

ADMINISTRATION AND PERSONNEL

Title 1

ADMINISTRATION AND PERSONNEL

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Chapter 1.04

SEAL

Sections:

1.04.010 Form of official common seal.

1.04.010 Form of official common seal. The official common seal of the City of Seattle shall be an imprint of a drawing in profile of the face and head of Chief Seattle in the center of a circle, and on the upper outer edges of the circle and partially encircling the imprint, the words "Corporate Seal Of The," and in a smaller circle under said words and above the imprint the words "City of Seattle", and within the circle and under the imprint the figures "1869". (Ord. 67033 § 1 part; January 13, 1937).*

Chapter 1.08

OFFICIAL FLOWER

Sections:

1.08.010 Dahlia designated as city flower.

1.08.020 Planting, cultivation and display.

1.08.030 "The City Beautiful"—Encouragement to public to plant and cultivate flowers.

1.08.010 Dahlia designated as city flower. The dahlia be and it hereby is designated as Seattle's city flower. (Ord. 32137 § 1; November 19, 1913).

1.08.020 Planting, cultivation and display. The park board of the city of Seattle be and it is hereby requested to plant and cultivate dahlias in suitable quantities and places, and to make effective displays of said flowers in the city parks and grounds, and to provide dahlias for display and decorations at public and municipal meetings and occasions. (Ord. 32137 § 2; November 19, 1913).

1.08.030 "The City Beautiful"—Encouragement to public to plant and cultivate flowers. The officers and employees of the city be and they hereby are requested to encourage the public to plant and cultivate dahlias

*NOTE: As originally enacted, Ordinance 67033 contained the following additional language: ". . . .; said seal having been patterned after the model prepared by Mr. James A. Wehn of Seattle. An impression of said seal is hereto affixed.

Sec. 2. DESIGNER TO GRANT RIGHT TO USE MODEL FOR SEAL: This seal is adopted with the understanding and on the condition that James A. Wehn shall grant to the City the right to adopt and use his model for said seal without charge, cost or claim by him against the City; and upon condition that James A. Wehn has and makes no claim against the City of Seattle for the adoption and use or right to adopt and use said seal; and upon the further condition that James A. Wehn shall execute and deliver to the City of Seattle a grant and release in substance the same as Exhibit "A" hereto attached.

Sec. 3. GRANT AND RELEASE BY DESIGNER: This ordinance shall not become effective unless Mr. James A. Wehn shall have executed and delivered to the City Comptroller the grant and release provided for in Section 2 hereof."

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and other flowers for beautifying private grounds and parking strips to the end that Seattle may be and become known as "The City Beautiful". (Ord. 32137 § 3; November 19, 1913).

Chapter 1.12 STANDARD TIME

Sections:

1.12.010 Standard time defined.

1.12.020 Standard time to govern time for performance.

1.12.010 Standard time defined. There is hereby adopted as the standard time for the city of Seattle the mean solar time of the one hundred and twentieth degree of longitude west from Greenwich, which time is known and designated as Pacific Standard Time; provided that during the period commencing at two a.m. Pacific Standard Time of the last Sunday in April of each year and ending at two a.m. Pacific Standard Time of the last Sunday in October of each year, said Pacific Standard Time shall be advanced by one hour and such time as so advanced shall be the Standard Time of the city of Seattle during such period. (Ord. 66705 § 1, as amended by Ord. 95463; January 11, 1967).

1.12.020 Standard time to govern time for performance. The Standard Time herein provided for shall govern the opening and closing of all City public offices therein; and in all provisions of the Charter and ordinances of the city of Seattle, and in all orders, rules and regulations pursuant thereto, relating to the time of performance of any act by any person or by any officer or official department of the city of Seattle, or relating to the time within which any right shall accrue or determine, or within which any act shall or shall not be performed by any person pursuant to the Charter or ordinances of the city of Seattle, it shall be understood and intended that the time within which the act is or is not to be performed, or such rights shall accrue or determine, shall be the Standard Time of the city of Seattle as hereby adopted. (Ord. 66705 § 2; October 1, 1936).

Chapter 1.16 OFFICE HOURS

Sections:

1.16.010 Open eight a.m. to five p.m.—Exceptions.

1.16.010 Open eight a.m. to five p.m.—Exceptions. Effective July 1, 1964 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 legal holidays and Fridays immediately preceding legal holidays which fall upon Saturday. (Ord. 79957 § 1; as amended by Ord. 92946; June 20, 1964).

Chapter 1.17

ADMINISTRATIVE PROCEDURES

Sections:

- 1.17.010 Short title.
- 1.17.020 Definitions.
- 1.17.030 Notice and hearing on adoption of rules.
- 1.17.040 Petition for rules.
- 1.17.050 Rules to be filed.
- 1.17.060 Public information.
- 1.17.070 Declaratory ruling.
- 1.17.080 Hearings in contested cases.
- 1.17.090 Report and review of examiner's recommendation or decision in contested cases.
- 1.17.100 Office of hearing examiner.
- 1.17.110 Powers of hearing examiners.
- 1.17.120 Agency action upon judicial review.
- 1.17.130 Operative date.

1.17.010 Short title. This chapter shall constitute and may be referred to as the "Administrative Code" of the city of Seattle. (Ord. 102228 § 1; June 5, 1973).

1.17.020 Definitions. (a) "Agency" means 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 to make rules, hear appeals, or adjudicate contested cases.

(b) "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.

(c) "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.

(d) "Rule" means any agency order, directive or regulation of general applicability, the violation of which subjects a person to a penalty or administrative sanction, or which establishes, alters or revokes:

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

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Such term includes the amendment or repeal of a prior rule, but 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 1.17.070 or rules relating to the use of public ways and property when the substance of such rules is indicated to the public by means of signs or signals.

(e) "License" includes the whole or part of any agency permit, certificate, approval, registration, or any form of permission required by law, including agency rule, to engage in any activity, but does not include a license required solely for revenue purposes. (Ord. 102228 § 2; June 5, 1973).

1.17.030 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 give notice thereof by:

(1) Publication in the official city newspaper and, where appropriate, in such trade, industry, or professional publications 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 request shall be filed with the agency and renewed annually.

Such notice shall include:

(1) A reference to the authority under which such rule is proposed;

(2) A statement of the express terms and description of the substance of the proposed rule or of the subjects and issues involved; and

(3) State the time and place of any public hearing, and the 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 argument 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. (Ord. 102228 § 3; June 5, 1973).

1.17.040 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 rule-making proceedings concerning the subject of such petition in accordance with Section 1.17.030. (Ord. 102228 § 4; June 5, 1973).

1.17.050 Rules to be filed. Each agency shall file with the city controller a certified copy of all agency rules in effect on the effective date of

the ordinance codified in this chapter and all such rules subsequently adopted, 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 fees as shall be prescribed by ordinance. (Ord. 102228 § 5; June 5, 1973).

1.17.060 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 or make submittals or requests;

(2) Adopt rules of practice, setting forth the nature and requirements of all formal and informal procedures prescribed or authorized by this or other ordinances, including a description of all forms and instructions used by the agency in connection therewith.

(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.

(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 herein.

(d) Nothing in this section shall affect the confidentiality of records as provided by law. (Ord. 102228 § 6; June 5, 1973).

1.17.070 Declaratory ruling. On petition of any interested person, any agency may issue a declaratory ruling with respect to the applicability to any person, property, or state of facts of any rule or ordinance enforceable by it. Such petition shall be considered, and granted or denied in accordance with Section 1.17.040. 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; June 5, 1973).

1.17.080 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

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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 this chapter and other applicable ordinances for notice, hearing and agency review of contested cases.

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

(k) All evidence, including records and documents in the possession of the agency which the examiner desires to consider shall be offered and

made a part of the record in the case, and no other factual information or evidence shall be considered in the determination of the case.

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

(m) Every party shall have the right to cross-examination of witnesses who testify, and shall have the right to submit rebuttal evidence. (Ord. 102228 § 8; June 5, 1973).

1.17.090 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 any 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 1.17.080, 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

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written findings and reasons for any changes from the examiner's proposed decision. (Ord. 102228 § 9; June 5, 1973).

1.17.100 Office of hearing examiner. (a) There is created an office of hearing examiner, the duties of which shall be to conduct hearings in contested cases as provided in this chapter, and, in accordance with agency rules or other applicable ordinance, to make such investigations and hear such appeals, protests and other matters as may be referred by an agency.

(b) Appointment to the office of hearing examiner, which shall not be included in the classified civil service, 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; provided that no appointment shall be made under the authority of this section except upon the ruling by the civil service commission as a permanent record in the office of the city comptroller, of its recommendation that such office, as a professional or administrative office or position similar to offices and positions designated in Article XVI, Section 11 of the City Charter, should not be included in the classified civil service. 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) Each hearing examiner shall be a qualified person having training and experience for the conduct of 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. 102228 § 10; June 5, 1973).

1.17.110 Powers of hearing examiners. 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;

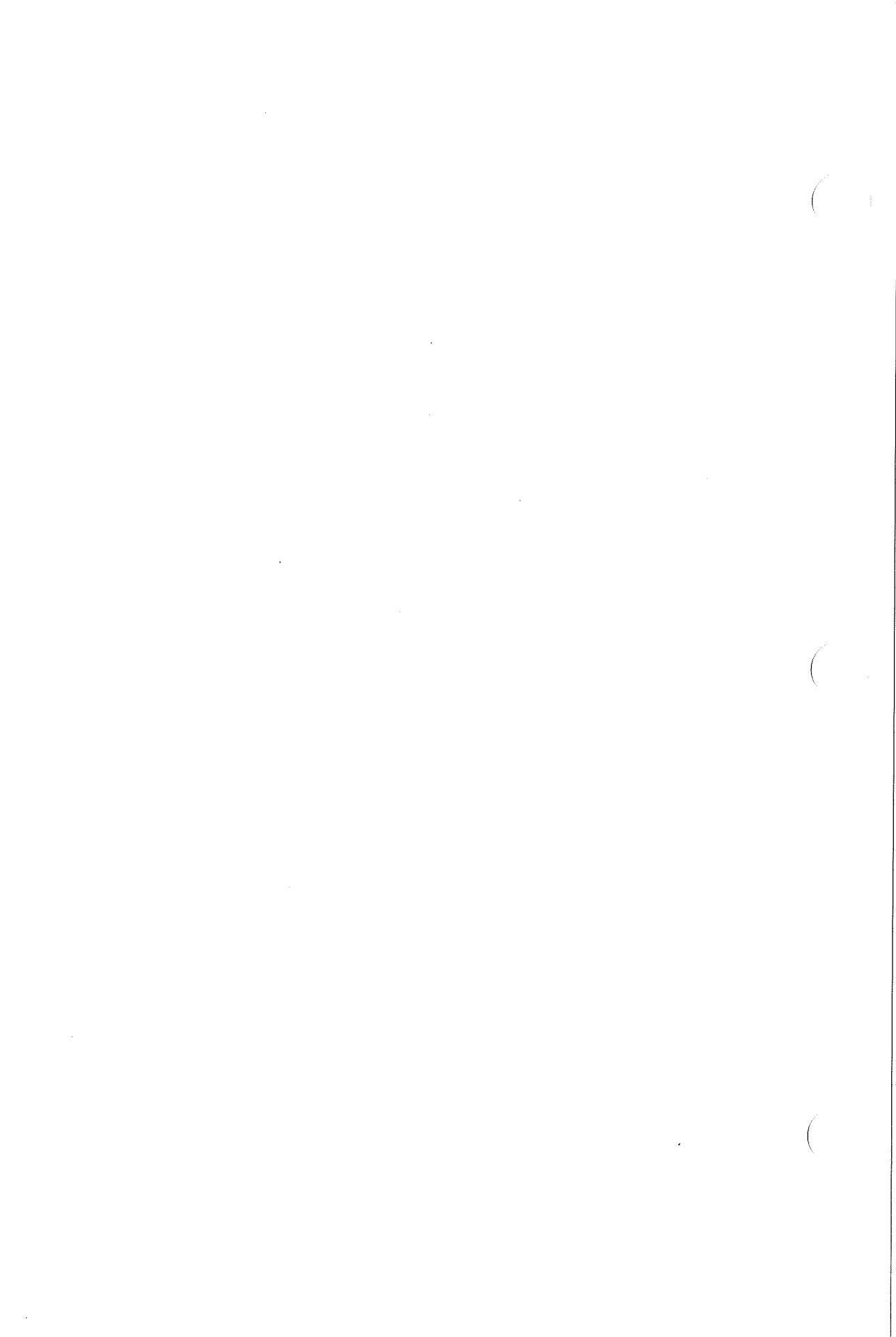
(2) Upon the request of an agency or any party, or upon his own volition, issue and cause to be served subpoenas for the attendance of witnesses and for production for examination of any books, records, or other information in the possession and under the control of any witness; provided that any such 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 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 1.17.090; and
- (7) Take any other action authorized by ordinance or agency rule consistent therewith.

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 corporation counsel who shall apply to the appropriate court for an order or other court action necessary to secure enforcement of the subpoena. (Ord. 102228 § 11; June 5, 1973).

1.17.120 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 1.17.050, 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 above. (Ord. 102228 § 12; June 5, 1973).

1.17.130 Operative date. The provisions of this chapter shall be operative sixty days after approval. (Ord. 102228 § 13; June 5, 1973).



Chapter 1.18
CODE OF ETHICS

Sections:

- 1.18.010 Short title.
- 1.18.020 Purpose.
- 1.18.030 Board of ethics—Created.
- 1.18.040 Board of ethics—Powers and duties
- 1.18.050 Powers of chairman—Rights of person appearing before board.
- 1.18.060 Violation of code—Disciplinary action.
- 1.18.070 Unethical acts designated.
- 1.18.080 Written statements required of officers and employees—Contents
- 1.18.090 Written statements required of nonsalaried members of city boards.
- 1.18.100 Unlawful acts—Penalty.
- 1.18.110 Request for opinion of board.
- 1.18.120 Construction.
- 1.18.130 Severability.
- 1.18.140 Effective date.

1.18.010 Short title. This chapter shall be known and may be cited as the “Code of Ethics” and is referred to herein as “this code.” (Ord. 100435 § 1; November 19, 1971).

1.18.020 Purpose. It is found and declared that the proper operation of democratic government requires that public officers and employees be independent, impartial, and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government, and accordingly it is the purpose of this code to establish ethical standards of conduct for all officials and employees of the city, whether elected or appointed, paid or unpaid; to set forth those acts that are incompatible with such standards; to require disclosure by such officials and employees of private financial or other interests in matters affecting the city; and to provide effective means for enforcement thereof. This chapter is not to be construed so as to impair ability of city officials and employees to participate in ceremonial, representational, or informational functions in the pursuit of their official duties. (Ord. 100435 § 2; November 19, 1971).

1.18.030 Board of ethics—Created. There is created a board of ethics for the city of Seattle, which shall have the same membership and tenure of office as the fair campaign practices commission. (Ord. 100435 § 3; November 19, 1971).

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1.18.040 Board of ethics—Powers and duties. The board of ethics shall have the following duties and powers:

(1) To select from its members a chairman and to meet, conduct investigations, and hold hearings in accordance with such administrative rules and procedures as may be adopted by it in furtherance of its purposes;

(2) To make expenditures in accordance with the annual budget adopted by the city council and to utilize the services of the corporation counsel in providing the necessary staff for carrying out the duties of the board of ethics;

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

(4) Upon receipt of written complaint, or upon its own motion, to conduct investigations, hold hearings and to issue, and in its discretion to make public, its written decision as to any suspected or alleged violation of the ethical standards set forth in this code;

(5) To make recommendations to the city council for amendments to this code and for such other legislation affecting the subject matter of this code as the board may deem necessary or desirable; and

(6) To provide a continuing program of education, assistance, and information to city officers and employees with regard to ethical conduct.

All officers, employees, departments and agencies of the city shall make available to the board of ethics all books, papers, documents, information, and assistance requested by the board and pertinent or material to any inquiry or investigation being conducted by the board in the performance of its duties under this code. (Ord. 100435 § 4 as amended by Ord. 100649 § 1; January 28, 1972).

1.18.050 Powers of chairman — Rights of person appearing before board. In the performance of the duties imposed upon said board by this code, the chairman and in his absence the presiding member of such board shall have the power and they are authorized to administer oaths and affirmations, examine witnesses, and compel attendance of persons, and production of documents, papers, books, accounts, letters, and records by subpoena. Any person summoned to appear before such board and give evidence shall have the right to be represented by counsel. Any person against whom complaint of violation of ethical standards has been made or whose conduct is the subject of investigations by the board may demand and shall be entitled to a public hearing. (Ord. 100435 § 5; November 19, 1971).

1.18.060 Violation of code—Disciplinary action. If upon investigation the board of ethics determines that any city officer or employee has violated the ethical standards set forth in this code, said board shall deliver

a copy of its written decision to the appropriate city authority and such city officer or employee who has violated the ethical standards together with the board's recommendation for disciplinary action. In addition to any other penalty herein or otherwise provided by law, violation of such ethical standards by any officer or employee shall be cause for suspension, discharge, or removal from office, or such other disciplinary action as may by the appropriate city authority be deemed necessary and proper. A written report of the disciplinary action taken as to any such officer or employee shall be made by such authority to the board of ethics within fourteen calendar days after receipt of the board's decision in such matter. Upon receipt of such report, or in the event no report is made as provided herein, the board shall review such matter and make such further recommendations as to the board shall seem suitable. (Ord. 100435 § 6; November 19, 1971).

1.18.070 Unethical acts designated. No city officer or employee shall intentionally engage in any act in conflict with the performance of his official duties. Among the acts and circumstances which shall be deemed to be in conflict with the performance of the official duties of an officer or employees, are that such officer or employee:

(1) Fails to disclose that he possesses, directly or indirectly, a substantial or controlling interest in any corporation, firm, association or enterprise doing business with the city in accordance with this code;

(2) Has a financial or other private interest in any legislation or other matter coming before the city council, and if a city councilman, fails to disclose such interest on the records of the city council or disqualify himself from voting on such matter by stating the nature and extent of such interest, or if an officer or employee, participates in discussion with or gives an official opinion to the city council as to any such matter and fails to disclose such interest on the records of the city council, or as mayor vetoes such legislation;

(3) Receives or acquires any financial interest in any sale to the city of any service or property with knowledge at the time of receiving or acquiring such interest that the city intends to purchase such property or service;

(4) Accepts any retainer, gift, or favor from any person, firm, corporation, association or enterprise having dealings with the city, with knowledge that such retainer, gift or favor is given with intent to obtain special consideration as to any action by such officer or employee in his official capacity;

(5) Has a financial interest, whether personally or through immediate family or close relatives, in a firm, corporation, association or enterprise doing business with the city and influences or attempts to influence the selection of, or conduct of business with such firm, corporation, association or enterprise by the city;

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(6) Engages in or accepts private employment or renders service for private industry or other governmental entities which is incompatible with the proper discharge of his official duties or impairs his independence of judgment or action in the performance of such official duties;

(7) Appears in behalf of a private interest before any city agency, board or commission or represents a private interest in any action or proceeding against the interest of the city in any litigation to which the city is a party; provided that this paragraph shall not apply to:

(a) Persons receiving no compensation from the city,

(b) Any member of the city council appearing before governmental agencies on behalf of or as a representative of constituents in the course of his official duties or performing public or civic obligations without additional compensation therefor,

(c) Any officer or employee appearing on his own behalf or representing himself as to any matter in which he has a proprietary interest, or

(d) Any officer or employee appearing on behalf of or representing another as to a matter not related to any matter upon which such officer or employee is or would be acting in the course of his official duties;

(8) Requests or permits the use of city-owned vehicles, equipment, materials or property for personal use or profit unless such use is available to the public generally; provided that this paragraph shall not apply to the use of city-owned vehicles, equipment, materials or property provided to such officer or employee in accordance with municipal policy for the conduct of official city business;

(9) As to any matter or proceeding coming before a city agency, board or commission of which he is a member, fails to disqualify himself from acting thereon where such matter or proceeding involves any person who is, or has been a client of his, or his firm or partnership within the twelve month period immediately preceding the date of such action. (Ord. 100435 § 7 as amended by Ord. 100648 § 1; January 28, 1972).

