

Title 3

ADMINISTRATION

Subtitle I Administrative Code

Chapter 3.11

DEPARTMENT OF CONTRACTING  
(Reserved)

Subtitle II Departments and Offices

Chapter 3.14

EXECUTIVE DEPARTMENT

Sections:

Subchapter III Energy Office

- 3.14.300 Repealed.
- 3.14.310 Repealed.
- 3.14.320 Repealed.

Subchapter V Office of  
Management and Budget

- 3.14.560 Director of Administrative Services to establish rates for data processing services.
- 3.14.570 Electronic data processing plan—Modification.

Subchapter VIII Division of Purchases

- 3.14.810 Competitive bidding—Cost over \$2,500.00.
- 3.14.814 Expenditures under \$2,500.00.

Subchapter X Office of Citizen Complaints

- 3.14.1000 Cooperation with Director of Office of Citizen Complaints.
- 3.14.1010 Powers of the Director.

Subchapter III Energy Office

- 3.14.300 Established—Duties.  
Repealed by Ordinance 110254.
- 3.14.310 Director—Appointment.  
Repealed by Ordinance 110254.
- 3.14.320 Director—Duties.  
Repealed by Ordinance 110254.

Subchapter V Office of  
Management and Budget

3.14.560 Director of Administrative Services to establish rates for data processing services.<sup>1</sup>

The Director of Administrative Services is authorized to establish rates for data processing services at the true and full value thereof. (Ord. 109631 § 2, 1981.)

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

3.14.570 Electronic data processing plan —  
Modification.

The Director of Administrative Services is authorized, with the concurrence of the Budget Director and within the constraints for budget modification provided in Ordinance 100895,<sup>1</sup> to approve or disapprove request by Department Heads to modify and amend the data processing plan by adding, changing or deleting the departmental projects. The Director of Administrative Services shall publish a record of such changes, and shall furnish to the City Council a copy thereof. (Ord. 109631 § 4, 1981; Ord. 108656 § 5, 1980.)

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

Subchapter VIII Division of Purchases

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

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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 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 part 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.

In determining the lowest and best bidder, the City Purchasing Agent may consider such factors, among others, as quality, delivery terms, and service reputation of the vendor.

D. An Invitation to Bid may specify that life cycle costing will be used either as the exclusive basis for evaluating bids or on an alternative basis. If sufficient life cycle cost information is readily available, the Purchasing Agent shall consider the life cycle cost in determining the lowest and best bid in accordance with the Invitation to Bid. "Life cycle cost" means the total cost to the city of the supplies, materials, or equipment procured over its estimated useful life, including costs of selection, acquisition; operation, maintenance, and where applicable, disposal as far as these costs can be reasonably determined, minus the salvage value at the end of its estimated useful life. The "estimated useful life" means the estimated time from the date of acquisition to the date of replacement or disposal, determined in a reasonable manner.

E. 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.

F. 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.

G. 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. 110009 § 1, 1981: Ord. 105150 § 1, 1975: Ord. 104710 § 1, 1975: Ord. 102151 § 5, 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. The Purchasing Agent may in his discretion determine the lowest and best bidder for expenditures under Two Thousand Five Hundred Dollars (\$2,500.00) by the same criteria as used for larger purchases. When the Invitation to Bid so specifies and if sufficient life cycle cost information is readily available, the Purchasing Agent shall consider the life cycle cost in determining the lowest and best bidder in accordance with the Invitation to Bid.

(Ord. 110009 § 2, 1981: Ord. 102151 § 6, 1973.)

**Subchapter X Office of Citizen Complaints**

**3.14.1000 Cooperation with Director of Office of Citizen Complaints.**

All officers and employees of the city are authorized and directed to cooperate fully with and furnish all assistance and information requested by the Director of the Office of Citizen Complaints which may be necessary for the discharge of his responsibilities under King County Ordinance No. 00473 and the agreement between the City and County authorized by the ordinance codified in this Subchapter X. (Ord. 99092 § 2, 1970.)

**3.14.1010 Powers of the Director.**

The city hereby confers upon the Director of the Office of Citizen Complaints all powers which it may grant as are necessary for the Director to carry out his responsibilities under King County Ordinance No. 00473 and the agreement between the City and the County authorized by the ordinance codified in this Subchapter X. (Ord. 99092 § 3, 1970.)

