bitten a person.

All members of the Police Department are authorized and empowered, whenever they shall have knowledge or shall be reliably informed that any dog has bitten or injured any person without cause, to kill such dog forthwith, and for that purpose may enter any premises where such dog may be.

(Ord. 16374 § 3, 1907.)

3.28.040 Duty to report defective or dangerous buildings or public places.

Whenever any Policeman shall observe any defect in any street, sidewalk or other public place, or any dangerous structure, building, bridge, wharf, excavation, ditch, cellar, wall or sewer, or any other dangerous place or thing, or any unsanitary premises or condition, he shall immediately report the same to the head of the department whose duty it is to repair the defect or remove the danger.

(Ord. 16374 § 4, 1907.)

3.28.050 Unlawful representation as Police Officer.

It shall be unlawful for anyone:

A. To falsely represent himself to be a Seattle Police Officer or a Special Policeman appointed pursuant to Ordinance 66591;¹ or

B. To wear without authority of the Chief of Police the uniform, or a distinctive part of the uniform, or any badge or insignia of the Seattle Police Department, or any uniform, badge or insignia any part of which is similar to a distinctive part of the uniform, badge or insignia of the Seattle Police Department unless portraying a Police Officer or a member of the Seattle Police Department in a theatrical or motion picture production in a manner which does not tend to discredit the Seattle Police Department; or

C. To wear or carry upon his person without authority of the Chief of Police any object or device displaying the words "Seattle Police Officer," "Seattle Police," "Seattle Detective," "Police Department, City of Seattle," or any words of a similar nature.

(Ord. 95661 § 1, 1967; Ord. 16374 § 7, 1907.)

1. Editor's Note: Ord. 66591 is codified in Subchapter II of this Chapter.

3.28.060 Violation of Sections 3.28.010 through 3.28.050.

Any person violating any of the provisions of Sections 3.28.010 through 3.28.050 shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding One Hundred Dollars (\$100.00) or imprisoned for a term not exceeding thirty days or be both so fined and imprisoned.

(Ord. 16374 § 8, 1907.)

3.28.070 Fees for certain records and services.

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

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Service		Charge
1. Record check (person with no record)	per name	\$ 5.00
2. Record check (person with or without a record) with a clearance letter	per name	10.00
3. Record check, fingerprinting and classification, with copy*	per name	10.00
4. Record check and fingerprint classification (fingerprint provided by applicant), with copy*	per name	5.00
5. Fingerprint classification	per classification	.50
6. Fingerprint cards (not classified -- not including applicants for concealed weapons permits)	first card each additional card	2.00 1.00
7. Copy of incident/crime report	per report	5.00
8. Annual report (Police Department)	per report	5.00
9. Census tract code book	per book	10.00
10. Traffic accident report	per report	5.00
11. Traffic accident report with witness statements	per report	8.00
12. Polygraph examination (at the request of and for any law enforcement agency)	per exam	50.00
<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>		
13. Photographs and prints		
a. Original (taken on-site) (includes one copy of print)	Per Original Print black and white color	41.00 43.50
b. Prints (when in possession of Police Department) (up to 8" x 10")	First Copy black and white color	6.50 7.50
	Additional Copies black and white color	1.50 2.50
	Extra negatives black and white color	2.00 3.00

ADMINISTRATION

c. Aerial/boat photographs	original	75.00	
	additional copies	12.50	
	extra negatives	12.50	
14. Polaroid ID-3 identification system cards for nonpolice city employees	per card	3.00	
15. Use of firearm qualification facility	per person	3.00	
16. Data processing services	per hour		MIS charges
17. Consultation and/or examination of physical evidence by Police Department personnel	per person-hour	20.00	

*Fee shall be \$0.25 less, if copy need not be furnished.

(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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3.28.080 Reports and services to be furnished under direction of Chief.

The reports, records, and services contemplated in Section 3.28.070 shall be furnished under the direction of the Chief of Police and in accordance with rules and regulations adopted by him.

(Ord. 99870 § 2, 1971.)

3.28.090 Modification of fee schedule.

The fee schedule provided in Section 3.28.070 may be amended, modified or added to from time to time upon recommendation of the Chief of Police and approval by resolution of the City Council.

(Ord. 99870 § 3, 1971.)

3.28.100 Transfer of parking meter regulations.

As of January 1, 1973, the duty and responsibility of enforcement of certain parking meter traffic regulations, and other related work, heretofore assigned to the City Treasurer by Ordinance 86431, is transferred to the Chief of Police as contemplated in the 1973 budget.

(Ord. 101629 § 1, 1972.)

Subchapter II Special Police**3.28.150 Appointment—Number limited.**

The Chief of Police is authorized and empowered to appoint from time to time in accordance with the provisions of the City Charter¹ and of this subchapter such number of Special Policemen as he shall deem necessary, and who shall serve in such office without compensation from the city; provided, that the number of Special Policemen acting pursuant to such appointment shall not at any one time exceed three hundred.

(Ord. 66591 § 1, 1936.)

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

3.28.160 Eligibility.

No person who:

A. Is not a citizen of the United States;

B. Is not trustworthy and of good moral character; or

C. Who has within ten years of the date of his application for appointment as Special Policeman been convicted of a felony or any offense involving moral turpitude;

shall be eligible for appointment as a Special Policeman. No Special Policeman shall be

considered an employee of the city for any purpose, nor entitled to the benefits of the Police Pension Fund Act (RCW 41.20.010 et seq.).

(Ord. 94101 § 1, 1965; Ord. 92383 § 1, 1963; Ord. 82230 § 1, 1953; Ord. 67137 § 1, 1937; Ord. 66591 § 2, 1936.)

3.28.170 Application information.

A. Any person desiring appointment as a Special Policeman shall file an application with the Chief of Police upon a form to be supplied by him. The applicant shall, in such application, give the information required, shall sign the same and by affidavit shall swear or affirm that the statements and answers therein contained are true to the best of his knowledge and belief. Such application shall be accompanied by the statements of at least three reputable citizens, not related to, or present employers of, the applicant, attesting to his trustworthiness and good moral character. The applicant shall also in the manner and at the time and place desired by the Chief of Police make an imprint of the thumbs and fingers of both hands.

B. If the Chief of Police, from the application or upon investigation, determines that the applicant is eligible under the provisions of this subchapter to appointment as Special Policeman, he shall approve the application; otherwise, he shall disapprove it.

(Ord. 95246 § 1, 1966; Ord. 66591 § 3, 1936.)

3.28.180 Appointment—Badge issuance.

Upon approval of an application as provided in Section 3.28.170 and upon presentation of a receipt showing the payment to the City Treasurer of the sum of Two Dollars and Fifty Cents (\$2.50), and upon the payment by the applicant to the Chief of Police of the sum of Twenty Dollars (\$20.00) as a deposit to be held until return of the badge as provided in this section, the Chief of Police may, in his discretion, appoint the applicant as a Special Policeman under the provisions of this subchapter, but the number of persons appointed and acting at any one time as Special Policemen shall never exceed the number fixed in Section 3.28.010. The appointment made by the Chief of Police shall be in writing and shall set forth the term of the appointment and recite that it is made pursuant to this subchapter. At the time of the appointment, the Chief shall deliver to the appointee a metal badge in the form of a six-pointed star, bearing the words "Special Police,

City of Seattle," with a number to be assigned by the Chief. The Chief of Police shall hold all deposits for badges in a trust fund, from the proceeds of which he shall from time to time as needed, purchase Special Policeman badges, and from which he shall, whenever a badge is returned to him in good condition, repay the appointee the sum of Twenty Dollars (\$20.00). (Ord. 103072 § 1, 1974; Ord. 95246 § 2, 1966; Ord. 66591 § 4, 1936.)

3.28.190 Appointment—Invalidation or expiration.

A. Appointments as Special Policemen shall be of no force or effect:

1. Upon and after conviction of the appointee of any felony or offense involving moral turpitude;

2. The cessation of the performance of actual police service by the appointee;

3. Upon and after revocation of the appointment by the Chief of Police for failure to abide by the requirements of the City Charter¹ or this subchapter, the failure to perform faithfully the duties of his employment, or for any cause deemed sufficient by the Chief of Police in his discretion;

4. After the expiration of one year from the date of the appointment or any renewal thereof.

B. The Chief of Police shall in writing notify the Special Policeman of the voiding or invalidating of his appointment, but his failure to so notify the appointee, or of the appointee to receive the notification, shall have no effect on the voiding or invalidating of the appointment.

C. Any appointment about to expire by reason of lapse of time may be renewed by the Chief of Police: Provided, that the appointee shall make application therefor to the Chief prior to such expiration and upon showing to the satisfaction of the Chief that the appointee is and will be actually engaged in Special Police Service in the city, and that he has performed his duties as a Special Policeman satisfactorily. (Ord. 66591 § 5, 1936.)

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

3.28.200 Duties.

Every Special Policeman shall:

A. At all times keep the Chief of Police accurately advised in writing of his business and home address and telephone number, if any, and

of the boundaries of the district which he is patrolling;

B. At all times while on duty, wear or carry upon his person the Special Police badge provided for in this subchapter and no other;

C. Carry on his person at all times while on duty, a list of the places patrolled by him together with the addresses, telephone numbers and names of the owners thereof, or names of persons to be notified in case of fire, illegal entry, etc.

(Ord. 99844 § 1, 1971; Ord. 66591 § 6, 1936.)

3.28.210 Uniforms.

Any person appointed as a Special Policeman under the provisions of this subchapter may, at his election, wear a uniform upon receiving the consent and approval of the Chief of Police thereto, but no uniform so worn shall be so similar to any uniform worn by a regular policeman as to be confusing or misleading, and no uniform shall be worn by any Special Policeman except such as is approved by the Chief of Police as to style, color and material.

(Ord. 66591 § 7, 1936.)

3.28.220 Appointment of city employees.

A. The Chief of Police is authorized and empowered to appoint from time to time, and in accordance with the provisions of the City Charter¹ and of this subchapter, or any city employee as a Special Policeman whenever the discharge of the duties of his employment will be thereby facilitated or aided. The appointment shall be made only upon written request and certificate of the head of the department of employment that the appointment is required to facilitate and aid the employee in the discharge of his duties. Upon such appointment being made, the Chief of Police shall issue to the appointee a certificate of appointment and a metal badge, with a number to be assigned by the Chief. The appointment shall continue until the appointee permanently ceases city employment, but may be revoked at any time by the Chief of Police, and shall be revoked by him whenever the city employment of the appointee is permanently terminated or whenever the head of the department in which the appointee is employed shall recommend revocation.

B. The provisions of Sections 3.28.150 through 3.28.210 shall not apply to Special Policemen appointed under the provisions of this section, but no such appointee shall be

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considered a member of the Police Department within the contemplation of the Police Pension Fund Act (RCW 41.20.010 et seq.), or otherwise.

(Ord. 66888 § 1, 1936: Ord. 66591 § 7-1, 1936.)

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

3.28.230 Appointment of Civilian Auxiliary Police and Federal Civilian Guards.

A. The Chief of Police is authorized to appoint as Special Policemen, Civilian Auxiliary Police and Federal Civilian Guards. The appointment of such Civilian Auxiliary Police shall be made to assist the Police Department in emergency work whenever the Chief of Police deems necessary. The appointment of such Federal Civilian Guards shall be made in case the discharge of the duties of such employment will be facilitated or aided thereby and shall be made upon written request of the federal agency concerned. All appointees shall receive a certificate of appointment and a metal badge with a number to be assigned by the Chief of Police. Appointments may be revoked at any time by the Chief of Police, and the appointment of any Federal Civilian Guard shall be revoked by him upon the cessation of his duties or upon the recommendation of the federal agency requesting the appointment. Upon revocation of the appointment of any Special Policeman, the badge shall be returned to the Chief of Police.

B. The provisions of Sections 3.28.170 through 3.28.210 shall not apply to Special Policemen appointed under the provisions of this section, and the limitations in Section 3.28.150 of the number to be appointed shall be inapplicable to appointments under this section.

(Ord. 71537 § 1, 1941: Ord. 66591 § 7-2, 1936.)

3.28.240 Record of names and addresses.

The Chief of Police shall keep an accurate record of the names and addresses of all Special Police Officers.

(Ord. 66591 § 8, 1936.)

3.28.250 Revocation or expiration of appointment—Surrender of badge.

Every person whose appointment as a Special Policeman under this subchapter has been revoked by the Chief of Police or has expired

or become invalid, shall immediately upon such revocation, expiration or invalidation surrender to the Chief of Police the Special Police badge possessed by him, all written evidence of his appointment as a Special Policeman and any other insignia of such office.

(Ord. 66591 § 9, 1936.)

3.28.260 Unlawful acts.

It shall be unlawful for any person, unless he is a duly and regularly appointed and acting Special Policeman under the provisions of this subchapter or a Police Officer of the United States Government, the state, the county, or the city, to wear or carry upon his person, or to possess, any Special Police badge or similar insignia or thing in initiation or similitude thereof, or to wear the uniform of a Special Policeman or Special Police Officer, as provided in this subchapter, or any similitude thereof, or to act or serve as a Special Policeman or Special Police Officer.

(Ord. 66591 § 10, 1936.)

3.28.270 Violation—Penalty.

Every offense defined by this subchapter or conduct made unlawful thereby shall constitute a violation subject to the provisions of Chapters 12A.02 and 12A.04 of this Code (Seattle Criminal Code) and any person convicted thereof may be punished by a civil fine or forfeiture not to exceed Five Hundred Dollars (\$500.00); provided, that the offense defined and conduct made unlawful by Section 3.28.160 shall constitute a crime subject to the provisions of Chapters 12A.02 and 12A.04 and any person convicted of such crime may be punished by a fine in any sum not to exceed Five Hundred Dollars (\$500.00) or by imprisonment in the City Jail for a term not to exceed six months, or by both such fine and imprisonment.

(Ord. 104317 § 1, 1975: Ord. 66591 § 12, 1936.)

Subchapter III Police Officers' Bill of Rights

3.28.320 Purpose.

It shall be the policy of the city that all city law enforcement officers shall be entitled to the protection of the provisions of this subchapter which shall constitute and may be referred to as the "Police Officers' Bill of Rights."

(Ord. 102150 § 1, 1973.)

ADMINISTRATION

3.28.330 Definitions.

For the purposes of this subchapter, the term "internal investigation" means an investigation by or under the authority of the Chief of Police of activities, circumstances or events pertaining to the conduct or acts of a city law enforcement officer. Such investigation shall be deemed a "criminal investigation" where it is suspected such conduct or acts are or may be the basis for filing a criminal charge against such officer, and shall be deemed a "major investigation" where it is suspected that such conduct or acts may also or alternatively be the basis for discharge, suspension or other discipline of such officer. (Ord. 102150 § 2, 1973.)

3.28.340 Internal investigation—Information provided to subject officer.

Every officer who becomes the subject of an internal investigation shall be advised at the time of any interview in connection therewith that, as the case may be, he is suspected of:

A. Committing a criminal offense;

B. Misconduct which would be grounds for termination, suspension or other disciplinary action; or

that he may not be qualified for continued employment with the Police Department. At the time of the interview such officer shall also be informed of the name of the officer in charge of the investigation and the name of the officer who will be conducting the interview. (Ord. 102150 § 3, 1973.)

3.28.350 Criminal investigation—Legal counsel.

Any officer who becomes the subject of a criminal investigation may have legal counsel present during all interviews of such officer. Such representation by counsel shall be confined to counseling and shall not be authority for any participation by counsel in the investigation. (Ord. 102150 § 4, 1973.)

3.28.360 Information as to the nature of investigation—Recordings—Transcripts.

A. In the case of any major investigation and before any interview commences, the officer to be interviewed shall be informed in writing of the nature of the investigation including information necessary to reasonably apprise him of the allegations of any complaint and he shall be afforded an opportunity and facilities to contact and consult privately with an attorney

of his own choosing before being interviewed.

B. Such officer may request that the interview be recorded, either mechanically or by a stenographer, and no questions shall be asked "off-the-record." Upon request, the officer under investigation shall be provided an exact copy of any written statement he has signed and a verbatim transcript of any interview of such officer. (Ord. 102150 § 5, 1973.)

3.28.370 Interviews—Procedures.

Interviews shall be held at a reasonable hour and preferably when the officer to be interviewed is on duty unless the exigencies of the interview dictate otherwise. Whenever possible interviews shall be scheduled during the normal work day of the city. Interviewing shall be completed within a reasonable time and shall be accomplished under circumstances devoid of intimidation or coercion. The officer being interviewed shall be entitled to such intermissions as he shall request for personal necessities, meals, telephone calls, and rest periods. All interviewing shall be limited in scope to activities, circumstances or events which pertain to the conduct or acts of the officer under investigation which form or may form the basis for disciplinary action, termination of employment or the filing of a criminal charge. (Ord. 102150 § 6, 1973.)

3.28.380 Threats and abusive conduct prohibited.

No officer under investigation shall, as a guise for obtaining such officer's resignation, be falsely threatened with dismissal or other disciplinary action should he refuse to resign, nor shall he be subjected to abusive or offensive language or in any other manner intimidated or offered promises or reward as an inducement to answer questions. (Ord. 102150 § 7, 1973.)

Subchapter IV Community Service Officer Program

3.28.420 Authorization.

The Chief of Police is authorized to establish a Community Service Officer Program using personnel with a distinctive uniform and insignia to aid regular police officers by performing community services associated with law enforcement, conducting crime prevention activities,

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assisting youth in the neighborhood, and undertaking other duties to improve relations between the community and the Police Department, and through such community services activities and training, developing potential police officers. (Ord. 99767 § 1, 1971.)

Chapter 3.30

SEATTLE-KING COUNTY DEPARTMENT OF PUBLIC HEALTH¹

Sections:

Subchapter I Health Department Regulations

- 3.30.010 Agreement between city and King County.
- 3.30.020 City-County Health Fund established.
- 3.30.030 Payment of proportionate shares into fund.
- 3.30.040 Combined equipment—Buildings excepted.
- 3.30.050 Use of stamps, seals, permits, and forms.
- 3.30.060 Penalty for violation of Section 3.30.050.

Statutory Reference: For Charter provisions on the Public Health Department, see Charter Art. IX; for statutory provisions authorizing combined city-county health departments, see RCW Ch. 70.08.

1. Cross-reference: For provisions regarding noise control, see Chapter 25.08 of this Code.

Subchapter II Health Services¹

- 3.30.100 Agreements with municipalities for environmental and personal health care services.
- 3.30.110 Refund of permit fee.
- 3.30.120 Duplicate Medicare payments.
- 3.30.130 Family planning services—Charges.

1. Editor's Note: Fee schedules for specific health care services, being subject to frequent change, are not included in this codification, but are available from the Seattle-King County Department of Public Health.

Subchapter III Seattle-King County Department of Public Health Citizens Advisory Board

- 3.30.200 Board established—Purpose.
- 3.30.210 Membership—Qualifications.
- 3.30.220 Tenure.
- 3.30.230 Appointment process.
- 3.30.240 Board operations.
- 3.30.250 Functional review of Board operations—Abolition or continuation of Board.

Subchapter I Health Department Regulations

3.30.010 Agreement between city and King County.

The city of Seattle agrees with King County to establish and operate a combined city and county health department to be known as "Seattle-King County Department of Public Health" the head of which shall be the Director of Public Health of the city as authorized by Chapter 46 of the Session Laws of 1949, and further agrees that the Department for a period of ten years from and after January 1, 1970 shall perform the duties and functions of the Office of Medical Examiner of King County as established by the legislative authority of King County, such duties and functions to be assumed by the Department over such period of time and in such manner as shall be prescribed by the legislative authority of King County.

(Ord. 98327 § 1, 1969; Ord. 79432 § 1, 1950.)

3.30.020 City-County Health Fund established.

In such connection there is created and established in the City Treasury a special pooling fund to be designated "City-County Health Fund" into which shall be paid all money budgeted by the city excepting for the Meat Inspection and the Special Nursing Funds, and by King County for the combined Health Department and out of which shall be paid all expense of such Department.

(Ord. 79432 § 2, 1950.)