1.18.080 Written statements required of officers and employees—
Contents. Every elected city officer, all provisional employees in the mayor's office and all salaried officers and employees exempt from the classified civil service except library employees, shall file with the board of ethics on or before January 31st of each year a written statement under oath containing information as follows:

(a) The names of each person, firm, association or enterprise doing business with the city from or on behalf of which such officer or employee has received money or other thing of value in an amount in excess of two thousand five hundred dollars during the preceding calendar year, except for campaign contributions reported in accordance with Article XVIII Section 4 of the City Charter;

(b) The names of any corporations, firms, associations or enterprises

doing business with the city in which such officer or employee has a direct financial interest in excess of one thousand five hundred dollars; provided that policies of insurance and amounts on deposit in accounts in banks, savings and loan associations or credit unions shall not be considered to be a financial interest within the meaning of this paragraph;

(c) The names of any corporations, firms, associations or enterprises doing business with the city, both profit and nonprofit, in which such officer or employee or spouse of such officer or employee holds a position of officer or member of board of directors, and the title of each such position held;

(d) All real property, including any option to purchase, owned by such officer or employee in the city of Seattle, listed by legal description or street address. (Ord. 100435 § 8 as amended by Ord. 100649 § 2; January 28, 1972).

1.18.090 Written statements required of nonsalaried members of city boards. Every nonsalaried member of any city board, commission or committee, shall upon assuming his duties, file with the board of ethics a statement in writing disclosing any direct or indirect interest in any firm, corporation, association or enterprise which by reason of such membership on a city board, committee, or commission, benefits him in a manner different from that available to the public generally, and shall thereafter upon acquiring or becoming aware of any such interest file a similar statement with the board of ethics. (Ord. 100435 § 9; November 19, 1971).

1.18.100 Unlawful acts—Penalty. It is unlawful:

(a) For any officer or employee designated in Section 1.18.080 to wilfully fail or refuse to file the written statement required by said section or to knowingly make any false statement of a material fact in any written statement so filed;

(b) For any one to maliciously file with the board of ethics a false charge of violation by any city officer or employee of the standards of ethics set forth in this code; or

(c) For any person duly summoned to attend as a witness before the board of ethics to fail or refuse, without lawful excuse, to attend pursuant to such summons, or to wilfully refuse to be sworn or to affirm or to answer any material or proper question, or to produce, upon reasonable notice, any material or proper documents, papers, books, accounts, letters or records in his possession or under his control, or having been duly sworn to tell the truth, to knowingly give false testimony as to any material matter.

Anyone convicted of violating this section shall be punishable by a fine of not more than five hundred dollars, or by imprisonment for a period not exceeding six months, or by both such fine and imprisonment. (Ord. 100435 § 10; November 19, 1971).

1.18.110 Request for opinion of board. Any official or employee may request an opinion from the board relating to any situation involving such official or employee which may give rise to the possibility of conflict of interest under this chapter. Such request shall be in writing, shall set forth the pertinent facts and shall be signed by the official or employee making the request, and shall if requested by the officer or employee be held in confidence and no disclosure thereof shall be made except as provided herein. (Ord. 100435 § 11; November 19, 1971).

1.18.120 Construction. This chapter shall be liberally construed in favor of protecting the public's interest in full disclosure of conflicts of interest and promoting ethical standards of conduct for city employees and officials. (Ord. 100435 § 12; November 19, 1971).

1.18.130 Severability. The invalidity of any section, subsection, provision, clause, or portion of this chapter, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of this chapter or the validity of its application to other persons or circumstances. (Ord. 100435 § 13; November 19, 1971).

1.18.140 Effective date. This chapter shall be effective as of the first day of January, 1972. (Ord. 100435 § 14; November 19, 1971).

Chapter 1.20 ELECTIONS

Sections:

- 1.20.010 Registration of voters—Hours.
- 1.20.020 Election contributions—Penalty for failure to file statement.
- 1.20.030 Solicitation of signatures for city ordinance initiatives and referendums and charter amendments.

1.20.010 Registration of voters—Hours. The city comptroller and ex-officio city clerk is authorized and directed to keep his office open during registration periods, at such times and during such hours, for the registration of voters, as in his judgment is necessary. (Ord. 46393 § 1; January 28, 1924).

1.20.020 Election contributions—Penalty for failure to file statement. Every person, including the president and local managing agent of a corporation, all the partners and local managing agent of a partnership, and the chairman, presiding officer and treasurer of a committee, association, organization or group of persons who violates, or fails to comply with the provisions of, Section 5, Article XVIII of the City Charter, providing as follows:

“Section 5. Every person, partnership, committee, association, corporation, organization or group of persons who shall in

any way contribute to or aid by means of money or thing of value, to the amount of Twenty-Five Dollars (\$25.00) or more, the candidacy for nomination or election of any person under this charter shall, within ten (10) days after the primary election or the general election, as the case may be, file with the city comptroller an itemized statement in writing, duly sworn to as to its correctness, of the money or thing of value contributed. Such statement shall be prepared, sworn to and filed by the president or local managing agent on behalf of a corporation, by one of the partners or local managing agent on behalf of a partnership, by the chairman, presiding officer, or treasurer, of a committee, association, organization or group of persons, on behalf of such committee, organization or group. Such statement when so filed shall be public record. The city council shall, by ordinance, provide a penalty for violation of, or failure to comply with, the provisions of this section.”*

is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine in any sum not exceeding three hundred dollars, or by imprisonment in the city jail for a term not exceeding ninety days, or by both such fine and imprisonment. (Ord. 66812 § 1; October 29, 1936).

1.20.030 Solicitation of signatures for city ordinance initiatives and referendums and charter amendments. It is unlawful for any person:

(1) To sign or decline to sign any petition for a city ordinance initiative or referendum, or a City Charter amendment for and consideration or gratuity or promise thereof; or

(2) To solicit or procure signatures upon a city ordinance initiative or referendum, or City Charter amendment petition for any consideration or promise thereof; or

(3) To give or offer any consideration or gratuity to anyone to induce him to sign or not to sign, or to solicit or procure signatures upon, a city ordinance initiative or referendum, or City Charter amendment petition; or

(4) To interfere with or attempt to interfere with the right of any voter to sign or not to sign a city ordinance initiative or referendum, or City Charter amendment petition by threat, intimidation or any other corrupt means or practice; or

(5) To sign a city initiative or referendum, or City Charter amendment petition with any other than his true name, or to knowingly sign more than one petition for the same initiative, referendum or charter amendment measure, or to sign any such petition knowing that he is not a registered voter of the city of Seattle.

The provisions of this section shall be printed as a warning on every

*As originally enacted, Ordinance 66812 referred to and quoted Section 13, Article XVIII of the previous City Charter, which contained substantially the same language as the present Section 5 of Article XVIII.

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petition for a city ordinance initiative or referendum or City Charter amendment.

(b) Any person violating any of the provisions of this section shall upon conviction thereof be punishable by a fine of not more than five hundred dollars or by imprisonment in the city jail for a period not to exceed six months; or by both such fine and imprisonment. (Ord. 94289 §§ 1, 2 as amended by Ord. 100664 § 1; February 10, 1972).

Chapter 1.21 ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES

Sections:

- 1.21.010 Declaration of purpose.
- 1.21.020 Definitions.
- 1.21.030 Commission established.
- 1.21.040 Powers and duties of commission.
- 1.21.050 Complaint procedure.
- 1.21.060 Conduct of hearings.
- 1.21.070 Political committees—Statement of organization.
- 1.21.080 Campaign treasurers and depositories.
- 1.21.090 Deposit of contributions—Disposition of anonymous contributions.
- 1.21.100 Authorization of expenditures.
- 1.21.110 Reports of contributions and expenditures by candidates and political committees.
- 1.21.120 Contents of reports.
- 1.21.121 Special reports.
- 1.21.130 Reports of commercial advertisers.
- 1.21.140 Inspection of reports.
- 1.21.150 Identification of contributors and advertising.
- 1.21.160 Limitation on expenditures.
- 1.21.170 Use of facilities of public office.
- 1.21.180 Violations and penalties.
- 1.21.190 Severability.
- 1.21.200 Effect of section headings.

1.21.010 Declaration of purpose. It is the public policy of the city of Seattle that election campaign contributions and expenditures be fully disclosed to the public and that secrecy in the sources and application of election campaign contributions be avoided. This chapter shall be liberally construed to promote complete disclosure of all information respecting the financing of election campaigns so as to assure continuing public confidence in the fairness of elections. (Ord. 100241 § 1; August 30, 1971).

1.21.020 Definitions. As used in this chapter, unless the context requires otherwise, the following words and terms shall have the meanings given herein:

(1) "Campaign depository" means a bank designated by a candidate or political committee pursuant to Section 1.21.080;

(2) "Fair campaign practices commission" or "commission" means the fair campaign practices commission established by Section 1.21.030;

(3) "Campaign treasurer" and "deputy campaign treasurer" mean the individuals appointed by a candidate or political committee, pursuant to Section 1.21.080 to perform the duties specified in this chapter;

(4) "Candidate" means any individual who seeks election to public office in the city of Seattle, whether or not successful. An individual shall be deemed to seek election when he first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote his candidacy for office; or

(b) Announces publicly or files for office;

(5) "Charter" means the Charter of the city of Seattle;

(6) "Commercial advertiser" means any person who sells the service of communicating messages or producing printed material for broadcast or distribution to the general public whether through the use of newspapers, magazines, television or radio stations, billboard companies, direct mail advertising companies, printing companies, or otherwise;

(7) "Contribution" includes a loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or transfer of any thing of value, including personal and professional services, for less than full consideration, but does not include ordinary home hospitality and the rendering of "part time" personal services of the sort commonly performed by volunteer campaign workers or incidental expenses not in excess of twenty-five dollars personally paid for by any volunteer campaign worker. "Part time" services, for the purposes of this chapter, means services in addition to regular full time employment, or, in the case of an unemployed person, services not in excess of twenty hours per week, excluding weekends. For the purposes of this chapter, contributions other than money or its equivalents shall be deemed to have a money value equivalent to the fair market value of the contribution. Sums paid for tickets to fund-raising events such as dinners and parties are contributions; however, the amount of any such contribution may be reduced for the purpose of complying with the reporting requirements of this chapter, by the actual cost of consumables furnished in connection with the purchase of such tickets, and only the excess over actual cost of such consumables shall be deemed a contribution;

(8) "Election" includes any primary, general or special election for public office in the city of Seattle to be filled by the voters and any such election in which a proposition is submitted to the voters;

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(9) "Election campaign" means any campaign in support of or in opposition to a candidate for election to public office in the city of Seattle and any campaign in support of, or in opposition to, a proposition;

(10) "Expenditure" means any advance, conveyance, subscription, distribution, loan, deposit, payment or transfer of money or any thing of value and any contract, agreement, promise or other obligation to make an expenditure, whether or not legally enforceable, in support of or in opposition to any candidate, political committee or proposition;

(11) "Final report" means the report described and designated as such in Section 1.21.110;

(12) "Person" means an individual, partnership, joint venture, public or private corporation, association, candidate, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized;

(13) "Political advertising" includes any advertising displays, newspaper advertisements, billboards, signs, brochures, articles, tabloids, flyers, letters, radio or television presentations, or other means of mass communication, used for the purpose of appealing directly or indirectly, for votes or for financial or other support in any election campaign;

(14) "Political committee" means any person, group of persons, or organization, except a candidate or an individual dealing with his own funds or property, having the expectation or receiving contributions or making expenditures in support of, or in opposition to, the candidacy of any person, or in support of, or in opposition to, any proposition;

(15) "Proposition" means any measure, question, initiative, referendum, recall, or charter amendment submitted to, or proposed for submission to the voters.

When consistent with the context, words in the masculine, feminine or neuter genders shall be construed to be interchangeable with and include such other genders; and words in the singular number shall be construed to include the plural, and in the plural to include the singular, and each shall be construed to be interchangeable with the other. (Ord. 100241 § 2 as amended by Ord. 102383 § 1; July 27, 1973).

1.21.030 Commission established. There is established a fair campaign practices commission for the city of Seattle, composed of five members appointed as follows:

(a) Two members appointed directly by the city council from nominees for positions on the fair campaign commission from civic, community, service and other organizations as well as from interested citizens throughout the city, and that such nominees names be also made available to the mayor for his consideration in making his appointments;

(b) Three members appointed by the mayor from among persons recommended for such positions by interested groups and individual citizens subject to confirmation by a majority of the city council; provided

that at least one member of the commission selected by the mayor shall be chosen from the non-Caucasian community.

Members of the commission shall serve without compensation and shall hold office for a term of three years ending December 31st, of the third year of such term and until their successors are appointed and qualify; provided that of the original appointees to the commission, one shall serve for a term of one year, two shall serve for a term of two years, and two shall serve for a term of three years, the holders of such terms of office to be decided by lot. Members shall be eligible for reappointment.

No member of the commission, during his term of office and for two years thereafter, shall hold or be a candidate for any elective public office or be an officer of any political party. Any member of the commission may be removed by the appointing authority for neglect of duty or misconduct in office, which removal shall be subject to concurrence by a majority of the city council.

Vacancies shall be filled within thirty days by the appropriate appointing authority in the same manner as original appointments. Such vacancy shall not impair the authority of the remaining members to exercise all the powers of the commission, and four members shall constitute a quorum.

The corporation counsel is directed and authorized to provide the necessary staff for carrying out the duties of the commission. (Ord. 100241 § 3; August 30, 1971).

1.21.040 Powers and duties of commission. The fair campaign practices commission shall have the following duties and powers:

(1) To elect from its members a chairman and to adopt, promulgate, amend and rescind such administrative rules and regulations consistent with this chapter as shall be necessary to carry out its duties; provided, that administrative rules and regulations adopted by the Washington State Public Disclosure Commission in accordance with Section 37, Chapter 1, Laws of 1973 shall be applicable in the construction, interpretation and implementation of such provisions of this chapter as are substantially the same as provisions of said Chapter 1, Laws of 1973;

(2) To assist the city comptroller in the development of prescribed forms for reports required by this chapter and Article XVIII §§ 4 and 5 of the Charter to be filed with the city comptroller; provided that forms developed and provided by the Washington State Public Disclosure Commission for the filing of reports required by Chapter 1, Laws of 1973 may to the extent hereinafter specifically provided be used for the filing of reports required by this chapter;

(3) To prepare and publish a manual setting forth recommended uniform methods of bookkeeping and reporting for use by persons required to file such reports;

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(4) To have access to reports filed with the city comptroller and make copies thereof available for public inspection and distribution during regular office hours at the expense of any person requesting copies of the same;

(5) To preserve copies of such reports for a period not less than five years from the date of filing;

(6) To compile and maintain a current list of all reports or parts of reports pertaining to each candidate or political committee;

(7) To determine whether required reports have been filed and if so, whether they conform with the requirements of this chapter;

(8) To prepare and publish, not less than ten days before newly elected officers take office, a report setting forth, as to each candidate who filed a final report, the amounts and sources of all contributions and the amounts and purposes of all expenditures set forth in such final report; and the names and addresses of any candidates who failed to file a final report or who filed an incomplete final report; and to prepare and publish such other reports as in its judgment will tend to promote the purposes of this chapter;

(9) Upon receipt of written complaint, or upon its own initiative, to conduct investigations, hold hearings and to report apparent violations of law, including any violation of this chapter, to the corporation counsel or other appropriate authority, together with its recommendation for appropriate action. (Ord. 100241 § 4 as amended by Ord. 102383 § 2; July 27, 1973).

1.21.050 Complaint procedure. Any registered voter of the city of Seattle or any member of the commission may file with the commission a complaint under oath alleging a violation of this chapter. Upon receipt of such complaint the commission shall conduct a preliminary investigation, and if it determines that there are no reasonable grounds to believe that a violation has occurred, shall dismiss such complaint; otherwise it shall conduct a hearing on such complaint in accordance with the procedures established by the commission and report its findings as a result of such hearing to the appropriate authorities. (Ord. 100241 § 5; August 30, 1971).

1.21.060 Conduct of hearings. In the performance of the duties imposed upon the commission by this chapter, the chairman and in his absence the presiding member of the commission shall have the power and they are authorized to administer oaths and affirmations, examine witnesses, and compel attendance of persons, and production of documents, papers, books, accounts, letters, and records by subpoena. Any person summoned to appear before such commission and give evidence shall have the right to be represented by counsel. Any person against whom complaint of violation of this chapter has been made or whose conduct is the subject of investigation by the commission may demand and shall be en-

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titled to a public hearing within five days after receipt by the commission of such demand, and in any case, prior to the next immediate election. (Ord. 100241 § 6; August 30, 1971).

1.21.070 Political committees—Statement of organization. (1) Every political committee, within ten days after its organization or, within ten days after the date when it first has the expectation of receiving contributions or making expenditures in any city election campaign, whichever is earlier, shall furnish to the commission and file with the city comptroller on the form provided by the city comptroller or by the Washington State Public Disclosure Commission, a statement of organization.

(2) The statement of organization shall include but not be limited to:

(a) The name and address of the committee;

(b) The names and addresses of all related or affiliated committees or other persons, and the nature of the relationship or affiliation;

(c) The names, addresses and titles of its officers; or if it has no officers, the names, addresses and titles of its responsible leaders;

(d) The name and address of its campaign treasurer and campaign depository;

(e) Identification of each candidate and/or proposition the committee is supporting or opposing and a statement of the committee's position with respect thereto;

(f) A statement whether the committee is a continuing one;

(g) What distribution of surplus funds will be made in the event of dissolution; and

(h) Such other information as the commission may by regulation prescribe in furtherance of and consistent with the policy and purposes of this chapter, or as may be prescribed by the Washington State Public Disclosure Commission by regulation.

(3) Any material change in information previously submitted in a statement or organization shall be reported to the commission and filed with the city comptroller within ten days following such change. (Ord. 100241 § 7 as amended by Ord. 102383 § 3; July 27, 1973).

1.21.080 Campaign treasurers and depositories. (1) Each candidate, at or before the time he announces publicly or files for office, and each political committee, at or before the time it files a statement of organization, shall designate and furnish to the commission and file with the city comptroller, on the form provided by the city comptroller or by the Washington State Public Disclosure Commission, the names and addresses of:

(a) One legally competent individual, who may be the candidate, to serve as campaign treasurer; and

(b) One bank doing business in this state to serve as campaign depository.

(2) A candidate or political committee or a campaign treasurer may

appoint as many deputy treasurers as may be deemed necessary, and the names and addresses of any such deputy treasurers shall be similarly furnished to the commission and filed with the city comptroller.

(3) (a) A candidate or a political committee may at any time remove a campaign treasurer or deputy campaign treasurer or change a designated campaign depository.

(b) In the event of the death, resignation or removal of a campaign treasurer or deputy campaign treasurer or change in campaign depository, the candidate or political committee shall designate and file with the city comptroller the name and address of any successor.

(4) No campaign treasurer, deputy campaign treasurer, or campaign depository shall act or perform any function as such until his name and address has been filed with the city comptroller. (Ord. 100241 § 8 as amended by Ord. 102383 § 4; July 27, 1973).

1.21.090 Deposit of contributions—Disposition of anonymous contributions. (1) All monetary contributions received by a candidate, political committee, campaign treasurer, or deputy campaign treasurer shall be deposited by the campaign treasurer or deputy campaign treasurer in a campaign depository in an account designated "Campaign Fund of . . ." (name of candidate or political committee).

(2) All deposits made by a campaign treasurer or deputy campaign treasurer shall be accomplished by a statement, on the form provided by the Washington State Public Disclosure Commission, containing the name of each person contributing the funds so deposited and the amount contributed by each person; provided, that contributions not exceeding five dollars from any one person may be deposited without indentifying the contributor. Each statement shall be certified as correct by the campaign treasurer or deputy campaign treasurer making the deposit and a copy of such statement shall be filed with the city comptroller.

(3) (a) Accumulated anonymous contributions in excess of one dollar from any individual contributor; and

(b) Accumulated anonymous contributions in excess of one percent of the total anonymous contributions received to date or three hundred dollars (whichever is less), shall not be deposited, used or expended, but shall be returned to the donor, if his identity can be ascertained. If the donor cannot be ascertained, the contribution shall escheat to the state, as provided in Section 6, Chapter 1, Laws of 1973. (Ord. 100241 § 9 as amended by Ord. 102383 § 5; July 27, 1973).

1.21.100 Authorization of expenditures. No expenditures shall be made or incurred by any candidate or political committee except on the authority of the campaign treasurer or the candidate, and a record of all such expenditures shall be maintained by the campaign treasurer. (Ord. 100241 § 10 as amended by Ord. 102383 § 6; July 27, 1973).

1.21.110 Reports of contributions and expenditures by candidates and political committees. (1) On the day the campaign treasurer is designated, each candidate or political committee shall file with the city comptroller, on the form provided by the city comptroller or by the Washington State Public Disclosure Commission, a report of all contributions received and expenditures made in the election campaign prior to that date; provided, that if the political committee is an organization of continuing existence not established in anticipation of any particular election, the campaign treasurer shall report, at the times required by this chapter, and at such other times as are designated by the Washington State Public Disclosure Commission, all contributions received and expenditures made since the date of his or his predecessor's last report.