**Chapter 3.18**

**DEPARTMENT OF ADMINISTRATIVE SERVICES**

**Sections:**

**Subchapter I Department of Regulations**

**3.18.040 Director—Ancillary powers.**

**Suchapter I Department Regulations**

**3.18.040 Director—Ancillary powers.**

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

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

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

C. Establish a system of prices and rates and charge city departments for the true and full

value for goods and services furnished by the Department of Administrative Services and the use of city facilities and equipment;

D. Promulgate rules and regulations in accordance with the City's Administrative Code (Ordinance 102228, as amended or succeeded)<sup>1</sup> as deemed necessary and proper; and

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

F. Establish rates of fees to be charged for parking privately owned vehicles of city officers, employees, agents and other persons on city premises and implement policies and procedures to administer a city facility parking program, consistently with a policy to be developed by the City Council. The Director and the City Comptroller shall enter into an interdepartmental agreement to provide for a payroll check-off or deduction system to facilitate the collection of parking fees from city officers and employees authorized to park privately owned vehicles on city premises. The revenues generated from such parking fees shall be deposited in the General Fund and cost of administering the program shall be provided in the annual budget of the department. (Ord. 110256 § 1, 1981; Ord. 109129 § 4, 1980.)

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

**Chapter 3.20**

**DEPARTMENT OF HUMAN RESOURCES**

**Sections:**

**Subchapter V P-patch Program**

**3.20.210 Garden plot fee schedule.**

**3.20.220 Deposit of revenue.**

**Subchapter V P-patch Program**

**3.20.210 Garden plot fee schedule.**

To partially offset the costs of the P-patch program, the Director of the Department of

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Human Resources is authorized by rules adopted in accordance with the Administrative Code of the City of Seattle (Ordinance 102228)<sup>1</sup> to establish and collect fees for the use of P-patch garden plots. Fees shall be established in accordance with the size of garden plot used by the program participants and shall be no lower than the following:

- A. 10' X 20' plots \$22.00 per year;
- B. 10' X 40' plots \$33.00 per year.

(Ord. 109489 § 1, 1980; Ord. 107833 § 1, 1978; Ord. 106958 § 1, 1977.)

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

### 3.20.220 Deposit of revenue.

Revenue received from the fees imposed pursuant to Section 3.20.210 shall be deposited in the Human Resources Operating Fund. (Ord. 106958 § 2, 1977.)

## Chapter 3.22

### DEPARTMENT OF HUMAN RIGHTS

#### Sections:

- Subchapter III Discrimination Claims
- 3.22.250 Funds for settlement of claims.

#### Subchapter III Discrimination Claims

### 3.22.250 Funds for settlement of claims.

There is hereby established in the Human Rights Department Program Category 1400 "Discrimination Claims" in order to provide for settlement of valid employment discrimination claims filed with HRD against the city. In no case shall individual payments from this program category exceed Two Thousand Five Hundred Dollars (\$2,500.00) for settlement of one case. The Human Rights Director may authorize payments upon completion of the documentation of case settlement as provided in Seattle Municipal Code 14.04.150 (Ordinance 109116, Section 12(B)). Funds appropriated for this program category shall not be transferred into any other program category; and SMC Chapter 5.08 is superceded to the extent it is inconsistent with this prohibition upon transfers. (Ord. 110242 § 2, 1981.)

## Chapter 3.28

### POLICE DEPARTMENT

#### Sections:

- Subchapter I Police Department Regulations
- 3.28.020 Repealed.
- 3.28.070 Fees for certain records and services.

#### Subchapter II Special Police

- 3.28.150 Commission—Issuance conditions.
- 3.28.160 Eligibility.
- 3.28.170 Application—Information required.
- 3.28.180 Application—Fee.
- 3.28.190 Identification card, notice of commission, and badge.
- 3.28.200 Uniforms.
- 3.28.210 Changes of address and employment duties.
- 3.28.220 Commission—Termination conditions.

#### Subchapter V Retired Police Officers

- 3.28.450 Commission—Conditions for granting—Authority of commissioned officer.
- 3.28.460 Commission—Request—Expiration and renewal.
- 3.28.470 Requirements for commissioned officers.
- 3.28.480 Revocation of commission—Conditions.