3.30.030 Payment of proportionate shares into fund.

The proportionate share of the city and the county to be contributed and paid into the "City-County Health Fund" for the purposes stated in Section 3.30.020 shall be determined by the following formula:

ADMINISTRATION

The city will pay annually the proportion of the joint-use program equivalent to the ratio of the population within its city limits to that of the total population of King County, and King County will pay annually the proportion of the joint-use program equivalent to the ratio of the population within King County, exclusive of the city, to the total population of King County; provided, that in addition, King County will pay subject to budget requirements of the King County Charter, the entire cost attributable to the exercise of the duties and functions of the Office of Medical Examiner provided for in Section 3.30.010. The official population figures to be used shall be the U.S. Census of 1950 and after 1950 shall be those issued by the Registrar of Vital Statistics of the State Health Department as of July 1st, preceding each budget year. (Ord. 98327 § 2, 1969; Ord. 79432 § 3, 1950.)

3.30.040 Combined equipment—Buildings excepted.

All physical assets and equipment except buildings of the City and County Health Departments shall become assets of the combined Department. (Ord. 79432 § 4, 1950.)

3.30.050 Use of stamps, seals, permits and forms.

The Director of Public Health is empowered to adopt and use such stamps, seals, blanks, forms, application blanks, permits, notices, signs and placards for the Department of Public Health as he shall deem necessary for properly enforcing the provisions of the state law and city ordinances relative to his department. (Ord. 18609 § 1, 1908.)

3.30.060 Penalty for violation of Section 3.28.050.

Any person who shall unlawfully use, duplicate, mutilate, tear down or convert any such stamps, seals, blanks, forms, applications blanks, permits, notices, signs or placards shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding One Hundred Dollars (\$100.00) or imprisoned in the City Jail for a term not to exceed thirty days or be both so fined and imprisoned. (Ord. 18609 § 2, 1908.)

Subchapter II Health Services

3.30.100 Agreements with municipalities for environmental and personal health care services.

As requested by the Director of Public Health and recommended by the Mayor in the materials attached to Ordinance 107098 the Director of Public Health is authorized for and on behalf of the city to execute agreements with municipalities located within King County, substantially in the form of the agreement attached to Ordinance 107098 and identified as "Health Service Agreement Between the Seattle-King County Department of Public Health and Municipalities within King County" providing for the performance of environmental and personal health care services by the Seattle-King County Department of Public Health for the residents of such municipalities, pursuant to RCW 70.08.090 and 70.05.150. (Ord. 107098 § 1, 1978.)¹

1. Editor's Note: Ord. 107098 supersedes Ord. 102414.

3.30.110 Refund of permit fees.

Whenever any permit is issued by the Public Health Department and a fee paid therefor, and no rights are exercised pursuant thereto and application is made for refund, the Director of Public Health shall certify the facts including the amount of the permit fee and the fund into which the same was paid and his approval of the refund, and upon presentation of such certificate to the City Comptroller such officer is authorized to draw and the City Treasurer to pay a warrant in the amount of such refund drawn upon the proper fund and the necessary appropriations are hereby made; provided that no such refund is authorized when the amount of the permit fee is Four Dollars (\$4.00) or less, and all refunds shall be made in the amount paid for the permit less the sum of Three Dollars (\$3.00); and provided further, that before any such refund is made, the permit shall be surrendered to the Director of Public Health and by him cancelled. (Ord. 104203 § 1, 1975.)

3.30.120 Duplicate Medicare payments.

Whenever in the performance of services in connection with the Medicare Program the Public Health Department receives duplicate payments for the performance of such services and application is made for a refund, the Director of Public Health shall certify the facts

including the amount of such duplicate payment and the fund into which the same was paid and his approval of the refund, and upon presentation of such certificate to the City Comptroller such officer is authorized to draw and the City Treasurer to pay a warrant in the amount of such refund drawn upon the proper fund and the necessary appropriations are hereby made. (Ord. 98418 § 1, 1969.)

3.30.130 Family planning services—Charges.

To provide for a portion of the costs and expenses for the performance of family planning services and the furnishing of supplies in connection therewith by the Public Health Department, the Director of Public Health shall set, charge, and collect fees and charges according to the following guidelines:

A. Fee Charges. The charges shall be set by the Director of Public Health in accordance with the then current state and federal guidelines.

B. Supply Charges. Supply charges shall be set by the Director of Public Health at a rate equal to the cost plus tax and reasonable handling charges for such supplies. (Ord. 107412 § 1, 1978; Ord. 107096 § 1, 1977; Ord. 105148 § 1, 1975.)

**Subchapter III Seattle-King County
Department of Public Health Citizens
Advisory Board**

3.30.200 Board established—Purpose.

There is established a Seattle-King County Department of Public Health Citizens Advisory Board to provide consumer input into the planning, policy-making and implementation processes of the Department, by advising the Department with respect to the evaluation of program implementation and program planning relating to health care within the community; presenting issues relevant to the health and well-being of the community to the Department for its consideration and action; providing liaison and serving as a facilitator of communications between the Department and the community; and acting as an advocate of the community, consumers, and the Department. (Ord. 106480 § 1, 1977.)

3.30.210 Membership—Qualifications.

The Board established in Section 3.30.200 shall consist of twenty-one appointed members

who shall serve without compensation, and shall reflect in its membership the racial, ethnic, and socio-economic characteristics of the primary users and consumers of the Department's services and the general population of the five health districts within King County, as well as other pertinent demographic, environmental, health, and geographic characteristics of the Seattle-King County area; provided, that no more than two appointed Board members shall have the same profession or occupation, no appointed Board member shall be employed by the Department, and not less than fifteen appointed Board members shall be consumers. For the purpose of this chapter, the term "consumer" shall mean any person whose occupation is other than the administration of health activities or the providing of health services, who has no fiduciary obligation to a health facility or other health agency, and who has no material financial interest in the rendering of health services. The Chairperson of the Department's Sewage Disposal Technical Advisory Committee, the Plumbing Code Advisory Board, the Refrigeration Advisory Committee and the Meat Advisory Committee and the Family Planning Medical Advisory Committee shall be ex officio members of the Board established in Section 3.30.200.

(Ord. 106480 § 2, 1977.)

3.30.220 Tenure.

Members of the Board established in Section 3.30.200 other than ex officio members shall be appointed for a term of three years and until their successors are appointed and have qualified; provided, that the terms of the initial appointed members of the Board shall be staggered so that one-third of such members shall serve a one-year term, another one-third shall serve a two-year term, and the remaining one-third shall serve a three-year term. Members may be reappointed, but may serve no more than two consecutive terms. Any appointment made to fill a vacancy shall be for the unexpired portion of the term in which the vacancy occurs. (Ord. 106480 § 3, 1977.)

3.30.230 Appointment process.

The Mayor shall appoint ten, and the King County Executive shall appoint eleven of the initial members of the Board established in Section 3.30.200, after each such official has examined a list of names of persons nominated

ADMINISTRATION

to such positions by the members of the Ad Hoc Citizens Advisory Committee for the Seattle-King County Department of Public Health, to which list the Director of the Department shall have added his own nominees, following a review of the list; provided, that persons appointed after the initial members, shall be appointed alternately by the Mayor and County Executive after each has reviewed a list of nominees nominated by the then current Board members, to which list the Director shall have similarly added his own nominees, following a review of the list.

(Ord. 106480 § 4, 1977.)

3.30.240 Board operations.

The Board established in Section 3.30.200 shall organize and annually elect a chairman, vice chairman, and secretary from its members; may adopt, amend, and repeal bylaws regarding its operations and governance; and may seek consultation from acknowledged experts in the community to assist it in accomplishing its purpose.

(Ord. 106480 § 5, 1977.)

3.30.250 Functional review of board operations—Abolition or continuation of Board.

The Board established in Section 3.30.200 shall be abolished three years from the effective date of the ordinance codified in this chapter,¹ without further City Council action, unless prior to the date of such abolition, the City Council, following a review of the functions of the Board, by ordinance continues the existence of the Board.

(Ord. 106480 § 6, 1977.)

1. Editor's Note: Ord. 106480 became effective on June 30, 1977.

Chapter 3.32

WATER DEPARTMENT

Sections:

- 3.32.010 Department created—Superintendent.
- 3.32.020 Adoption of rules.
- 3.32.030 Superintendent's duties.

3.32.040 Transfer from Charter authorization.

3.32.010 Department created—Superintendent.

A. There shall be a Water Department consisting of the municipal water system, the head of which shall be the Superintendent of Water.¹

B. The Superintendent of Water shall be appointed by the Mayor and confirmed by a majority of the City Council, and shall serve for a four-year term; provided, that the Superintendent of Water serving on December 31, 1978, shall serve as such until a new Superintendent is appointed pursuant to the terms of this chapter.

(Ord. 107788 § 1, 1978.)

1. Cross-reference: For provisions regarding the water system rates and regulations, see Subtitle I Water, of Title 21 of this Code.

3.32.020 Adoption of rules.

Pursuant to the Administrative Code (Ordinance 102228),¹ the Superintendent of Water may adopt whatever rule he or she deems useful for the conduct of the Department's business.

(Ord. 107788 § 2, 1978.)

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

3.32.030 Superintendent's duties.

Under the direction of the Mayor, the duties 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. Performing other duties as assigned by the city.

(Ord. 107788 § 3, 1978.)

3.32.040 Transfer from Charter authorization.

A. The Water Department heretofore established by Charter Article VII shall become the Water Department established pursuant to the provisions of this chapter. All of the records, books, papers, properties, equipment, offices, rights and responsibilities of the Department

heretofore created by Charter are transferred to the department established by this chapter.

B. The appointment of each and every employee of the Water Department heretofore established by Charter is ratified and confirmed as an appointment to the Water Department established pursuant to the provisions of this chapter, and such employment shall be deemed to be continuous and without interruption of service, and no employee shall suffer any loss of accrued service credit, vacation time, sick leave, compensation time, or any other benefit, on account of this transfer from a department created by Charter to a department created by this chapter.

(Ord. 107788 § 4, 1978.)

3.40.030 Administrative Group.

There is established a Head Start Administrative Group consisting of a Head Start Director and staff necessary to administer the joint Seattle-King County Head Start Program. The Director shall be hired by the Policy Board established by Section 3.40.020 in accordance with H.E.W. directives. The Administrative Group shall be subject to the direction of the Policy Board and will be accountable to the Policy Board.

(Ord. 102712 § 4, 1973.)

Chapter 3.42

PUBLIC REINVESTMENT REVIEW BOARD

Subtitle III Boards

Chapter 3.40

CITY-COUNTY HEAD START POLICY BOARD

Sections:

- 3.40.010 Program established.
- 3.40.020 City-County Head Start Policy Board.
- 3.40.030 Administrative Group.

3.40.010 Program established.

The city agrees with King County to establish and operate jointly a Head Start program to be known as "Seattle-King County Head Start Program" with King County as the legal grantee. (Ord. 102712 § 1, 1973.)

3.40.020 City-County Head Start Policy Board.

There is established a City-County Head Start Policy Board consisting of two persons to be appointed by the Seattle City Council, two persons to be appointed by the King County Council, two appointed by the Mayor of the city from city departments, two appointed by the King County Executive from county departments, and one parent of a child in Project Head Start to be elected by the Policy Council. The Chairman of the Policy Board shall be selected from the members appointed by the Seattle City or King County Councils.

(Ord. 105674 § 1, 1976; Ord. 102712 § 3, 1973.)

Sections:

- 3.42.010 Definitions.
- 3.42.020 Establishment of Board.
- 3.42.030 Board—Membership.
- 3.42.040 Board—Appointments and terms of office.
- 3.42.050 Board—Organization and meetings.
- 3.42.060 Board—Compensation.
- 3.42.070 Board—Duties.
- 3.42.080 Public hearings.
- 3.42.090 Staff support.
- 3.42.100 Amendment of appraisal and underwriting policies.

3.42.010 Definitions.

The following terms shall have the following meanings, unless the context indicates otherwise:

A. "Appraisal and underwriting policies" means the appraisal and underwriting standards set forth in Section II of the Seattle Residential Loan Review Process dated August 19, 1976, as amended or supplemented from time to time in accordance with Section 3.42.100, provided nothing therein shall authorize any action that would be contrary to federal or state law or city ordinance.

B. "Board" means the Public Reinvestment Review Board established by this chapter.

C. "Lenders' Review Board" means the Board established by real estate lending institutions in the city to review rejected loan applications.

ADMINISTRATION

D. "Lending institution" includes any bank, insurance company, savings or building and loan association, credit union, trust company, mortgage company, or other person engaged wholly or partly in the business of lending money for the financing or acquisition, construction, repair or maintenance of real estate in Seattle or improvements thereon.
(Ord. 105987 § 1, 1976.)

3.42.020 Establishment of Board.

There is established a Public Reinvestment Review Board effective upon confirmation by the City Council of the Mayor's appointments to the Board.
(Ord. 105987 § 2, 1976.)

3.42.030 Board—Membership.

The Board shall be composed of nine members who are Seattle residents, who have demonstrated a commitment to neighborhood preservation and revitalization, and who are knowledgeable about reinvestment issues. Women and racial minorities shall be adequately represented on the Board. The presiding officer of the Lenders' Review Board shall serve as an ex officio nonvoting member of the Board in addition to the nine regular members. An alternate selected by the Lenders' Review Board may serve as a temporary substitute in the absence of such ex officio member. No officer or employee of a lending institution or of the city shall hold any position as a voting member of the Board.
(Ord. 105987 § 3(a), 1976.)

3.42.040 Board—Appointments and terms of office.

Within ten days after the effective date of the ordinance codified in this chapter,¹ the Mayor shall issue a public announcement that nominations will be accepted for appointments to the Board. The announcement shall state a reasonable period of time during which nominations will be received and shall solicit nominations from interested persons and organizations and from the public at large. After the close of the stated nomination period, the Mayor shall appoint members of the Board, subject to confirmation by the City Council. Appointments shall be for a term of three years, provided that of the first voting members so appointed, three shall serve for a term ending December 31, 1977, and three shall serve for a term ending December 31, 1978. Vacant and expired terms

will be filled in the same manner as original appointments.

(Ord. 105987 § 3(b), 1976.)

1. Editor's Note: Ord. 105987 became effective on December 29, 1976.

3.42.050 Board—Organization and meetings.

The Board shall elect its officers, establish rules and regulations for its organization and procedures appropriate to the conduct of its duties. Its rules and regulations shall include policies and practices, consistent with federal and state laws, to protect the privacy of loan applicants and to prevent unnecessary disclosure of confidential information. A majority of the Board shall constitute a quorum. The Board shall hold meetings at least quarterly; its Chairperson may call additional meetings. Meetings of the Board shall be open to the public, provided executive sessions limited to the loan applicant(s) and the affecting lending institution(s) may, upon request of the loan applicant(s), be held to consider and conciliate a referral or appeal from the Lenders' Review Board.
(Ord. 105987 § 3(c), 1976.)

3.42.060 Board—Compensation.

Members of the Board shall serve without compensation.
(Ord. 105987 § 3(d), 1976.)

3.42.070 Board—Duties.

The Board shall have the powers and duties set forth in this section:

A. Referrals and Appeals from the Lenders' Review Board. The Board shall review in a timely manner loan applications and any other matters referred by or appealed from the Lenders' Review Board. The review shall be conducted in accordance with the appraisal and underwriting policies. The following guiding principles shall govern appeal procedures:

1. Whenever, after considering the evidence presented, the Board concludes that a loan should have been or should be granted upon the basis of the appraisal and underwriting policies, the Board will endeavor to secure such a loan for the applicant(s) in accordance with the application made. If the Board concludes from the evidence that certain modifications in certain terms and conditions of extending credit or on the amount of credit extended would or reasonably should make credit, otherwise denied, available to the applicant(s) on the

basis of the appraisal and underwriting policies, the Board may inform the applicant(s) and the affecting lending institution(s), and at the request of the applicant(s), the Board will recommend a basis for settlement of the appeal or referral to the applicant(s) and the affected lending institution(s) and, if the applicant(s) be willing, the Board will endeavor to secure a loan for the applicant(s) in accordance with its recommendation. In either endeavor, the Board may, among other alternatives, request the affected lending institution(s) to reconsider, recommend further review and consideration of the matter by the Lenders' Review Board, offer conciliation services, and/or seek placement with lending institutions.

2. If the Board concludes on the basis of the appraisal and underwriting policies that an application for a loan was properly denied and the Board determined that the process of seeking modifications in order to procure a loan does not seem feasible or should not be pursued further, the Board will inform the applicant(s) and the affected lending institution(s) of its decision and the reasons for its decision.

3. If the Board concludes that conditions on the block or in the immediate vicinity of the property to be purchased, improved, or secured by the requested loan form the basis for a denial of an application for a loan or cause adverse terms or conditions for the extension of credit, the Board will bring the conditions and the problems caused to the attention of those public agencies and/or private persons and interests which have the authority and resources to improve the conditions.

4. The Board will review and decide all appeals within twenty-one working days after receipt of the notice of appeal and supporting documentation.

B. Complaints Regarding Lending Institutions. The Board shall review complaints that are brought before it regarding the financing of the purchase or improvement of real estate in accordance with the appraisal and underwriting policies, provided that whenever the applicant(s) in filing a complaint seek a loan pursuant to an application, the complaint shall first be reviewed by the Lenders' Review Board.

C. Monitoring and Reporting on Disclosure Information. The Board shall:

1. Monitor disclosure information reported by lending institutions pursuant to the

Home Mortgage Disclosure Act of 1975 (89 Stat. 1125; 12 USC § 2801-2809) and any other available information similar thereto, analyze or compile the same, and make such reports as deemed appropriate; and

2. Present to the Mayor, the City Council, the Lenders' Review Board and participating lending institutions an annual report upon residential lending patterns in Seattle based on the disclosure information monitored by the Board and any other relevant information, including among other matters, an analysis and documentation of trends in denials of applications for loans and of variations from the appraisal and underwriting policies.

D. Review of Applications to Regulatory Agencies. The Board may review and make recommendations to state and federal regulatory agencies on applications filed by lending institutions for issuance of charters, for coverage by deposit insurance, for approval of branch offices, relocation or expansion of offices, for approval of acquisitions and mergers, and for taking other actions that require authorization or consent by such regulatory agencies and may affect the credit available to Seattle neighborhoods, based on:

1. The lending institution's record in meeting the credit needs of Seattle neighborhoods;

2. The lending institution's efforts to determine the current and future credit needs of Seattle neighborhoods;

3. The lending institution's policy and program commitments to meet the current and future credit needs of Seattle neighborhoods; and

4. The lending institution's participation in and cooperation with the Lenders' Review Board and cooperation with the Board in fulfilling its duties under this chapter. (Ord. 105987 § 4, 1976.)

3.42.080 Public hearings.

In carrying out its duties, the Board may conduct public hearings and accept public testimony, provided that such hearings are conducted in a manner to protect the privacy of loan applicant(s) and prevent unnecessary disclosure of confidential information. (Ord. 105987 § 5, 1976.)

3.42.090 Staff support.

The City shall provide the Board adequate

ADMINISTRATION

support for the execution of its duties, including clerical assistance, staff and office supplies, through an office or department of City government designated by the Mayor.
(Ord. 105987 § 6, 1976.)

3.42.100 Amendment of appraisal and underwriting policies.

The Board may amend the appraisal and underwriting policies employed by the Board, and when such amendments are filed with the City Comptroller they shall have the force and effect of amendments to the appraisal and underwriting policies employed by the Board.
(Ord. 105987 § 7, 1976.)

Chapter 3.44

BOARD OF PUBLIC WORKS

Sections:

- 3.44.010 Purpose.
- 3.44.020 Membership.
- 3.44.030 Adoption of rules.
- 3.44.040 Duties.
- 3.44.050 Executive Secretary
- 3.44.060 Delegation of vote.
- 3.44.070 Transfer of Charter authorization.

Statutory Reference: For Charter provisions on the Board of Public Works, see Charter Art. VII.

3.44.010 Purpose.

The purpose of the Board of Public Works is to ensure that all public work activities and contracts for public works projects awarded by the city are developed and carried out in a manner consistent with the City Charter¹ and applicable law, and to perform other duties assigned by ordinance.
(Ord. 107785 § 1, 1978.)

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

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, Building, City Light and Parks and Recreation.