(2) At the following intervals each campaign treasurer shall file with the city comptroller, on the form provided by the city comptroller or by the Washington State Public Disclosure Commission, a further report of the contributions received and expenditures made since the date of the last report:

(a) On the fifth and nineteenth days immediately preceding the date on which the election is held; and

(b) On the tenth day of each month preceding the election in which no other reports are required to be filed under this section.

(3) Further reports of contributions and expenditures shall also be filed with the city comptroller as follows:

(a) By each candidate within ten days after the primary election and within ten days after the general election in accordance with Article XVIII § 4 of the City Charter;

(b) By each political committee, on the form provided by the city comptroller or by the Washington State Public Disclosure Commission, within ten days after the date of a primary election and within twenty-one days after the date of all other elections.

(4) The last report filed under paragraph (3) above shall be the final report if there is no outstanding debt or obligation, and the campaign fund is closed, and the campaign is concluded in all respects, and if in the case of a political committee, the committee has ceased to function and has dissolved. If the candidate or political committee has any outstanding debt or obligation, additional reports shall be filed at least once every six months until the obligation or indebtedness is entirely satisfied at which time a final report shall be filed. A continuing political committee shall file reports at least once every six months until it is dissolved, at which time a final report shall be filed. Upon submitting a final report, the duties of the campaign treasurer shall cease and there shall be no obligation to make any further reports.

(5) The campaign treasurer shall maintain books of accounts in accordance with generally accepted accounting principles reflecting all con-

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tributions and expenditures on a current basis within three business days of receipt or expenditure. During the eight days immediately preceding the election the books of account shall be kept current within one business day and shall be open for public inspection during normal business hours at the principal campaign headquarters or, if there is no campaign headquarters, at the address of the campaign treasurer.

(6) With the exception of the reports filed by each candidate under paragraph (3) (a) of this section which shall be duly sworn to as to correctness by the candidate, all reports filed pursuant to this section shall be certified as correct by the candidate and the campaign treasurer or, in the case of a political committee, by the campaign treasurer.

(7) Copies of all reports filed pursuant to this section shall be readily available for public inspection at the principal campaign headquarters or, if there is no campaign headquarters, at the address of the campaign treasurer. (Ord. 100241 § 11 as amended by Ord. 102383 § 7; July 27, 1973).

1.21.120 Contents of reports. With the exception of the reports filed by each candidate in accordance with Article XVIII § 4 of the City Charter which shall contain the information therein required, each report required by Section 1.21.110 shall disclose for the period beginning at the end of the period for the last report or, in the case of an initial report, at the time of the first contribution or expenditure, and ending not more than three days prior to the date the report is due:

(a) The funds on hand at the beginning of the period;

(b) The name and address of each person who has made one or more contributions during the period, together with the money value and date of such contributions and the aggregate value of all contributions received from each such person during the preceding twelve-month period; provided, that contributions not exceeding five dollars in aggregate from any one person during the election campaign may be reported as one lump sum so long as the campaign treasurer maintains a separate and private list of the names and amounts of each such contributor;

(c) Each loan, promissory note or security instrument to be used by or for the benefit of the candidate or political committee made by any person, together with the names and addresses of the lender and each person liable directly, indirectly or contingently and the date and amount of each such loan, promissory note or security instrument;

(d) The name and address of each political committee from which the reporting committee or candidate received, or to which that committee or candidate made, any transfer of funds, together with the amounts, dates and purpose of all such transfers;

(e) All other contributions not otherwise listed or exempted;

(f) The name and address of each person to whom an expenditure was made in the aggregate amount of twenty-five dollars or more, and the

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amount, date and purpose of each such expenditure;

(g) The total sum of expenditures;

(h) The surplus or deficit of contributions over expenditures;

(i) The disposition made of any surplus of contributions over expenditures;

(j) Such other information as shall be required by the commission by regulation in conformance with the policies and purposes of this ordinance, or by the Washington State Public Disclosure Commission. (Ord. 100241 § 12 as amended by Ord. 102383 § 8; July 27, 1973).

1.21.121 Special reports. In addition to the other reports required by this chapter, any person who makes an expenditure in support of or in opposition to any candidate or proposition (except to the extent that a contribution is made directly to a candidate or political committee) in the aggregate amount of one hundred dollars or more during an election campaign, shall file with the comptroller, on the form provided by the comptroller or by the Washington State Public Disclosure Commission, a report signed by the contributor disclosing:

(a) The contributor's name and address; and

(b) The date, nature, amount and recipient of such contribution or expenditure. (Ord. 100241 § 12-A added by Ord. 102383 § 9; July 27, 1973).

1.21.130 Reports of commercial advertisers. (1) Within fifteen days after an election each commercial advertiser who has accepted or provided political advertising during the election campaign shall file a report with the city comptroller on a form provided by the city comptroller or by the Washington State Public Disclosure Commission, which shall be certified as correct and shall specify:

(a) The names and addresses of all persons from whom it accepted political advertising;

(b) The exact nature and extent of the advertising services rendered;

(c) The consideration and the manner of paying that consideration for such services; and

(d) Such other information as may be prescribed by ordinance or by the Washington State Public Disclosure Commission by regulation.

(2) No report shall be required from any commercial advertiser as to any single candidate or political committee when the total value of such political advertising does not exceed fifty dollars. (Ord. 100241 § 13 as amended by Ord. 102383 § 10; July 27, 1973).

1.21.140 Inspection of reports. All reports required by this chapter to be filed with the city comptroller shall be public records and available for public inspection and examination during regular office hours. (Ord. 100241 § 14; August 30, 1971).

1.21.150 Identification of contributors and advertising. (1) No contribution shall be made and no expenditure shall be incurred in any election

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campaign, directly or indirectly, in a fictitious name, anonymously, or by one person through an agent, relative or other person in such a manner as to conceal the identity of the source of the contribution.

(2) All political advertising shall identify the sponsor or sponsors thereof by name and address which may be the name and address of the the campaign treasurer or deputy campaign treasurer together with the name of the candidate or political committee he is serving; provided, that any political advertising on behalf of a candidate sponsored by any person without the prior knowledge and consent of such candidate shall be clearly identified as such. (Ord. 100241 § 15 as amended by Ord. 102383 § 11; July 27, 1973).

1.21.160 Limitation on expenditures. No disbursement shall be made and no obligation, express or implied, to make such disbursement, shall be incurred by or on behalf of any candidate for elective city office in his campaign for nomination and election which shall be in excess of amounts herein specified as follows:

(1) For the office of mayor, an amount computed by multiplying thirty cents times the number of registered voters of the city as of sixty days prior to the first day for filing declarations of candidacy as certified by the custodian of the official registration records;

(2) For any city office other than mayor, an amount computed by multiplying ten cents times said number of registered voters. (Ord. 100241 § 16; August 30, 1971).

1.21.170 Use of facilities of public office. Except as may incidentally result from the regular performance of his duties, no incumbent elected city officer nor any employee of his office shall use or authorize the use of any of the facilities of such office for the purpose of assisting such officer's campaign for nomination or election to such office, or for election to any other office, or for election of any other person to any public office or for the promotion or opposition to any proposition. For the purpose of this section, use of the facilities of such office shall include, but is not limited to, use of stationery, postage, machines and equipment, vehicles, office space, publications of such office, clientele lists of persons served by the office, and the use of employees of such office during regular working hours. (Ord. 100241 § 17 as amended by Ord. 102383 § 12; July 27, 1973).

1.21.180 Violations and penalties. It is unlawful:

(1) For anyone required by this chapter to file any declaration, statement or report or designate a campaign treasurer or depository to willfully fail or refuse to file the same or make such designation at the time and in the manner required by this chapter or to knowingly make any false statement of a material fact in any such declaration, statement or report so filed;

(2) For anyone to knowingly make, receive, use or expend any con-

tribution or expenditure in or on account of any election campaign except in the manner prescribed in this chapter;

(3) For any person duly summoned to attend as a witness before the commission to fail or refuse, without lawful excuse, to attend pursuant to such summons, or wilfully refuse to be sworn or to affirm, or to answer any material or proper question, or to produce, upon reasonable notice, any material or proper documents, papers, books, accounts, letters or records in his possession or under his control, or having been duly sworn to tell the truth, to knowingly give false testimony as to any material matter; or

(4) For any one to otherwise violate or fail or refuse to comply with any provision of this chapter.

Anyone convicted of violating this section shall be punishable by a fine of not more than three hundred dollars, or by imprisonment in the city jail for a period not exceeding six months, or by both such fine and imprisonment. (Ord. 100241 § 18; August 30, 1971).

1.21.190 Severability. The invalidity of any section, subsection, provision, clause, or portion of this chapter, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of this chapter or the validity of its application to other persons or circumstances. (Ord. 100241 § 19; August 30, 1971).

1.21.200 Effect of section headings. Section headings as used in this chapter do not constitute any part of the law. (Ord. 100241 § 20; August 30, 1971).

Chapter 1.22

PERSONNEL OFFICE

Sections:

- 1.22.010 Created.
- 1.22.020 Personnel director appointment.
- 1.22.030 Duties of director.

1.22.010 Created. As of January 1, 1969, there is created "The City of Seattle Personnel Office" in the executive department of the city of Seattle. (Ord. 97474 § 1; February 13, 1969).

1.22.020 Personnel director appointment. There shall be a city personnel director 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

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that such office as a professional or administrative office or position similar to offices and positions designated in Article XVI Section 11 of the City Charter, should not be included in the classified civil service. (Ord. 97474 § 2; February 13, 1969).

1.22.030 Duties of director. The city personnel director shall be the head of the city of Seattle personnel office and shall be responsible for the city personnel system, and in such capacity he shall:

(1) Promote the improvement of city personnel administration and personnel standards within city service;

(2) Foster and conduct, in cooperation with the appointing authority and others, programs for the improvement of employee effectiveness;

(3) Encourage and exercise leadership in the development of effective personnel programs with the officers, departments, boards and commissions of the city;

(4) Coordinate city employee safety programs;

(5) Assist in recruiting personnel for all departments of the city;

(6) Develop and administer in-service training and supervisory development programs for city employees;

(7) Participate in labor negotiations on behalf of the city;

(8) Administer a wage and salary plan for the city of Seattle;

(9) Appoint, remove, supervise and control all officers and employees in the city personnel office in accordance with civil service rules and regulations; and,

(10) Assist in development of and coordinate rules and regulations not inconsistent with the City Charter and the provisions of this chapter and other city ordinances for the development and administration of a city personnel system. (Ord. 97474 § 3; February 13, 1969).

Chapter 1.23

DEPARTMENTAL BUDGETS

Sections:

1.23.010 Transfer procedure.

1.23.010 Transfer procedure. The budget director's authority under RCW 35.32A.050 to approve transfers between allowances within the budget of a city department shall be exercised in accordance with regulations as follows:

(1) No transfer between program categories within a department's budget shall be approved where such requested transfer is in an amount

exceeding ten percent of the total original budgeted allowance for the program category to which such transfer is requested;

(2) Where a department has a "line item" budget, no transfer between line item allowances within such budget shall be approved where such requested transfer is an amount exceeding ten percent of the total original budgeted allowance for the line item to which such transfer is requested;

(3) Requests for transfer between allowances within the budget of any city department shall be made in writing to the budget director on forms provided by him, and if the budget director approves the same, he shall forward a copy of such request with his approval in writing thereon to the chairman of the budget committee of the city council and shall notify in like manner the city comptroller who shall thereby be authorized to draw and the city treasurer to pay the necessary warrants and make the necessary transfers. (Ord. 100895 § 1; April 24, 1972).

Chapter 1.24

INVESTIGATIONS—BY DEPARTMENT EFFICIENCY COMMITTEE OR COMMITTEE OF THE WHOLE

Sections:

- 1.24.010 Investigations and hearings—Personnel and efficiency committee—Committee of the whole—Powers and duties.
- 1.24.020 Witnesses—Answering questions and production of books and records.
- 1.24.030 Penalty for violations.

1.24.010 Investigations and hearings—Personnel and efficiency committee—Committee of the whole—Powers and duties. In respect to matters within the jurisdiction of, or cognizable by, the personnel and efficiency committee and/or the committee of the whole of the city council, or especially referred to either of said committees by the city council for such purposes, said committees, or either of them are authorized and directed to make investigations and conduct hearings, and in the course thereof to take testimony and receive evidence, and to prepare a record thereof, and in connection therewith to incur such expense as may be authorized by the city council therefor. The chairman or acting chairman, or any member of either of said committees, the committee then being in regular or special meeting, while acting on or in behalf of the committee in discharge of the duties thereof, and when directed by the committee so to do, is authorized to certify such records, and in connection with such investigations and hearings to administer oaths and affirmations to persons subpoenaed or appearing before the committee, requiring them to tell the truth, the whole truth and nothing but the truth in respect to the subject matter of the in-

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vestigation or heraing. The chairman or acting chairman of either of said committees and/or the president or president protem of the city council are authorized and empowered to compel the attendance of witnesses and the production of papers and things pertinent to the business before or to be considered by the committees, or either of them, by subpoenas issued in the name of the committee, signed by them, or any of them, and served by any person authorized by and in the manner provided by law for service of subpoenas in legal proceedings. (Ord. 61433 § 1 as amended by Ord. 95512; February 2, 1967).

1.24.020 Witnesses—Answering questions and production of books and records. It shall be the duty of any person so subpoenaed to appear personally before the committee subpoenaing him at the time and place specified, and bring with him and produce any papers and things required by said subpoena, and to respond and be sworn when called upon to testify by the chairman or acting chairman of the committee, and it shall be the duty of any person so subpoenaed and sworn, or voluntarily appearing before either of said committees and being sworn, to answer fully, promptly and truthfully, and to tell the truth, the whole truth and nothing but the truth in respect to any and all interrogatories and questions propounded by the chairman or acting chairman, or any member of the committee, concerning or relating to the subject matter of the investigation or hearing, and it is unlawful and constitutes a misdemeanor punishable as hereinafter provided, to fail, refuse or neglect in any respect so to do. (Ord. 61433 § 2; July 28, 1931).

1.24.030 Penalty for violations. Any person violating or failing, neglecting or refusing to comply with any of the provisions hereof is guilty of a misdemeanor, and upon conviction thereof shall be punished by fine in any sum not to exceed three hundred dollars, or by imprisonment in the city jail for a term not exceeding ninety days, or by both such fine and imprisonment; provided, that nothing herein contained shall be regarded as excluding any penalty which may be prescribed by the laws of the state of Washington. (Ord. 61433 § 3; July 28, 1931).

**Chapter 1.25
OFFICE OF ECONOMIC DEVELOPMENT**

Sections:

1.25.010 Information confidential.

1.25.010 Information confidential. 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; August 10, 1972).

Chapter 1.26**GENERAL SERVICES DEPARTMENT****Sections:**

- 1.26.010 Created—Purpose.
- 1.26.020 Supervision.
- 1.26.030 Director—Appointment—Duties.
- 1.26.040 Position of secretary III established.
- 1.26.050 Compensation of director and secretary.
- 1.26.060 General services operating fund.

1.26.010 Created—Purpose. As of January 1, 1971 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; coordination of messenger, delivery and mail services for city departments; and management, control and operation of automated data processing services for the city; provided that the executive department shall be responsible for planning and coordinating such automated data processing services as provided in Ordinance 98511. (Ord. 99554 § 1; December 30, 1970).

1.26.020 Supervision. In furtherance of the performance of the functions provided in Section 1.26.010 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, the electronic data processing center, and the Central duplicating shop shall be subject to the supervision of the department of general services. (Ord. 99554 § 2; December 30, 1970).

1.26.030 Director—Appointment—Duties. There shall be a director of said department to be appointed by the mayor, subject to confirmation by a majority vote of all members of the city council, and such director, whose office shall not be included in the classified civil service, may be removed by the mayor upon filing a statement of his reasons therefor with the city council; provided that no appointment shall be made under the authority of this section except upon the filing by the civil service commission as a permanent record in the office of the city comptroller, of its recommendation that such office, as a professional or administrative office or position similar to offices and positions designated in Article XVI, Section 11 of the City Charter, should not be included in the classified civil service; provided further that pending appointment of such director under the authority of this section, the mayor is authorized to appoint as of Jan-

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uary 1, 1971 a person to temporarily act as director of said department for a period of sixty days and thereafter for successive sixty day periods with the approval of the city council.

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:

(1) Appoint, remove, supervise and control officers and employees in the department of general services in accordance with civil service rules and regulations;

(2) Develop and manage programs providing the services for which the department of general services is responsible;

(3) 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

(4) Make periodic reports to the mayor of the operations of the department of general services.

As of January 1, 1971 the rates of compensation for the position of director of general services is fixed and established at two thousand six dollars per month. (Ord. 99554 § 3; December 30, 1970).

1.26.040 Position of secretary III established. As of January 1, 1971 in addition to the positions provided in the 1971 budget for the department of general services there is established in the department of general services one position of secretary III at the salary rate provided for like positions in the salary ordinance, and the director of general services is hereby authorized to fill said position, subject to civil service laws and rules. (Ord. 99554 § 4; December 30, 1970).

1.26.050 Compensation of director and secretary. To pay the compensation for the position of director of general services, and for the position established in Section 1.26.040, the director of general services is authorized to use unexpended and unencumbered budget salary funds accumulating in the 1971 budget of the department of general services. (Ord. 99554 § 5; December 30, 1970).

1.26.060 General services operating fund. As of January 1, 1971 there is created in the city treasury a special fund designated "general services operating fund" from which fund shall be paid all general services department salaries and other expenses of the department of general services including expenses for and incident to the operation of a "central duplicating shop"; the procurement, storage and issue of supplies common to the several city departments; the procurement of furniture and office equipment for rental or transfer to city departments; the acquisition, replacement, repair, maintenance, use, and storage of city automotive equipment; and the maintenance and operation of an electronic data processing center.

There shall be deposited in said fund all payments from city officers and departments for services performed and supplies furnished by the department of general services; the proceeds from the sale of automotive equipment under the management of said department, and automotive equipment operation revenue; and such other sums as may by ordinance be appropriated to or designated as revenue of such fund; and to which fund are hereby transferred all assets and liabilities as of January 1, 1971 of the purchasing agent's revolving fund created by Ordinance 84496, the electronic data processing operating fund created by Ordinance 98511, and the motor transportation fund created by Ordinance 89744, which funds are hereby abolished. (Ord. 99554 § 6; December 30, 1971).

Chapter 1.27

REAL PROPERTY TRANSFER CERTIFICATE

Sections:

- 1.27.010 Certificate required when—Contents.
- 1.27.020 Enforcement—Penalty for violation.

1.27.010 Certificate required when—Contents. The grantor of any fee title or beneficial interest in real property in a transaction subject to the tax on conveyances provided in RCW 28A.45 shall, prior to transmitting the instrument of conveyance to the county department of records and elections for recording, deliver or cause to be delivered to the grantee a certificate on a form prepared by the superintendent of buildings and signed by the real estate broker representing the grantor, or by the grantor if not so represented, which states:

- (a) The existing zoning classification of the property conveyed;
- (b) The established permitted use of said property, if any, as shown by the records of the building department;
- (c) The date and description of the most recent building or use permit, if any, issued for the property conveyed;
- (d) The amount of any proposed assessments for local improvements against the property conveyed as shown on any preliminary assessment roll therefor in the records of the city engineer; and
- (e) The amount of any existing assessments for local improvements against the property conveyed, as shown on any assessment roll therefor in the records of the city treasurer.

Provided, no such certificate shall be required where the property conveyed is improved only with a single-family dwelling and accessory structures, and the grantor or his agents do not represent to the grantee that said property may be lawfully used as a site for more than one dwelling unit; nor shall such certificate be required in any transaction where the grantee has expressly waived such requirement by a written instrument

to such effect separate and apart from any agreement to purchase the property conveyed. (Ord. 101941 § 1; March 8, 1973).

1.27.020 Enforcement—Penalty for violation. This chapter shall be enforced by the superintendent of buildings, and anyone violating or failing to comply with the provisions of this ordinance shall, upon conviction thereof, be subject to a civil penalty in a sum not exceeding five hundred dollars; and in any action brought by the grantee to rescind a conveyance or agreement therefor, a final judgment of conviction of the grantor under this ordinance shall be prima facie evidence against said grantor that the matters contained in Section 1.27.010(a), (b), (c), (d) and (e) were not known to the grantee at the time of the agreement or conveyance. (Ord. 101941 § 2; March 8, 1973).