#### Subchapter VI Reserve Police Officers

- 3.28.500 Appointment—Chief of police authority.
- 3.28.510 Appointment—Eligibility.
- 3.28.520 Application for appointment.
- 3.28.530 Authority, training and compensation.
- 3.28.540 Revocation of appointment—Conditions.

#### Subchapter I Police Department Regulations

- 3.28.020 Police authority of retired members. Repealed by Ordinance 109757.

- 3.28.070 Fees for certain records and services.

The Police Department is authorized to collect the following fees from all persons for certain reports or services supplied by the

department; provided, there shall be no charge for "criminal records" data provided to "criminal justice agencies" as defined by RCW 10.97; and provided, further, if the Chief

determines that the department and the person requesting records or services will receive mutually offsetting benefits through exchanges of information, fees may be waived.

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

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2.00	15. Polaroid ID-3 identification system cards for nonpolice city employees	per card 4.00
0.00	16. Use of firearm qualification facility	per person 4.00
16.00	17. Data processing services	per hour MIS charges
3.00	18. Consultation and/or examination of physical evidence by Police Department personnel	per person/hour 25.00
5.00 2.00	19. Notary services	per notarization 2.00
	(Ord. 110273 § 1, 1981: 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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### Subchapter II Special Police

#### 3.28.150 Commission—Issuance conditions.

The Chief of Police may issue a Special Police Officer commission in accordance with the provisions of this subchapter to a government employee or a person engaged in private security employment who is required to exercise police authority in his employment and whose appointment will assist the Police Department in enforcing the laws. The Chief shall grant to the person applying for the commission only that police authority necessary to enable said person to accomplish the duties of his employment. A Special Police Officer does not become an employee of the city by virtue of his commission and is not eligible for a city or LEOFF State pension by virtue of such commission.

(Ord. 109759 § 1, 1981.)

#### 3.28.160 Eligibility.

To be eligible for a commission, a person shall be twenty-one years old or more, a citizen of the United States, trustworthy and of good moral character, and shall not have been convicted of a felony, a crime of violence, or an offense involving moral turpitude.

(Ord. 109759 § 2, 1981.)

#### 3.28.170 Application—Information required.

A person applying for a commission as a Special Police Officer shall file an application with the Chief of Police on a form supplied by the Chief. If the applicant is a city of Seattle employee, his application shall be accompanied by a written request from the head of his department, office or agency. If the applicant is not a city of Seattle employee, his application shall be accompanied by the written statements of three reputable citizens who are not related to or presently employing him, attesting to his trustworthiness and good moral character. An application shall also be accompanied by the applicant's affidavit swearing that the information contained in the application is true to the best of his knowledge. At a time and place established by the Chief, the applicant shall have his thumb and fingerprints taken.

(Ord. 109759 § 3, 1981.)

#### 3.28.180 Application—Fee.

If the Chief of Police determines that the applicant qualifies for a commission, he shall grant the commission upon the applicant's

payment of Forty Dollars (\$40.00) to the City Treasurer; provided, that an applicant who is a city of Seattle employee shall not be required to pay the Forty Dollars (\$40.00). All commissions shall expire on January 15 of each year, but may be renewed before expiration upon approval of the Chief and payment of Ten Dollars (\$10.00) to the City Treasurer; provided, that a city of Seattle employee shall not be required to pay the Ten Dollars (\$10.00).

(Ord. 109759 § 4, 1981.)

#### 3.28.190 Identification card, notice of commission, and badge.

The Chief of Police shall issue each Special Police Officer an identification card and a notice of commission setting forth the terms of the commission. If the Chief determines that the commission requires a badge, he shall issue one upon deposit with the Police Department of a sum equal to the cost of the badge; provided, that a Special Police Officer who is a city employee shall not be required to pay the deposit. Upon termination of his commission, a Special Police Officer shall return to the Police Department his identification card, notice of commission, badge, and any other equipment issued to him by the Police Department. Upon return of the badge, the Police Department shall refund the officer's deposit for the badge.

(Ord. 109759 § 5, 1981.)