B. The Superintendents of the Lighting,

Building and Water Departments and the Director of Engineering 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 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 that 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. 107785 § 2, 1978.)

3.44.030 Adoption of rules.

Pursuant to the Administrative Code (Ordinance 102228),¹ the Board of Public Works may adopt whatever rule it deems useful for the conduct of its business.
(Ord. 107785 § 3, 1978.)

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

3.44.040 Duties.

Duties of the Board of Public Works include:

A. Awarding and ensuring that all contracts for public works projects awarded by the city are developed and carried out in a manner consistent with the City Charter¹ and applicable law;

B. Ensuring that all public improvements to be made pursuant to a contract by the city are awarded to the lowest and best bidder;

C. Ensuring that persons employed pursuant to a contract for public works are paid at not less than the prevailing rate of pay required by any applicable law, or on a contract financed with grant assistance, by any applicable regulations,

and in any event not less than the prevailing rate of pay for city employees performing like duties;

D. Performing functions contemplated by city ordinances relating to streets, public places, and waterways, including Ordinance 90047 (the Street Use Ordinance), Ordinance 91910 (the Traffic Code), and Ordinance 87983 (the Harbor Code), each as now or hereafter amended or replaced by a successor ordinance,² and by city ordinances granting franchises or permits for the use of public places, currently existing or enacted from time to time;

E. Administering contracts for the collection of garbage and solid waste and for the development and operation of disposal sites;

F. Performing other functions assigned by ordinance or by the city.
(Ord. 107785 § 4, 1978.)

1. Editor's Note: The Charter is included at the beginning of this Code.
2. Editor's Note: The Street Use Ordinance is codified in Title 15 of this Code; the Traffic Code is in Title 11; the Harbor Code is in Title 16.

3.44.050 Executive Secretary.

The Board shall appoint an Executive Secretary. The Executive Secretary shall appoint, supervise and control employees of the Board of Public Works, subject to personnel ordinances and rules of the city. The Executive Secretary shall keep the Board's office at the place where the meetings of the Board are held, which shall be kept open during business hours, and at such other hours as the Board may direct. The Executive Secretary shall keep a complete record of all the proceedings of the Board, and shall perform such other duties as the Board may direct.

(Ord. 107785 § 5, 1978.)

3.44.060 Delegation of vote.

Board members may delegate their authority to vote on matters coming before the Board.

(Ord. 107785 § 6, 1978.)

3.44.070 Transfer of Charter authorization.

A. The Board appointed pursuant to the provisions of this chapter shall assume care, custody and control of all of the property, records, books, papers, equipment, offices, rights, and responsibilities of the Board of Public Works created by City Charter Article VII and in existence immediately prior to the effective

date of the ordinance codified in this chapter.¹

B. The staff of the Board of Public Works immediately prior to the effective date of the ordinance codified in this chapter¹ is reconstituted as the staff of the Board of Public Works created pursuant to this chapter. The appointment of each staff member, including the Executive Secretary, is ratified and confirmed, and such person's employment shall be deemed to have continued without interruption of service, and no loss of any accrued service credits, vacation time, sick leave, compensation time or any other benefit shall occur as a result of this transfer from a Board of Public Works defined by Charter to a Board of Public Works defined by this chapter.

(Ord. 107785 § 7, 1978.)

1. Editor's Note: Ord. 107785 became effective on January 1, 1979. The Charter is included at the beginning of this Code.

Subtitle IV Commissions

Chapter 3.52

SEATTLE-KING COUNTY COMMISSION ON ALCOHOLISM

Sections:

- 3.52.010 Commission created—Purpose.
- 3.52.020 Membership.
- 3.52.030 Authority to accept funds, hire employees and award grants.
- 3.52.040 Financial and program report.

3.52.010 Commission created—Purpose.

There is created a joint city-county agency to be known as "Seattle-King County Commission on Alcoholism" to serve in an advisory capacity to the city and King County on all matters concerning the care, treatment, rehabilitation and education of alcoholics; to cooperate with and advise public and private agencies and organizations concerned with combating the problems of alcoholism for the purpose of achieving coordination of the activities of such agencies; to develop an educational program to make the public aware of treatment available to users of alcohol; and to develop a comprehensive plan for Seattle and King County to create public

ADMINISTRATION

concern for, and governmental and private response to the problems of alcoholism. (Ord. 98304 § 1, 1969.)

3.52.020 Membership.

Such commission shall consist of eighteen members, nine of whom shall be appointed by the Mayor subject to confirmation by the City Council and nine of whom shall be appointed by the County Executive subject to confirmation by the County Council, to serve terms of three years. Members of the Commission shall be appointed from among persons who shall have demonstrated past and present interest in and knowledge about the problems of alcoholism, and shall serve without compensation. (Ord. 98304 § 2, 1969.)

3.52.030 Authority to accept funds, hire employees and award grants.

To effectuate its purposes, the Commission shall have authority to accept such funds, hire such employees, and award such research and program grants, as provided by the legislative authority of King County. The Commission shall be subject to program budget procedures defined in the King County Charter and audit by the King County Auditor as provided by the King County Charter. (Ord. 98304 § 3, 1969.)

3.52.040 Financial and program report.

The commission shall on or before August 15th of each year publish and submit a financial and program report to the Mayor, County Executive, and members of the City Council and County Council. (Ord. 98304 § 4, 1969.)

Chapter 3.54

ANIMAL CONTROL COMMISSION

Sections:

- 3.54.010 Division established.
- 3.54.020 Director of Licenses and Consumer Affairs—Duties.
- 3.54.030 Commission established.

3.54.010 Division established.

There is created in the Department of

Licenses and Consumer Affairs an Animal Control Division for the administration and enforcement concurrently with the Chief of Police of city ordinances relating to animal control and for the collection of animal impounding, license and other fees imposed by ordinance.

(Ord. 102923 § 1, 1974; Ord. 100965 § 1, 1972.)

3.54.020 Director of Licenses and Consumer Affairs—Duties.

The Director of Licenses and Consumer Affairs shall be responsible for the administration of the Division of Animal Control and he shall:

A. Provide for the administration and enforcement concurrently with the Chief of Police of city ordinances relating to animal control and for the collection of animal impounding license and other fees imposed by ordinance;

B. Appoint, remove, supervise and control officers and employees in the Division of Animal Control in accordance with civil service laws and rules;

C. Serve as Poundmaster for the city, and concurrently with the Chief of Police be responsible to the Mayor for the administration and enforcement of city ordinances relating to animal control and the humane treatment of animals and in such capacity the Director of Licenses and Consumer Affairs and his authorized agents are vested with the powers of a Special Policeman, and shall be authorized to arrest any violator of such ordinances;

D. Collect such impounding and other fees and penalties as may be established by ordinance for the care and feeding of impounded animals, the collection and disposal of dead animals, permits for the keeping of dangerous animals, and the licensing of dogs and cats;

E. Maintain comprehensive records of the operation of the Division of Animal Control in order that he may comply with reporting requirements;

F. Have such other and further powers and duties as shall be prescribed by ordinance. (Ord. 102923 § 4, 1974.)

3.54.030 Commission established.

A. There is established an Animal Control Commission to be composed of eleven members who shall have an expressed interest in the institution and maintenance of a humane and effective animal control program within the city,

Chapter 3.56

SEATTLE ARTS COMMISSION¹

Sections:

- 3.56.010** Commission established—Membership.
3.56.020 Organization—Chairman.
3.56.030 Powers and duties.
3.56.040 Special Assistant for the Arts to be Executive Secretary
3.56.050 Seattle Arts Commission Operating Fund.

1. Cross-reference: For provisions regarding the Seattle Arts Commission's responsibility for art in public works construction, see Chapter 20.32 of this Code.

3.56.010 Commission established—Membership.

As of June 1, 1971 there is established a Seattle Arts Commission to promote and encourage public programs to further the development and public awareness of an interest in the fine and performing arts and to act in an advisory capacity to the city in connection with the artistic and cultural development of the city. Such Commission shall consist of fifteen members to be appointed by the Mayor subject to confirmation by a majority of all members of the City Council. Each member shall serve for a term of two years, except that of the original appointees to such Commission, seven shall be appointed for a term of one year ending June 1, 1972, and eight shall be appointed for a term of two years ending June 1, 1973. Vacancies shall be filled for the unexpired term in the same manner as original appointments.
 (Ord. 99982 § 1, 1971.)

3.56.020 Organization—Chairman.

The Commission shall organize, adopt administrative rules and procedures necessary to accomplish its purposes, and elect from its members such officers as it shall deem necessary; provided, that the Chairman of the Commission shall be appointed by the Mayor for a one-year term, subject to confirmation by the City Council.
 (Ord. 99982 § 2, 1971.)

3.56.030 Powers and duties.

The Commission shall have the following duties and powers:

and who shall serve without compensation. Five of such members shall be appointed by the Mayor subject to confirmation by a majority vote of all members of the City Council; five shall be appointed directly by the City Council; and one member, who shall be a licensed veterinarian, shall be appointed by a majority of the other members subject to confirmation by a majority vote of all members of the City Council, from among persons recommended by the Seattle-King County Veterinarian Hospital Association. Each member so appointed shall serve a term of three years; provided that of the first members so appointed, two of the Council's appointed members, two of the Mayor's appointed members, and the veterinarian member shall be appointed for a term ending July 1, 1975; two of the Council's appointed members and two of the Mayor's appointed members shall be appointed for a term ending July 1, 1974; and one of the Council's appointed members and one of the Mayor's appointed members shall be appointed for a term ending July 1, 1973; and further provided that no person shall be appointed to more than two consecutive three-year terms; and provided further that any vacancy shall be filled for the unexpired term in the same manner as the original appointments.

B. Such Commission shall organize, elect such officers and adopt such rules and administrative procedures for its own government consistent with the City Charter¹ and this chapter as may be necessary to accomplish its function described in this section.

C. It shall be the function of the Animal Control Commission to act in an advisory capacity to the Mayor, the Director of Licenses and Consumer Affairs and Assistant Director of Animal Control with regard to the operation of the Division of Animal Control, and review and report as of June 30th each year to the Mayor and the City Council concerning such operation with its recommendations relating thereto.
 (Ord. 103454 § 1, 1974; Ord. 100965 § 3, 1972.)

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

ADMINISTRATION

A. To hold regular public meetings and keep a written record of its proceedings which shall be a public record;

B. To make expenditures in accordance with the annual budget adopted by the city, and upon organization to prepare and submit estimates of necessary expenditures for the remainder of 1971, and thereafter to annually review the financial needs of public programs for development of the fine and performing arts and submit a proposed budget therefor;

C. To utilize the services of the Special Assistant for the Arts as its Executive Secretary and such other staff as may be made available to the Commission;

D. To initiate, sponsor or conduct, alone or in cooperation with other public or private agencies, public programs to further the development and public awareness of, and interest in the fine and performing arts;

E. To encourage donations and grants to the Civic Arts Account of the General Donation and Gift Fund and to advise the city regarding the receipt and expenditure of such funds;

F. To advise the city concerning the receipt of or purchase of works of art to be placed on municipal property, except for museums or art galleries or works of art placed or to be placed in connection with projects reviewed by the Seattle Design Commission;

G. To advise and assist the city in connection with such other artistic activities as may be referred to it by the city.
(Ord. 99982 § 3, 1971.)

3.56.040 Special Assistant for the Arts to be Executive Secretary.

As of June 1, 1971, there is created in the Seattle Center Department the position of Special Assistant for the Arts to serve as Executive Secretary to the Seattle Arts Commission. The Special Assistant for the Arts shall be appointed by the Mayor upon consultation with the Chairman of the Seattle Arts Commission, subject to confirmation by a majority of all members of the City Council, and the Special Assistant, whose position shall be not 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 position, as a professional or administrative office or position similar to offices and positions designated in Article XVI, Section 11 of the City Charter,¹ should not be included in the classified civil service.

(Ord. 99982 § 4, 1971.)

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

3.56.050 Seattle Arts Commission Operating Fund.

As of June 1, 1971 there is created in the City Treasury a special fund designated "Seattle Arts Commission Operating Fund" from which fund shall be paid all Seattle Arts Commission expenses incurred in the performance of its duties and responsibilities under this chapter.

(Ord. 99982 § 6(part), 1971.)

Chapter 3.58

SEATTLE DESIGN COMMISSION

Sections:

- 3.58.010 Commission established.
- 3.58.020 Capital improvement project defined.
- 3.58.030 Membership.
- 3.58.040 Term of office.
- 3.58.050 Compensation—Calling in of consultants.
- 3.58.060 Organization—Quorum—Support staff.
- 3.58.070 Purpose of Commission.
- 3.58.080 Advisory duties.
- 3.58.090 Seattle Design Commission Operating Fund.

3.58.010 Commission established.

There is established, as of October 1, 1968, a Seattle Design Commission to act in a consulting capacity advisory to the city in connection with environmental and design aspects of city capital improvement projects. The Seattle Design Commission shall serve functions and carry out duties as provided in this chapter.

(Ord. 96977 § 1, 1968: Ord. 96897 § 1, 1968.)

3.58.020 Capital improvement project defined.

"Capital improvement project" shall mean any on- or above-grade structure including buildings and additions to buildings, bridges, viaducts, streets, arterial and highway improvements, park developments, landscaping, fencing gates, lamp standards, signs, street furniture, and all similar installations including below-grade structures which are regularly visible to the public including tunnels, arcades and underground passageways, to be erected on land belonging to the city, financed in whole or in part with city funds, or subject to the approval of the city. (Ord. 96897 § 2, 1968.)

3.58.030 Membership.

Subject to the provisions of this chapter, the Commission shall act in a consulting capacity, advisory to Mayor, City Council, and appropriate city officials in connection with environmental and design aspects of capital improvement projects of the city. The Commission shall consist of eight members appointed by the Mayor, subject to confirmation of a majority of the City Council and may be removed by the Mayor, subject to such confirmation. Membership shall include two licensed architects, one professional urban planner, one landscape architect, two licensed professional engineers, one professional fine artist, and one lay member. The Mayor shall solicit recommendations for membership from the American Institute of Architects, Washington State Council; the American Institute of Planners, Pacific Northwest Chapter; the American Society of Landscape Architects; the Consulting Engineers Council of Washington; the American Society of Civil Engineers; the Seattle Arts Commission; and other professional organizations for the non-lay members. The lay member shall be selected because of particular qualifications in matters related to the purpose of the Commission. (Ord. 102107 § 1, 1973; Ord. 96897 § 3, 1968.)

3.58.040 Term of office.

A. Each member shall serve for a term of two years except that the term of office for the first members shall be staggered so that four serve for two years, ending May 31, 1970, and three serve for one year, ending May 31, 1969. A person appointed to fill a vacancy shall serve for the remainder of the unexpired term. Any member of the Commission may be appointed to succeed

himself. The membership of the Commission shall not be limited to residents of the city or residents of the state.

B. No member of the Commission during his or her term of office for six months thereafter, and no person, firm or corporation employing such member during such period, shall be eligible for employment by or to contract with the city in connection with any capital improvement project reviewed by the Commission during such term of office.

(Ord. 106623 § 1, 1977; Ord. 96977 § 2, 1968; Ord. 96897 § 4, 1968.)

3.58.050 Compensation—Calling in of consultants.

Compensation for the professional and skilled services rendered by members of the Commission, while serving in a consultant capacity to the city in meeting sessions, shall be at the rate of Twenty-five Dollars (\$25.00) for each hour, including the time of travel to Commission meetings, provided, however, that the total compensation that shall become due and payable to any member shall not exceed Two Hundred Dollars (\$200.00) for any one day in meeting sessions of the Commission. Commission members shall be reimbursed for actual costs incurred by them in performance of the duties of the Commission including the cost of travel to Commission meetings. Members of the Commission shall not participate on a design team under consideration for appointment by the Commission, or be recommended for appointment by the Commission for a design contract. Subject to prior approval by the city, the Commission may from time to time call in special consultants. Such consultants shall be chosen by the Commission for their recognized competence and experience in the planning and design of specific projects, or for their overall particular competence in the design of public works.

(Ord. 96897 § 5, 1968.)

3.58.060 Organization—Quorum—Support staff.

The Chairman of the Commission shall be designated by the Mayor, subject to confirmation by the City Council, to serve from October 1st of each year for a period of one year. The Commission shall elect such other officers as it may deem necessary and shall adopt such administrative procedures as are

ADMINISTRATION

required to accomplish the purposes of this chapter. Five appointive members shall constitute a quorum. Transactions constituting Commission recommendations must secure the approval of the majority of those present. The city shall provide appropriate staff, one representative of which shall serve as Executive Secretary of the Commission and be responsible for all records. He shall prepare and distribute agenda for Commission meetings. He shall advise and arrange for such compensation and reimbursement of expenses as may be authorized.

(Ord. 96977 § 3, 1968; Ord. 96897 § 6, 1968.)

3.58.070 Purpose of Commission.

The Commission shall serve in an advisory capacity. Its function shall be to advise and assist the city in the development and execution of capital improvement projects. Its role shall be that of recommending such aesthetic, environmental and design principles and policies that it considers appropriate and advantageous in guiding the development of such projects. No city capital improvement project shall be designed, placed under contract for design or constructed without first being referred to the Commission for its review and recommendation. Minor interior remodeling projects and private structures shall not be reviewed by the Commission unless such structures are specifically referred to the Commission by the city. The Commission shall make its recommendations on any matter submitted to it within thirty days after submission unless an extension is authorized by the city. If it fails to do so, it shall be considered to have recommended approval. (Ord. 96897 § 7, 1968.)

3.58.080 Advisory duties.

The advisory and review function of the Commission shall include:

A. Recommending to appropriate city officials those project designers and/or design teams that, in its opinion, should be selected and commissioned to provide design services for the execution of capital improvement projects. The Commission shall establish procedures for obtaining the credentials and experience of such design professionals and procedures for evaluating the relative capabilities of said professionals for specific projects;

B. Study of projects prior to commencement of design. Such study to include formula-

tion of recommended aesthetic, environmental and design principles and objectives that the Commission believes should be sought in the development of the project. These recommendations should be discussed with the project designer and appropriate city officials prior to commencement of design work;

C. Review projects from time to time during the design period and recommend approval upon completion of the schematic design phase, the design development phase and the construction document phase. It shall be the function of the Commission to advise and assist the project designer and appropriate city officials in the development of the project. The Commission may recommend changes in the project designer's work or may recommend approval. Commission review of the construction document phase shall mean review relative to compliance with previously determined environmental and aesthetic objectives.

(Ord. 96897 § 8, 1968.)

3.58.090 Seattle Design Commission Operating Fund.

For the purpose of providing funds necessary to pay the costs of the Design Commission in carrying out its duties pursuant to this chapter, a special fund designated "Seattle Design Commission Operating Fund" is established in the City Treasury into which fund shall be deposited funds from or to be reimbursed from the appropriate capital improvement projects. Each disbursement from such fund to pay the costs of the Commission shall be made on the basis of actual costs incurred for each project for the services of the Commission, shall be expressly designated as to payee and as to purpose, and shall be approved by the Executive Secretary of the Commission.

(Ord. 96897 § 9, 1968.)

Chapter 3.60

SEATTLE-KING COUNTY DRUG COMMISSION

Sections:

- 3.60.010 Commission established.
- 3.60.020 Duties of Commission.
- 3.60.030 Membership.
- 3.60.040 Annual cooperative agreements.

3.60.010 Commission established.

The Mayor is authorized and directed to execute on behalf of the city an agreement with King County for the formation, operation and financing of a joint drug abuse administrative board to be known as the Seattle-King County Drug Commission referred to in this chapter as the Commission.
(Ord. 102605 § 1, 1973.)

3.60.020 Duties of Commission.

The Commission shall act in an advisory capacity to the Mayor of Seattle and King County Executive for the purposes of promoting the education, treatment and rehabilitation of persons who misuse drugs, and in connection with the enforcement of laws relating to drug abuse. The Commission shall correlate activities of all public and private agencies in King County which are concerned with drug abuse problems, and shall apply for, receive and expend funds necessary to carry out the functions of the Commission, and shall develop a public information program on the effects of drug abuse and resources for treatment and rehabilitation available in the community.
(Ord. 102605 § 2, 1973.)