Chapter 1.28

INVESTIGATIONS—BY CIVIL SERVICE COMMISSION

Sections:

1.28.010 Administration of oaths and compelling attendance of witnesses.

1.28.020 Penalty for violations.

1.28.010 Administration of oaths and compelling attendance of witnesses. In the course of any investigation conducted pursuant to, or under, Section 12 or Section 14 of Article XVI of the Charter, each member of the civil service commission shall have power to administer oaths; and the commission shall have power to require the attendance thereat, and testimony of, any city officer or employee, or other person within the city, and to require the production thereat of books, and papers relevant to such investigation, and to issue compulsory process, or subpoena, therefor. Such process or subpoena shall issue under order of the commission and shall be signed by the president and secretary thereof and be directed to the chief of police for service, and may be served and returned by the chief of police, or any police officer or regular or special policeman. (Ord. 49367 § 1; August 13, 1925).

1.28.020 Penalty for violations. Any such officer, employee or person who shall fail, neglect or refuse to attend as a witness before, or to produce any specified book or paper for, the civil service commission at the time, place and date as specified in the process or subpoena, after having been duly served therewith, as provided in Section 1.28.010 hereof; or who, being in attendance as a witness before such commission, fails, neglects or refuses to answer any question propounded by, or to produce any such specified book or paper required or demanded by the said commission, or any member thereof, is guilty of a misdemeanor, and upon conviction

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thereof, shall be punished by a fine in any sum not exceeding three hundred dollars, or by imprisonment in the city jail for a period of not more than ninety days, or by both such fine and imprisonment. (Ord. 49367 § 2; August 13, 1925).

Chapter 1.32
DEPARTMENT OF LICENSES AND
CONSUMER AFFAIRS

Sections:

- 1.32.010 Created.
- 1.32.020 Director—Appointment—Duties—Compensation.
- 1.32.030 Division of licenses and division of consumer affairs created—Assistant director positions created.
- 1.32.040 Hearing examiner—Office created—Appointment—Duties.
- 1.32.050 Transfer of positions.
- 1.32.060 Abrogation of positions.
- 1.32.070 Expenditure allowances.
- 1.32.080 Transfer of records, facilities and equipment.
- 1.32.090 Operative date.

1.32.010 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 1 upon certification by the director of the department of licenses and consumer affairs. (Ord. 102252 § 1; June 14, 1973).

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

The director shall be the head of the department of licenses and consumer affairs and shall be responsible for the administration of said department and he shall:

- (1) Except as otherwise provided herein, appoint, remove, supervise

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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 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.

The rate of compensation for the position of director of licenses and consumer affairs is fixed and established at one thousand nine hundred and sixty dollars per month. (Ord. 102252 § 2; June 14, 1973).

1.32.030 Division of licenses and division of consumer affairs created—Assistant director positions created. In implementation of the functions contemplated in Section 1.32.010 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 at the indicated salary rates:

(1) assistant director of consumer affairs at
\$1274—1325—1377—1432—1489 per month;

(1) assistant director of licenses at
\$1350—1404—1460—1579 per month,

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; June 14, 1973).

1.32.040 Hearing examiner — Office created — Appointment — Duties. For the conduct of hearings as prescribed by ordinance in connection with the functions contemplated in Section 1.32.010, 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 by the city council in accordance with the Administrative Code of the city of Seattle; provided that no appointment shall be made

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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 should not be included in the classified civil service.

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 chapter, the License Code, and the Administrative Code of the city of Seattle. 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 chapter, the License Code, and the Administrative Code of the city of Seattle. (Ord. 102252 § 4; June 14, 1973).

1.32.050 Transfer of positions. In implementation of the functions contemplated in Section 1.32.010, the position of:

(1) Representative, community service 1 heretofore established in the executive department—citizens service bureau, consumer protection office, and the following positions:

- (5) Auditor, tax
- (1) Auditor, tax assistant
- (1) Auditor, tax, supervising
- (1) Clerk, intermediate
- (11) Clerk, senior
- (1) Inspector, boiler operations
- (18) Inspector, licenses and standards
- (1) Inspector, licenses and standards (6 months)
- (1) Secretary, senior (incumbent)
- (1) Secretary
- (4) Supervisor, licenses and standards
- (1) Supervisor, pet licenses
- (1) Supervisor, clerical
- (1) Technician, accounting

heretofore established in the finance department—office of the city comptroller are transferred to the department of licenses and consumer affairs and those employees filling such positions shall be continued in such employment in accordance with the civil service rules and regulations under the department of licenses and consumer affairs. (Ord. 102252 § 5; June 14, 1973).

1.32.060 Abrogation of positions. The position of coordinator, consumer affairs, heretofore established in the executive department—citi-

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zens service bureau, consumer protection office, and the positions of director, licenses and standards, and director, licenses and standards, assistant, heretofore established in the finance department—office of comptroller, are abrogated effective as of the respective times vacancies shall occur in such positions. (Ord. 102252 § 6; June 14, 1973).

1.32.070 Expenditure allowances. Expenditures by the department of licenses and consumer affairs to effectuate performance of the functions contemplated in Section 1.32.010 in the amount of four hundred fifty-two thousand two hundred sixty-nine dollars shall be charged to the allowances as follows:

1000 personal services	\$378,114
2000 supplies	19,496
3000 other services and charges	54,292
6000 capital outlay	367
department total	<u>\$452,269</u>

which allowances are hereby established in the 1973 Budget in such amounts by the reappropriation and transfer hereby made and authorized of amounts from the unexpended and unencumbered allowances in the 1973 budget of the city comptroller, program category—licenses and standards as follows:

1000 personal services	\$359,731
2000 supplies	19,249
3000 other services and charges	51,072
6000 capital outlay	280

and from the unexpended and unencumbered allowances in the 1973 Budget of the executive department, program category—consumer protection as follows:

1000 personal services	\$ 18,383
2000 supplies	247
3000 other services and charges	3,220
6000 capital outlay	87

which allowances are hereby decreased in such amounts, and the city comptroller is authorized to draw and the city treasurer to pay the necessary warrants and make the necessary transfers. (Ord. 102252 § 7; June 14, 1973).

1.32.080 Transfer of records, facilities and equipment. The records, facilities, and equipment of the division of licenses and standards in the office of the city comptroller, and of the consumer protection office in the executive department—citizens service bureau are transferred to the department of licenses and consumer affairs established herein. (Ord. 102252 § 8; June 14, 1973).

1.32.090 Operative date. The provisions of this chapter shall be operative upon appointment by the mayor and confirmation by the city council

of the director of licenses and consumer affairs as provided in Section 1.32.020. (Ord. 102252 § 10; June 14, 1973).

Chapter 1.36
SOLICITING CONTRIBUTIONS

Sections:

1.36.010 Soliciting funds or contributions from city employees.

1.36.010 Soliciting funds or contributions from city employees. 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 of Seattle in his de-



partment 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 herein contained shall be construed as authorizing the receiving or soliciting of assessments, subscriptions or contributions for political purposes in violation of Sections 18 and 19 of Article XVI of the Charter. (Ord. 67337 § 1; April 29, 1937).

Chapter 1.40
OFFICERS' AND EMPLOYEES' BONDS

Sections:

- 1.40.010 Officers required to give bond—Amounts.
- 1.40.020 Bonds furnished by surety company—Term of bonds.
- 1.40.030 Condition of bond of officer certifying payroll or receipt of materials.
- 1.40.040 Condition of bond of chief of police.
- 1.40.050 Blanket bond—Who covered—Amounts.
- 1.40.060 Blanket bond—Call for bids—Term.
- 1.40.070 Additional coverage authorized.

1.40.010 Officers required to give bond—Amounts. The following of-ficers of the city of Seattle shall, before entering upon the duties of their respective offices, give approved bonds, the premium for which shall be paid by the city. Said bonds shall contain the conditions required by the City Charter for official bonds, and be in the following amounts:

Mayor	\$ 1,000
Each city councilman	1,000
City treasurer	150,000
Assistant city treasurer	50,000
City comptroller	100,000
Chief deputy city comptroller	25,000
Corporation counsel	1,000
Each assistant corporation counsel	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
City engineer	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

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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

(Ord. 93603 § 1 as amended by Ord. 101084 § 1; June 19, 1972).

1.40.020 Bonds furnished by surety company—Term of bonds. Each of the bonds mentioned in Section 1.40.010 hereof shall be furnished by a surety company authorized to do such business in the state of Washington. 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; February 8, 1965).

1.40.030 Condition of bond of officer certifying payroll or receipt of materials. Each of the bonds mentioned in Section 1.40.010 hereof 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; February 8, 1965).

1.40.040 Condition of bond of chief of police. The bond given by the chief of police, as contemplated by Charter Article XVII, Section 4, 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; February 8, 1965).

1.40.050 Blanket bond—Who covered—Amounts. 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 said bond for any acts or conduct or failure to act of said officer or employee.

Such performance bonds shall be in the amount of one hundred thousand dollars per employee plus one hundred fifty thousand dollars excess per loss. (Ord. 93603 § 5 as amended by Ord. 101084 § 2; June 19, 1972).

1.40.060 Blanket bond—Call for bids—Term. 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 herein prescribed 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 as a good faith deposit. The city comptroller may accept the best offer or reject any and all offers.

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 herein authorized, call for and accept offers for such a bond. (Ord. 93603 § 6; February 8, 1965).

1.40.070 Additional coverage authorized. The head of any department may require bond coverage over and above any bond provided for herein 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; February 8, 1965).

Chapter 1.42

DEPARTMENT OF LIGHTING

Sections:

- 1.42.010 Rates.
- 1.42.020 In addition to other expenses.
- 1.42.030 Bond.

1.42.010 Rates. As authorized by RCW 42.24, such officers and employees of the lighting department as many be designated in writing from time to time by the superintendent of lighting may, in lieu of other methods of reimbursement authorized by law, be reimbursed for meals, lodging and other related expenses incident to the performance of duty on the following per diem basis:

(a) Where such expenditures are incurred within or without the city, but do not require overnight lodging—fifteen dollars per day or any portion thereof;

(b) Where such expenditures are incurred and require overnight lodging—thirty-five dollars per day or any portion thereof. (Ord. 95244 § 1; November 4, 1966).

1.42.020 In addition to other expenses. The per diem rates for reimbursement authorized in Section 1.42.010 hereof shall be in addition to

1.42.030—1.43.030.....ADMINISTRATION AND PERSONNEL

reimbursement for actual expenditures for transportation, registration fees and similar purposes. (Ord. 95244 § 2; November 4, 1966).

1.42.030 Bond. The superintendent of lighting is authorized to execute and deliver for and on behalf of the city of Seattle a blanket performance bond substantially in the form attached to C.F. 258853 in a sum not to exceed ten thousand dollars and to secure execution thereof by a surety company authorized to do business in the state of Washington in connection with city (lighting department) permits and franchises for the construction, operation and maintenance of facilities upon Washington state highway rights-of-way, as requested by the superintendent in C.F. 258853. (Ord. 96078 § 1; September 7, 1967).

Chapter 1.43

CIVIL SERVICE COMMISSION

Sections:

- 1.43.010 Election procedure.
- 1.43.020 Officer qualifications.
- 1.43.030 Time of election—Notice.
- 1.43.040 Declaration of candidacy.
- 1.43.050 Special election.
- 1.43.060 Filling of vacancies.
- 1.43.070 Monetary loss.

1.43.010 Election procedure. The successors of the civil service commissioner whose term of office expires first after November 2, 1971 shall be elected in accordance with the procedure established in this chapter. (Ord. 100558 § 1; December 27, 1971).

1.43.020 Officer qualifications. No person shall be eligible for election to or to hold the office of employee member of the civil service commission under Article XVI Section 1 of the City Charter and no person shall be qualified to vote in any such election unless he shall be a member of the classified civil service of the city under regular appointment to a position therein. (Ord. 100558 § 2; December 27, 1971).

1.43.030 Time of election—Notice. Elections for the election of the employee member of the civil service commission shall be administered by the city comptroller and shall be held during the week beginning on the first Monday in December of the third year of the employee member's term of office; provided that the first election hereunder shall be held during the week beginning on the first Monday after the effective date of the ordinance codified in this chapter. The city comptroller shall give notice of such election and furnish ballots therefor and balloting shall be permitted by mail postmarked between the hours of one minute past twelve a.m. Monday to twelve midnight of the succeeding Friday of the week of elec-

tion or deposited during regular office hours at such polling places as shall be prescribed by the city comptroller. (Ord. 100558 § 3; December 27, 1971).

1.43.040 Declaration of candidacy. Not earlier than the first Monday in November of each year in which such election is to be held nor later than the succeeding Friday, any eligible person desiring to become a candidate for election to the office of employee member of the civil service commission, shall file with the city comptroller a declaration of candidacy for such office on a form to be furnished by the city comptroller; provided that the filing period for the first election hereunder shall be from the first Monday through the succeeding Friday after the approval of this chapter by the mayor. (Ord. 100558 § 4; December 27, 1971).

1.43.050 Special election. If at any election hereunder no candidate receives a majority of the total number of votes cast, the two candidates receiving the highest and next highest number of votes shall be the candidates at a special election to be held during the week beginning on the third Monday following said election, and notice of and balloting at such special election shall be the same as for a regular election hereunder. (Ord. 100558 § 5; December 27, 1971).

1.43.060 Filling of vacancies. In the event of a vacancy occurring in the office of the employee member of the civil service commission, a successor shall be elected for the unexpired term at a special election to be called for such purpose by resolution of the city council, specifying the procedure therefor. (Ord. 10058 § 6; December 27, 1971).

1.43.070 Monetary loss. Such employee member shall suffer no monetary loss or other penalty on account of his absence from his regular position while performing the duties of such elective office. (Ord. 100558 § 7; December 27, 1971).

Chapter 1.44

SALARIES*

Sections:

1.44.010 Biweekly pay periods.

1.44.010 Biweekly pay periods. Biweekly pay periods for all officers and employees of all departments of the city including the library are authorized on the following basis:

(1) For payroll purposes the rate of pay shall be determined by multiplying the monthly rate as fixed by the salary ordinance by twelve and dividing the result by the number of days in the year less Saturdays and Sundays.

(2) Each biweekly pay period shall end on a Tuesday and except for

*Salary schedules may be found in the office of the city clerk.

1.46.010—1.46.030 ADMINISTRATION AND PERSONNEL

such advances on earned salary from "Contingent Fund A" as may be specifically authorized by ordinance, warrants shall be delivered to those concerned after three p.m. on the day before the payday, which payday shall be one week from the Friday following said Tuesday; provided that such payday may be advanced to Thursday if Friday is a legal holiday or to Tuesday or Wednesday if Christmas falls on a Wednesday or Thursday and that the comptroller is authorized to designate the employees to be paid each week so as to distribute the warrants payable as near equally as possible on the day before each payday.

(3) All payrolls shall be subject to approval by the auditing committee and reported by said committee to the city council at its regular meeting on the following Monday for ratification, and appropriation by ordinance of such funds as may be required. (Ord. 81508 § 1 as amended by Ord. 101008 § 1; May 17, 1972).

**Chapter 1.46
OVERTIME WORK**

Sections:

- 1.46.010 Defined.
- 1.46.020 Emergency or authorization required.
- 1.46.030 Payment to employees generally.
- 1.46.040 Payment to police.
- 1.46.050 Payment to firemen.
- 1.46.060 Payment to license inspectors.
- 1.46.070 Itemization of extraordinary overtime.
- 1.46.080 Compensatory time off.

1.46.010 Defined. "Overtime work" means work performed in excess of the time regularly required or scheduled for the performance of the duties of a particular position. Overtime work shall be of two types, "extraordinary" and "ordinary." "Extraordinary overtime" means work necessitated by emergency caused by fire, flood or danger to life or property; or work so urgently necessary that its nonperformance will cause serious loss or damage to the city. All overtime which is not covered by the foregoing definition of "extraordinary" overtime shall be "ordinary" overtime. (Ord. 97330 § 51.1 as amended by Ord. 97552 § 1(1); March 12, 1969).

1.46.020 Emergency or authorization required. No employee shall be ordered to perform overtime work unless an emergency exists, as defined in Section 1.46.010, or such work is authorized by the head of the department, or some person duly authorized by him. (Ord. 97330 § 51.2 as amended by Ord. 97552 § 1(2); March 12, 1969).

1.46.030 Payment to employees generally. Employees, except policemen, firemen and license inspectors, ordered to work extraordinary over-

time shall receive double time for all such overtime worked. When mutually agreed by the employee and the head of his department, compensatory time off at double time may be granted in lieu of double time pay to which the employee is entitled under this section. Any such compensatory time granted shall be reported at the time it is earned in the same manner as is provided for overtime pay by Section 1.46.060. When extraordinary overtime is not an extension of a normal shift, the minimum payment or credit shall be for two hours at the double time rate. (Ord. 97330 § 51.3 as amended by Ord. 97552 § 1(3); March 12, 1969).

1.46.040 Payment to police. Policemen ordered to work overtime shall be paid at the rate of time-and-one-half, either in cash or in the form of compensatory time off at the election of the employee, for all such overtime worked; provided that request for compensatory time off will be subject to final approval by the chief of police and such compensatory time off shall be taken at a time convenient to the department; provided further, that all mandatory off-duty court appearances shall be paid at the rate of straight time. (Ord. 97330 § 51.4 as amended by Ord. 97552 § 1(4); March 12, 1969).

1.46.050 Payment to firemen. Firemen ordered to work overtime shall be paid at the rate of time-and-one-half for all such overtime worked, either in cash or in the form of compensatory time off as the employee may elect. (Ord. 97330 § 51.5 as amended by Ord. 97552 § 1(5); March 12, 1969).

1.46.060 Payment to license inspectors. License inspectors ordered to work extraordinary overtime shall receive straight time for all such overtime worked. (Ord. 97330 § 51.6 as amended by Ord. 97552 § 1(6); March 12, 1969).

1.46.070 Itemization of extraordinary overtime. All extraordinary overtime shall be separately itemized on the payroll and a separate list of such employees, and the amount of such overtime to be paid or credited to compensatory time shall be signed by the head of the department and one copy transmitted to the auditing committee and one copy to the budget director prior to date of issuance of the payroll warrants. (Ord. 97330 § 51.7 as amended by Ord. 97552 § 1(7); March 12, 1969).

1.46.080 Compensatory time off. Employees, except firemen and policemen, shall be entitled to compensatory time off only for a period equal to all overtime work performed, at a time convenient to the department concerned. Compensatory time off for all employees shall be taken within twelve months from the date earned. (Ord. 97330 § 51.8 as amended by Ord. 97552 § 1(8); March 12, 1969).

Chapter 1.47

DISCRIMINATION IN EMPLOYMENT

Sections:

- 1.47.010 Discrimination prohibited.
- 1.47.020 Advertising requirements.
- 1.47.030 Penalty for violations.

1.47.010 Discrimination prohibited. It is unlawful for any employer, employment agent or agency, or labor organization to fail or refuse to employ, refer for employment or otherwise discriminate against any person because of such person's age, sex, race, color, creed or national origin, or to print or cause to be printed or circulated any statement, advertisement, or publication, or to use any form of application for employment, which expresses any limitation, specification or discrimination as to age, sex, race, creed, color or national origin; provided that nothing in this section shall make unlawful any limitation, specification or discrimination as to age or sex where age or sex is a bona fide occupational qualification reasonably necessary to the normal operation of the particular business or employment. (Ord. 100642 § 1; January 24, 1972).

1.47.020 Advertising requirements. It is unlawful for any publisher, firm, corporation, organization, or association printing, publishing or circulating any newspaper, magazine or other written publication, to print or cause to be printed or circulated any advertisement with knowledge that the same is in violation of Section 1.47.010, or to segregate and separately designate advertisements as applying only to men or women unless as to any such advertisement, sex is a bona fide occupational qualification reasonably necessary to the particular business or employment. (Ord. 100642 § 2; January 24, 1972).

1.47.030 Penalty for violations. Anyone convicted of a violation of this chapter shall be punishable by a fine of not more than five hundred dollars or by imprisonment in the city jail for not more than six months, or by both such fine and imprisonment. (Ord. 100642 § 3; January 24, 1972).

Chapter 1.48

COLLECTIVE BARGAINING

Sections:

- 1.48.010 Labor relations policy committee established—Membership.
- 1.48.020 Function of labor relations policy committee.
- 1.48.030 Negotiating committee established—Membership.
- 1.48.040 Function of negotiating committee.