#### 3.28.200 Uniforms.

A Special Police Officer may wear a uniform only if it is approved in writing by the Chief of Police. The Chief shall not approve a uniform so similar to the uniform of a regular police officer as to be misleading or confusing. While on duty, a Special Police Officer shall carry on his person his identification card, notice of commission, and badge if he has one, but shall not carry a weapon unless authorized by the Chief to do so.

(Ord. 109759 § 6, 1981.)

#### 3.28.210 Changes of address and employment duties.

A Special Police Officer shall keep the Chief of Police advised in writing at all times of any change in his business and home addresses and business and home telephone numbers, and in the nature of his employment or in the duties he is performing as a Special Police Officer.

(Ord. 109759 § 7, 1981.)

#### 3.28.220 C

A Special Police Officer shall accompany any person of no force or effect of any one of the following:

A. Arresting any person to any felony involving moral turpitude.

B. Revoking a license for violation of the laws of the Chief of Police.

C. Expelling any person from the premises.

D. Terminating any duties for which the officer is appointed.

(Ord. 109759 § 8, 1981.)

#### Subchapter III

#### 3.28.450 Co

The Chief of Police shall grant a Retirement Allowance to any Seattle Police Officer standing for retirement so that said officer shall have authority as if he were a normal court reporter in his profession, and said authority shall be the course of security employment. A retired Police Officer shall be considered a Police Officer of the Police Department if he is an employee of the Police Department.

#### 3.28.460 Co

A retired Police Officer shall be considered a Police Officer of the Police Department if he is an employee of the Police Department. A retired Police Officer shall be considered a Police Officer of the Police Department if he is an employee of the Police Department.

(Ord. 109759 § 9, 1981.)

**3.28.220 Commission—Termination conditions.**

A Special Police Officer commission and its accompanying authority shall terminate and be of no force and effect upon the happening of any one of the following events:

A. Arrest for, conviction of, or plea of guilty to any felony, crime of violence or offense involving moral turpitude;

B. Revocation by the Chief of Police for violation of rules and regulations adopted by the Chief of Police to regulate Special Police Officers;

C. Expiration of the commission; or

D. Termination of the employment or the duties for which the commission was issued. (Ord. 109759 § 8, 1981.)

**Subchapter V Retired Police Officers****3.28.450 Commission—Conditions for granting—Authority of commissioned officer.**

The Chief of Police at his discretion may grant a Retired Police Officer Commission to any Seattle Police Officer who is retired in good standing for service and not for disability. An officer so commissioned shall have the same authority as an active police officer; provided, that said authority shall not be exercised in the normal course of said officer's employment, profession, or calling; provided further, that said authority may be exercised in the normal course of said officer's private uniformed security employment. An officer so commissioned shall be subject to orders of the Chief of Police and the rules and regulations of the Police Department but does not become an employee of the city by virtue of his commission. (Ord. 109757 § 1, 1981.)

**3.28.460 Commission—Request—Expiration and renewal.**

A retired officer seeking a Retired Police Officer Commission shall submit a written request therefor to the Chief of Police. The Chief at his discretion may grant or deny the request. All commissions shall expire on January 15 of each year. Upon written request prior to expiration, the Chief at his discretion may renew a commission.

(Ord. 109757 § 2, 1981.)

**3.28.470 Requirements for commissioned officers.**

A retired officer who has been granted a Retired Police Officer Commission shall:

A. Advise the Chief in writing of any change in his home or business address or telephone number, and of any change in the nature of any private employment engaged in; and

B. Maintain the skills and knowledge required of an active police officer.

(Ord. 109757 § 3, 1981.)

**3.28.480 Revocation of commission—Conditions.**

The Chief may revoke a Retired Police Officer Commission for any violation of Police Department rules and regulations for mental or physical unfitness to serve as a police officer, or for engaging in employment inconsistent with service as a police officer. Any determination whether these grounds for revocation exist shall be at the sole discretion of the Chief of Police:

A. Arrest for, conviction of or plea of guilty to any felony, crime of violence or offense involving moral turpitude;

B. Revocation by the Chief of Police; or

C. Expiration of the commission.

(Ord. 109757 § 4, 1981.)

**Subchapter VI Reserve Police Officers****3.28.500 Appointment—Chief of police authority.**

The Chief of Police is authorized to appoint Reserve Police Officers in accordance with the provisions of this subchapter whenever such appointment will serve and assist the Police Department in maintaining adequate police protection.