3.60.030 Membership.

The Commission shall consist of fourteen members who have demonstrated past and present interest in and knowledge of problems of the use of drugs, seven of whom shall be appointed by the Mayor subject to confirmation by the City Council, and seven of whom shall be appointed by the King County Executive subject to confirmation by the King County Council. One of the original appointees of the Mayor and one of the original appointees of the County Executive shall serve terms of one year, and two of the original appointees of the Mayor and two original appointees of the County Executive shall serve terms of two years, all remaining and subsequent appointees shall serve terms of three years. The Commission members shall elect a Chairman and shall adopt such rules and regulations necessary to perform its functions. No more than two elected or appointed officials of Seattle and no more than two elected or appointed officials of King County may serve on the Commission and no employees of the Washington State Department of Social and Health Services may so serve. Board members or employees of agencies receiving public funds as a

result of recommendation by the Commission may not serve on the Commission.
(Ord. 102605 § 3, 1973.)¹

1. Editor's Note: Ord. 102605 contains two sections using the number "3."

3.60.040 Annual cooperative agreements.

The Mayor is authorized subject to and in accordance with the annual budget of the city to enter on behalf of the city annual cooperative agreements with King County for the financing and operation of the functions of the Commission. Mutually agreed upon procedures to accomplish said functions will be established between the Seattle-King County Department of Public Health and the Department of Human Resources of the city.
(Ord. 102605 § 3, 1973.)¹

1. Editor's Note: Ord. 102605 contains two sections using the number "3."

Chapter 3.62

SEATTLE PARKING COMMISSION

Sections:

- 3.62.010 Commission created—Membership.
3.62.020 Organization—Adoption of rules.
3.62.030 Parking facilities.
3.62.040 Powers and duties.
3.62.050 Plans and reports for new off-street parking facilities.
3.62.060 City Council's approval and/or public hearings.
3.62.070 Inventory—Quarterly reports.
3.62.080 Seattle Parking Commission Fund.
3.62.090 Payments and expenditures.

Statutory Reference: For statutory provisions on parking commissions, see RCW 35.86A.020 et seq.

3.62.010 Commission created—Membership.

There is created a Seattle Parking Commission to consist of five members, one of whom, if available, shall be selected from among persons actively engaged in the private parking industry. Members shall be appointed by the Mayor and confirmed by majority vote of the City Council for a term of four years and until a successor has been appointed and qualifies, and may be

ADMINISTRATION

removed by the Mayor subject to like confirmation; provided that any vacancy shall be filled for the unexpired term in the same manner as original appointments. Members shall serve without compensation, but may be reimbursed for actual and necessary expenses incurred in the performance of their duties.

(Ord. 98247 § 1, 1969.)

3.62.020 Organization—Adoption of rules.

The Seattle Parking Commission shall select from its members a Chairman, and may establish its own rules, regulations and procedures consistent with state law, the City Charter¹ and this chapter. No resolution shall be adopted by the Seattle Parking Commission except upon the concurrence of at least three members. (Ord. 98247 § 2, 1969.)

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

3.62.030 Parking facilities.

Parking facilities established pursuant to this chapter shall be owned by the city, under the control of the Seattle Parking Commission (unless relinquished) and open for the use of the public. "Parking facilities" shall mean lots, garages, parking terminals, buildings and structures and accommodations for parking of motor vehicles off the street or highway, open to public use, with or without charge.

(Ord. 98247 § 3, 1969.)

3.62.040 Powers and duties.

The Seattle Parking Commission is authorized and empowered on behalf of and in the name of the city by resolution to:

A. Own and acquire property and property rights by purchase, gift, devise, or lease for the construction, maintenance, or operation of off-street parking facilities or for effectuating the purpose of RCW 35.86A.010 through 35.86A.120 and this chapter; and accept with the City Council's concurrence grants-in-aid including compliance with conditions attached thereto;

B. Construct through the Board of Public Works, maintain, and operate parking facilities, purchase through the Division of Purchasing, supplies, material and equipment, and undertake research and prepare plans incidental thereto subject to the applicable statutes and City Charter¹ provisions;

C. Establish and collect parking fees, make exemption for handicapped persons, lease space for commercial, store, advertising or automobile accessory purposes, and regulate prices and service charges, for use of and within the aerial space over parking facilities under its control;

D. Subject to applicable civil service provisions of the Charter¹ of the city, remove and control officers and employees, utilize the negotiating committee established by Ordinance 96232² in connection with any collective bargaining with employees, and control all equipment and property under the Commission's jurisdiction;

E. Subject to the competitive bidding requirements of RCW 35.86A.120, contract with private persons and organizations for the management and/or operation of parking facilities under its control, and services related thereto, including leasing of such facilities or portions thereof;

F. Cause construction of parking facilities as a condition of an operating agreement or lease, derived through competitive bidding or in the manner authorized by RCW Chapter 35.42;

G. Execute and accept instruments, including deeds, necessary or convenient for the carrying on of its business, a copy of which instruments shall be filed with the City Comptroller; acquire rights to develop parking facilities over or under city property; and contract to operate and manage parking facilities under the jurisdiction of other city departments or divisions and of other public bodies;

H. Determine the need for and recommend to the City Council:

1. The establishment of local improvement districts to pay the cost of parking facilities or any part thereof.

2. The issuance of bonds or other financing by the city for construction of parking facilities.

3. The acquisition of property and property rights by condemnation from the public, or in street areas;

I. Transfer its control of property to the city and liquidate its affairs, so long as such transfer does not contravene any covenant or agreement made with the holders of bonds or other creditors;

J. Exercise such other and further powers and duties as shall be prescribed by ordinance.

(Ord. 98247 § 4, 1969.)

Statutory Reference: For provisions regarding city ownership or lease of off-street parking facilities, see RCW Ch. 35.88.

1. Editor's Note: The Charter is included at the beginning of this Code.
2. Editor's Note: Ord. 96232 was repealed by Ord. 99002; Ord. 99002 is superseded by Ord. 107790 (Personnel Ordinance) regarding collective bargaining.

3.62.050 Plans and reports for new off-street parking facilities.

Whenever the Seattle Parking Commission intends to construct new off-street parking facilities, it shall:

- A. Prepare plans for such a proposed development which shall be reviewed by the Department of Community Development and meet the approval of the City Council;
- B. Prepare a report to the City Council stating the proposed method of financing and property acquisition;
- C. Specify the property rights, if any, to be secured from the public or of property devoted to public use; the uses of streets necessary therefor, or realignment or vacation of streets and alleys; the relocation of street utilities, and any street area to be occupied or closed during construction.
(Ord. 98247 § 5, 1969.)

3.62.060 City Council's approval and/or public hearings.

A. The City Council's approval of construction plans shall be deemed full authority to construct and complete the parking facility in the event the proposed parking facility shall not require:

1. Creation of a local improvement district;
2. Issuance of bonds, allocation or appropriation of municipal revenues from other sources, or guarantees of or use of the credit of the city;
3. Exercise of the power of eminent domain; or
4. Use of, or vacation, realignment of streets and alleys, or relocation of municipal utilities.

B. In event any of the four above powers need be exercised, one or more public hearings shall be held thereon before the City Council, or an assigned committee thereof, which shall report its recommendations to be approved, revised or rejected by the City Council. Such hearings may be consolidated with any required

hearings for street vacations, or creation of a local improvement district.
(Ord. 98247 § 6, 1969.)

3.62.070 Inventory—Quarterly reports.

The Chairman of the Seattle Parking Commission or his designee shall keep a current inventory of all property under his supervision; and shall, through the Mayor, make a quarterly report to the City Council of the revenues related to the operation of the parking facilities under its supervision.

(Ord. 98247 § 7, 1969.)

3.62.080 Seattle Parking Commission Fund.

A special fund designated the "Seattle Parking Commission Fund" is established in the City Treasury to which fund shall be deposited moneys and revenues, which may accrue from the operations of Seattle Parking Commission facilities, or be assigned to the fund, or budgeted for or appropriated thereto.

(Ord. 98247 § 8, 1969.)

3.62.090 Payments and expenditures.

Every officer or agent of the Seattle Parking Commission who shall receive or have in his hands any money payable to the city in any capacity shall pay the same to the City Treasurer as provided in Article VIII, Section 11 of the City Charter. Expenditures of the Seattle Parking Commission shall be made in accordance with the annual budget adopted by the City Council.
(Ord. 98247 § 9, 1969.)

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

Chapter 3.64

CITY PLANNING COMMISSION

Sections:

- 3.64.010 Membership—Appointment.
- 3.64.020 Membership—Qualification and representation.
- 3.64.030 Term of office.
- 3.64.040 Removal from office.
- 3.64.050 Adoption of rules.
- 3.64.060 Duties.

ADMINISTRATION

3.64.070 Map amendments to Zoning Ordinance.

3.64.080 Time limit for response.

Statutory Reference: For Charter Provisions on the City Planning Commission, see Charter Article XIV.

3.64.010 Membership—Appointment.

The City Planning Commission (called the "Commission" in this chapter) shall consist of fifteen citizen members, who shall be appointed by the Mayor and confirmed by a majority of the City Council, and who shall serve without compensation; provided, that as of February 28, 1977 the present members of the City Planning Commission appointed pursuant to Ordinance 104177¹ are appointed members of the Planning Commission to serve for the remainder of the terms to which they were originally appointed.

(Ord. 106302 § 1, 1977.)

1. Editor's Note: Ord. 104177, the previous Planning Commission Ordinance, was repealed by Ord. 106302.

3.64.020 Membership—Qualification and representation.

The citizen members of the Commission shall possess qualifications and experience necessary for effective citizen involvement in the city planning and development process; provided that the following disciplines shall be represented to the extent reasonably possible: architecture, urban planning, landscape architecture, economics, and law, with the balance of the membership selected to represent broad areas of community concern, including neighborhood organizations.

(Ord. 106302 § 2, 1977.)

3.64.030 Term of office.

Commission members shall serve three-year terms which shall be staggered so that the terms of one-third of the membership shall expire each year, and any vacancy shall be filled for the unexpired term in the same manner as the original appointments. No member shall serve more than two consecutive terms. Five of the initial appointments shall be for terms of one year, five for two years and the remaining five for three years. Thereafter, appointments shall be for three-year terms.

(Ord. 106302 § 3, 1977.)

3.64.040 Removal from office.

Any appointed member of the Commission may be removed for inefficiency, neglect of duty or malfeasance in office by the Mayor after the filing of written charges with the Council by the Mayor, or by a two-thirds vote of the City Council. Any member who is absent without explanation for three consecutive meetings shall be deemed to have resigned as a member of the Commission.

(Ord. 106302 § 4, 1977.)

3.64.050 Adoption of rules.

The Commission shall adopt in accordance with the Administrative Code (Ordinance 102228)¹ such rules of procedure and bylaws as are necessary to accomplish its functions and to perform its duties as set forth in Article XIV, Section 3 of the City Charter,² and in Section 3.64.060, provided such rules shall be consistent with the following:

A. The Mayor and City Council may from time to time appoint special citizen committees to study and make recommendations to the Commission and to the appointing authority on specified development proposals, planning problems or areas of the city. When such committees are appointed, the Mayor shall designate a member of the Commission as a member of said committee.

B. The Commission shall keep and maintain a public record of its proceedings, findings and recommendations.

C. In all matters reviewed by the Commission under the provisions of Section 3.64.060 the Commission's initial referral shall be to the Director of Community Development or the Director of the Office of Policy Planning³ as appropriate. The appropriate director in preparing his or her report shall consult with other appropriate city departments. After the Director completes a review of such matter, the Commission shall review the Director's report and then transmit its recommendations directly to the Mayor, City Council or other recipient as appropriate.

D. Recommendations to the Mayor, Council, Office of Policy Planning and Department of Community Development shall be recorded motions and shall incorporate the written findings of the Commission and the reasons for its actions. All actions of the Commission shall be advisory only.

E. The Director of Policy Planning shall provide the Commission with appropriate support services and full-time staff and shall, within resources available to the Director and consistent with established work programs, make staff available upon request to consult with the Commission in connection with occasional specific projects or studies of mutual Commission and Office of Policy Planning concern. The Director of Community Development shall, within resources available to the Director and consistent with established work programs, make available, upon request, staff to consult with the Commission in connection with occasional specific projects or studies on which that department is advisory to the Commission.
(Ord. 106302 § 5, 1977.)

1. Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.
2. Editor's Note: The Charter is included at the beginning of this Code.
3. Editor's Note: The duties of the Director of the Office of Policy Planning are now performed by the Director of the Office of Policy and Evaluation.

3.64.060 Duties.

In addition to the duties assigned to the Commission by Article XIV, Section 3 of the City Charter,¹ the Commission shall also:

A. Advise the Mayor and City Council regarding the adoption or modification of policies and long-range plans to guide the physical development and growth of the city as these may be embodied in the Comprehensive Plan of Seattle and the Comprehensive Policy Plan of Seattle;

B. Advise regarding neighborhood development programs, redevelopment programs, and capital improvement programs;

C. Advise regarding zoning, subdivision regulations and other land use controls to implement the Comprehensive Plan of Seattle and the Comprehensive Policy Plan of Seattle;

D. Perform such other functions as may be requested by the Mayor or the City Council;

E. Coordinate its recommendations with plans and programs of King County, other local jurisdictions, the Puget Sound Council of Governments and the state.

(Ord. 106302 § 6, 1977.)

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

3.64.070 Map amendments of Zoning Ordinance.

A copy of all recommendations on petitions for map amendments of the Zoning Ordinance¹ shall be delivered to the Commission by the Hearing Examiner. A report of the final action on such petitions by the City Council shall be delivered to the Commission by the City Clerk.
(Ord. 106302 § 7, 1977.)

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

3.64.080 Time limit for response.

Whenever the City Council refers a matter to the Commission for advice, the Commission shall respond to the request within a period of three months, except when the time for such response is extended by the City Council. The Commission will be deemed to have approved the matter if it fails to respond to such referral within the time limits established in this section.
(Ord. 106302 § 8, 1977.)

Chapter 3.66

SEATTLE-KING COUNTY YOUTH COMMISSION

Sections:

- 3.66.010 Agreement to establish—Functions.
- 3.66.020 Membership—Appointment.
- 3.66.030 Membership—Specifications.
- 3.66.040 Meetings—Organization—Ex officio members.
- 3.66.050 Funding.
- 3.66.060 Youth Coordinating Board.
- 3.66.070 City and county youth agency responsibilities.

3.66.010 Agreement to establish—Functions.

The city agrees with King County to establish and operate a joint city/county youth agency to be known as "Seattle-King County Youth Commission" which will advise the Mayor and City Council of Seattle, and the King County Executive and County Council concerning juvenile delinquency and law enforcement; education; employment; and recreation as related to youth; provide and coordinate citizen input for a

ADMINISTRATION

comprehensive plan for youth services to include priorities, programs areas, and program strategies which will serve as a basis for county and city youth planning; coordinate governmental and private agency youth planning in accordance with the plan; review and recommend for approval all programs of the Bureau of Youth Affairs, and the Youth Division; review and recommend for approval all city/county applications for federal funding for youth programs; monitor and evaluate the effectiveness of youth-serving programs; play an advocacy role for youth, and advise the King County Executive in the selection of the Director of the Bureau of Youth Affairs.

(Ord. 101414 § 1, 1972; Ord. 99856 § 1, 1971; Ord. 98132 § 1, 1969; Ord. 92729 § 1, 1964.)

3.66.020 Membership—Appointment.

The Commission shall consist of twenty-two members: eleven of whom shall be appointed by the Mayor subject to confirmation by the City Council, eleven of whom shall be appointed by the King County Executive subject to confirmation of the County Council. Five of the original appointees by the Mayor and five of the original appointees by the King County Executive shall serve terms of one year; the remaining and all subsequent appointees shall serve terms of two years. Members shall serve without compensation.

(Ord. 101414 § 2 (part), 1972; Ord. 99856 § 2 (part), 1971; Ord. 98132 § 2 (part), 1969; Ord. 96352 § 1 (part), 1968; Ord. 92729 § 2 (part), 1964.)

3.66.030 Membership—Specifications.

Membership is to include the following:

Eight youth, half of which represent disadvantaged or minority groups; eight agency representatives, four from youth agencies, and four from major funding sources; and six representatives from community groups and the general community. At least ten members shall be under twenty-five; women and minorities shall be represented.

(Ord. 101414 § 2 (part), 1972; Ord. 99856 § 2 (part), 1971; Ord. 98132 § 2 (part), 1969; Ord. 96352 § 1 (part), 1968; Ord. 92729 § 2 (part), 1964.)

3.66.040 Meetings—Organization—Ex officio members.

The Commission shall meet not less than once each month and may adopt such rules of procedure as are necessary to accomplish the duties prescribed in Section 3.66.010. Each year, it shall elect from its membership a chairman and a vice chairman and may appoint such advisory committees as it deems advisable. The Director of the Bureau of Youth Affairs and the Director of the Youth Division shall serve as staff for the Youth Commission. In addition, the following persons shall serve as ex officio members of the Commission:

A representative from both the King County and Seattle Park Departments; a representative from both the King County and Seattle Law Enforcement Agencies; a representative of the King County and Seattle School Superintendents, and a representative of the Juvenile Court.

(Ord. 101414 § 2 (part), 1972; Ord. 99856 § 2 (part), 1971; Ord. 98132 § 2 (part), 1969; Ord. 96352 § 1 (part), 1968; Ord. 92729 § 2 (part), 1964.)

3.66.050 Funding.

The Bureau of Youth Affairs, and the Youth Division will share in funding of such joint organization and operation.

(Ord. 101414 § 3, 1972; Ord. 92729 § 3, 1964.)

3.66.060 Youth Coordinating Board.

The city agrees with King County to establish a Youth Coordinating Board to consist of the Mayor, two members of the City Council, and the County Executive and two members of the King County Council; the Chairman of the Youth Commission, the Director of the City Youth Division and the Director of the County Bureau of Youth Affairs shall be nonvoting members. The Board shall be convened at the request of any one of its members to advise, review and coordinate matters of common interest concerning the operation of the Youth Commission. The Chairman of the Commission shall be responsible for scheduling the meetings. (Ord. 102047 § 1, 1973; Ord. 101414 § 4, 1972; Ord. 99856 § 4, 1971; Ord. 98132 § 4, 1969; Ord. 92729 § 4, 1964.)

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3.66.070 City and county youth agency responsibilities.

The City Youth Division and the County Bureau of Youth Affairs, besides having staff service responsibility to the Commission as described in Section 3.66.050, shall provide briefings to the Commission each month regarding the agency activity and shall assist Commission members in gathering data and making analysis of youth needs and resolution of youth problems.

(Ord. 99856 § 5, 1971; Ord. 92729 § 5, 1964.)

as may be deemed sufficient; and provided further that the City Attorney or his representative shall meet with and provide legal advice and assistance to the Committee in the conduct of its duties.

(Ord. 103588 § 1, 1974.)

3.76.020 Functions designated.

A. The Committee, which shall be advisory to the City Comptroller, the City Council and the Mayor, is authorized to provide advice in all matters pertaining to the borrowing of money, including but not limited to formulation of advice in connection with specific proposals for the borrowing of money and, in addition, the Committee shall develop and recommend to the City Council a written policy regarding debt creation and management.

B. The Committee is further authorized to request the advice and assistance of the several city departments in the conduct of such duties and upon such request the head of each such department may designate a representative to meet with, advise and assist the Committee in the conduct of such duties.

C. The Committee is further authorized, subject to approval by ordinance, to contract with financial and other consultants to advise it, the City Comptroller, the City Council and the Mayor on all matters relating to the creation and management of city debt; provided that, the financial consultants shall not in any manner, directly or indirectly, participate in or benefit from any financial transaction upon which they have provided or are providing advice to the city.

(Ord. 103588 § 2, 1974.)

Subtitle V Committees

Chapter 3.76

**DEBT MANAGEMENT POLICY
ADVISORY COMMITTEE**

Sections:

- 3.76.010 Committee established—Membership.
- 3.76.020 Functions designated.