1.48.010 Labor relations policy committee established—Membership.

There is hereby established a labor relations policy committee for the city of Seattle composed of six members as follows:

- (1) The mayor or his designated representative;
- (2) The city personnel director;
- (3) The city's budget director;
- (4) The president of the city council;
- (5) The chairman of the finance committee of the city council; and
- (6) The chairman of the judiciary and personnel committee of the city council. (Ord. 99002 § 1; June 17, 1970)

1.48.020 Function of labor relations policy committee. The function of the labor relations policy committee shall be to advise and guide the city negotiating committee, herein established, in the conduct of collective bargaining negotiations and said labor relations policy committee is hereby authorized to:

- (1) Consult with and timely advise the city council as to the issues involved in and progress of such negotiations;
- (2) Review all issues requiring policy decisions and advise the city negotiating committee as to the city's policy in regard thereto; and
- (3) Establish guidelines consistent with the city's policy for negotiation of issues relating to wages, hours, and other conditions of city employment. (Ord. 99002 § 2; June 17, 1970).

1.48.030 Negotiating committee established — Membership. There is hereby established a negotiating committee for the city of Seattle composed of the following members:

- (1) The city's personnel director;
- (2) The city's assistant personnel director-labor relations;
- (3) A representative of the head of each city department having employees covered by the collective bargaining agreement being negotiated, such representative to be designated by the head of each such city department;

1.48.040 ADMINISTRATION AND PERSONNEL

(4) The city's budget director, who shall serve in an advisory capacity;

(5) The city's director of legislative audits and services, who shall serve in an advisory capacity; and

(6) Such person as may be engaged by the city as the city's consultant on labor relations and negotiations, who shall serve in an advisory capacity except when requested by said committee to directly participate in the conduct of negotiations. (Ord. 99002 § 3; June 17, 1979).

1.48.040 Function of negotiating committee. The city negotiating committee, with the advice and guidance of the city labor relations policy committee, is hereby authorized on behalf of the city of Seattle to meet, confer and negotiate with bargaining representatives of the public employees of the city of Seattle for the purpose of collective bargaining as contemplated by RCW Chapter 41.56, and to timely recommend to the mayor and city council proposed wages, hours and other conditions of city employment for the purposes of city budgets and such collective bargaining agreement or agreements as may be required and authorized by ordinance, and said committee is further authorized with the advice and guidance of the city labor relations policy committee, and upon the request of the board of library trustees of the Seattle public library as contemplated in the resolution passed by said board May 11, 1970 (C.F. 266911), to meet, confer and negotiate with bargaining representatives of the public employees of the Seattle public library for the purpose of collective bargaining as contemplated by RCW Chapter 41.56, and to timely recommend to the board of library trustees proposed wages, hours and other conditions of employment for the purposes of library budgets and such collective bargaining agreement or agreements as may be required and authorized by said board.

For the purpose of advising as to the city's position relative thereto, said committee, or a designated member thereof, is further authorized, with the advice and guidance of the city labor relations policy committee, to meet and confer with bargaining representatives of such employers and employees in the city as shall be engaged in negotiating a collective bargaining agreement the provisions of which will directly affect city expenditures or the wages, hours and working conditions of employees of the city. (Ord. 99002 § 4; as amended by Ord. 99141 § 1; Aug. 6, 1970).

Chapter 1.49

EQUALITY OF CITY EMPLOYMENT

Sections:

- 1.49.010 Affirmative action program required.
- 1.49.020 Reports required.
- 1.49.030 Review of reports.

1.49.010 Affirmative action program required. It is the policy of the city of Seattle that, until the effects of inequality of opportunity are eliminated, all city departments shall establish and maintain an effective affirmative action program of employment opportunity as set forth in the mayor's executive order dated August 25, 1972 "Establishing an Affirmative Action Program for City Employment," including goals and timetables for the achievement of equality of work force representation. (Ord. 101548 § 1; October 27, 1972).

1.49.020 Reports required. The heads of the several city departments with the advice and consultation of the department of human rights and womens' division of the office of human resources—executive department, shall prepare and submit quarterly for review by the city council a report as to the affirmative action program required to be established and maintained by each such department including a description of progress in meeting goals and timetables of such program during the previous quarter, which reports shall be made available to the public. (Ord. 101548 § 2; October 27, 1972).

1.49.030 Review of reports. Such reports together with public testimony thereon and any recommendations concerning the same made by the department of human rights and by the womens' division of the office of human resources—executive department shall be reviewed by the city council in connection with its consideration of the proposed budget submitted by the mayor each year and no departmental budget shall be approved as to any department the head of which has failed to submit the reports required in Section 1.49.020. (Ord. 101548 § 3; October 27, 1972).

Chapter 1.52

ANNUAL VACATIONS

Sections:

- 1.52.010 Annual vacations provided.
- 1.52.020 Vacations subject to rules.
- 1.52.030 When vacations to be taken.
- 1.52.040 Former Puget Sound Power and Light Company employees included.
- 1.52.050 Uniformed police.

1.52.010 ADMINISTRATION AND PERSONNEL

1.52.010 Annual vacations provided. Annual vacations with pay for the officers and employees referred to in Charter Article XVII, Section 2, are provided for as follows:

(1) Officers and employees on a five day week basis, including policemen and excluding firemen:

(a) For service of less than one year, at the rate of one working day for each full month of actual service in the preceding calendar year;

(b) For service of one to four years, inclusive, at the rate of twelve working days per year;

(c) For service of five or more years, at the following rates:

From 5 to 9 years, inclusive	15 working days
From 10 to 14 years, inclusive	16 working days
From 15 to 19 years, inclusive	18 working days
For 20 years	20 working days
For 21 years	21 working days
For 22 years	22 working days
For 23 years	23 working days
For 24 years	24 working days
For 25 years	25 working days
For 26 years	26 working days
For 27 years	27 working days
For 28 years	28 working days
For 29 years	29 working days
For 30 years and over	30 working days

(2) Firemen working other than a five day week:

(a) For service of less than one year, at the rate of five-sixths of a working shift for each full month of actual service in the preceding calendar year;

(b) For service of one to six years, inclusive, at the rate of ten working shifts per year;

(c) For service of more than six years, at the following rates:

From 7 to 14 years, inclusive	12 working shifts
From 15 to 19 years, inclusive	14 working shifts
For 20 years	16 working shifts
From 21 to 24 years, inclusive	18 working shifts
For 25 years	20 working shifts
For 26 years and over	22 working shifts

(d) All vacation allowances for firemen shall start on the first working shift preceding a regular day off. The words "working shift" mean regular work time other than assigned days off and free time between tours of duty. Vacation allowance computations shall be rounded to the nearest whole working shift.

(3) Firemen working a five day week shall receive vacation allowances based on service in proportion to the equivalent hours of vacation allowance provided herein for other firemen.

(4) All officers and employees with one year or more of actual service shall be entitled to a terminal vacation allowance for a partial year of service for each full month of actual service in the current calendar year, at a rate proportionate to the applicable annual vacation, rounded to the nearest one-half "working day" or to the nearest whole "working shift" of vacation allowance.

(5) Increased vacation allowances for five or more years of service shall accrue on January 1st of the year in which the service requirement is met. (Ord. 86799 § 1 as amended by Ord. 93364, Ord. 97110, Ord. 97354, Ord. 98926, Ord. 99004, Ord. 100404, Ord. 100878 and Ord. 101739 § 1; January 5, 1973).

1.52.020 Vacations subject to rules. Annual vacations, as provided by this chapter, shall be subject to the following rules:

(1) The minimum vacation allowance to be taken by an employee shall be one-half of a day;

(2) The heads of the various departments shall arrange vacation time for officers and employees on such schedules as will least interfere with the functions of the department;

(3) Upon transfer, the department receiving the employee shall grant any earned vacation due such employee, at its expense, subject to the other rules set for herein;

(4) Temporary or intermittent employees who leave the employment of the city and later are re-employed, shall for the purpose of this chapter, commence their active service with the date of re-employment;

(5) For the purpose of this chapter "actual service" shall be determined in the same manner as for salary purposes. (Ord. 86799 § 2; Jan. 7, 1958).

1.52.030 When vacations to be taken. Annual vacations, as provided by this chapter which are earned by officers and employees must be taken within the calendar year next succeeding the calendar year in which service was rendered with the following exceptions:

(1) Officers and employees who are laid off, retired, or who resign after more than one year's service, shall be given proportionate vacations earned in the current year, together with any unused earned vacations for the preceding calendar year before being separated from the payroll.

(2) On the death of an employee in active service, pay will be allowed for any vacation earned in the preceding year and in the current year and not taken prior to the death of such employee.

(3) An employee who quits or is dismissed for cause will be allowed pay for any vacation earned in the preceding year and not taken prior to separation from city service, but not for the current year.

(4) An employee granted an extended leave of absence, which includes the next succeeding calendar year, shall be given proportionate va-

1.52.030 ADMINISTRATION AND PERSONNEL

cation earned in the current year before being separated from the payroll.

(5) An employee returning from military leave of absence, as defined by ordinance, shall be given a vacation allowance for the previous calendar year as if he had been employed.

(6) An employee may, upon approval of the department head, carry over a maximum of twenty days of unused vacation time to the next succeeding year when the employee has been prevented from using said vacation time by reason of injury, illness or department work schedules.

(7) As of January 1, 1971, except for employees covered by those certain collective bargaining agreements entered into between the city and—
Seattle Police Officers' Guild; and
Seattle Fire Fighters Union, Local No. 27;

pursuant to the authority of Ordinances 98510 and 98525 respectively, an employee may, following one full calendar year of employment, carry over and/or accumulate two days of vacation annually, subject to the following:

(a) The number of vacation days carried over and/or accumulated shall not exceed the number of annual vacation days for which such employee is currently eligible;

(b) Requests to carry over and/or accumulate vacation days must be made at the time vacations are being scheduled;

(c) Requests to use five or more carried over and/or accumulated vacation days at any one time must be submitted to such employee's immediate supervisor not less than sixty days prior to the time requested for the taking thereof.

(8) As of January 1, 1971 except for employees covered by those certain collective bargaining agreements entered into between the City and—
Seattle Police Officers' Guild; and
Seattle Fire Fighters Union, Local No. 27;

pursuant to the authority of Ordinances 98510 and 98525 respectively, an employee may, following twenty-five years of employment, carry over and/or accumulate five days of vacation annually subject to the following:

(a) The number of vacation days carried over and/or accumulated shall not exceed the number of annual vacation days for which such employee is currently eligible;

(b) Requests to carry over and/or accumulate vacation days must be made at the time vacations are being scheduled;

(c) Requests to use five or more carried over and/or accumulated vacation days at any one time must be submitted to such employee's immediate supervisor not less than sixty days prior to the time requested for the taking thereof.

(9) As of January 1, 1971 notwithstanding the limitation of paragraph (6) above, employees covered by that certain collective bargaining agreement entered into between the city and Seattle Fire Fighters Union, Local No. 27 pursuant to the authority of Ordinance 98525 and who by

reason of injury, illness, or other disability are prevented from using regularly scheduled vacation time, may carry over such unused vacation time to the next succeeding year. (Ord. 86799 § 3 as amended by Ord. 95389, Ord. 98926, Ord. 99751, Ord. 100020 and Ord. 101739 § 2; January 5, 1973).

1.52.040 Former Puget Sound Power and Light Company employees included. For the purpose of this chapter, former Puget Sound Power and Light Company employees who became City Light employees as a result of the merger or shortly after March 5, 1951, shall be given credit for continuous employment with the company immediately prior to the acquisition of the Puget Sound properties. (Ord. 86799 § 4; Jan. 7, 1958).

1.52.050 Uniformed police. Effective January 1, 1961, uniformed police personnel shall be allowed nine holidays off per year with pay, or nine days off in lieu thereof, at the discretion of the chief of police. (Ord. 95256 § 1; Nov. 10, 1966).

Chapter 1.56 MILITARY LEAVE

Sections:

1.56.010 Military leave authorized.

1.56.010 Military leave authorized. Any officer or employee of the city, who, after December 1, 1939, has been or thereafter may be called, sworn or mustered into the active military or naval service of the United States or the state of Washington, or accepted for training in any regularly constituted camp or school of instruction maintained and conducted by the United States Government or the state of Washington in the preparation of officers or men for such service, or serving as part of the personnel of the American National Red Cross under Public Law 99, Chapter 176, Laws of the 78th Congress, and engaged in medical and social rehabilitation work with the armed forces overseas, shall be given leave of absence without pay, while in said service, or in said camp or school, without loss of position rating or eligibility by reason of such absence. (Ord. 69816 § 1 as amended by Ord. 73052; Jan. 10, 1944).

Chapter 1.58 FAMILY EMERGENCY LEAVE

Sections:

1.58.010 Authorized—Definition.

1.58.010 Authorized—Definition. As of April 1, 1971 employees covered by those certain collective bargaining agreements entered into be-

tween the city and I.B.E.W. Local No. 77 pursuant to the authority of Ordinance 98887 and Ordinance 98977 shall, subject to approval by the department head, be allowed one day off each year without salary deduction for the purpose of meeting a family emergency caused by serious illness or accident disabling a member of such employee's immediate family and necessitating such employee's presence at home. For the purpose of this chapter, "immediate family" means the spouse, children, and/or parents of such employee, who regularly occupy the same residence as such employee. (Ord. 100112 § 1; July 20, 1971).

Chapter 1.59 FUNERAL LEAVE

Sections:

- 1.59.010 Leave allowed.
- 1.59.020 Definitions.
- 1.59.030 Reduction of sick leave.

1.59.010 Leave allowed. As of January 1, 1972, all city officers and employees in the classified civil service over whom the legislative authority has jurisdiction in this respect, except employees in temporary or intermittent positions specified by provisions of salary ordinances as not entitled to vacations, holidays, sick leave or health care and except employees covered by that certain collective bargaining agreement entered into between the city and Seattle Police Officers' Guild pursuant to the authority of Ordinance 98510 shall be allowed one day off without salary deduction for the purpose of attendance at the funeral of any close relative of such officer or employee; provided, that where such attendance requires total travel time of two hundred miles or more, one additional day with pay shall be allowed; provided further, that department heads may when circumstances require and upon application stating the reasons therefor authorize for such purpose not to exceed an additional four days chargeable to the sick leave account of any such officer or employee, but no combination of paid absence under this section shall exceed five days for any one period of absence. In like circumstances and upon like application department heads may authorize for the purpose of attending the funeral of a relative other than a close relative, not to exceed five days chargeable to the sick leave account of any such officer or employee. (Ord. 99753 § 1 as amended by Ord. 99963 and Ord. 100916 § 1; April 27, 1972).

1.59.020 Definitions. For the purpose of this chapter "close relative" means the spouse, child, mother, father, brother, sister, grandfather or grandmother of the officer or employee; or the mother, father, brother, sister, grandfather or grandmother of the spouse of such officer or employee. "Relative other than a close relative" means the uncle, aunt, cousin,

niece, nephew or grandchild of such officer or employee, or the spouse of the brother, sister, child or grandchild of such officer or employee; or the uncle, aunt, cousin, niece, nephew, or spouse of the brother or sister of the spouse of such officer and employee. (Ord. 99753 § 3 as amended by Ord. 99963 and Ord. 100916 § 2; April 27, 1972).

1.59.030 Reduction of sick leave. Upon certification by the appropriate department head that sick leave was allowed to an officer or employee for the purpose of attendance at a funeral in accordance with this chapter, the city comptroller shall correspondingly reduce such officer's or employee's sick leave balance on the payroll record. (Ord. 99753 § 4; March 26, 1971).

Chapter 1.60

SICK LEAVE

Sections:

- 1.60.010 To whom granted—Accumulation rate.
- 1.60.020 Officers and employees receiving disability benefits.
- 1.60.030 Change in position or transfer.
- 1.60.040 Compensation for first four days—Compensation after four days—Application and medical report.
- 1.60.050 Part time employees.
- 1.60.060 Denial of application—Hearing.
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- 1.60.110 Unused and accumulated sick leave—Notification of.
- 1.60.120 Unused and accumulated sick leave—Administration and enforcement.

1.60.010 To whom granted—Accumulation rate. Cumulative sick leave with pay computed at the rate of .046 hours for each hour on regular pay status as shown on the payroll, but not to exceed forty hours a week, and all benefits of this chapter shall be granted to all city officers and employees in the classified civil service over whom the legislative authority has jurisdiction in this respect; provided, members of the department of transportation holding the position of transit cashier shall be included as of November 1, 1972, and provided further, members of the police and fire departments under State Statutory Pension Systems, members of the department of transportation holding the position of transit operator, and

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those employees specifically excluded by provisions of salary ordinances shall not be included. Officers and employees shall accumulate sick leave credits from the date of entering city service and shall be entitled to sick leave with pay as follows:

(1) Officers and employees entering city service prior to September 1, 1972—after six calendar months of employment or on November 30, 1972, whichever occurs first;

(2) Officers and employees entering city service on and after September 1, 1972 and prior to September 1, 1973—after ninety calendar days of employment or on October 1, 1973, whichever occurs first;

(3) Officers and employees entering city service on and after September 1, 1973—after thirty calendar days of employment;

Provided, that employees covered by those certain collective bargaining agreements entered into between the city and International Brotherhood of Electrical Workers, Local No. 77 pursuant to the authority of Ordinances 101303 and 101304 shall be entitled to sick leave with pay after the first six months of employment.

Except for transit operators, and transit cashiers, officers and employees of the transit system transferred to the department of transportation by Ordinance 100089 shall be credited as of November 1, 1971 with three days' sick leave credit for each year of service prior to November 1, 1971. Employees holding the position of transit cashier shall be credited as of November 1, 1972 with three days sick leave credit for each year of service prior to November 1, 1972. Employees transferring after May 10, 1972 from the position of transit operator, and employees transferring after May 10, 1972 and prior to November 1, 1972 from the position of transit cashier to other positions in the classified service shall be credited with three days of sick leave credit for each year of service prior to the date of such transfer. (Ord. 88522 § 1 as amended by Ord. 93066, Ord. 96867, Ord. 99422, Ord. 100879, Ord. 101720 and Ord. 101861 § 1; February 16, 1973).

1.60.020 Officers and employees receiving disability benefits.** Officers and employees receiving disability benefits by virtue of any law or ordinance now or hereafter enacted, or under the City Charter, shall be entitled to sick leave pay only in the amount regular compensation exceeds such benefits, and any sick leave accumulation shall be reduced in the same ratio as such sick leave pay bears to regular compensation. (Ord. 88522 § 2; Aug. 24, 1959).

1.60.030 Change in position or transfer. Change in position or transfer to another city department included in the sick leave plan shall not result in a loss of sick leave accumulated under this chapter or as a Seattle public library employee. An officer or employee reinstated or reemployed in the same or another department included in this plan after termination

**Superseded to the extent inconsistent with Chapter 1.62 of this code.

of service, except after dismissal for cause, resignation or quitting, shall be credited with all unused sick leave accumulated prior to such termination. (Ord. 88522 § 3 as amended by Ord. 93257; Sept. 30, 1964).

1.60.040 Compensation for first four days—Compensation after four days—Application and medical report. Compensation for the first four days of absence because of illness or disability incapacitating an officer or employee for the performance of duty shall be paid upon approval of the department head, or someone authorized by him, and the civil service commission. In order to receive compensation for such absence, employees shall make themselves available for such investigation, medical or otherwise, as the department head or the civil service commission shall see fit to have made. Either the department head or the civil service commission may require a supporting report of a physician from an employee who is living outside the city limits or who for any other reason is unavailable for examination by the city's representative. Compensation for such absences beyond four days shall be paid only after approval by the department head, or someone authorized by him, and by the civil service commission, or a request from the employee supported by a report of the employee's physician and/or a physician representing the city as the civil service commission shall determine. The services of the public health department may be utilized by the civil service commission. The employee shall provide himself with such medical treatment or take such other precautions as the civil service commission shall determine to be necessary for an early return to duty. (Ord. 88522 § 4; Aug. 24, 1959).

1.60.050 Part time employees. Employees on a temporary, intermittent or part time basis and not otherwise excluded who work on a definite and predetermined schedule over an extended period may receive sick leave compensation for scheduled work periods only, on the same basis as regular city employees. Determination as to an employee's eligibility under this provision shall be made by the civil service commission. (Ord. 88522 § 5; Aug. 24, 1959).

1.60.060 Denial of application—Hearing. At the request of the employee concerned, the civil service commission shall review the refusal of a department head to approve a request for sick leave and before a decision adverse to the employee in such connection, shall give the employee an opportunity to be heard and the decision of the civil service commission shall be final. (Ord. 88522 § 6; Aug. 24, 1959).