(Ord. 109758 § 1, 1981.)

**3.28.510 Appointment—Eligibility.**

To be eligible for appointment as a Reserve Police Officer, a person shall be twenty-one years old or more, a citizen of the United States, of good moral character, and shall not have been convicted of or have pleaded guilty to a felony, a crime of violence, or an offense involving moral turpitude. The Chief of Police may establish such additional qualifications for appointment as he deems necessary.

(Ord. 109758 § 2, 1981.)



**3.28.520 Application for appointment.**

A person desiring an appointment as a Reserve Police Officer shall complete and file an application with the Chief of Police on a form supplied by the Chief. An applicant shall be considered for appointment as a Reserve Police Officer in the manner determined by the Chief.

(Ord. 109758 § 3, 1981.)

**3.28.530 Authority, training and compensation.**

A Reserve Police Officer shall exercise the same police authority as a regular police officer, and shall be subject to the orders of the Chief and the rules and regulations of the Police Department. A Reserve Police Officer shall receive such training as is deemed appropriate and perform such duties as are specified by the Chief of Police, but shall receive no compensation from the city for performing such training or duties, except such insurance as may be provided by the city.

(Ord. 109758 § 4, 1981.)

**3.28.540 Revocation of appointment—  
Conditions.**

The Chief of Police may revoke a Reserve Police Officer's appointment for any violation of Police Department rules and regulations or any other cause which the Chief deems sufficient.

(Ord. 109758 § 5, 1981.)

**Chapter 3.30**

**SEATTLE-KING COUNTY DEPARTMENT  
OF PUBLIC HEALTH**

**Sections:**

**Subchapter II Health Services**

**3.30.135 Premarital serological services—  
Charges.**

**3.30.140 Personal health services—  
Authorization to solicit monetary  
donations—Conditions.**

**Subchapter II Health Services**

**3.30.135 Premarital serological services—  
Charges.**

The Director of the Seattle-King County Department of Public Health is directed and authorized to charge every individual receiving

venipuncture services for premarital serological studies, including physician certification of results, a Ten Dollar (\$10.00) fee.  
(Ord. 109991 § 1, 1981.)

**3.30.140 Personal health services—  
Authorization to solicit monetary  
donations—Conditions.**

As requested by the Director of the Seattle-King County Department of Public Health and recommended by the Mayor in the material attached to the ordinance codified in this section, in order to recover a portion of the operating costs of the Department, the Director is authorized to solicit monetary donations for the provision of personal health services including but not limited to the following:

1. Clinical services:
  - a. Dental health promotion and treatment,
  - b. Dental services for older adults,
  - c. Sexually transmitted diseases,
  - d. Chest-lung diseases,
  - e. Maternal child health,
  - f. Geriatric screening/monitoring;
2. Group services:
  - a. Maternal child health,
  - b. Sudden infant death syndrome;
 and to handle such donation consistent with agreements and understandings between the city and King County regarding the organization, management, and financing of the Department and applicable state, city and county laws, ordinances, regulations and administrative procedures.

(Ord. 110049 § 1, 1981.)

**Subtitle III Boards**

**Chapter 3.42**

**PUBLIC REINVESTMENT REVIEW BOARD**  
Repealed by Ordinance 110226.

**Subtitle IV Commissions**

**Chapter 3.54**

**ANIMAL CONTROL COMMISSION**  
Repealed by Ordinance 110230.

As adopted in 1981  
For current updates to the  
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Chapter 3.62

SEATTLE PARKING COMMISSION  
Repealed by Ordinances 110171, 110226.

Subtitle VI General Regulations

Chapter 3.92

VACANCIES IN CHARTER OFFICES

Sections:

3.92.030 Incapacitation of department or office heads.

3.92.030 Incapacitation of department or office heads.

Upon the incapacitation of the individual serving in any appointive Charter office or the position of department or office head in any department or office created by ordinance, the highest-ranking unsubordinated officer or employee in such department or office shall, during the period of such incapacitation, 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.  
(Ord. 109919 § 1, 1981.)