3.76.010 Committee established—Membership.

There is established a Debt Management Policy Advisory Committee ("Committee" in this chapter) for the city composed of five members as follows:

- A. The City Comptroller, who shall be its Chairman;
- B. The Chairman of the City Council Finance Committee;
- C. The City Treasurer;
- D. The Director of the Office of Management and Budget;

E. A department head of either the Engineering, Lighting or Water Departments, to be selected by the Board of Public Works; provided that the City Comptroller and City Treasurer as to themselves, and the Mayor as to the Director of the Office of Management and Budget, and the President of the City Council as to the Chairman of the City Council Finance Committee, and the Chairman of the Board of Public Works as to the representative of the Board of Public Works, are authorized to designate alternate members of the Committee to serve in the event of the absence or incapacity of said respective members or for such other reason

Chapter 3.78

**SALARY ADMINISTRATION POLICY
COMMITTEE**

Sections:

- 3.78.010 Established—Membership.
- 3.78.020 Functions designated.

3.78.010 Established—Membership.

There is established a Salary Administration Policy Committee for the city composed of six members as follows:

ADMINISTRATION

- A. The Mayor or his designated representative;
- B. The City Budget Director;
- C. The City Personnel Director;
- D. The President of the City Council;
- E. The Chairman of the City Council Finance Committee;
- F. The Chairman of the City Council Human Resources and Judiciary Committee.
(Ord. 102308 § 1, 1973.)

3.78.020 Functions designated.

It shall be the function of the Salary Administration Policy Committee to act in an advisory capacity on all matters pertaining to general policy concerning salaries, wages and supplemental compensation programs for city officers and employees and in furtherance thereof the Salary Administration Policy Committee is authorized to:

- A. Consult with and advise the City Council relative to the development and implementation of policy related to the salary, wage and supplemental compensation programs of the city;
- B. Review all compensation issues requiring policy decisions as recommended by the City Personnel Office;
- C. Formulate and propose guidelines consistent with the city's policy relative to pay practices and procedures.
(Ord. 102308 § 2, 1973.)

Chapter 3.80

SEATTLE SCHOOL TRAFFIC SAFETY COMMITTEE

Sections:

- 3.80.010 Membership.
- 3.80.020 Term of office.
- 3.80.030 Powers and duties.
- 3.80.040 Adoption of rules—Selection of Chairperson.
- 3.80.050 Annual report.
- 3.80.060 Administrative support.

3.80.010 Membership.

The City of Seattle School Traffic Safety Committee (called the "Committee" in this chapter) shall consist of nine members who shall serve without compensation. The members shall include the following:

- A. One representative from the Seattle Police Department, to be designated by the Chief of Police;
- B. One representative from the Seattle Engineering Department, to be designated by the City Engineer;
- C. Two representatives from Seattle Public School District No. 1, to be designated by the Superintendent of Seattle Public Schools;
- D. One representative designated by the Evergreen Safety Council;
- E. One representative designated by the Seattle Council of the Parent-Teacher-Student Association;
- F. One representative designated by the Automobile Club of Washington;
- G. Two members appointed by the Mayor and confirmed by a majority of the City Council, one of whom must be representative of private schools in Seattle.
(Ord. 104344 § 1, 1975.)

3.80.020 Term of office.

Committee members shall serve a term determined by the designating authority, with the exception of the two members appointed by the Mayor and confirmed by the City Council, who shall serve three-year terms.
(Ord. 104344 § 2, 1975.)

3.80.030 Powers and duties.

The Committee's powers and duties shall include the following:

- A. Advise the Mayor and the City Council and maintain liaison with Seattle Public School District No. 1 and other appropriate agencies with respect to school traffic safety complaints and proposals, including but not limited to such matters as adult crossing guards, crosswalks, pedestrian overpasses, traffic signals and signs, student transportation, school traffic safety patrol, and temporary walkways and traffic safety education;
- B. Review and evaluate studies concerning school traffic safety and report to appropriate individuals and agencies;
- C. Review and evaluate policies and procedures of agencies involved in school traffic safety;
- D. Promote the coordination of individuals and agencies involved in school traffic safety;
- E. Develop and recommend school traffic safety programs;
- F. Promote public understanding of and participation in school traffic safety programs;

JOINT CITY-COUNTY SUBCOMMITTEE ON SHORELAND AND TIDELAND PLANNING

G. Make recommendations for legislation relating to school traffic safety; and

H. Perform such additional traffic safety duties as the Mayor and City Council may direct.

(Ord. 104344 § 3, 1975.)

3.80.040 Adoption of rules—Selection of Chairperson.

The Committee shall annually elect a Chairperson from among its members and shall adopt rules and regulations necessary to exercise its powers and perform its duties.

(Ord. 104344 § 4, 1975.)

3.80.050 Annual report.

The Committee shall prepare and submit an annual report to the Mayor and the City Council setting forth the Committee's accomplishments and activities for the preceding year and the Committee's goals, objectives, and programs for the forthcoming year.

(Ord. 104344 § 5, 1975.)

3.80.060 Administrative support.

The Committee shall receive administrative support to exercise its powers and perform its duties as deemed appropriate by the Mayor and the City Council.

(Ord. 104344 § 6, 1975.)

Chapter 3.82

JOINT CITY-COUNTY SUBCOMMITTEE ON SHORELAND AND TIDELAND PLANNING

Sections:

3.82.010 Established—Membership.

3.82.010 Established—Membership.

For the purpose of establishing liaison between the city of Seattle and county of King in connection with land use planning as it relates to public and private development of land abutting navigable waters in the city and county, and for the purpose of making recommendations to the City Planning Commission and the City Council of Seattle, and the Environmental Development Commission and Council of King County as to the legislative policies of the city and county

in such connection, there is created the "Joint City-County Subcommittee on Shoreland and Tideland Planning" which shall consist of four members appointed by the Environmental Development Commission of King County or such other county agency or official as shall be designated, and four members appointed by the City Council of Seattle. In addition the Chairmen of the Environmental Development Commission of King County and of the City Planning Commission and one member of the planning staff of each such commission selected by the Commission Chairmen shall serve on the Subcommittee, ex officio. The Subcommittee shall elect a Chairman and other officers and adopt such rule of procedure as are necessary to accomplish its purposes.

(Ord. 99443 § 1, 1970.)

Subtitle VI General Regulations

Chapter 3.90

OFFICIAL BONDS

Sections:

- 3.90.010 Officer's bonds.
- 3.90.020 Surety company—Annual rewriting.
- 3.90.030 Liability for moneys wrongfully paid.
- 3.90.040 Bond for Chief of Police.
- 3.90.050 Employees faithful performance blanket position bond.
- 3.90.060 Employees blanket bond—Call for offers to furnish.
- 3.90.070 Extra bond coverage.
- 3.90.080 Bond for County Comptroller as city tax collector.

Statutory Reference: For Charter provisions on official bonds, see Charter Article XVII §§ 3 and 4, Article XIX § 4, and Article V § 8.

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:

ADMINISTRATION

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 Lighting	1,000
Superintendent of Water	1,000
Superintendent of Buildings	1,000
Superintendent of Parks and Recreation	1,000
Director of Engineering	1,000
Director of Transportation	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 Department of Community Development	1,000
Director of Department of General Services	1,000
Purchasing Agent	1,000
Director of the Department of Licenses and Consumer Affairs	25,000

(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.

3.90.020 Surety company—Annual rewriting.

Each of the bonds mentioned in Section 3.90.010 shall be furnished by a surety company authorized to do such business in the state. Officers elected or appointed for a fixed term shall be bonded for the full term and all other bonds shall be rewritten annually. (Ord. 93603 § 2, 1965.)

3.90.030 Liability for moneys wrongfully paid.

Each of the bonds mentioned in Section 3.90.010 shall contain a condition that every officer whose duty it is to certify a payroll or the receipt by the city of labor or materials shall be liable upon such bond for any moneys wrongfully paid by the city on account of such certification. (Ord. 93603 § 3, 1965.)

3.90.040 Bond for Chief of Police.

The bond given by the Chief of Police, as contemplated by Charter Article XVII, Section 4,¹ shall contain a condition that he will pay all such actual damages as may be sustained by any person, arrested without a warrant, or by reason of any false or unlawful imprisonment, by or under the direction of such Chief of Police. (Ord. 93603 § 4, 1965.)

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

3.90.050 Employees faithful performance blanket position bond.

A. All officers and employees of the city, including employees of the Library Department, shall be covered by a public employees faithful performance blanket position bond. Such bond shall be conditioned to indemnify and save the city harmless from any and all loss sustained by the city from or due to theft, dishonesty or fraudulent conduct of any officer or employee or to failure of any officer or employee to faithfully perform the duties of his office or position, and further conditioned that no third person shall have any right of action on the bond for any acts or conduct or failure to act of the officer or employee.

B. Such performance bonds shall be in the amount of One Hundred Thousand Dollars (\$100,000.00) per employee plus One Hundred Fifty Thousand Dollars (\$150,000.00) excess per loss. (Ord. 101084 § 2, 1972; Ord. 93603 § 5, 1965.)

3.90.060 Employees blanket bond—Call for offers to furnish.

A. The City Comptroller shall call for offers to furnish a public employees faithful performance blanket position bond, the premium therefor to be paid for by the city, which bond shall contain the conditions prescribed in this chapter and such additional conditions as are usual and as are set forth in the form of any such bond which shall accompany each bid submitted. Such call shall be published ten days before the opening of the offer, and shall specify the time and place when offers will be opened. Each offer shall be accompanied by a certified check or cash in the sum of Five Hundred Dollars (\$500.00) as a good-faith deposit. The City Comptroller may accept the best offer or reject any and all offers.

Seattle Municipal Code as adopted by the City Council For current use by the Office of the City Clerk

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B. The term of the public employees faithful performance blanket position bond shall be determined by the City Comptroller but such term shall not exceed three years. Upon expiration of each such bond the City Comptroller may again, under the same terms as authorized in this chapter, call for and accept offers for such a bond. (Ord. 93603 § 6, 1965.)

3.90.070 Extra bond coverage.

The head of any department may require bond coverage over and above any bond provided for in this chapter in such sum as he may deem advisable, either on officers and/or employees of his department individually, or by some beneficial blanket type of coverage. (Ord. 93603 § 7, 1965.)

3.90.080 Bond for County Comptroller as city tax collector.

Before entering upon the duties of his/her office, the King County Comptroller, as ex officio collector of city taxes for the city of Seattle, shall execute in favor of the city and file with the Clerk thereof, a good and sufficient bond furnished by a surety company authorized to do business in the state, which bond shall be subject to the approval of the Mayor of the city and any other authority thereof by whom the bond of the City Treasurer is required to be approved. The bond shall be further subject to the conditions set forth in Article XVII, Section 3, of the City Charter,¹ and shall be in the amount of Fifty Thousand Dollars (\$50,000.00). The premium for such bond shall be paid by the city from such funds as are now or may hereafter be provided by ordinance or ordinances passed for such purpose. (Ord. 107483 § 1, 1978.)

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

Chapter 3.92

VACANCIES IN CHARTER OFFICES

Sections:

- 3.92.010 Filling of vacant position.
- 3.92.020 Temporary appointments.

3.92.010 Filling of vacant position.

If any appointive Charter office or the position of department or office head in any department or office created by ordinance becomes vacant, the highest ranking unsubordinated officer or employee in such department or office shall, pending the filling of such vacancy under Charter Article XIX, Section 6,¹ or applicable ordinance, perform, in addition to his/her regular duties, the duties of such appointive office so that the department or office concerned shall function and the interest of the public be protected in any such interim, and ratifying and confirming such procedure. (Ord. 107904 § 1, 1978; Ord. 83897 § 1, 1955.)

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

3.92.020 Temporary appointments.

Upon creation of new offices or departments of city government and pending permanent appointment and confirmation of a director or other head of such an office or department as may be provided by Charter or ordinance, the Mayor is authorized to appoint a person to act temporarily in such position for a period of sixty days, and thereafter for successive sixty-day periods with the approval of the City Council. (Ord. 107904 § 2, 1978; Ord. 83897 § 1A, 1955.)

Chapter 3.94

CITY COMPTROLLER—APPOINTMENT OF DEPUTIES

Sections:

- 3.94.010 Designation of deputies in city offices and departments.
- 3.94.020 No additional compensation.

Statutory Reference: For Charter provisions on appointment of deputies by the City Comptroller, see Charter Article VIII § 6.

3.94.010 Designation of deputies in city offices and departments.

The City Comptroller is authorized and empowered to designate, as deputies, such employees in his office as may be necessary or convenient in the conduct of the business thereof; and

ADMINISTRATION

he may if he deems the same convenient or appropriate designate and appoint under civil service rules such persons as his deputies in other city offices and departments as he shall see fit, for the purpose of taking affidavits and administering oaths in the transaction of city business and issuing licenses and permits required by law to be issued by the City Comptroller, which purpose and authority shall be exercised solely as the City Comptroller shall prescribe, limit, and direct; and he may revoke such designations and appointments at pleasure. Any such designation or appointment not revoked is hereby ratified and confirmed. (Ord. 103704 § 1, 1974; Ord. 77859 § 1, 1949; Ord. 38390 § 1, 1918.)

3.94.020 No additional compensation.

No compensation additional to that heretofore or hereafter to be provided by ordinance shall attach by virtue of this chapter to the position of any employee in the office of the City Comptroller, or to the position of any person in any other city office or department designated and appointed as the City Comptroller's deputy for the purposes authorized in Section 3.94.010. (Ord. 103704 § 2, 1974; Ord. 38390 § 3, 1918.)

Chapter 3.96

DEPARTMENT MANUALS

Sections:

- 3.96.010 Purpose.
- 3.96.020 Definitions.
- 3.96.030 Statements and instructions to be published.
- 3.96.040 Duties of Management Systems Office.
- 3.96.050 Procedures manual.

3.96.010 Purpose.

It is found and declared that there is currently no complete description of department functions and responsibilities, general procedures, departmental procedures, department instructions, or policy statements of the departments of the city municipal government. Each department acts autonomously to carry out its functions and responsibilities without adequate explanation to other departments or to the public. The purpose of this chapter is to require each city department to state its guiding policy and operational

procedures so that other departments as well as the public may better understand and cooperate, and to require written instructions to department personnel so as to make clear the duties of city employees. It is the belief of the City Council that these formal statements will develop better managerial procedures and thereby benefit city government.

(Ord. 101810 § 1, 1973.)

3.96.020 Definitions.

For the purpose of this chapter the term "department" shall mean and include all city departments.

(Ord. 101810 § 2, 1973.)

3.96.030 Statements and instructions to be published.

Each city department shall publish statements of its procedures, instructions and functions and responsibilities according to the guidelines established by the Management Systems Office pursuant to Section 3.96.040.

(Ord. 101810 § 3, 1973.)

3.96.040 Duties of the Management Systems Office.

A. The Management Systems Office of the Office of Management and Budget shall establish guidelines for the style and content of the statements required in Section 3.96.030. These guidelines shall include a time schedule for each department to follow in completing and printing its work. Written guidelines shall be developed on the following basis:

1. Department Procedures. Each department shall define its policies and operating procedures having intradepartmental applicability. Such policies and procedures shall be issued and printed only with the approval of the Management Systems Office. The Executive Department shall be required to define the policy statements of the Mayor as they affect the operation of the departments under his control. The Legislative Department shall be required to define the policy of the City Council as it affects all other city departments.

2. General Procedures. When two or more departments work together to accomplish a particular city function, they shall jointly prepare general operating procedures. This mechanism shall be used with the concurrence of all affected departments and with the guidance and final approval of the Management Systems Office.

3. Departmental Instructions. Departmental instructions shall be explicit charges to department personnel explaining in detail the job each person is expected to do.

4. Functions and Responsibilities. Each department shall define in broad terms the functions and responsibilities of that department. This definitional statement shall be signed by the department head and approved by the Management Systems Office.

B. The Management Systems Office shall establish and maintain a distribution list for the dissemination of policy and procedures statements, and the statements of department functions and responsibility and shall report to the City Council monthly on the number of procedures and instructions developed and distributed by each of the departments of the city.

(Ord. 101810 § 4, 1973.)

3.96.050 Procedures manual.

A procedures manual shall be maintained in each city department and shall reflect the policy, procedure, function, and responsibility of all city departments. Department instructions shall be maintained in the individual department only and shall not be given general distribution; provided that the Office of Management and Budget shall maintain in its master file of department policies, procedures, functions, and responsibilities a copy of the instructions of each department. The Management Systems Office shall periodically review and audit all documents required by this chapter to assure that they are current and applicable.

(Ord. 101810 § 5, 1973.)

Chapter 3.98

BIENNIAL REVIEW OF BOARDS AND COMMISSIONS

Sections:

- 3.98.010 Purpose of review.**
- 3.98.020 Designation of responsible committee.**

3.98.010 Purpose of review.

The function and activities of each city advisory board, commission or similar body as

shall have been or may hereafter be established by ordinance or resolution shall be reviewed every two years for the purpose of determining whether the purpose for which such board, commission or similar body was established is being fulfilled, and whether a need for such board, commission or similar body still exists.

(Ord. 99003 § 1, 1970.)

3.98.020 Designation of responsible committee.

The President of the City Council shall cause to be compiled a roster of the boards, commissions and similar bodies described in Section 3.98.010 and shall designate thereon the appropriate City Council Committee to be responsible for such review.

(Ord. 99003 § 2, 1970.)

Chapter 3.100

SOLICITING CONTRIBUTIONS

Sections:

3.100.010 Statement to be filed with Council.

3.100.010 Statement to be filed with Council.

No head of any city department or division shall make or permit to be made with his knowledge or consent any general solicitation of funds or contributions for any purpose from employees of the city in his department or division, unless there shall have been filed with the City Council, at least ten days prior thereto, a statement in writing of the purpose and proposed methods in detail of making or permitting such solicitation; provided, that nothing therein contained shall be construed as authorizing the receiving or soliciting of assessments, subscriptions or contributions for political purposes in violation of the Personnel Ordinance (107790)¹ or the 1978 City of Seattle Public Safety Civil Service Ordinance (107791),² or in violation of RCW 42.17.130.

(Ord. 108128 § 1, 1979; Ord. 67337 § 1, 1937.)

1. Editor's Note: Ord. 107790 is codified in Chapter 4.04 of this Code.
 2. Editor's Note: Ord. 107791 is codified in Chapter 4.08 of this Code.

ADMINISTRATION

Chapter 3.102
OFFICE HOURS

Sections:

3.102.010 Designated.

Statutory Reference: For Charter provisions on office hours, see Charter Article XXII § 4.

3.102.010 Designated.

All city offices shall be open for the transaction of business from eight a.m. to five p.m. of each day from Monday through Friday, except days designated as legal holidays by RCW 1.16.050, Fridays immediately preceding any such legal holiday which falls upon a Saturday, and Mondays immediately following any legal holiday other than a Sunday, which falls upon a Sunday.

(Ord. 105912 § 1, 1976; Ord. 92946 § 1, 1964; Ord. 79957 § 1, 1951.)

Chapter 3.104

CITY BOOKS AND RECORDS

Sections:

3.104.010 Fees for copies.

3.104.020 Refusal to return—Penalty.

Statutory Reference: For Charter provisions requiring city books and records to be available for inspection, see Charter Article XXII § 3.

3.104.010 Fees for copies.

In accordance with Article XXII, Section 3 of the City Charter,¹ fees to be charged for the furnishing of copies or extracts from the books and records of the city by the officer having custody thereof are established as follows:

- For the first page of any one document \$0.25
 - For each succeeding page of such document 0.10
 - For certification of any one document. 1.00;
- provided, however, that heads of departments may by rules adopted in accordance with the

Administrative Code of the city (Ordinance 102228),² establish a schedule of prices for copies of specific documents in the custody of such department heads, which prices shall be sufficient to defray the cost of preparing such copies but shall not exceed the amount necessary to reimburse the city for the costs of reproducing such documents.

(Ord. 106454 § 1, 1977; Ord. 100591 § 1, 1972.)

- 1. Editor's Note: The Charter is included at the beginning of this Code.
- 2. Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.