1.60.070 Administration and enforcement. The civil service commission is authorized to make the necessary rules and regulations to enforce and administer the provisions of this chapter, to furnish the necessary forms and to keep the necessary records, provided that the city comptroller shall maintain all records of accumulated sick leave of active officers and employees. (Ord. 88522 § 7; Aug. 24, 1959).

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1.60.080 Department heads—Records and reports. The heads of departments shall report as to the final disposition of all cases when an employee has been included on the payroll for paid sick leave which subsequently is denied and shall make such reports and keep such records as the civil service commission and the city comptroller shall require. (Ord. 88522 § 8; Aug. 24, 1959).

1.60.090 Fraud in obtaining sick leave—Suspension or removal. Any one fraudulently obtaining or attempting to obtain sick leave may be suspended or removed in accordance with Section 12, Article XVI of the City Charter. (Ord. 88522 § 9; Aug. 24, 1959).

1.60.100 Unused and accumulated sick leave—Health care benefit premiums. Upon the retirement of any member of the city employees' retirement system or any health department employee who has retained membership in the State Retirement System under Ordinance 83017, or upon the award of a retirement allowance in accordance with Section 1.64.410 to a member whose employment with the city has been terminated by lay-off, the board of administration of the city employees' retirement system shall establish for such member an account to which it shall credit an amount equal to twenty-five percent of such employee's unused and accumulated sick leave at the rate of pay of such member in effect on the day prior to his retirement or lay-off as the case may be; provided, that as to any such member who is covered by those certain collective bargaining agreements entered into between the city and International Brotherhood of Electrical Workers, Local No. 77 pursuant to the authority of Ordinances 101303 and 101304, said board shall establish for such member an account to which it shall credit an amount equal either to twenty-five percent of such employee's unused and accumulated sick leave or to two hundred forty hours sick leave, whichever is less, at such rate of pay. Such account shall be used only to pay health care benefit premiums of such member and spouse at the time of retirement or award of such retirement allowance, to such carrier or carriers as shall be designated by such member. Said board of administration shall pay such health care benefit premiums from the health care fund, charge the respective members' accounts in the amount thereof and cease payments on behalf of any such member when the balance in his account has been exhausted, or upon the deaths of such member and spouse, whichever shall first occur. Said board of administration shall periodically notify the departments from which members are retired or laid off and for whom such health care premiums have been paid, of the amount of premiums so paid and the health care fund shall be reimbursed for such premium payments from the proper funds. (Ord. 90879 § 1 as amended by Ord. 93631, Ord. 100879, Ord. 101720 and Ord. 102366 § 1; July 18, 1973).

1.60.105 Unused and accumulated sick leave—Cash payment on retirement. In lieu of the establishment of the account and the crediting thereto of the amount provided in Section 1.60.100, any such member of the city employees' retirement system or health department employee who has retained membership in the state retirement system under Ordinance 83017, upon retirement or award of retirement allowance as the case may be, may by written request to the board of administration of the city employees' retirement system elect to receive a cash payment of an amount equal to the amount provided in Section 1.60.100. Upon receipt of such written request, said board of administration shall certify to the head of the department in which such employee was employed the amount to be paid such member and the head of such department is authorized to pay such amount to such member and for such purpose to use unexpended and unencumbered budget salary funds accumulating in the budget of such department. (Ord. 90789 § 1.1 added by Ord. 98848 and amended by Ord. 99754, Ord. 100879, Ord. 101720 and Ord. 102366 § 2; July 18, 1973).

1.60.110 Unused and accumulated sick leave—Notification of. On and after January 1, 1962 the civil service commission of the city of Seattle, or other responsible boards or commissions shall notify the board of administration of the city employees' retirement system in writing of the unused and accumulated sick leave and the applicable hourly rate of pay of members of said retirement system retiring on and after said date. (Ord. 90789 § 2; Dec. 26, 1961).

1.60.120 Unused and accumulated sick leave—Administration and enforcement. The board of administration of the city employees' retirement system shall administer the provisions of Section 1.60.100 and 1.60.110 and may make necessary rules to effectuate the same. (Ord. 90789 § 3; Dec. 26, 1961).

Chapter 1.61

EXPENSE ALLOWANCES

Sections:

- 1.61.010 Reimbursement for travel expenses.
- 1.61.020 Claims to be accompanied by invoices or receipts.
- 1.61.030 Reimbursement for travel expenses incurred for convention or education purposes.
- 1.61.040 Approval of claims required.
- 1.61.050 Advance cash allowances.
- 1.61.060 Repayment of travel advances.
- 1.61.070 Expenses for which reimbursement not allowed.

1.61.010 Reimbursement for travel expenses. City officers and employees shall be reimbursed for all reasonable and necessary expenses in-

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curred in the course of authorized travel on city business as follows:

A. For travel periods of less than twenty-four hours not requiring overnight lodging—Reimbursement shall be made for actual expenses incurred for convention, seminar or other registration fees; transportation to destination and return or mileage in accordance with Chapter 2.60; provided that reimbursement for mileage shall not exceed the round trip air fare of a common carrier; automobile rental; meals; and incidentals;

B. For travel within the state for periods requiring overnight lodging—Reimbursement shall be made for actual expenses incurred for conven-

1.64.320 Contributions — Normal rates — Deduction rules—Matching funds—Additional contributions. (a) Members of the retirement system shall make contributions to the retirement fund at the rate of six percent of the compensation of each such member, said rate to be effective as of the commencement of the first pay period of each member following the effective date of this amendatory ordinance; provided that any member whose rate of contribution prior to June 23, 1972 was less than six percent shall be continued at such lesser rate.

(b) Subject to the provisions of this chapter, the board of administration shall adopt rules and regulations governing the making of deductions from the compensation of employees and shall certify to the head of each office or department the normal rate of contribution for each member provided for in subdivision (a) of this section. The head of each department shall apply such rate of contribution to the compensation of each member, exclusive of overtime, and shall certify to the city comptroller on each and every payroll the amount to be contributed and shall furnish immediately to the board a copy of each and every payroll; and each of said amounts shall be deducted by the city comptroller and shall be paid into the retirement fund, hereinafter provided for, and shall be credited by the board together with regular interest to an individual account of the member for whom the contribution was made.

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

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

(d) Contributions in excess of the normal contributions provided in subdivision (a) of this section for the purpose of providing an additional annuity at the time of retirement, may be made subject to the discretion of and in accordance with the rules of the board of administration, which board shall, from time to time, fix the rate of interest to be paid thereon; provided, that such additional contributions shall not exceed ten percent of the contributing member's compensation and shall not be matched by the city; nor shall the city be otherwise obligated in connection therewith. (Ord. 78444 § 5 as amended by Ord. 89420, Ord 92193 and Ord. 101024 § 1; May 24, 1972).

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1.64.330 Creditable service—Allowance—Prior service. (a) Subject to the following and all other provisions of this chapter, including such rules and regulations as the board shall adopt in pursuance thereof, the board, subject to the approval of the city council, shall determine and may modify allowance for service.

Time during leave on account of sickness or injury subsequent to July 1, 1929, or time served in either the police or fire departments before or after July 1, 1929; or time during which a member was under temporary or provisional appointment before becoming a member; or time during which a member was on extended leave of absence while serving as an officer of a labor organization the membership of which includes city employees; may be allowed in computing creditable service, provided such member shall pay into the retirement fund an amount equal to the normal contributions covering the period from July 1, 1929, for which creditable service is claimed. Time during which a member is absent on leave without pay for reasons other than those specified in this section shall not be allowed in computing service.

Each member shall file with the board such information affecting his status as a member of the retirement system as the board may require.

(b) Credit for "prior service" as defined by this chapter shall be granted members entering the retirement system as of the dates specified in Section 1.64.100 and to those members re-entering after such dates if re-entry is within one year after city service prior to such dates. Such credit shall be granted those becoming members pursuant to Chapter 52, Laws of Washington, 1945, in the same proportion as the amount of money deposited to cover service from July 1, 1929, to date of entry into the system, bears to the amount of money necessary to cover all service during that period, excluding, however, all service after the first of the month following attainment of age sixty-seven.

Provided, that the board may grant credit for prior service to any eligible entering the retirement system after the dates above mentioned if he, because of sickness or other disability or while serving as an officer of a labor organization, the membership of which includes city employees, has been on leave of absence, regularly granted, since discontinuance of city service, regardless of the length of such leave.

(c) Any member who shall make his normal contributions to the retirement system while on military leave of absence under Section 1.56.010, or who after his return to city service shall make the same in full or in monthly payments equal to his current normal contribution, shall for the period of such leave be entitled to all rights, privileges and benefits allowable under such system, including the allowance of such time as creditable service. In addition, any member in the city service on the effective date of this amendatory ordinance who heretofore or who hereafter enters the active military or naval service after having been laid off from city employ-

ment and who re-entered or re-enters city service subsequent to such active military or naval service shall be entitled to all rights, privileges and benefits allowable under such system, including the allowance of such period of military or naval service as creditable service provided that such member pay to the retirement system his normal contributions for such period. (Ord. 78444 § 6 as amended by Ord. 79798 and Ord. 101615 § 1; November 27, 1972).

1.64.340 Administration — Board — Powers and duties. The administration of the retirement and death benefit system is vested in the board of administration created in Section 1.64.360. The board shall exercise the powers and duties conferred upon it by said section, and in addition thereto:

(a) The board shall keep in convenient form such data as shall be necessary for the actuarial valuation of the retirement fund created by this chapter. At the end of the four-year period beginning with the year 1970, and at the end of every four-year period thereafter, the board shall cause to be made an actuarial investigation into the mortality, service and compensation experience of the members and beneficiaries as defined by this chapter; and shall further cause to be made an actuarial valuation of the assets and liabilities of the retirement fund, and upon the basis of such investigation and valuation and subject to the approval of the city council, shall:

(1) Make any necessary changes in the rate of interest,

(2) Adopt for the retirement system such mortality, service, and other tables as shall be necessary;

(b) The board shall promptly transmit to the city council a report covering the actuarial investigation and actuarial valuation provided for in subdivision (a) of this section;

(c) In addition to other records and accounts, the board shall keep such detailed records and accounts as shall be necessary to show the financial condition of the retirement fund at all times;

(d) The board shall annually transmit to the city council a report showing the financial condition of the fund established by this chapter;

(e) Nothing in this section shall be construed to limit the right of the board, subject to approval of the city council, to make changes in rates of interest whenever said board deems it necessary or advisable, or to secure actuarial reports more often than every four years. (Ord. 78444 § 7 as amended by Ord. 99566 and Ord. 101024 § 2; May 24, 1972).

1.64.345 Annual bonus dividend. The board of administration may, with the advice of actuaries appointed by the board and subject to the approval of the city council by resolution, declare and pay an annual bonus dividend to all retired members and beneficiaries receiving monthly payments, except beneficiaries receiving installment payments of accumulated

contributions under Section 1.64.600(a). Such bonus dividend, when so declared, shall be paid only from such earnings from investments, including profit from sales of securities and reserves accumulated from such sources, as are not required for the payment of interest upon employee and city contributions. (Ord. 78444 § 7.1 added by Ord. 96293; December 7, 1967).

1.64.350 Employees' retirement fund. A fund is created and established to be known as the "employees' retirement fund" and shall consist of all the moneys paid into it in accordance with the provisions of this chapter, whether such moneys shall take the form of cash, securities or other assets. (Ord. 78444 § 8; November 21, 1949).

1.64.360 Board of administration — Created — Members — Investment and administration of funds—Interest in fund prohibited. (a) There is created and established a board of administration which shall, under the provisions of this chapter and direction of the city council, administer the retirement and death benefit systems and the retirement fund created by this chapter. Under and pursuant to the direction of the city council the board shall provide for the proper investment of the moneys in the said retirement fund. The board of administration shall consist of seven members as follows:

- (1) The chairman of the finance committee of the city council;
- (2) The city comptroller;
- (3) The city treasurer;
- (4) Three persons who are members of the retirement system and who shall be elected by the members of the retirement system including retired members; provided that persons who have elected upon termination of their employment to leave all their contributions in the retirement fund pursuant to the provisions of Section 1.64.410 shall not be eligible to vote for or be elected to such positions; and provided further that at least one, but not more than two such elected members of the board of administration shall at the time of their election be employed other than in the transportation operations of the Municipality of Metropolitan Seattle or in a city department other than the lighting department or water department of the city;
- (5) One member who shall be appointed by the other six members, provided that such appointed member shall not be a city employee or a retired city employee and shall not be an employee of the Municipality of Metropolitan Seattle who has membership in the city employees' retirement system.

(b) Elected members and the appointed member shall serve for a three year term ending July 1st of the third year of such term; provided that the initial terms of the elected members expire July 1, 1971, July 1, 1972, and July 1, 1973; and the initial term of the appointed member shall expire July 1, 1973.

(c) Elections for the members of the board of administration who are elected as provided in this section shall be administered by the board and shall be held on the first Monday in June of each year and balloting shall be permitted from one minute after twelve a.m. to twelve midnight on the day of election.

(d) Any vacancy occurring in an elected position shall be filled by the city council by appointment to such position of a member eligible to be elected thereto. The member so appointed shall serve until such vacancy is filled by the election for the unexpired term of a member eligible to be elected for a full term to such position at the next succeeding first Monday in June, unless the vacancy occurred less than one year before the expiration of the term of such elected member, in which case the member so appointed shall serve for the remainder of the unexpired term. Any vacancy occurring in the appointed member position shall be filled by appointment by the city council for the unexpired term.

(e) The chairman of the finance committee of the city council shall be ex-officio chairman, the city comptroller ex-officio secretary, and the city treasurer ex-officio treasurer of the board.

(f) The investment of all or any part of the retirement fund shall be as permitted by Laws of 1969, Extra-ordinary Session, Chapter 211, Section 1 (RCW 35.39.040).

(g) Subject to such provisions as may be prescribed by law for the deposit of municipal funds in banks, cash belonging to the retirement fund may be deposited in any licensed national bank or banks in this state, or in any bank, banks or corporations authorized or licensed to do a banking business and organized under the laws of the state of Washington.

(h) The city treasurer shall be the custodian of the retirement fund. All payments from said fund shall be made by the city treasurer but only upon warrant duly executed by the city comptroller.

(i) Except as herein provided, no member and no employee of the board of administration shall have any interest, direct or indirect, in the making of any investments from the retirement fund, or in the gains or profits accruing therefrom. And no member or employee of said board, directly or indirectly, for himself or as an agent or partner of others, shall borrow any of its funds or deposits or in any manner use the same except to make such current and necessary payments as are authorized by said board; nor shall any member or employee of said board become an endorser or surety or become in any manner an obligor for moneys invested by the board. (Ord. 72444 § 9 as amended by Ord. 83534, Ord. 98163, Ord. 98861, Ord. 100877, Ord. 101738 and Ord. 101794 § 1; January 30, 1973).

1.64.370 Matching contributions by city. There shall be paid into the retirement fund by contributions of the city, the amounts necessary to pay all pensions and all other benefits allowable to members and their

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beneficiaries under the provisions of this chapter including death benefits, except such as are provided by the accumulated contributions and death benefit assessments of members. Until the amount accumulated in the retirement fund becomes at least as large as the present value of all amounts thereafter payable from said fund, the amount annually due

from the city to said fund under this section shall be the matching contributions required by Sections 1.64.320 and 1.64.660, and a sum equal to the amount payable from said fund in the ensuing fiscal year on account of prior service credits and minimum pensions for service and disability retirement not otherwise provided for. (Ord. 78444 § 10; Nov. 21, 1949).

1.64.371 Authority to borrow money. The board of administration for and on behalf of the employees' retirement system, is authorized to borrow money from time to time, in amounts not to exceed one million dollars outstanding at any one time, and at interest rates not to exceed six percent per year and to execute the necessary notes and pledge as collateral securities held by the retirement system, all in connection with the investment of moneys in the retirement fund authorized by Section 1.64.370 herein. Such notes or other evidence of indebtedness shall not constitute an indebtedness of the city of Seattle, and shall be payable solely from the retirement fund. (Ord. 78444 § 9.1 added by Ord. 87916; Feb. 5, 1959).

1.64.380 Matching contributions—Obligation of city—Effect of modification of chapter. (a) The payments of the city due the retirement fund as provided for in this chapter are hereby made obligations of the city except as provided in subsection (b). The board shall annually, on or before the tenth day of July each year, prepare and submit to the city council an estimate of the amounts necessary to meet such obligations, and the city council shall provide for the raising of such amounts as are necessary to make such payments.

(b) The city may at any time change, modify or repeal this chapter or any part thereof in respect to its future obligations to any member not at that time receiving or being eligible to a pension hereunder. It is hereby specifically provided, however, and the city hereby covenants and guarantees, that the city's obligation to those members receiving or eligible to a retirement allowance prior to such change, modification or repeal shall continue in full force and effect as provided in this chapter; and that the city's obligation to those members not receiving or being eligible to a pension at the time of such change, modification or repeal, will be a retirement allowance at pension age equal to the actuarial equivalent of the accumulated value of the member's contribution standing to his credit at date of pension, and the accumulated value of the city's contribution to the date of such change, modification or repeal, increased further by the accumulations of said amount to the date of pension with interest, but without further contributions from the city. (Ord. 78444 § 11; Nov. 21, 1949).

1.64.390 Discontinuance of city service—Withdrawal of contributions—Redeposit. (a) Should the city service of a member, not eligible for retirement under the provisions of this chapter, be discontinued, except

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by death, prior to completion of ten years' membership in the retirement system, he shall be paid six months after the day of discontinuance such part of his accumulated contribution as he shall demand: Provided, however, that such member may apply to the board and by unanimous vote the board may grant a request for immediate withdrawal of contributions. If in the opinion of the board such member is permanently separated from city service by reason of such discontinuance, he shall be paid forthwith all his accumulated contributions, with interest. Should the city service of an employee not eligible for retirement under Section 1.64.400 who has been a member of the retirement system for at last ten years be discontinued, except by death, he may apply for immediate withdrawal of his accumulated contributions as herein above provided, or elect in writing within six months after such termination to leave his accumulated contributions in the retirement fund and thereafter upon reaching the required age and making application therefor he shall receive a retirement allowance as provided in Section 1.64.410; Provided that if discontinuance of city service is caused by intemperance, wilful misconduct or violation of law on the part of the member, of which the board shall be the judge, the board of administration, in its discretion, may pay to said member, in one lump sum, his accumulated contributions, in lieu of all other rights, privileges or benefits under this chapter, and such payment shall constitute full satisfaction of all obligations of the city to such member, and upon receipt of such payment he shall cease to be a member of the system.

Any member eligible for retirement under Section 1.64.400 whose city service has been discontinued, except by death, and any member whose city service has been discontinued and who has elected to leave his accumulated contributions in the retirement fund, may in the manner hereinabove provided, apply to the board for withdrawal of contributions, but in such case the board may, in its discretion, approve such request or disapprove the same and if such member then be eligible, authorize his retirement. Upon withdrawal of contributions the full amount deposited by the city in the retirement fund for such member's benefit, plus interest, shall be available to meet the obligations of the city under this chapter.

(b) Subject to rules and regulations established by the board, any member or former member who re-enters city service may redeposit in the retirement fund an amount equal to that which he previously withdrew therefrom at the last termination of his membership, such redeposit to be paid into the retirement fund. If a member upon reentering the retirement system after a termination of his membership shall not make such a redeposit as hereinabove provided, he shall lose credit for prior service and the rate of his contributions for future years shall be the normal rate provided for in subdivision (a), Section 1.64.320 at his age of re-entrance; otherwise his rate of contribution for future years shall be based on the same age as his rate prior to the termination of his membership. In the

event such redeposit is made by a member, an amount equal to the accumulated normal contributions so redeposited shall again be held for the benefit of the said member, and shall no longer be included in the amounts available to meet the obligations of the city under this chapter, and the city shall reinstate the prior service credit for such member. (Ord. 78444 § 12 as amended by Ord. 98122 § 1; Sept. 10, 1969).

1.64.400 Retirement for service—Ages and years of service. Retirement of a member for service shall be made by the board of administration as follows:*

(a) Each member of the retirement system shall be retired on the first day of the calendar month next succeeding the month in which the member shall have attained the age of sixty-five years. Provided that upon written request of the head of the office or department in which the member is employed, certifying that continuance in employment of the member is advantageous to the public service, the board of administration may grant the request for extension of time for retirement for not to exceed one year and at the end of that time may grant another extension or extensions of time for retirement by similar action of the head of the office or department; Provided further that no continuance in employment shall be permitted beyond the first day of the calendar month next succeeding the month in which the member has attained the age of sixty-seven years.