Chapter 3.104

CITY BOOKS AND RECORDS

Sections:

3.104.030 Fee for legal description of property researched in Engineering Department.

3.104.030 Fee for legal description of property researched in Engineering Department.

There is hereby established a fee of Ten Dollars (\$10.00) for each legal description of property researched in the property abstract records which are maintained within the Engineering Department. Such fee is to reimburse the cost and expense for keeping said records current and shall be deposited in the Engineering Department Operating Fund in accordance with Ordinance 89913.<sup>1</sup>  
(Ord. 110260 § 1, 1981.)

1. Editor's Note: Ordinance 89913, Engineering Department Operating Fund, is listed in Chapter 5.76 of this Code.

Chapter 3.110

PUBLIC CORPORATIONS

Sections:

- 3.110.020 Definitions.
- 3.110.250 Repealed.
- 3.110.560 Prohibited conduct.
- 3.110.570 Statements of economic interests.
- 3.110.580 Enforcement.
- 3.110.590 Penalty for violation.

3.110.020 Definitions.

As used in this chapter, the term:

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.

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. It includes but is not limited to such designations as "board of directors," "trustees," "managers," "directorate," "commission," or "council."

M. "Immediate family" means:

1. A spouse;
2. Any dependent parent, parent-in-law, child or son-in-law or daughter-in-law; or
3. Any parent, parent-in-law, child, son-in-law, daughter-in-law, sibling, uncle, aunt, cousin, niece or nephew residing in the household of a corporate official or employee.

N. "Insolvent" or "insolvency" means an inability of a public corporation to pay debts as they become due in the usual course of its affairs.

O. "Mayor" means the Mayor of the city of Seattle.

P. "Public corporation" shall mean a corporation, commission, or authority organized under this chapter.

Q. "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.

R. "Resolution" means an action of the council with the quorum required in Section 3.110.330.

S. "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.

T. "State" (when used as a noun) shall mean the state of Washington.

(Ord. 109954 § 1, 1981; Ord. 103387 § 2, 1974.)

### 3.110.250 Code of ethics—Conflict of interest.

Repealed by Ordinance 109954.

### 3.110.560 Prohibited conduct.

A. No current corporate official or employee shall:

1. Engage in any transaction or activity which is, or would to a reasonable person appear to be, in conflict with or incompatible with the proper discharge of official duties, or which impairs, or would to a reasonable person appear to impair, the officer's or employee's independence of judgment or action in the performance of official duties;

2. Use his or her official position for a purpose that is, or would to a reasonable person appear to be primarily for the private benefit of the officer or employee, rather than primarily for the benefit of the public corporation; or to achieve a private gain or an exception from duty or responsibility for the officer or employee or any other person;

3. Solicit or receive any retainer, gift, loan, entertainment, favor or other thing of monetary value from any person where the retainer, gift, loan, entertainment, favor or other thing of monetary value has been solicited, received or given, or to a reasonable person would appear to have been solicited, received or given, with intent to give or obtain special consideration or influence as to any action by such officer or employee in his or her official capacity; provided that nothing shall prohibit contributions which are solicited or received and reported in accordance with applicable law;

4. Use or permit the use of any person, funds or property under his or her official control, direction, custody, or of any corporate funds or corporate property, for a purpose which is or to a reasonable person would appear to be, for the private benefit of the official or employee or any other person or entity; provided, that nothing shall prevent the private use of corporate property which is available on equal terms to the public generally, or the use of corporate property in accordance with corporate policy for the conduct of official corporate business, if in fact the property is used appropriately;

5. Disclose or use any information gained by reason of his or her official position for the immediate or anticipated personal gain or benefit of the officer, employee or any other person or entity; provided, that nothing shall prohibit the disclosure or use of information which is a matter of public knowledge, or which is available to the public on request;

6. Except in the course of official duties, assist any person in any corporate transaction where such corporate official or employee's assistance is, or to a reasonable person would appear to be, enhanced by that official or employee's position with the corporation; provided that this subsection shall not apply to any officer or employee appearing on his or her own behalf or representing himself or herself as to any matter in which he or she has a proprietary interest, if not otherwise prohibited by law;

7. Have a financial or other private interest, direct or indirect, personally or through a member of his or her immediate family, in any contract or noncontractual transaction to which the corporation may be a party, and fail to disclose such interest prior to the formation of the contract, or prior to the time the corporation enters into the transaction; provided, that this paragraph shall not apply to any contract awarded through the public bid process in accordance with applicable law;

8. Be beneficially interested, directly or indirectly, in any contract which may be made by, through or under the supervision of such officer, in whole or in part, or which may be made for the benefit of his office, or accept, directly or indirectly, any compensation, gratuity or reward in connection with such contract from any other person beneficially interested therein;

9. Fail to disqualify himself or herself from acting on any transaction which involves the corporation and any person who is, or at any time within the preceding twelve-month period, has been a private client of his or hers, or of his or her firm or partnership.