3.104.020 Refusal to return—Penalty.

A. It shall be unlawful for any person to keep or refuse to deliver any books, papers or property of any kind or description belonging to the city after the same, or any portion thereof, shall have been demanded by the Mayor, or the Chairman of any Committee of the City Council, or the Chairman of the Board of Public Works, the Board of Park Commissioners, the Board of Library Commissioners or of any other Board or Commission of the city duly authorized to make such demand, or to keep possession thereof after such demand, or to refuse to allow a full inspection after such demand, and all books, records, accounts, statements, abstracts, returns, reports, papers, plats, profiles, maps, charts, plans, specifications, estimates, drawings or other written or printed data made or kept, or required to be made or kept by any city official, or by any person in the employ of the city, or which shall be produced or procured by the labor of any person while in the employ of the city, shall, for the purpose of this section, be deemed and taken to be the property of the city.

B. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not exceeding One Hundred Dollars (\$100.00) or imprisoned for a term not exceeding thirty days, or be both so fined and imprisoned.

(Ord. 16118 §§ 1 and 2, 1907.)

Chapter 3.106

REFUNDING OF CERTAIN FEES

Sections:

- 3.106.010 Blueprint or photography work.
 3.106.020 Department of Parks and
 Recreation facilities or programs.

3.106.010 Blueprint or photography work.
 Whenever the fee paid to the city for any blueprint or photography work shall be erroneous for any reason, and application is made for refund, the Director of Engineering shall certify the facts justifying such refund, the amount thereof, and his approval of such refund, and upon presentation of such certificate to the City Comptroller such officer is authorized to draw and the City Treasurer to pay a warrant on the General Fund in the amount of such refund and the necessary appropriations are hereby made from any surplus in said Fund. (Ord. 89787 § 1, 1960.)

- 3.106.020 Department of Parks and Recreation facilities or programs.**

Whenever a fee is paid for the use of Department of Parks and Recreation facilities or property or for participation in a Department of Parks and Recreation sponsored class or program, and no use or rights have been exercised pursuant thereto and application is made for refund, the Superintendent of Parks and Recreation may authorize such fee refunded. (Ord. 105631 § 1, 1976.)

Chapter 3.108

LOAN OR RENTAL OF
CITY EQUIPMENT

Sections:

- 3.108.010 Permission required.
 3.108.010 Permission required.
 No city equipment shall be rented or loaned without the consent in writing thereto by the Purchasing Agent, and approval of the City Council by resolution, or joint approval

by the appropriate City Council committees. The Purchasing Agent is authorized and directed to prepare and adopt rules and regulations to secure adequate consideration for the use of each piece of city equipment rented or loaned pursuant to this section, and to secure the return of such equipment in proper condition. (Ord. 67585 § 1, 1937.)

Chapter 3.110

PUBLIC CORPORATIONS

Sections:

- 3.110.010 Authorization.
 3.110.020 Definitions.
 3.110.030 Corporate life.
 3.110.040 Powers—Generally.
 3.110.050 Powers—Specified.
 3.110.060 Additional powers.
 3.110.070 Limitation of powers.
 3.110.080 Purview of affairs.
 3.110.090 Application for charter.
 3.110.100 Review of application.
 3.110.110 Issuance of charter.
 3.110.120 Effect of issuance of charter.
 3.110.130 Organizational meeting.
 3.110.140 Charter contents.
 3.110.150 Limits upon name—Seal.
 3.110.160 Mandatory statement—Reservation.
 3.110.170 Scope of activities—Constraint.
 3.110.180 Corporate structure—Basic pattern.
 3.110.190 Offices—Division of duties.
 3.110.200 Council concurrence required.
 3.110.210 Constituency concurrence required.
 3.110.220 Rules and regulations.
 3.110.230 Proposing charter amendments.
 3.110.240 Corporate offices and officers.
 3.110.250 Code of ethics—Conflict of interest.
 3.110.260 Discrimination prohibited.
 3.110.270 Composition of the council.
 3.110.280 Composition of the constituency.
 3.110.290 Access to records.
 3.110.300 Meetings of the council.
 3.110.310 Meetings of any constituency.
 3.110.320 Meetings—City participation.
 3.110.330 Quorum.
 3.110.340 Voting—Representation.

ADMINISTRATION

- 3.110.350 Tenure in office.
- 3.110.360 Deposit of public funds.
- 3.110.370 Private use of public funds prohibited.
- 3.110.380 Safeguarding of funds.
- 3.110.390 Establishment and maintenance of office and records.
- 3.110.400 Reports and information.
- 3.110.410 Audits and inspections.
- 3.110.420 Bonds and notes.
- 3.110.430 Charter amendment.
- 3.110.440 Intervention.
- 3.110.450 Trusteeship.
- 3.110.460 Termination.
- 3.110.470 Dissolution—Statement.
- 3.110.480 Merger with public corporation.
- 3.110.490 Termination—Disposition of assets.
- 3.110.500 Insurance.
- 3.110.510 Unauthorized representation.
- 3.110.520 Ancillary authority.
- 3.110.530 Construction.
- 3.110.540 Waiver.
- 3.110.550 Ratification of existing public corporations.

Statutory Reference: For provisions regarding administration of federal grants and programs available to cities, see RCW 35.21.725 through 35.21.755.

Severability: In the event a court of competent jurisdiction shall adjudge any clause, sentence or paragraph or section of this chapter to be invalid or unconstitutional, such judgment or decree shall not affect, invalidate or impair the remainder thereof as long as the intent or purpose of such clause, sentence, paragraph or section has not been altered or frustrated thereby; and as long as no recourse is permitted to the assets, credit or services of the city on account of the acts or omissions of the public corporation or of any debts, obligations, or liabilities of such public corporation, the effect of such judgment or decree shall be confined to the clause, sentence, paragraph, section or part of this chapter so adjudged to be invalid or unconstitutional. (Ord. 103387 § 55, 1974.)

3.110.010 Authorization.

A. The city authorizes the establishment and chartering of one or more public corporations, commissions and/or authorities (in this chapter called "Public Corporations"), each as an independent legal entity, to: improve governmental efficiency and services and general living conditions within the city; administer and execute federal grants and programs, receive and administer federal funds; perform all manner and type of community services; provide and implement such municipal services and functions as the City Council may direct; and allow a character of community participation in appropriate municipal projects and activities that are, in practical effect, restricted by the organizational structure of city government, all as authorized by RCW 35.21.725 through 35.21.755.

B. Such public corporation shall have the power and authority described in Sections 3.110.040, 3.110.050 and 3.110.060 insofar as authorized by its charter; be limited by the restrictions and provisions set forth in Section 3.110.070; be organized in accordance with the process outlined in Sections 3.110.090, 3.110.100 and 3.110.110 and with the structure, purposes and organization provided for by Sections 3.110.140 through 3.110.350 and its charter; observe the constitutional limitations set forth in Sections 3.110.360 and 3.110.070; incur indebtedness as allowed by Section 3.110.420; and shall be subject to the supervening conditions stated in Sections 3.110.440 through 3.110.460.

C. All liabilities incurred by such public corporation, commission or authority shall be satisfied exclusively from the assets and credit of such public corporation, commission or authority and no creditor or other person shall have any right of action against the city, town or county creating such corporation, commission or authority on account of any debts, obligations or liabilities of such public corporation, commission or authority. (Ord. 103387 § 1, 1974.)

3.110.020 Definitions.

As used in this chapter, the term:¹

A. "Bonds" means any bonds, promissory notes, interim certificates, debentures, certificates of indebtedness or other obligations issued by the public corporation pursuant to its charter and this chapter.

B. "Charter" means the articles of organization of the public corporation irrespective of the name applied thereto and all amendments thereto.²

C. "City" means the city of Seattle.

D. "City Council" means the legislative body of the city.

E. "Comptroller" means the City Comptroller or a person authorized to act on his behalf; and in the event of reorganization of the office of City Comptroller, the successor official performing such duties or a person authorized to act on his behalf.

F. "Constituency" means the class of persons entitled to participate (whether in a voting or advisory capacity) in the internal processes of the public corporation in accordance with its charter or rules and regulations. It includes but is not limited to such designations as the membership, the electorate, the public, interested citizens, or residents within a district.

G. "Constituent" means a member of the constituency.

H. "Corporate" shall refer or pertain to a public corporation.

I. "Corporate office" means an office or official person of the public corporation, irrespective of designation, but excludes membership positions of the council.

J. "Corporate officer" means an officer or official of the public corporation, irrespective of designation, but excludes members of the council that do not hold a corporate office.

K. "Corporate official" means an officer or official of the public corporation, irrespective of designation, and includes members of the council.

L. "Council" means the group of persons vested with the management of the affairs of the public corporation, irrespective of the name by which such group is designated.³ It includes but is not limited to such designations as "board of directors," "trustees," "managers," "directorate," "commission," or "council."

M. "Insolvent" or "insolvency" means an inability of a public corporation to pay debts as they become due in the usual course of its affairs.

N. "Mayor" means the Mayor of the city of Seattle.

O. "Public corporation" shall mean a corporation, commission, or authority organized under this chapter.

P. "Real property" includes all lands, including improvements and fixtures thereon and property of any nature appurtenant thereto, or used in connection therewith, and every estate, interest and right, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage or otherwise and the indebtedness secured by such liens.

Q. "Resolution" means an action of the council with the quorum required in Section 3.110.330.

R. "Rules and regulations" means the code or codes of rules adopted for the regulation or management of the affairs of the public corporation irrespective of the name or names by which such rules and regulations are designated.

S. "State" (when used as a noun) shall mean the state of Washington.
(Ord. 103387 § 2, 1974.)

1. Editor's Note: In the original text of Ord. 103387, the introductory phrase of this section reads, "as used in the ordinance, wherever italicized, the term: . . . means . . ." In case of any question regarding the use of a defined term as a term of art, refer to the original text of Ord. 103387 in the City Clerk's office.

2. Editor's Note: In this chapter the word "charter," appearing in all lower case letters is used to distinguish the charter of a public corporation from the City Charter.

3. Editor's Note: In this chapter the word "council," appearing in all lower case letters is used to distinguish the council of a public corporation from the City Council.

3.110.030 Corporate life.

The charter of the public corporation shall establish the character or term of its existence. The charter may provide:

A. The public corporation shall have perpetual existence;

B. The public corporation shall exist for a stated period of years, until a fixed expiration date, or during a set time period; or

C. The public corporation shall cease to exist upon the occurrence of certain events or upon an expiration date measured from such events; or

the charter may combine any term or condition set forth in subsection B with that set forth in subsection C. Should the charter fail to set forth the character or term of the public corporation's existence, the existence of the public corporation shall expire five years after the date of issuance of its charter.
(Ord. 103387 § 3, 1974.)

3.110.040 Powers—Generally.

Except as otherwise limited by the State Constitution, the City Charter, this chapter, or by the charter of the public corporation, a public corporation shall, have the power to:

A. Own and sell real and personal property;

B. Contract and enter into partnership with individuals, associations and corporations, and the state and the United States;

C. Sue and be sued;

D. Lend and borrow funds;

E. Do anything a natural person may do;

F. Perform all manner and type of community services and activities utilizing federal or private funds;

G. Administer and execute federal grants and programs;

H. Receive and administer federal funds;

I. Provide and implement such municipal services and functions as the City Council and Mayor may by ordinance direct;

ADMINISTRATION

J. Transfer, with or without consideration, any funds, real or personal property, property interests, or services received from the federal government, private sources or, if otherwise legal, from a city or county; and

K. Receive and administer private funds, goods or services for any lawful public purpose. (Ord. 103387 § 4, 1974.)

3.110.050 Powers—Specified.

Except as otherwise limited by the State Constitution, the City Charter, this chapter, or the public corporation's charter, the powers granted a public corporation by Section 3.110.040 include but are not limited to the power to:

A. Purchase, lease, exchange, mortgage, encumber, improve, use or otherwise transfer or grant security interests in real or personal property or any interests therein; grant or acquire options; and contract regarding the income or receipts from real property;

B. Issue negotiable bonds and notes in conformity with Section 3.110.420 and applicable provisions of the Uniform Commercial Code and state law in such principal amounts, as in the discretion of the public corporation, shall be necessary or appropriate to provide sufficient funds for achieving any corporate purposes or to secure financial assistance, including matching funds from the United States for corporate projects and activities;

C. Contract for lease, and accept transfers, gifts or loans of funds or property from the United States, the state, the city, including property acquired by any such governmental unit through the exercise of its power of eminent domain and from corporations, associations, individuals or any other source and to comply with the terms and conditions thereof;

D. Manage, on behalf of the city, any property acquired by the city through gift, purchase, construction, lease, assignment, default or exercise of the city's power of eminent domain;

E. Recommend to the Mayor and City Council appropriate public improvements and expenditures in areas of the city in which a public corporation by its charter has a particular responsibility;

F. Recommend to the Mayor and City Council any property which if committed or transferred to the public corporation would materially advance the public purpose for which the public corporation was chartered;

G. Initiate, carry out and complete such improvements of benefit to the public as the Mayor and City Council may by ordinance assign;

H. Recommend to the Mayor and City Council such tax, financing and security measures as the public corporation may deem appropriate to maximizing the public interest in any area in which a public corporation, by its charter, has a particular responsibility;

I. Lend its funds, property or credit or services for corporate purposes, or act as a surety or guarantor for corporate purposes;

J. Provide advisory, consultative, training, educational and community services or advice to individuals, associations, corporations, or governmental agencies, with or without charge;

K. Control the use and disposition of corporate property, assets, and credit;

L. Invest and reinvest its funds;

M. Fix and collect charges for services rendered or to be rendered, and establish the consideration for property transferred;

N. Sponsor, lease, manage, construct, own and lease or otherwise participate in housing projects where such activity furthers the public purpose for which the public corporation is chartered;

O. Maintain books and records as appropriate for the conduct of its affairs; and

P. Conduct corporate affairs, carry on its operations, and use its property as allowed by law and consistent with this chapter, its charter and its rules and regulations; and to name corporate officials, designate agents and engage employees; prescribe their duties, qualifications and compensation; and secure the services of consultants for professional services, technical assistance or advice;

Q. Identify and recommend to the Mayor and the City Council the acquisition by the city for transfer to or use by the public corporation of property and property rights which are within an urban renewal area or community development project, and which if so acquired, whether through purchase or the exercise of eminent domain, and so transferred or used, would materially advance the public purposes for which the public corporation was chartered.

(Ord. 104311 § 1, 1975; Ord. 103387 § 5, 1974.)

3.110.060 Additional powers.

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by its charter or by law, a public corporation shall have in addition to the powers enumerated in Sections 3.110.040 and 3.110.050 the power and authority:

A. To have a corporate seal and alter the same at pleasure;

B. To cease its activities and operations and surrender its charter through dissolution procedures provided in Section 3.110.480;

C. To exercise and enjoy such additional powers as may be authorized by law; and

D. To have and exercise all powers necessary or convenient to effect the purposes for which the public corporation was organized and to perform authorized corporate functions.

(Ord. 103387 § 6, 1974.)

3.110.070 Limitation of powers.

A. A public corporation organized under this chapter shall have no power of eminent domain nor any power to levy taxes or special assessments.

B. No public corporation may incur or create any liability that permits recourse by any contracting party or member of the public to or upon any assets, services or credit of the city;

C. No funds, assets, or property of any public corporation shall be used for any partisan political activity or to further the election or defeat of any candidate for public office; nor shall any funds or substantial part of the activities of any public corporation be used for publicity or educational purposes designed to support or defeat legislation pending before the Congress of the United States, or the legislature of the state or the City Council, provided, however, that members and officials of a public corporation may respond to requests by contacting members of Congress, state legislators or City Council members for information and appear before any such legislative body in connection with funding and other matters directly affecting the public corporation or its ability to carry out the purposes for which it is chartered.

(Ord. 103387 § 7, 1974.)

3.110.080 Purview of affairs.

A. All funds, assets or credit of the public corporation shall be applied toward or expended upon municipal and community services and projects and activities authorized by its charter. A public corporation organized under this chapter shall not issue shares of stock, pay divi-

dends, make private distribution of assets, make loans to corporate officials, or engage in business for profit.

B. The limitation of subsection A does not preclude the following transactions or activities, and a public corporation, unless restricted by its charter, may:

1. Compensate corporate officials or constituents a reasonable amount for services rendered, reimburse reasonable expenses actually incurred in performing their duties, and extend to the constituents derivative benefits or projects and activities accorded to the community generally or to members of community by criteria equally applied, and as appropriate in order to avoid unreasonably impeding attainment of widespread citizen participation in carrying out corporate projects and activities;

2. Assist corporate officials of constituents as members of a general class of persons to be assisted by a project or activity of an approved program to the same extent as other members of the class and as long as no special privileges or treatment accrues to such corporate official or constituent by reason of his status or position in the public corporation;

3. Return to corporate officials or constituents fees, dues or service charges originally contributed by them and surplus to the purposes for which collected;

4. Defend any corporate official, or former corporate official (including employees) in any legal or administrative proceeding in which he is made a party by reason of his position or former corporate position, or at the public corporation's option, indemnify such corporate official or former corporate official for expenses actually and necessarily incurred by him in connection with such defense, except as to matters on which he shall be adjudged in such action or proceeding to be liable for an act or omission performed without capacity or power, or willful misconduct in the performance of duty; and

5. Sell assets for a consideration greater than their reasonable market value or acquisition costs, or charge for services more than the expense of providing them, or otherwise secure an increment in a transaction, or carry out any other transaction or activity, as long as such gain is not the public corporation's general object or purpose and is applied to or expended upon municipal and community services and projects and activities as aforesaid.

(Ord. 103387 § 8, 1974.)

3.110.090 Application for charter.

A. To initiate proceedings to charter a public corporation under this chapter, any person or group of persons shall apply in duplicate to the Comptroller therefor. The application shall set forth:

1. The proposed name of the public corporation;
2. The character or period of its duration;
3. The precise purposes or functions to be performed;
4. The charter requested;
5. The proposed initial rules and regulations;
6. The names and addresses of persons nominated as the initial corporate officials;
7. The funds and other assets necessary to undertake the activities or functions contemplated within the coming year; the anticipated sources of such funds and assets; and any other supporting data the applicants deem appropriate and necessary to evaluate their application; and
8. The name and address of each applicant.

The applicant(s) may amend, correct or supplement the application during review and processing thereof. No applicant shall be an official or employee of the city.

B. One copy of the application shall be filed with the Comptroller as a public record open to public inspection and one copy shall be forwarded to a responsible city official designated by the Mayor. To allow for public inspection and review, at least thirty days shall elapse between filing of an application and issuance of a charter.

(Ord. 103387 § 9, 1974.)

3.110.100 Review of application.

The Mayor's designee shall review all applications to determine the following matters, refer to the Mayor his findings, and make recommendations with respect to:

A. Whether chartering the public corporation will help to fulfill the purposes set forth in Section 3.110.010 and Chapter 37, Laws of 1974, First Extraordinary Session;

B. Whether the requested character or duration of the public corporation is reasonably necessary for the activities or functions to be performed;

C. Whether changes, revisions, or modifica-

tions should be made in the proposed charter or the proposed initial rules and regulations to comply with this chapter, to encourage citizen participation, or to further the best interests of the city, all as a condition to approval of the application or issuance of the charter;

D. Whether the corporate officials nominated are qualified to hold such positions, dedicated to further the best interests of the program and purposes of the public corporation, and as a group have the necessary background and experience to conduct the affairs and operations contemplated by the public corporation;

E. Whether any finding described in the application will be made available; and

F. Whether the charter should issue as requested, or with changes, revision or modification, or upon certain conditions, restrictions or the occurrence of certain events; or whether the application should be denied.

(Ord. 103387 § 10, 1974.)

3.110.110 Issuance of charter.

A. The Mayor, in his discretion, shall issue a charter:

1. Upon his concurrence in affirmative findings and favorable recommendations by his designee; or

2. Upon acceptance by the applicants of changes, revisions, modifications, conditions, restrictions or contingencies suggested by the Mayor; or

3. Upon satisfactory resolution of differences between the applicant and the Mayor.

B. A charter establishing a public corporation shall be issued in duplicate originals, each signed by the Mayor and bearing the City Seal attested by the Comptroller. One original shall be retained by the Comptroller and filed as a public record; and a duplicate original shall be delivered to the applicant(s). The Comptroller shall give notice of the issuance of the charter to the Secretary of State and furnish a copy of the charter and this chapter upon request therefor. (Ord. 103387 § 11, 1974.)