(b) Any member in the city service may retire by filing with the board a written application, stating when he desires to be retired, such application to be made at least thirty days prior to date of retirement: Provided, however, that said member, at the time specified for his retirement, shall have completed ten years of city service as defined in this chapter, and shall have attained the age of fifty-seven years, or shall have completed twenty years of city service and shall have attained the age of fifty-two years, or shall have completed thirty years of city service as defined in this chapter. Permanent discontinuance of city service after the member has become eligible for a retirement allowance under the provisions of this chapter shall entitle such member to his retirement allowance; provided that if discontinuance of city service is caused by intemperance, willful misconduct or violation of law on the part of the member, of which the board shall be the judge, the board of administration, in its discretion, may pay to said member, in one lump sum, his accumulated contributions, in lieu of a retirement allowance, and such payment shall constitute full satisfaction of all obligations of the city to such member, and upon receipt of such payment he shall cease to be a member of the system. (Ord. 78444 § 13 as amended by Ord. 98122 § 2 (part); Sept. 10, 1969).

*Provisions for compulsory retirement superseded to extent necessary to permit eligibility for Federal Social Security—See Section 1.64.410.

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1.64.410 Extension of employment to permit eligibility for social security. Any member of the retirement system who, upon termination of his employment with the city after at least five years' membership in the retirement system, elects to leave all his contributions in the retirement fund pursuant to Section 1.64.390(a) shall be eligible to receive a retirement allowance upon reaching the age of sixty-five years; provided that if such member completed ten years of service prior to termination of his employment, he shall be eligible to receive a retirement allowance upon reaching the age of fifty-seven years, and if such member completed twenty years of service prior to termination of his employment, he shall be eligible to receive a retirement allowance upon reaching the age of fifty-two years. Such person shall file with the board a written application, stating the date when he wishes the payment of his retirement allowance to commence, at least thirty days prior to said date. He shall thereupon be awarded a retirement allowance as provided for members in Sections 1.64.420 through 1.64.495, and shall be eligible to elect in lieu thereof any of the options provided in Section 1.64.590; provided, that any person leaving the city service prior to qualifying for retirement under Section 1.64.400 shall not be eligible for the alternative retirement allowance computations provided in Sections 1.64.450 and 1.64.460, nor shall he be eligible to receive any disability retirement allowance under Sections 1.64.570, and 1.64.580 and 1.64.585, nor shall his estate or his beneficiaries receive the death benefit provided in Section 1.64.650; provided further, that persons leaving the city service prior to qualifying for retirement under Section 1.64.400 shall, if and when eligible to receive a retirement allowance as provided in this subsection, be eligible for the alternative allowance computation provided in Section 1.64.480, based upon his age at the time of commencement of payment of such member's retirement allowance. (Ord. 78444 § 13(c) added by Ord. 84510 and amended by Ord. 98122 and Ord. 99566 § 3; December 30, 1970).

1.64.420 Retirement allowances—Annuity—Pension—Additional pension for prior service credit. A member, upon retirement from service, shall receive retirement allowance subject to the provisions of Section 1.64.430, which shall consist of:

(1) An annuity which shall be the actuarial equivalent of his accumulated contributions at the time of his retirement; and

(2) A pension purchased by the contributions of the city, equal to the annuity purchased by the accumulated normal contributions of the member.

(3) For any member having credit for prior service, an additional pension purchased by the contributions of the city equal to one and one-third percent of the final compensation multiplied by the number of years of prior service credited to said member, if total prior service credit at such rate shall amount to sixteen and two-thirds percent or more of final compensation; if such total prior service credit shall not equal sixteen and two-thirds percent of final compensation such additional pension shall be increased by one-third of one percent of final compensation, multiplied by the number of years of prior service credited to said member for the period between July 1, 1919, and July 1, 1929, but such prior service credit for said member shall not exceed a total of sixteen and two-thirds percent of final compensation; provided further, that if a member retires before attaining the age of sixty-two years the total additional pension computed as above shall be reduced by the following percentages:

At age 61.....	6.48	At age 55.....	36.18
At age 60.....	12.48	At age 54.....	39.92
At age 59.....	18.02	At age 53.....	43.38
At age 58.....	23.12	At age 52.....	46.52
At age 57.....	27.85	At age 51.....	49.52
At age 56.....	32.12	At age 50.....	52.30

Appropriate reductions shall be made in case of retirement, under age fifty consistent with the above schedule. (Ord. 78444 § 14(a) as amended by Ord. 86133; May 6, 1957).

1.64.430 Basic pension limited to sixty percent of final compensation. If at the time of retirement the basic pension as defined herein, is in excess of sixty percent of final compensation then the retirement allowance of the member shall be limited to sixty percent of final compensation, allowing full credit for prior service as provided in this chapter and applying accumulated normal contributions of the member and of the city in equal amounts to make up the sixty percent of final compensation. Any residue of the accumulated normal contributions of the member over the amount so applied shall be considered as accumulated additional contributions and may be subject to such rules as the board of administration may have adopted governing the same. Any residue of the accumulated contributions

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of the city over the amount so applied shall remain in the retirement fund to apply on the city's obligations to said fund.

All retirement allowances shall be limited to sixty percent of final compensation except that increases in retirement allowances after retirement may be received without limitation; and further, an exception is made where an allowance is one hundred ten dollars per month or less, in which case the sixty percent of final compensation limit shall not apply. (Ord. 78444 § 14(b) as amended by Ord. 86133 and Ord. 100792 § 1; March 13, 1972).

1.64.440 Percentage increase of monthly benefits. The monthly benefits of all members retired for service prior to January 1, 1971, and the monthly benefits payable to any person as the result of the death of any member who was retired for service or disability prior to January 1, 1971, shall be increased as of January 1, 1971 by the percentage indicated in the following table opposite the year of retirement of the member upon whose service such benefits are based:

Year of retirement	Percentage increase of monthly benefit payable immediately prior to January 1, 1971.
1970	4%
1969	7
1968	9
1967	11
1966	13
1965	14
1964	15
1963	16
1962	17
1961	18
1960	19
1959	20
1958	21
1957	22
1956	23
1955	24
1954	25
1953	26
1952	27
1951	28
1950	29
1949	30
1948	31
1947	32

1946	33
1945	34
1944	35
1943	36
1942	37
1941	38
1940	39
1939	40
1938	41
1937	42
1936	43
1935	44
1934	45
1933	46
1932	47
1931	48
1930	49
1929	50

Provided, that the increases herein shall not be applicable to members retired on or after September 1, 1970 and on or before December 31, 1970 who pursuant to Ordinance 99271 select benefits applicable to persons who retire on or after January 1, 1971; and, provided further, that the increases herein shall not be applicable to persons receiving benefits as the result of the death of a member who elected "Option B" as provided in Section 1.64.590. The increases provided herein shall be paid from available retirement system funds or from contributions of the city. Nothing in this subsection shall affect the amount of any bonus dividend declared pursuant to Section 1.64.345, nor shall any such bonus dividend be considered as a part of monthly benefits for the purpose of computing the percentage increases authorized in this subsection. (Ord. 78444 § 14(c) as amended by Ord. 86133 and Ord. 99566 § 4; December 30, 1970).

1.64.450 Scale of minimum retirement allowances. For members retiring for service subsequent to January 1, 1951, there is established the following scale of minimum retirement allowances, subject to Section 1.64.490 and subject to the member being sixty years of age or over and having at least ten years of creditable service. The amounts shown in the scale shall be subject to pro rata adjustments for service and/or age but for half half-year fractions only.

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LENGTH OF SERVICE IN YEARS

Attained

Age	10	11	12	13	14
65	\$60.00	\$60.00	\$60.00	\$60.00	\$60.00
64	56.00	58.00	60.00	60.00	60.00
63	47.00	50.00	54.00	58.00	60.00
62	43.00	45.00	47.00	49.00	53.00
61	38.00	40.00	43.00	47.00	49.00
60	37.00	39.00	41.00	44.00	47.00

LENGTH OF SERVICE IN YEARS

Attained

Age	15	16	17	18	19	20
65	\$60.00	\$60.00	\$63.00	\$66.00	\$69.00	\$73.00
64	60.00	60.00	61.00	64.00	67.00	71.00
63	60.00	60.00	60.00	62.00	65.00	69.00
62	56.00	58.00	59.00	61.00	63.00	67.00
61	53.00	56.00	58.00	59.00	62.00	65.00
60	50.00	52.00	55.00	57.00	60.00	63.00

The pension payable over and above the basic pension shall be purchased by contributions of the city. (Ord. 78444 § 14(d) as amended by Ord. 86133; May 6, 1957).

1.64.460 "Dollar scale. For members retiring for service subsequent to January 1, 1953, there is established the following "dollar" scale which may be used in fixing the amount of a service retirement allowance but when used the allowance indicated shall not be excess of one hundred ten dollars per month which shall be subject to Section 1.64.490 and shall not be subject to the limitation of sixty percent of final compensation except when such final compensation is more than two hundred dollars per month. The pension payable over and above the basic pension shall be purchased by contributions of the city.

FOR EACH YEAR OF CREDITABLE SERVICE

- \$3.65 for each year at age 65 or over
- 3.55 for each year at age 64
- 3.45 for each year at age 63
- 3.35 for each year at age 62
- 3.25 for each year at age 61
- 3.15 for each year at age 60

(Ord. 78444 § 14(e) as amended by Ord. 86133 and Ord. 100792 § 2; March 13, 1972).

1.64.480 Percentage scale—Application optional. For members retiring for service on or after January 1, 1971, there is established the following "percentage" scale which may be used in fixing the amount of a service retirement allowance, provided that such scale may also be used in determining benefits of surviving spouses of employees receiving disability retirement benefits under Section 1.64.570(e) but shall not add more than one hundred thirty dollars per month to the basic pension upon which such surviving spouses' benefits are based. Use of this scale is subject to Section 1.64.490 and to the limitation of sixty percent of final compensation except where final compensation is less than two hundred dollars per month, in which case the retirement allowances may not exceed one hundred dollars per month. The pension payable over and above the basic pension shall be purchased by contributions of the city.

FOR EACH YEAR OF CREDITABLE SERVICE

Percent of Final Compensation	At	Age
1.84	"	65 or over
1.78	"	64
1.73	"	63
1.67	"	62
1.62	"	61
1.58	"	60
1.63	"	59
1.48	"	58
1.42	"	57
1.36	"	56
1.30	"	55
1.23	"	54
1.16	"	53
1.10	"	52
1.03	"	51
0.96	"	50
0.89	"	49
0.82	"	48

The application of the scales herein established and in Sections 1.64.450 and 1.64.460 shall be at the option of the members. (Ord. 78444 § 14(f) as amended by Ord. 90730, Ord. 94354, Ord. 95183, Ord. 96293, Ord. 97303, Ord 98122, Ord. 98543, Ord. 99566 and Ord. 100792 § 3; March 20, 1972).

1.64.490 Election of options under Section 1.64.590—Increase limited to proper actuarial equivalent. Any member who has heretofore elected or who may hereafter elect to receive one of the options provided for in Section 1.64.590 and whose retirement allowance will be increased by the for-

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going provisions, shall receive only the proper actuarial equivalent of such increase. (Ord. 78444 § 14(g) as amended by Ord. 86133; May 6, 1957).

1.64.493 Applicability of alternative retirement allowances.

The alternative retirement allowance computations set forth in Sections 1.64.450 and 1.64.460 shall be available only to members who remain in city service until they attain age sixty and shall not be available to members who retire or are otherwise separated from city service prior to age sixty. No person leaving the service of the city prior to attaining the age of forty-eight shall be eligible for the alternative retirement allowance computation provided in Section 1.64.480; provided that the surviving spouse of an employee retired for disability shall be entitled to the benefits under Section 1.64.570(e) based upon the alternative retirement allowance computation provided in accordance with Section 1.64.470 if such employee attained the age of forty-eight prior to death. (Ord. 78444 § 14(h) as amended by Ord. 86133, Ord. 97303 and Ord. 99566 § 6; December 30, 1970).

1.64.500 F.O.A.S.I.—Plan adopted. Effective as of January 1, 1956, a plan for coordinating the benefits accruing to members of the Seattle city employee's retirement system with Federal Old Age and Survivors Insurance is hereby adopted. (Ord. 84566 § 1; Oct. 31, 1955).

1.64.510 F.O.A.S.I.—Effective date. In the event this plan is properly approved by the eligible officers and employees of the city of Seattle, the effective date of said plan shall be January 1, 1956. (Ord. 84566 § 4; Oct. 31, 1955).

1.64.520 F.O.A.S.I.—Approval, agreement and referendum. The governor of the state of Washington is hereby requested to approve this plan and to enter into an agreement with the Secretary of Health, Education and Welfare of the United States for the purpose of extending to officers and employees of the city of Seattle the benefits of Federal Old Age and Survivors' Insurance on this plan providing for such insurance, in addition to adjusted retirement system benefits under the Seattle city employees' retirement system; and the governor is requested to authorize a referendum thereon at the earliest possible date in accordance with Section 3 (4), Chapter 4, Laws of Washington, 1955, Ex. Ses. (RCW 41.48.030), and Section 218 (d), (3), of the Federal Social Security Act. to the eligible officers and employees of the city of Seattle upon the question whether they desire to be included under, or excluded from the provision of Federal Old Age Survivors' Insurance on such plan. (Ord. 84566 § 5; October 31, 1955).

1.64.530 F.O.A.S.I.—Funds. Upon adoption of such plan, in conformity with the provision of the Federal Social Security Act and the agreement entered into under the state act, each year there shall be provided, in

the respective funds from which city officers and employees of the various departments receive their salaries, sufficient funds to make the payments required by Section 5 (3) (a) and (4), Chapter 4, Laws of Washington, 1955, Ex. Ses. (RCW 41.48.050) (Ord. 84566 § 6; October 31, 1955).

1.64.540 F.O.A.S.I.—Deductions. Upon adoption of such plan, the city comptroller of the city of Seattle shall deduct from the salary of each officer and employee the amount of tax imposed by the "Federal Insurance Contributions Act," and the amount so deducted from such salaries shall be paid into the contributions fund as provided in Section 4 (1) of said Chapter 4 (RCW 41.48.040); and failure to make such deductions shall not relieve the officers or employees from liability for such contribution. (Ord. 84566 § 7; October 31, 1955).

1.64.550 F.O.A.S.I.—Administration—Termination. The city comptroller of the city of Seattle is hereby designated as the officer to administer such accounting, reporting and other functions as are required for the effective operation of said plan within the city of Seattle; he shall make such reports, in such form and containing such information, as the governor may from time to time require; and shall comply with such provisions as the Governor or the Secretary of Health, Education and Welfare of the United States may from time to time find necessary to assure the correctness and verification of such reports; and the Governor is authorized to terminate said plan if he finds there has been failure to comply substantially with its provisions, such termination to take effect at the expiration of the Governor consistent with the provisions of the Social Security Act. (Ord. 84566 § 8; October 31, 1955).

1.64.560 Disability retirement—When authorized. Any member who has not attained the age of sixty-five may be retired for permanent or total disability, either ordinary or accidental, occurring while in city service and not connected with any illness or disability existing prior to entering city service, upon examination as hereinafter set forth, if such employee meets either of the following requirements:

(1) The disability of such member arose out of and in the course of his employment as an employee of the city; or,

(2) Such member had, at the time of occurrence of such disability, at least ten years of city service, over a period of not to exceed fifteen years immediately preceding retirement; provided that city service lost while on previous disability retirement shall not be considered in determining if the applicant has city service in the limits specified.

Any member while in the city service, or within three months after the discontinuance of city service, or while physically or mentally incapacitated for the performance of duty, if such incapacity has been continuous from discontinuance of city service, shall be examined by a physician or surgeon, appointed by the board of administration, upon the applica-

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tion of the head of the office or department in which said member is employed, or upon application of said member, or a person acting in his behalf, stating that said member is permanently and totally incapacitated, either physically or mentally, for the performance of duty and ought to be retired. If such medical examination shows, to the satisfaction of the board, that the said member is permanently and totally incapacitated either physically or mentally for the performance of duty and ought to be retired, the board shall retire the said member for disability forthwith.

The board shall secure such medical services and advice as it may deem necessary to carry out the purpose of this section and of Section 1.64.580, and shall pay for such medical services and advice such compensation as the board shall deem reasonable.

The provisions of this section shall not be applicable to employees pensioned for permanent and total disability, as defined in and pursuant to state law. (Ord. 78444 § 15 as amended by Ord. 89419 and Ord. 101274 § 1; August 10, 1972).

1.64.570 Disability retirement—Retirement allowance. (a) Upon retirement for disability, as hereinabove provided, provided the disability is not due to intemperance, willful misconduct or violation of law, of which the board shall be the judge, a member shall receive a retirement allowance calculated as follows:

One and one-half percent of final compensation multiplied by years of creditable service, if such retirement allowance exceeds one third of his final compensation; otherwise one and one-half percent of final compensation multiplied by years of service which would be creditable to him were his services to continue until attainment of age of sixty-two but such alternative disability retirement allowance shall not exceed one-third of such final compensation; provided, that no disability retirement allowance shall exceed sixty percent of final compensation. Notwithstanding any provision of this section to the contrary, the minimum retirement allowance shall be one hundred forty dollars per month.

The retirement allowance as above calculated shall consist of:

(1) An annuity which shall be the actuarial equivalent of the member's accumulated normal contributions;

(2) A pension which shall be the actuarial equivalent of the City's matching contributions;

(3) A pension for prior service, if any, calculated at the rate of one and one-half percent of final compensation for each year of prior service, which shall be provided by contributions of the city;

(4) An additional pension, provided by contributions of the city, should the calculation of the allowance show that (1), (2) and (3) above are not enough to produce the retirement allowance indicated;

(5) When use of proper annuity and pension rates result in a retirement allowance amounting to more than would be realized by adherence

to the formula indicated in subsection (a) of this section the board shall allow the higher amount.

(b) The disability allowances of all members retired for disability prior to January 1, 1971 shall on January 1, 1971 be increased by twenty dollars per month over the monthly benefit payable immediately prior to January 1, 1971, but no such pension of members retired for disability shall be less than one hundred forty dollars per month as of such date. Nothing in this subsection shall affect the amount of any bonus dividend declared pursuant to Section 1.64.345. Such increases shall be paid from available retirement system funds or from contributions of the city; provided, that such increases shall not be applicable to persons retired for disability on and after September 1, 1970 and on and before December 31, 1970 who pursuant to Ordinance 99271 select benefits applicable to persons who retire on and after January 1, 1971.

(c) If disability is due to intemperance, willful misconduct or violation of law, on the part of the member, the board of administration, in its discretion, may pay to said member, in one lump sum his accumulated contributions, in lieu of a retirement allowance, and such payment shall constitute full satisfaction of all obligations of the city to such member, and upon receipt of such payment he shall cease to be a member of the system.

(d) Upon the death of a member, while in receipt of a disability retirement allowance, his accumulated contributions, as they were at the date of his retirement, less any annuity payments made to him, shall be paid to his estate, or to such persons having an insurable interest in his life as he shall have nominated by written designation duly executed and filed with the board; provided, that such refund of contribution may be made in monthly payments if requested by the beneficiary and approved by the board.

(e) Any surviving spouse of a member receiving a disability retirement allowance, may if named as beneficiary elect to receive and thereupon shall be paid in lieu of benefits under subsection (d) of this section a monthly benefit the equivalent of a survivor's "Option E" retirement allowance computed on the basis of the member's age at date of death, years of creditable service, and normal and matching contributions reduced by all sums theretofore paid the deceased member as annuity on normal contributions and pension on matching contributions. Said spouse may elect to receive a cash payment of not to exceed one-half of the deceased member's remaining normal contributions, and such cash payment shall effect a reduction of the survivor's monthly benefit by the amount of annuity such payment would have purchased. (Ord. 78444 § 16 as amended by Ord. 88897, Ord. 95183, Ord. 99566 and Ord. 100792 § 4; March 13, 1972).

1.64.580 Disability retirement—Medical examination—Re-entry into city service—Other gainful employment—Conversion to service retirement

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allowance. (a) The board of administration may require any disability beneficiary, under age sixty-two years, to undergo medical examination by a physician or surgeon, appointed by the board at a place to be designated by the board. Upon the basis of such examination the board shall determine whether such disability beneficiary is still totally and permanently incapacitated, either physically or mentally, for city service. If the board shall determine that said beneficiary is no longer so incapacitated, he shall be returned to city service at the earliest opportunity in accordance with civil service rules and regulations and upon such return his retirement allowance shall be cancelled.