B. A corporate official or employee 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 of the public or community generally, or when the corporate official is a member of a substantial 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 rules or 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, the Council finds, by majority recorded vote following discussion in open meeting during which public comment is permitted, that the official's participation would further the public interest notwithstanding the personal interest disclosed.

C. 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.

(Ord. 109954 § 2(part), 1981.)

### 3.110.570 Statements of economic interests.

A. All compensated corporate employees holding executive, professional or administrative positions designated by each corporation in its respective rules and regulations and all uncompensated officials and employees shall, within two weeks of being appointed or hired, and thereafter annually by April 15th, file with each corporation a written statement sworn as to its truth and accuracy stating for himself or herself and all members of his or her immediate family for the preceding calendar year:

1. The names and addresses of each person or entity doing business with the corporation with which the official or employee or a member of his or her immediate family has received compensation in any form of a total value of Two Thousand Five Hundred Dollars (\$2,500.00) or more, excluding campaign contributions reported in accordance with applicable law;

2. The names and addresses of each entity doing business with the corporation in which the officer or employee or a member of his or her immediate family has a direct financial interest with a value of One Thousand Five Hundred Dollars (\$1,500.00) or more; provided that policies of insurance in amounts on deposit in accounts with banks, savings and loan associations or credit unions shall not constitute a direct financial interest within the meaning of this section; or

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

4. A list, including legal or other sufficient description as prescribed by the corporation, of all real property in areas in which the corporation with which he/she is associated functions or adjacent to such areas or properties owned, leased, managed or otherwise controlled by such corporation in which the officer, employee, or member of his/her immediate family holds a direct financial interest or any option to purchase.

B. Following discussion in open meeting during which public comment is permitted, a council may suspend or modify by majority recorded vote any of the reporting requirements hereunder in a particular case if it finds that literal application of said requirements works a manifestly unreasonable hardship and that such suspension or modification will not frustrate the purposes of Sections 3.110.560 through 3.110.590; provided, that any such request for suspension or modification must be filed with the Council Chairperson and/or the corporation Executive Director not later than sixty days prior to date on which an annual filing is to be made or promptly upon appointment.

C. Each corporation shall retain the statements and make them available for public inspection upon request for a period of not less than four years following the separation from the corporation of the person filing the statement.

D. Such statements also shall be filed promptly by each corporation with the City Comptroller.  
(Ord. 109954 § 2(part), 1981.)

**3.110.580 Enforcement.**

A. Upon receipt of a complaint alleging violation of this section, each corporation's Chairperson shall establish and designate members of an Ethics Committee to investigate complaints, consider questions of ethical conduct, conflicts of interest and the application of ethical standards set forth in Sections 3.110.560 through 3.110.590.

B. Any person may file a complaint with a corporation Ethics Committee alleging violation of this section. If such complaint is filed by or in regard to the conduct of a member of the Ethics Committee, he or she is disqualified from participating in any proceedings that may arise from the complaint.

C. The complaint shall be in writing and shall be signed by the complainant. The written com-

plaint shall state the nature of the alleged violation(s), the date(s), time and place of each occurrence, the name of the person(s) charged with the violation(s). The complaint shall be filed with the Ethics Committee which shall provide a copy to the person charged with the violation. The complainant shall provide the Committee with all available documentation or other evidence to demonstrate a reason for believing that a violation has occurred.

D. Within thirty days after receipt of a complaint, the Committee shall conduct an investigation and prepare a report as required by subsection G below; provided, that, if necessary and desirable and in order to avoid prejudice or irreparable harm to the person charged with the violation, the Committee may shorten or lengthen the time period provided for the investigation, as appropriate.

E. The Committee shall obtain from the corporation's legal counsel a written opinion on the application or interpretation of any provision of this section.