3.110.120 Effect of issuance of charter.

The public corporation shall commence its existence effective upon filing of its charter as issued and attested, unless a different time be specified therein. Except as against the state or the city in a proceeding to cancel or revoke the charter, or to compel compliance with a representation made in the application, filing of an

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original charter and delivery of a duplicate original charter shall conclusively indicate that all conditions precedent have been fulfilled and that the public corporation has been established in compliance with the procedures of this chapter.

(Ord. 103387 § 12, 1974.)

3.110.130 Organizational meeting.

Upon issuance of the charter, the applicant(s) shall call an organizational meeting of the persons nominated as corporate officials in the application as approved within thirty days, giving at least ten days' advance notice to each, unless waived in writing, provided the organizational meeting may be postponed to a more appropriate time when the charter provides for a corporate existence contingent on certain events or occurrences or commencing at a future time. At such meeting, the council shall organize itself, may appoint interim officers and nonvoting members of the council to serve until the selection processes provided in or by charter be complied with, select the temporary place of business, and assist in organizing the constituency.

(Ord. 103387 § 13, 1974.)

3.110.140 Charter contents.

A. The charter shall set forth the following:

- 1. The name of the public corporation and its corporate seal;
- 2. The character or period of duration of the public corporation as provided in Section 3.110.030;
- 3. This statement in prominent place: "..... is organized (Name of public corporation) pursuant to Ordinance of The City of Seattle and Chapter 37, Laws of 1974, First Extraordinary Session (43rd Leg. 3rd Extra. Sess.), Chapter 37, Laws of 1974, First Extraordinary Session (43rd Leg. 3rd. Extra. Sess.) provides as follows: All liabilities incurred by such public corporation, commission or authority shall be satisfied exclusively from the assets and credit of such public corporation, commission or authority and no creditor or other person shall have any right of action against the city, town or county creating such corporation, commission or authority on account of any debts, obligations or liabilities of such public corporation, commission or authority."
- 4. The purpose and scope of activities of the public corporation;

5. The powers of the public corporation and any limitations thereon as provided in Sections 3.110.040, 3.110.050 and 3.110.060;

6. The structure or fundamental organization of the public corporation;

7. A division of duties within the corporate structure as provided in Section 3.110.190;

8. The powers and duties of the council;

9. The powers and duties of any constituency with advisory or voting rights;

10. The method of amending its rules and regulations or adopting another set; and

11. The method of proposing amendments to its charter to the Mayor.

B. The charter shall set forth the following matters in conformity with Sections 3.110.240 through 3.110.310 and 3.110.330 and 3.110.340, respectively, or, within stated guidelines, authorize the rules and regulations to define any or all of the following matters:

1. The corporate offices and tenure of officers; the number of positions, powers and duties and term of each corporate office; the manner of appointment, selection or election of office holders and the appointing, selecting or electing authority; performance of duties of the office upon illness, death, incapacity or absence of the corporate officer; the filling of vacancies; and any qualifications for the office and conditions upon exercising its powers;

2. The composition of the council: its size and numbers; the term and qualifications for member positions; the organization and powers of its positions; the manner of appointment, selection or election and the appointing, selecting or electing authority; council committees and duties; and the filling of vacancies;

3. The composition of the constituency, if any; its character, powers and voting rights; division by classes and the powers of such classes; any referendum to or initiative by the constituency; eligibility of citizens to become a constituent and the method of acquiring such status; participation by persons in limited capacities, such as honorary or advisory positions or status, affiliation, and the rights and powers of persons in such limited capacity; termination of constituent status;

4. The maintenance of corporate records and public access thereto;

5. Regular and special meetings of the council and notice requirements;

6. Regular and special meetings of any constituency and notice requirements;

ADMINISTRATION

7. The quorum of the council and of any constituency necessary to conduct affairs;

8. The method of voting and for representation of persons absent from meetings if allowed;

9. Suspension or removal of corporate officials from an office or position; and conditions which would require such suspension;

10. Any other provision pertaining to the internal affairs of the public corporation as deemed appropriate.

The provisions of the charter insofar as consistent with federal and state law and with this chapter shall control the affairs and operations of the public corporation.

(Ord. 103387 § 14, 1974.)

3.110.150 Limits upon name—Seal.

The corporate name shall not:

A. End with "incorporated," "company" or "corporation" or any abbreviation thereof or use the term "grange," "bank," "banking," "trust" or "savings" therein, or any combination of words that are restricted from its usage by state law; and

B. Adopt or appear deceptively similar to the name of any corporation, existing or organized under the laws of the state or authorized to transact business or conduct affairs in the state, or a corporate name reserved or registered as permitted by the laws of the state.

The corporate seal shall carry the name of the public corporation.

(Ord. 103387 § 15, 1974.)

3.110.160 Mandatory statement—Reservation.

The City Council by resolution may amend the statement required by Section 3.110.140 A3 from time to time to reflect any subsequent state legislation amending or supplementing Chapter 37, Laws of 1974, First Extraordinary Session (43rd Leg. 3rd Extra. Sess.), or recodification of such sections, and such amendatory statement shall be attached as an amendment to the charter of the public corporation.

(Ord. 103387 § 16, 1974.)

3.110.170 Scope of activities—Constraint.

A. Whenever the laws of the state or of the United States or a city ordinance shall require a license or permit to undertake certain activities or perform an act, the public corporation, prior to undertaking the activity or performing the

act, shall comply therewith to the same extent as any other agency, commission or board otherwise established by the city.

B. If authorized by its charter to do so, a public corporation may undertake projects and activities or perform acts outside the limits of the city only in those areas of another jurisdiction whose governing body by agreement with the city consents thereto.

(Ord. 103387 § 17, 1974.)

3.110.180 Corporate structure—Basic pattern.

A. Power and responsibility within the corporate structure shall be distributed among the corporate officers, the council and any constituency.

B. The corporate officers shall manage the daily affairs and operations of the public corporation. If the charter so provides, corporate officers may be members of the council or as a commission comprise the council.

C. The council shall oversee the activities of corporate officers, establish and/or implement policy, and participate in corporate activities as prescribed by the charter at least to the extent provided by Section 3.110.200.

D. The charter shall establish a constituency with at least the powers set forth in Section 3.110.210 A through D unless the Mayor expressly determines that a constituency with such powers would not be in the public interest and approves a charter without a constituency, or a charter amendment to abolish or modify it. A charter that does not provide for a constituency or that prescribes a constituency with advisory capacity only shall repose stewardship for management and determination of all corporate affairs in the council.

E. If a constituency be provided, the council or a committee thereof shall report to the constituency at a meeting held at least quarterly and receive such advice, council or directions as the charter shall designate.

(Ord. 103387 § 18, 1974.)

3.110.190 Officers—Division of duties.

A. A public corporation shall have two or more corporate officers. The same person shall not occupy both the chief executive office of the corporation and the office responsible for the custody of funds and maintenance of accounts and finances.

B. Unless the charter provides otherwise, the

chief executive officer shall be the agent of the public corporation for service of process; the rules and regulations may designate additional corporate officials as agents to receive or initiate process.

(Ord. 103387 § 19, 1974.)

3.110.200 Council concurrence required.

General or particular authorization or concurrence of the council by resolution shall be necessary for any of the following transactions:

A. Transfer or conveyance of an interest in real estate other than a release of a lien or satisfaction of a mortgage after payment has been received and the execution of a lease for a current term less than one year;

B. The contracting of debts, issuances of notes, debentures, or bonds, and the mortgaging or pledging of corporate assets to secure the same;

C. The donation of money, property or other assets belonging to the public corporation;

D. An action by the public corporation as a surety or guarantor;

E. All transactions in which the consideration exchanged or received by the public corporation exceeds Ten Thousand Dollars (\$10,000.00), the performance by the public corporation shall extend over a period of one year from the date of execution of an agreement therefor, or the public corporation assumes duties to the city, the state, or the United States;

F. Any project or activity outside the limits of the city;

G. Adoption of an annual budget;

H. Certification of annual reports and statements to be filed with the Comptroller as true and correct in the opinion of the council and of its members except as noted;

I. Proposed amendments to the charter; and

J. Such other transactions, duties, and responsibilities as the charter shall repose in the council or require council participation by resolution.

(Ord. 103387 § 20, 1974.)

3.110.210 Constituency concurrence required.

If the charter provides for a constituency with power to participate in determination of corporate policy in addition to advising, to vote upon corporate affairs or to elect some or all corporate officials, or to pass on action by referendum

or commence action by initiative, then the concurrence of the constituency shall be necessary upon any of the following matters:

A. Proposed amendments to the charter;

B. Proposed amendments to the rules and regulations of the public corporation on matters within the power and responsibility of the constituency;

C. Fixing the compensation of corporate officials and the nature and limit of expenses incurred by corporate officials that may be reimbursed, unless the charter sets the same;

D. The election or selection of an independent auditor; and

E. Such other matters as the charter may designate.

(Ord. 103387 § 21, 1974.)

3.110.220 Rules and regulations.

A. The rules and regulations shall be subordinate to and consistent with the charter; and may be altered, amended or repealed from time to time as the charter shall prescribe, and shall set forth such matters designated in Section 3.110.140 B, as the charter shall authorize. The rules and regulations contained in the application for the charter as approved by the Mayor shall be the initial rules and regulations of the public corporation.

B. Amendments to the rules and regulations shall not take effect until ten days after filing of the same with the City Comptroller, unless such amendment(s) shall have been passed by unanimous vote of the council and the constituency (if effected by the amendment), and an earlier effective date be set.

(Ord. 103387 § 22, 1974.)

3.110.230 Proposing charter amendments.

A. A public corporation may propose to the Mayor that its charter be amended by resolution of its council passed by a procedure outlined in its charter and in conformity with Section 3.110.330 at a regular or special meeting of which thirty days' advance notice was given; and where concurrence of the constituency was required by the charter or by Section 3.110.210, by approval of the constituency through either written ballots by mail or a vote of constituents at a regular or special meeting at which consideration of the proposed amendment was scheduled and thirty days' advance notice given. Each method shall comply with procedures prescribed

ADMINISTRATION

by the charter in accordance with Section 3.110.320.

B. Notice of a proposed charter amendment given to members of the council and to constituents shall set forth the proposed amendment and a statement of its purpose and effect. (Ord. 103387 § 23, 1974.)

3.110.240 Corporate offices and officers.

A. Corporate officers may be elected or appointed by the council, by the constituency, by a nomination-selection process of both the council and the constituency, by other persons or by any other process or combination of the above as the charter may set forth or as may be provided in the rules and regulations.

B. No term of office shall exceed four years. Unless the charter so provides, indefinite terms conditioning tenure in office upon the continued confidence or pleasure of the council and/or constituency shall not be allowed.

C. The charter or the rules and regulations shall require that any official responsible for accounts and finances shall file a fidelity bond in an amount determined by the public corporation before taking office, and may hold the corporate office only as long as such a bond continues in effect.

(Ord. 103387 § 24, 1974.)

3.110.250 Code of ethics—Conflict of interest.

A. Corporate officials and employees shall comply with the ethical standards prescribed for city officers and employees and refrain from actions prohibited for city officers and employees, respectively, by Ordinance 100435, as now enacted or as hereafter amended, supplemented, or superseded,¹ and with ethical conduct/conflict of interest provisions of federal or state grants or contracts as the public corporation may accept from time to time.

B. No corporate official shall own or acquire any personal interest in any property, contract, or proposed contract or assume any obligations which would conflict with the performance of his official duties and responsibilities. This restriction shall be interpreted and applied in accordance with subsection C.

C. A corporate official may perform official duties and participate in corporate affairs or activities when:

1. The proposed action or activities of the public corporation would not affect him or

her in a manner different in kind from that on the public or community generally, or when the corporate official is a member of a class of persons included in a service or assistance program and would be not affected in a manner different in kind from other members of the class; or

2. The charter or the rules and regulations repose responsibility with the council for an action that affects all council members in their official capacity alike; or

3. After disclosure of his or her personal interest, both the council and the city determine that the official's participation would further the public interest notwithstanding the personal interest disclosed.

In all other instances, any corporate official who may have a direct or indirect financial interest in any matter coming before the council, shall disclose to the council the nature and extent of such interest, and refrain from voting, participating in council deliberations as an official, or attempting to influence any other corporate official on the matter; and any corporate official shall disqualify himself from acting on any matter coming before him in the course of his duties in which he may have a direct or indirect financial interest.

(Ord. 103387 § 25, 1974.)

1. Editor's Note: Ord. 100435 is codified in Chapter 4.16 of this Code.

3.110.260 Discrimination prohibited.

A. Neither council membership nor constituency membership may directly or indirectly be based upon or limited by age, race, color, religion, sex, national origin, marital status, sexual orientation, political ideology, or the physical handicap of a capable person; provided, that council positions on a public corporation emphasizing Indian arts or culture or services and programs oriented toward American Indians may be filled by persons selected by organizations whose funding is substantially derived from public or private grants or federal appropriations available only to organizations controlled by American Indians.

B. To assure equality of employment opportunity, the public corporation:

1. Will not discriminate in employment because of age, race, color, creed, religion, sex, national origin, marital status, sexual orientation, or political ideology, or against a physically

handicapped person capable of performing the work;

2. Will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their age, race, color, religion, sex or national origin. This requirement shall apply to but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment activities; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The public corporation shall post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause. The public corporation will, in all solicitations or advertisements for employees placed by or on behalf of the public corporation, state that all qualified applicants will receive consideration for employment without regard to age, race, color, religion, sex or national origin;

3. Will establish and maintain an affirmative action program to provide equality of employment opportunity and to overcome the effects of past discrimination comparable to that maintained by the city for employment by city departments and agencies, which shall meet the requirements of Ordinance 101548¹ and be reviewed on a quarterly basis by the city's Department of Human Rights and/or its Office of Women's Rights, or successor agency(s), and secure its approval; provided, that public corporations employing fewer than four persons shall not be required to comply with the reporting requirements of Ordinance 101548, as amended;¹ provided, a public corporation emphasizing Indian arts or culture or services and programs oriented toward American Indians may give preference in employment to American Indians when a grant agreement with the United States of America or an Indian Tribe generating the employment so specifies.

C. In all housing projects and activities and in all housing related relocation activities, the public corporation shall take affirmative action to further the fair housing laws and regulations of the city.

(Ord. 103387 § 26, 1974.)

1. Editor's Note: Ord. 101548 is codified in Chapter 4.80 of this Code.

3.110.270 Composition of the council.

A. The council shall have three or more members. No term of a position on the council shall exceed four years. If no duration of term be provided by the charter, the term of a position on the council shall be two years.

B. All appointments to the council shall be confirmed by the City Council, provided that any person whose name has been submitted to the City Council shall, unless and until his or her name has been rejected by the City Council, have the full powers and responsibilities of a confirmed council member.

C. The charter may but need not establish different terms for various positions on the council; stagger the terms; require special qualifications for certain positions; include corporate officers as ex officio members or observers; select members by districts or from classes of persons or from community agencies; provide for election, selection, or appointment of all or some positions by the constituency, by other members of the council, or by other appointing authorities; and establish advisory or honorary positions without voting powers or with limited voting powers.

D. If the charter provides for council committees, the council by resolution may designate and appoint one or more committees consisting of at least three or more members to represent the council and may designate a committee of its membership to present quarterly reports to the constituency, so long as the number of the council's representatives attending and making the report to the constituency equal or exceed two voting members when the voting membership of the council is five or less, or the nearest integer to thirty percent of the council's voting membership when the council has six or more voting members.

(Ord. 103387 § 27, 1974.)

3.110.280 Composition of the constituency.

A. Insofar as such differences or provisions are related to the projects and activities to be undertaken by the public corporation, the charter may:

1. Divide the constituency into classes by district or residence, by adult or minor, or other objective criteria, and assign differing powers or duties to each class;

2. Confer on certain classes of constituents advisory capacity only, while other classes

ADMINISTRATION

of constituents may vote on specific matters or have general voting powers; or

3. Provide for limited membership in the constituency or establish dues or a membership fee.

B. The charter may provide for open participation; and the charter may provide for affiliation by persons not eligible or unwilling to assume status as a constituent.

C. Unless the charter provides otherwise, all residents of the city sixteen years of age or older shall be eligible for constituent status upon application; and each constituent shall have the same and equal rights and vote that every other constituent enjoys.

D. Constituency status shall be personal and may not be transferred by purchase or sale or assignment or by payment of any other consideration.

(Ord. 103387 § 28, 1974.)

3.110.290 Access to records.

A. A public corporation shall keep an official journal containing the minutes of proceedings at all meetings of the council and any meetings of any constituency and the resolutions of the council.

B. Any constituent, including persons in an advisory status, and corporate officials may examine the official journal; and any citizen shall have access to records and information of the public corporation to the same degree as a citizen enjoys to records and information of any agency of the city.

(Ord. 103387 § 29, 1974.)

3.110.300 Meetings of the council.

A. The council shall meet at least once per month or at a more frequent interval as provided in or by the charter; special meetings of the council may be called as provided by the charter or in the rules and regulations.

B. The council of a public corporation shall be the governing body of a public agency as defined in RCW 42.30.020 and all meetings of the council shall be held and conducted in accordance with RCW 42.30.010 et seq., and special meetings may be called as therein provided. In addition any member of the council upon five days' notice may call a special meeting of the council to consider matters appropriate to a regular meeting if twenty-five days have elapsed since the previous council meeting and no future council meeting has been scheduled.

C. All meetings shall be open to the public, except the council may hold an executive session to consider matters enumerated in RCW 42.30.010 et seq., and shall enter the cause therefor upon its official journal.

D. Any of the actions identified in Section 3.110.200 A may be authorized by the council without a meeting upon the unanimous written concurrence thereto of all members of the council who are entitled to vote on the matter; and upon entry of such action together with the written concurrence upon the official journal the action shall have the force and effect as if taken at a meeting.

(Ord. 103387 § 30, 1974.)

3.110.310 Meetings of any constituency.

A. Meetings of the constituency shall be held at least once every calendar quarter or at more frequent intervals as provided in the charter. Special meetings of the constituency may be called by the council or by petition of the constituents as provided by the charter or the rules and regulations.

B. Notice of meeting, stating the place, day and hour, shall be mailed to constituents entitled to be present at least ten days and not more than thirty days before the meeting, provided, that if the constituency be the public-at-large or a class in excess of one hundred persons, notice may be made by publication of notice for three days in a newspaper of general circulation in the area together with posting in a prominent place in the public corporation's offices.

C. Any constituent or corporate official may call a special meeting of the constituency upon the notice aforesaid, with the expense of notice to be borne by the public corporation to consider matters appropriate to a quarterly meeting if ninety days have elapsed after the previous meeting and no meeting of the constituency shall have been scheduled within thirty days.

(Ord. 103387 § 31, 1974.)

3.110.320 Meetings—City participation.

A. The failure to hold and conduct a regular meeting shall not work a forfeiture of dissolution of the public corporation, but upon notice from the Mayor or City Council, the public corporation shall promptly call and conduct a special meeting to consider matters appropriate to the regular meeting bypassed.

B. The Mayor and the City Council shall be given notice of any meetings of a constituency

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(Ord. 103387 § 32, 1974.)

3.110.330 Quorum.

The charter or the rules and regulations pursuant thereto shall establish the quorum necessary for action by the council or constituency. Such quorum shall equal or exceed the following minimums:

A. Any resolution authorizing or approving an action described in Section 3.110.200 A through H, may only be passed by a vote representing both a majority of the council members voting on the issue and one-third of the council's voting membership; and

B. Proposed charter amendments shall require an affirmative vote representing two-thirds of the council members voting on the issue and a majority of the council's voting membership; and where the charter or Section 3.110.210 provide for concurrence of the constituency, such concurrence shall require an affirmative vote representing two-thirds of the constituents voting on the issue and at least twenty percent of any constituency comprising less than one hundred persons.
(Ord. 103387 § 33, 1974.)

3.110.340 Voting-Representation.

A. The charter or rules and regulations pursuant thereto shall provide for the manner of balloting and any representation of persons absent from meetings. For example, the charter may, but need not provide for or allow: balloting by mail; absentee ballots or written statements received by mail or delivery (before or after a meeting) to supplement balloting at a meeting; or voting as directed in a written proxy taking a position on a particular issue, candidacy, or nomination.

B. No proxy or voting trusts or pooling arrangements shall be allowed delegating to the holder discretion in casting a ballot or to act for a principal on undisclosed or general matters to be raised at a meeting of the council or of the constituency.
(Ord. 103387 § 34, 1974.)

3.110.350 Tenure in office.

A. A corporate official shall serve for the term designated and until his successor shall have been elected or appointed and qualified.

B. Any corporate official may be removed

from any corporate office or position in such manner as the charter or rules and regulations pursuant thereto shall prescribe. Any position or corporate office may be abrogated or extinguished during an existing term. Upon removal from a corporate office or position or upon the abrogation or extinction thereof, such corporate official shall have no power of office, but the same shall be without prejudice to any vested contract right to compensation for services rendered or tendered.
(Ord. 103387 § 35, 1974.)

3.110.360 Deposit of public funds.

All moneys belonging to or collected for the use of the public corporation coming into the hands of any officer thereof, shall immediately be deposited with the treasurer or other legal depository to the credit of such public corporation for the benefit of the funds to which they belong.
(Ord. 103387 § 36, 1974.)

3.110.370 Private use of public funds prohibited.

The making of profit out of public money or using the same for any purpose not authorized by law by any officer having the possession or control thereof is prohibited.
(Ord. 103387 § 37, 1974.)

3.110.380 Safeguarding of funds.

The public corporation shall deposit all funds in a depository acceptable to the Mayor and otherwise safeguard such funds pursuant to such instructions as the Mayor may from time to time issue.
(Ord. 103387 § 38, 1974.)

3.110.390 Establishment and maintenance of office and records.

The public corporation shall:

A. Maintain a principal office at a location within the limits of the city;

B. File and maintain current with the Comptroller a listing of all corporate officials, their positions and their home addresses, the address of its principal office and of all other offices used by it and a current set of its rules and regulations;

C. Place the statement set forth in Section 3.110.140 A3 or as amended pursuant to Section 3.110.160 in a prominent location in its principal office and at all other offices where the

ADMINISTRATION

public may readily see it; and print or stamp said statement on all contracts, bonds, and other documents that may entail any debt or liability by the public corporation; and

D. Establish and maintain such additional records as may be prescribed by the Mayor. Except as otherwise authorized by the Mayor, the public corporation shall retain such records for a period of three years.
(Ord. 103387 § 39, 1974.)

3.110.400 Reports and information.

The public corporation shall:

A. File an annual report with the Comptroller containing an audited and certified statement of assets and liabilities and of income and expenditures during the previous year with a summary of projects and activities conducted;

B. Furnish the Mayor and City Council with such statements, records, reports, data and information, as the Mayor or City Council may request pertaining to matters connected with any projects or activities of the public corporation;

C. Answer fully and within a reasonable time any written inquiries by appropriate city officials in the course of their duties about its finances, organization or activities.
(Ord. 103387 § 40, 1974.)

3.110.410 Audits and inspections.

The public corporation shall, at any time during normal business hours and as often as the Mayor, the Comptroller or the State Auditor deem necessary, make available to the Mayor, the Comptroller and the State Auditor for examination all of its financial records, and will permit the Mayor, Comptroller and State Auditor to audit, examine and make excerpts or transcripts from such records, and to make audits of all contracts, invoices, materials, payrolls, records of personnel, conditions of employment and other data relating to all the aforesaid matters.

(Ord. 103387 § 41, 1974.)

3.110.420 Bonds and notes.

A. Bonds and notes issued by the public corporation may be secured by the full faith and credit of the public corporation or may be made payable solely out of certain revenues and receipts as may be designated in the proceedings under which the issuance of the bonds and notes are authorized. All bonds or notes shall carry in a prominent place thereof the statement set

forth in Section 3.110.140 A3 or as amended pursuant to Section 3.110.160. All bonds and notes or liabilities occurring thereunder shall be satisfied exclusively from the assets or credit of such public corporation, and no creditor or other person shall have any recourse to the assets, credit or services of the city thereby, unless the City Council shall by resolution expressly guarantee such bonds or notes.

B. Bonds and notes of the public corporation may be sold at such price or prices, at public or private sale, in such manner and from time to time as may be determined by the public corporation. Bonds and notes may be made payable at such place or places whether within or without the state, may bear interest at such rate or rates, may be in such form and denominations and of such tenor and maturities, may be in bearer form or in registered form as to principal and interest or as to principal alone, reserve such rights to redeem at such price or prices and after such notice or notices and on such terms and conditions, all as the public corporation may determine and provide in the proceedings under which such bonds and notes shall be issued.

C. The public corporation may at the time of the issuance of such bonds and notes make such covenants with the purchasers and holders of said bonds and notes as it may deem necessary to secure and guarantee the payment of the principal thereof and the interest thereon, including but not limited to covenants to set aside adequate reserves to guarantee payment of principal and interest; to appoint a trustee or trustees to safeguard the expenditure of the proceeds of sale of such bonds and notes and/or take possession and use or operate and manage corporate assets securing the bonds and notes in event of default or insolvency of the public corporation, with such powers as may be contained in any covenants relating to the bonds and notes; and to limit the amount, time and/or conditions under which additional bonds and notes may be issued or debts incurred.

D. The public corporation may pay expenses, premiums and commissions which it may deem necessary in connection with the issuance and sale of its bonds and notes and take such other actions or make such commitments as necessary or convenient in the issuance and servicing of such bonds and notes as are consistent with this

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(Ord. 103387 § 42, 1974.)

3.110.430 Charter amendment.

A. A public corporation proposing an amendment to its charter after approval in accordance with Section 3.110.230 shall file the same in duplicate with the Comptroller. One proposed amendment shall be filed as public record and the other forwarded to the Mayor's designee for review and recommendation thereon with attention to the criteria set forth in Section 3.110.100 B and C. The Mayor may approve the proposed amendment upon the recommendation of his designee or he may disapprove the same. A charter amendment proposed by a public corporation shall take effect and become a part of the charter upon the filing of the Mayor's approval with the Comptroller.

B. When required by law, each public corporation chartered pursuant to this chapter shall propose to the Mayor an amendment to the public corporation's charter that will conform with said law. Constituency approval as provided in Section 3.110.230 shall not be required for any proposed charter amendment required by law. (Ord. 103387 § 43, 1974.)

3.110.440 Intervention.

A. When authorized by resolution of the City Council after a public hearing held with notice to the public corporation the Mayor or City Council as provided in said resolution may intervene, and exercise such control over a public corporation as is necessary and appropriate to correct any deficiency and/or to assure that the purposes of a program undertaken may be reasonably accomplished, including directing affirmative action, when:

1. The council of the public corporation has requested such intervention by resolution;

2. The public corporation has failed to set forth the statement required by Section 3.110.390 C and set forth in Section 3.110.140 A3 in written contracts, bonds or other documents;

3. The public corporation has represented to the public or to creditors that recourse may be had to the assets, property or credit of the city on account of acts or omissions of the public corporation, unless such secondary or direct liability be in fact expressly assumed by the City Council;

4. The public corporation has failed to file an annual report as required by Section 3.110.400 A after notice of such omission;

5. A deadlock has occurred in the council, or the membership of the council is insufficient to constitute a quorum for conduct of affairs so that the public corporation is unable to conduct its operations or perform its projects and activities;

6. The council has continuously failed to conduct meetings at least monthly; no quarterly or special meetings of the constituency have been held for a year; or the public corporation has neglected or refused to conduct a meeting after notice from the Mayor or City Council to do so pursuant to Section 3.110.320;

7. The council has unreasonably impaired public participation in the conduct of projects and activities or oppressed or hindered any constituency in its exercise of its powers and responsibilities;

8. The assets of the public corporation have been or are committed to be misapplied or wasted, or illegally expended; or

9. The public corporation has committed or is about to commit a material violation of this chapter or its charter.

B. The Mayor or City Council may take such actions as necessary to achieve the object of the intervention stated in the resolution of the City Council and make corrections or revisions ancillary thereto, and shall accomplish the purposes of the intervention as expeditiously as reasonable; corporate officers shall not be displaced nor the conduct of their duties impaired more than necessary to accomplish the purposes of the intervention and the intervention shall cease as soon as the objectives stated in the resolution and corrections ancillary thereto have been accomplished.

(Ord. 103387 § 44, 1974.)

3.110.450 Trusteeship.

A. The city by resolution of the City Council after a public hearing held with notice to the public corporation may petition the Superior Court to impose a trusteeship over a public corporation organized pursuant to this chapter and to appoint the trustees therefor under any of the following circumstances:

1. The council of the public corporation has requested the same by resolution;

2. The public corporation has filed a

ADMINISTRATION

statement of dissolution preparatory to termination of its existence;

3. The public corporation becomes insolvent or otherwise unable to carry out its contractual obligations to creditors and other persons;

4. The charter was procured through fraud or misrepresentation of any material matter that has an effect upon the projects or activities to be undertaken;

5. The public corporation has filed an annual report with the Comptroller that is false or deceptively misleading on a material matter;

6. The public corporation is incompetent or ineligible to carry out the public purposes for which it was chartered;

7. The public corporation has misused, abused, or continuously exceeded the power or authority conferred by this chapter or its charter, or committed repeated violations of this chapter or its charter; or

8. The assets of the public corporation have been or are committed to be misapplied or wasted, or illegally expended, or a material violation of this chapter has been committed or is about to be committed, and the City Council determines that intervention as provided in Section 3.110.440 would not be feasible under the circumstances.

B. The trustees appointed by the Superior Court shall take such actions as necessary during the trusteeship to achieve the object thereof as reasonable. The trustees shall have the power and authority to reorganize the public corporation and amend its charter and/or its rules and regulations; suspend and/or remove corporate officials, and manage the assets and affairs of the public corporation; and exercise any and all corporate powers as necessary or appropriate to fulfill outstanding agreements, to restore the capability of the public corporation to perform the functions and activities for which it was chartered, to reinstate its credit or credibility with its creditors or obligees; and, if so authorized by the Superior Court, to oversee its dissolution. (Ord. 103387 § 45, 1974.)

3.110.460 Termination.

The existence of the public corporation may be terminated by resolution of the City Council at or after a public hearing, held with notice to the public corporation and affording it a reasonable opportunity to be heard and present evidence, under any of the following circumstances:

A. The council of the public corporation has requested the same by resolution;

B. The public corporation has discontinued its projects and activities for which chartered or remained inactive for a period of six months in succession;

C. A judgment of a court of competent jurisdiction shall have become final, which judgment annuls the existence of the public corporation, or prohibits it from conducting all or the major portion of the activities for which chartered or permits recourse by creditors of the public corporation or other persons to the assets, property or credit of the city on account of any debts, obligations or liabilities of the public corporation;

D. Any one or more of the circumstances for imposition of a trusteeship stated in Section 3.110.450 A3 through A8 inclusive, together with an affirmative finding by the City Council that a trusteeship would not be feasible under the circumstances or could not attain its objective; and that termination is warranted;

E. Repeal of Chapter 37, Laws of 1974, First Extraordinary Session (43rd Leg. 3rd Extra Sess.), or amendment thereof or supplementary legislation thereto which singularly or cumulatively restricts all or the major portion of the activities for which the public corporation was chartered or permits recourse by creditors of the public corporation or other persons to the assets, property or credit of the city on account of any debts, obligations, or liabilities of such public corporation; or

F. Continuous trusteeship of the public corporation for one year, or the imposition of a trusteeship for whatever cause(s) three times in any one-year period.

Subject to any limitations that may be imposed by the judgment of a court of competent jurisdiction, provision shall be made in any termination of the public corporation's existence for causes designated in this section for payment of any obligations, bonds, notes or other contracts of indebtedness from the rights and assets of the public corporation so that such bonds and contracts be not impaired. (Ord. 103387 § 46, 1974.)

3.110.470 Dissolution—Statement.

Upon enactment of a resolution by the City Council for dissolution of the public corporation or by the public corporation for its own dissolution other than for purposes of merger or re-

organization in a plan approved by the Mayor, the public corporation shall file a dissolution statement signed by its chief executive officer setting forth:

A. The name and principal office of the public corporation;

B. The debts, obligations and liabilities of the public corporation, and the property and assets available to satisfy the same; the provisions to be made for satisfaction of outstanding liabilities and performance of executory contracts; and the estimated time for completion of its dissolution;

C. Any pending litigation or contingent liabilities;

D. The council resolution providing for such dissolution and the date(s) and proceedings leading toward its adoption, whenever the dissolution be voluntary; and

E. A list of persons to be notified upon completion of dissolution.

The Mayor shall review the statement filed and oversee the dissolution to protect the public interest and prevent impairment of obligation, or if so authorized by law, authorize or initiate proceedings in the Superior Court for the appointment and supervision of a receiver for such purposes. Upon satisfactory completion of dissolution proceedings, the Mayor shall indicate such dissolution by inscription of "charter cancelled" on the original charter of the public corporation, on file with the Comptroller and, when available, on the duplicate original of the public corporation, and the existence of the public corporation shall cease. The Comptroller shall give notice thereof to the Secretary of State and other persons requested by the public corporation in its dissolution statement. (Ord. 103387 § 47, 1974.)

3.110.480 Merger with public corporation.

An application by a public corporation to merge with or into another public corporation organized under this chapter shall be processed in the same manner as a charter amendment by the public corporation and as an application for charter in accordance with Sections 3.110.090 and 3.110.100; and approval by the Mayor shall authorize the merger. In the event of such a merger, all of the rights, assets and property of the public corporation shall vest in the surviving public corporation or successor public corporation.

(Ord. 103387 § 48, 1974.)

3.110.490 Termination—Disposition of assets.

Upon termination of the existence of a public corporation, all of the rights, assets and property of the public corporation shall pass to and be distributed as provided by agreements with donors or other parties at the time of acquisition of the property regarding its disposition. Subject thereto, all of the rights, assets and property of a public corporation shall be tendered to the entity first listed below and, if not applicable or not accepted, to the next listed entity in succession:

A. To the surviving or successor public corporation in event of merger as provided in Section 3.110.480;

B. To the city;

C. To some other local municipal corporation that performs similar activities or functions for which the assets were acquired or are devoted;

D. To the state for use in or application upon projects and activities or functions for which the assets were acquired or are devoted;

E. To the United States, any of its departments or agencies; a public authority created by the United States; or an organization acting as an authorized agent of the United States;

F. To a corporate fiduciary or other trustee, in trust for or use under the direction of any of the aforesaid entities for the purposes, projects and activities for which the assets were acquired or devoted;

G. To nonprofit organizations performing community service, charitable or educational activities similar to the projects and activities for which the assets were acquired; provided the City Council may in its discretion by resolution with respect to any particular dissolution:

1. Authorize the Mayor for and on behalf of the city to contract with the public corporation for the disposition of its rights, assets and property, and thereby designate the recipient and the terms and purposes of the transfer of assets and property; and

2. Establish procedures and terms and conditions for transfer and acceptance of the rights, assets and property of the public corporation to any of the aforesaid entities; and

3. Request some or all of the aforesaid eligible entities identified in subsections B through E to submit applications for transfer of such rights, assets and property of the public

ADMINISTRATION

corporation setting forth the proposed uses thereof, and accept the application and contract with the entity or organization that would make the most appropriate use of such rights, assets and property in performing the projects and activities for which the public corporation was chartered.

All rights, property and assets of the public corporation upon transfer shall be vested in the entity receiving and accepting the same, together with any appurtenant obligations and liabilities. (Ord. 103387 § 49, 1974.)

3.110.500 Insurance.

Each public corporation chartered pursuant to this chapter shall maintain in full force and effect public liability insurance in an amount specified by the Mayor sufficient to cover potential claims for bodily injury, death or disability and for property damage, which may arise from or be related to projects and activities of the city, naming the city as an additional insured. (Ord. 103387 § 50, 1974.)

3.110.510 Unauthorized representation.

All persons who assume to act for the public corporation without authority to do so shall be jointly and severally liable for the debts and liabilities incurred or arising as a result thereof. (Ord. 103387 § 51, 1974.)

3.110.520 Ancillary authority.

The Mayor and Comptroller are granted all such power and authority as reasonably necessary or convenient to enable them to administer this chapter efficiently and to perform the duties imposed in this chapter. (Ord. 103387 § 52, 1974.)

3.110.530 Construction.

This chapter shall be liberally construed so as to effectuate its purposes and the purposes of Chapter 37, Laws of 1974, 1st Extraordinary Session. (Ord. 103387 § 53, 1974.)

3.110.540 Waiver.

When requested by a public corporation in order to secure or carry out federal grants or programs, the city may waive compliance by the public corporation with any particular provision of this chapter, other than Sections 3.110.010, 3.110.140 A3, 3.110.160, 3.110.170, 3.110.360 through 3.110.380, 3.110.390 C, 3.110.420,

3.110.440 A2, A3 and A8, and 3.110.450, which may be inconsistent with the terms and conditions of the federal grant or program insofar as necessary to enable the public corporation to secure and carry out such grant or program. (Ord. 103387 § 54, 1974.)

3.110.550 Ratification of existing public corporations.

A. Any public corporation previously chartered pursuant to Seattle Ordinance 100495¹ shall, to the extent of its charter, have all the powers and privileges prescribed in this chapter; provided that any such corporation must comply with and conform to the provisions of this chapter on or before August 30, 1977: provided, however, that constituency concurrence is not necessary for any charter amendments directed by this chapter. Any public corporation that has not so complied and conformed by August 30, 1977, shall be immediately subject to trusteeship and termination pursuant to Sections 3.110.450 and 3.110.460.

B. Voluntary acceptance by an existing public corporation of the provisions of this chapter shall be accomplished by the filing of an amended charter, if necessary, complying with the provisions of this chapter and by filing a voluntary acceptance statement with the Comptroller. (Ord. 106598 § 1, 1977: Ord. 103387 § 56, 1974.)

1. Editor's Note: Ord. 100495, regarding public corporations, was repealed by Ord. 103387.

SALE OF METRO TRANSIT PASSES BY CITY TREASURER

Chapter 3.112

SALE OF METRO TRANSIT
PASSES BY CITY TREASURER

Sections:

- 3.112.010 Execution of agreement by Mayor.
- 3.112.020 City to subsidize cost.
- 3.112.030 Agreements with unions.
- 3.112.040 City Treasurer's authority.

3.112.010 Execution of agreement by Mayor.

The Mayor is authorized to execute for and on behalf of the city, and the City Comptroller to attest, an agreement with the Municipality of Metropolitan Seattle ("Metro") in such counterparts as may be necessary, providing for the sale of monthly transit passes, reduced fare stickers, and ticket books through the City Treasurer at Metro's established rates, for remittances to Metro and return of unsold passes, stickers and ticket books, and for an allowance to the city on monthly passes, stickers and ticket books sold to cover handling costs. The agreement may, but need not, provide for sales to the general public as well as to city employees.
(Ord. 108444 § 1, 1979.)

3.112.020 City to subsidize cost.

To encourage the use of transit by municipal employees, in accordance with the agreement authorized by Section 3.112.010, as a condition of municipal employment, the city shall pay Two Dollars (\$2.00) toward the purchase of any Metro monthly transit pass by a city officer or employee from the City Treasurer for use in commuting to and from work or during working hours and any incidental personal use thereafter for so long as an appropriation has been made by ordinance or the city budget to provide for any deficit resulting to the city from such sales. The net price of a monthly pass to the officer or employee shall be the established rate less the city's Two-dollar (\$2.00) payment.
(Ord. 108444 § 2, 1979.)

3.112.030 Agreements with unions.

The Mayor is further authorized for and on behalf of the city to execute an agreement or agreements with local unions representing city

employees to the extent necessary to implement the limited program set forth in Section 3.112.020, for those city employees represented by local unions for purposes of collective bargaining. Implementation of this provision with respect to any employee covered by a collective bargaining agreement shall be subject to the terms and conditions of the applicable collective bargaining agreement.
(Ord. 108444 § 3, 1979.)

3.112.040 City Treasurer's authority.

The City Treasurer is authorized to sell Metro monthly passes, reduced fare stickers and ticket books to the public and to city employees at a reduced rate as long as any appropriation is available to provide for any deficit resulting to the city, and to make remittances from sales directly to Metro. Amounts retained as handling charges shall be credited to the General Fund.
(Ord. 108444 § 4, 1979.)