F. The Committee may also request an advisory opinion from the Board of Ethics of the city on application or interpretation of any provision of this section. If such advisory opinion is requested, the Board shall provide one in a timely fashion.

G. After completing the investigation, the Committee shall provide a written report to the Council of its findings and recommendations for disposition of the complaint, together with the complaint, opinion of counsel and of the Board of Ethics, if any, and any additional material necessary for Council review of the complaint.

H. The Council shall review the report, provided that any Council member who is the subject of the complaint shall disqualify himself or herself from participating in any proceedings related thereto. The Council may determine that there are no reasonable grounds to believe that a violation has occurred and may dismiss the complaint. Such dismissal shall be in writing, setting forth the basis therefor. A copy shall be provided to the complainant and to the person charged with the violation. If the complaint is not dismissed or resolved, subject to Council approval, at a conference between the Committee and the person charged with the violation, the Council shall, within thirty days of receipt of the Committee report, consider the report in open meeting, all subject to Council rules and regulations respecting procedural due process.

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## Title 4

## PERSONNEL

## Chapter 4.04

## PERSONNEL REGULATIONS

## Sections:

4.04.030 Definitions.

4.04.150 Examination and selection.

## 4.04.030 Definitions.

Unless another meaning is clearly indicated from the context, as used in this chapter, the following terms shall mean:

1. "Appointing authority" means a person authorized by ordinance or Charter to employ others on behalf of the city; usually the head of a department.

2. "Assignment" means appointment to one of a number of levels of duties, responsibilities and salaries within one class, except that such level is not a permanent or vested right and is subject to review.

3. "Certification" means a list of names selected from a register and submitted by the Personnel Department to an appointing authority, from which list the authority may appoint to fill a vacancy or replace a temporary employee.

4. "City" means the City of Seattle.

5. "City Council" means the City Council of the City of Seattle.

6. "Class" means any group of positions sufficiently similar that the same title may equitably be applied to all.

7. "Days" means calendar days.

8. "Demotion" means the removal of an employee from a higher to a lower class for cause.

9. "Director" means the Director of the Personnel Department or his/her designated representative.

10. "Employee" means a person employed in a permanent position on a full-time or part-time basis. The term "employee" shall not include part-time workers employed less than twenty hours per week, intermittent, seasonal, temporary or workers employed in limited term positions.

11. "Exempt employee" means one who serves at the discretion of the appointing authority in a position which is exempted by the City Charter or the exemptions ordinance<sup>1</sup> from compliance with this chapter regarding examination and selection, discipline and termination of

I. The Council shall determine, by recorded vote, whether a violation of the provisions of this section has occurred. If not, the complaint shall be dismissed. A written report of Council action setting forth the basis therefor shall be prepared and filed with council records. A copy thereof shall be provided to the complainant and to the person charged with the violation.

J. If the Council determines that an employee has violated the provisions of this section, the employee shall be subject to such disciplinary action as determined appropriate by the Council. In addition to any other penalty herein or otherwise provided by law, a violation shall be cause for suspension, discharge or any such other disciplinary action as may be deemed necessary and proper.

K. If the Council determines that a Council member has violated the provisions of this section, a copy of its written report shall be forwarded to the Mayor of the city, together with all supporting documentation and the recommendation of the Council, if any. In addition to other penalty herein or otherwise provided by law, a violation shall be cause for suspension, removal from office, or other such disciplinary action as may, by the Mayor be deemed necessary and proper. Either the complainant or the council member charged with the violation also may petition the Mayor for review of Council action within fifteen days of Council action. Within thirty days of receipt of a Council report or a petition for review thereof, whichever is later, the Mayor shall complete his review of the record and issue a written decision, including what, if any disciplinary action shall be taken. A copy of the decision shall be provided to the Council, the complainant and the Council member charged with the violation.  
(Ord. 109954 § 2(part), 1981.)

## 3.110.590 Penalty for violation.

Violation of any provisions of Section 3.110.560 or Section 3.110.570 constitutes an infraction for which a monetary fine, not to exceed Five Hundred Dollars (\$500.00), may be assessed by a court of competent jurisdiction. Violation may be proven by a preponderance of evidence and need not be proven beyond a reasonable doubt.

(Ord. 109954 § 2(part), 1981.)