(b) Should a disability beneficiary re-enter city service his retirement allowance shall be cancelled and he shall immediately become a member of the retirement system, his rate of contribution for future years being that established for his age at the time of such re-entry. His individual account shall be credited with his accumulated normal contributions less the annuity payments made to him, except as provided in paragraph (c) hereof. An amount equal to the accumulated normal contributions so credited to him shall again be held for the benefit of said member and shall no longer be included in the amounts available to meet the obligation of the city on account of benefits that have been granted and on account of prior service of members. Such member shall receive credit for prior service in the same manner as if he had never been retired for disability.

(c) Should any disability beneficiary under age sixty-two refuse to submit to medical examination, his pension may be suspended and should refusal continue for one year, his retirement allowance may be cancelled. Should any such disability beneficiary engage in a gainful occupation he shall immediately report his gross monthly income to the board and upon receipt of such information the board shall reduce the retirement allowances to an amount, which when added to the compensation

earned by him in such occupation, shall not exceed the amount of the salary or wages presently attached to the regular position held by the disability beneficiary at the time of his retirement.

Should any such disability beneficiary fail to report his gainful occupation the Board shall, whenever information regarding such gainful occupation is received, cause his retirement allowance to be suspended either partially or in full, for the period of time necessary to make up for disability retirement allowance payments drawn by him during time suspension should have been in effect and should such a beneficiary die before suspended disability retirement allowance payments have equalled payments illegally drawn, the Board shall recover such payments from any benefits which would otherwise be payable to his estate or to a designated beneficiary. Suspension of a disability retirement allowance under such circumstances may be made even after such a disability beneficiary has attained age sixty-two (62). Should such disability beneficiary re-enter City Service the Board may reduce the accumulated contributions which would otherwise be credited to his account, as contemplated in paragraph (b) hereof, to compensate for payments drawn during time suspension should have been in effect.

When any disability beneficiary reaches age sixty-two (62) his retirement allowance shall be established at the amount which would normally be payable to him and shall not be modified for any cause except as provided in this ordinance.

(d) Should the retirement allowance of any disability beneficiary be cancelled for any cause other than re-entrance into City Service, he shall be paid his accumulated contributions, less annuity payments made to him.

If, in the judgment of the Board, a disability beneficiary has failed to properly report his earnings from gainful occupation, the Board may cancel his disability retirement allowance.

(e) Should any disability beneficiary who was eligible to receive a service retirement allowance at the time he was retired for disability, desire to convert his disability retirement allowance into the service retirement allowance he was eligible to at time of retirement on disability, the Board may grant his petition so to do. (Ord. 78444 § 17; Nov. 21, 1949).

1.64.585 Disability retirement—Temporary total disability. Any member who has not attained the age of sixty-five (65) and who has at least ten years of city service over a period of not to exceed fifteen (15) years may, upon his application therefor, be retired by the Board for temporary total disability occurring while in city service and not connected with any illness or disability existing prior to entering such service. Such temporary total disability shall include only a physical or mental incapacity which the Board finds and determines temporarily and totally incapacitates such member for city service.

Temporary total disability retirement allowances shall be computed and paid until such disability has ceased, in the same manner and amounts as for permanent and total disability, and shall commence immediately after termination of all payments to the member on account of sick leave, vacation, accumulated time, industrial insurance benefits, and disability payments under Charter Article XVI, Section 24, or any other such benefits.

Upon determining that any such temporary total disability has ceased, the Board shall terminate the temporary total disability retirement, and the retirement allowance therefor shall be cancelled; or if a member is otherwise eligible, the Board shall convert such temporary total disability retirement to a permanent total disability retirement or a service retirement.

In determining eligibility for temporary total disability retirement and termination thereof, the Board may secure such medical assistance as it deems necessary.

Upon termination of any temporary total disability retirement, a member who returns to active city service shall be reinstated as a non-retired member of the retirement system and his accumulated contributions less annuity payments shall be credited to his account and he shall contribute at the rate applicable to him at the time he was retired. Any member who does not return to city service after termination of temporary total disability retirement shall be entitled to his accumulated contributions less any annuity payments made to him.

Periods during which a member is retired for temporary total disability shall not be recognized as creditable service on any subsequent retirement. (Ord. 78444 § 17-1, added by Ord. 89752; November 16, 1960).

1.64.590 Optional retirement allowances. A member may elect to receive, in lieu of the retirement allowance provided for in Section 1.64.420—1.64.490, its actuarial equivalent in the form of a lesser retirement allowance, payable in accordance with the terms and conditions of one of the options set forth below in this section. Election of any option must be made by written application filed with the Board of Administration at least thirty (30) days in advance of retirement as provided in Sections 1.64.400 and 1.64.410 and shall not be effective unless approved by the Board prior to retirement of the members.

OPTION A. The lesser retirement allowance shall be payable to the member throughout his life, provided that if he die before he receive in annuity payments referred to in paragraph (1) of Section 1.64.420 a total amount equal to the amount of his accumulated contributions as it was at the date of his retirement, the balance of such accumulated contributions shall be paid in one sum to his estate or to such person having an insurable interest in his life, as he shall nominate by written designation duly executed and filed with the Board.

OPTION B. The lesser retirement allowance shall be payable to a member throughout his life, provided that if he dies before he receives in annuity payments referred to in paragraph (1) of Section 1.64.420 a total amount equal to the amount of his accumulated contributions as it was at the date of his retirement, the said annuity payments resulting from his accumulated contributions shall be continued and paid to his estate or to such person, having an insurable interest in his life, as he shall nominate by written designation duly executed and filed with the board, until the total amount of annuity payments shall equal the amount of his accumulated contributions as it was at the date of his retirement.

OPTION C. The member shall elect a "guaranteed period" of any number of years. If he dies before the lesser retirement allowance has been paid to him for the number of years elected by him as the "guaranteed period," the lesser retirement allowance shall be continued to the end of the "guaranteed period," and during such continuation shall be paid to his estate or to such person, having an insurable interest in his life, as he shall nominate by written designation duly executed and filed with the board.

OPTION D. The lesser retirement allowance shall be payable to the member throughout life, and after the death of the member, one-half of the lesser retirement allowance shall be continued throughout the life of and paid to the wife or husband of the member.

OPTION E. The lesser retirement allowance shall be payable to the member throughout life, and after death of the member it shall be continued throughout the life of and paid to the wife or husband of the member. (Ord. 78444 § 18; Nov. 21, 1949).

1.64.600 Death of member before retirement. (a) Upon the death of any member who has not been retired pursuant to the provisions of this chapter, there shall be paid to his estate, or to such persons having an insurable interest in his life as hereinbefore defined, and he shall have nominated by written designation duly executed and filed with the board, his accumulated contributions less any payments therefrom already made to him. Such payment may be made in one lump sum or may be paid in installments over a period of not to exceed five years, as may be designated by the member or his beneficiary, with such rate of interest as may be determined by the board.

(b) Any surviving spouse, of a member not retired but having at the date of death at least ten years of creditable service as defined in this chapter, may if named as beneficiary elect to receive and thereupon shall be paid in lieu of benefits under Subsection (a) of this section, a benefit the equivalent of a survivor's "Option E" retirement allowance. The spouse may, however, elect to receive in lieu of either the above retirement allowance or the benefits under Subsection (a) of this section, a lesser retire-

ment allowance to cease at her death and in addition a cash payment not to exceed one-half of the deceased member's accumulated normal contributions. However, such withdrawal shall not serve to reduce such lesser retirement allowance except by the amount of annuity which such withdrawal would have purchased.

If there is no surviving spouse at the time of death of a member not retired, but having at least ten years of creditable service as defined in this chapter, and such member has surviving one or more children under the age of eighteen years, then the legal guardian of such child or children, may, if such child or children are named as beneficiary, elect for such child or children under the age of eighteen years in lieu of benefits under Subsection (a) of this section a monthly benefit payable to the guardian for such child or children until all of such children have reached the age of eighteen years. Such monthly benefit shall be equal to the monthly benefit which would have been paid to the last spouse of such deceased member if such last spouse had been living and married to the deceased member at the time of his death and was otherwise eligible for and elected to receive the benefit provided in (b) of this section equivalent to a survivor's "Option E" retirement allowance without a cash payment of a portion of the deceased member's accumulated normal contributions. The guardian may, however, elect to receive in lieu of either the above benefit or the benefits under (a) of this section, a lesser retirement allowance which will continue until such child or children reach the age of eighteen years and in addition a cash payment not to exceed one-half of the deceased member's accumulated normal contributions. However, such withdrawal shall not serve to reduce such lesser allowance except by the amount of annuity which such withdrawal would have purchased. All benefits payable under this subsection shall be paid to the legal guardian of such child or children under the age of eighteen years until all of such children have reached the age of eighteen years, and shall be for the benefit of such minor children. (Ord. 78444 § 19 as amended by Ord. 89588 and Ord. 99566 § 10; December 30, 1970).

1.64.610 Pension or allowance payable in monthly installments. A pension, annuity, or retirement allowance granted under the provisions of this chapter, unless otherwise specified herein, shall be payable in monthly installments, and each installment shall cover for the current calendar month. (Ord. 78444 § 20; Nov. 21, 1949).

1.64.620 Rights under chapter exempt from process. The right of a person to a death benefit, pension, an annuity or a retirement allowance, to the return of contributions, the death benefit, pension, annuity or retirement allowance itself, any optional benefit, any other right accrued or accruing to any person under the provisions of this chapter, and the moneys in the fund created under this chapter shall not be subject to execution, garnishment, attachment, or any other process whatsoever, and

shall be unassignable except as in this chapter specifically provided. (Ord. 78444 § 21; Nov. 21, 1949).

1.64.630 Estimation of length of service, compensation or age. If it is impracticable for the board of administration to determine from the records the length of service, the compensation, or the age of any member, the said board may estimate for the purpose of this chapter, such length of service, compensation or age. (Ord. 78444 § 22; Nov. 21, 1949).

1.64.640 Suspension of payment during employment by city. Effective January 1, 1963 annuity payments shall be paid to retired members who are in city service, but all pension payments shall be suspended while such retired members are employed on salary by the city of Seattle, except as to the amount such pension payments may exceed the salary for the same period. This provision shall likewise apply to members whose retirement allowances are calculated and suspended as set forth in Section 1.64.310(f). (Ord. 78444 § 23 as amended by Ord. 81521; Nov. 24, 1962).

1.64.650 Death benefits—Allowances. (a) Upon proof of the death on or subsequent to January 1, 1960 of a member of the retirement system who has not been retired, there shall be paid to his estate or to such person as he shall have nominated by written designation duly executed and filed with the board the sum of two thousand dollars as a death benefit; provided that such member shall have paid all death benefit assessments as hereinafter provided:

(b) Any member of the Retirement System who retires subsequent to December 31, 1949 may elect to continue in the death benefit system and pay the death benefit assessments; provided that such payment shall not be required of a member retiring for disability until age sixty whereupon such member shall be required to pay all death benefit assessments thereafter accruing if he desires to continue in the death benefit system. Upon proof of the death of a member of the retirement system, who has retired subsequent to December 31, 1959, who has elected to continue in the death benefit system and has paid all death benefit assessments hereinabove required, there shall be paid to his estate, or to such persons as he shall have nominated by written designation duly executed and filed with the board, the sum of one thousand dollars and an additional one thousand dollars where death of such member occurs within twelve months from the date such member retires. (Ord. 78444 § 24 as amended by Ord. 88901; January 5, 1960).

1.64.660 Death benefits — Assessments — Beneficiaries — Termination—Rules. (a) All moneys paid into or out of the retirement fund on account of the death benefit system shall be accounted for by double entry separately in the records of the retirement system in such a manner as to

reveal currently the amount of money held for payment of death benefits.

(b) The first death benefit assessment which shall be for the year 1950 is hereby fixed at five dollars per member and shall become due and payable January 1, 1950, and collectable by payroll deduction or otherwise on January 25, 1950. Subsequent death benefit assessments shall become due and payable January 1st of each year and collectable by payroll deduction or otherwise as directed by the board of administration. In order to insure coverage of members laid off or on leave of absence, the board is authorized to transfer amounts necessary to pay assessments due from such members from their normal contributions as temporary loans to be repaid by such members on return to city service.

Death benefit assessments shall be in such amount as shall be determined by the board of administration but shall not exceed the sum of six dollars in any calendar year.

(c) An employee becoming a member of the system during the year shall pay the death benefit assessment fixed for that year if such membership is effective prior to October 1st, same to be collectable by payroll deduction when first normal contribution is made. Employees becoming members in October, November and December shall pay only one-half of that annual assessment.

(d) The city shall match all death benefit assessments collected from members and such matching payments shall become due and payable immediately following determination of the amount necessary and should the death benefit require payments by the city of more than the amount necessary to match an assessment of six dollars, as determined by the board on advice of its actuary or actuaries, the same may be made from undivided interest earnings of the city and the employee in the Retirement Fund not otherwise obligated. All payments by the city shall be due and payable annually on January 1, beginning January 1, 1950. Assessments collected from retired members shall be matched by funds from departments from which such members retired.

(e) Upon establishment of the death benefit system as of January 1, 1950, the board shall recognize as beneficiaries thereunder all persons previously nominated to receive refund of accumulated contributions under Section 1.64.600 (a) hereof unless a different designation is filed with regard to payment of death benefits.

(f) Membership in the death benefit system shall terminate when any member resigns, quits or is discharged and no refund of any portion of death benefit assessments shall be made by reason thereof. Should the board determine that a member of the Retirement System not in city service was maintaining membership for the sole purpose of possibly receiving retirement benefits in the future, the board shall deny participation in the death benefit system to such member.

(g) The board of administration shall make all rules and regulations

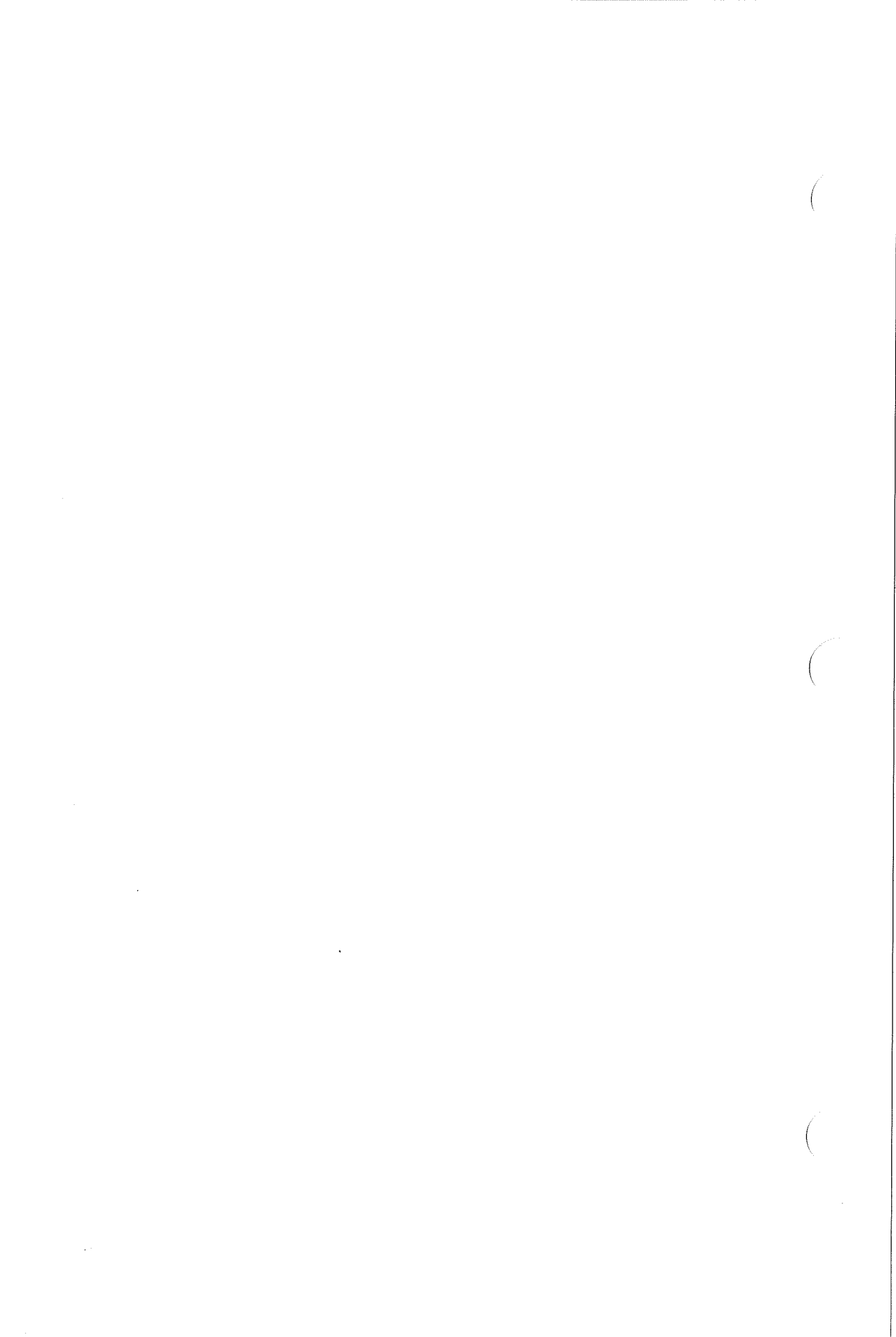
necessary to supplement the death benefit provisions of this chapter (Ord. 78444 § 25 as amended by Ord. 88901; January 5, 1960).

1.64.670 Expense of administration—Appropriations—Estimates. The city council shall appropriate annually from the retirement fund the amount it deems necessary for the purpose of paying the expenses of administering the retirement system. The board of administration shall annually submit to the city council its estimate of the amount necessary to pay such expenses. (Ord. 78444 § 26; November 21, 1949).

1.64.680 Severability—Election between provisions in effect before and after January 1, 1941. If any one or more sections, subsections, subdivisions, sentences, clauses or phrases of this chapter are for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this chapter, but the same shall remain in full force and effect.

(a) In view of the covenants set forth in Section 1.64.380(b), any member eligible to a retirement allowance prior to the effective date of the change or modification effective January 1, 1941, shall elect whether to come under the provisions of Subsections 1.64.320 (a), 1.64.420 (3) and 1.64.430, as amended January 1, 1941, or to remain under the provisions of such subsections prior to such change or modification.

Such election shall be made by written declaration upon a form specified by the board of administration and filed with the board within ninety days of the effective date of such change or modification. (Ord. 78444 § 27; November 21, 1949).



Chapter 1.65

GROUP TERM LIFE INSURANCE PROGRAM

Sections:

- 1.65.010 Adoption of program.
- 1.65.020 Administration.
- 1.65.030 Execution of contract.
- 1.65.040 Fund established.
- 1.65.050 Availability.
- 1.65.060 Retired officers and employees.
- 1.65.070 Commencement.

1.65.010 Adoption of program. The city of Seattle hereby adopts the following group term life insurance program to be offered on a voluntary basis to certain officers and employees of the city as hereinafter provided. (Ord. 95466 § 1; January 19, 1967).

1.65.020 Administration. The administration of such program is hereby vested in the board of administration of the city employees' retirement system.

Said board, in addition to other duties imposed by ordinance, shall prepare, adopt and revise in an advisory capacity plans for the betterment of said group term life insurance program; review disputed claims thereunder; designate a broker on a nonvested basis by and with the consent of the city council; and conduct any administrative duties required of the city in connection with such program or incidental thereto. (Ord. 95466 § 2; January 19, 1967).

1.65.030 Execution of contract. To effectuate such program, and subject to an initial enrollment of city employees showing a participation of not less than seventy-five percent, the president of the city council and the city comptroller are hereby authorized and directed to execute for and on behalf of the city a contract with Safeco Life Insurance Company substantially in the form of exhibit "A" hereto, providing for group term life insurance for said employees commencing January 1, 1967. The contract may be modified pursuant to the terms thereof by resolution of the city council. (Ord. 95466 § 3; January 19, 1967).

1.65.040 Fund established. There is hereby created and established in the city treasury a special "group term life insurance fund" into which shall be paid all city contributions to the group term life insurance program contemplated by this chapter and all moneys accruing to the city under such program, and from which special fund shall be paid all liabilities incurred by the city by reason of such group term life insurance program, and such other expenditures as may be authorized by ordinance. (Ord. 95466 § 4; January 19, 1967).

1.65.050 Availability. Subject to the terms of the contract provided

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for in Section 1.65.030 hereof the benefits of such group term life insurance program shall be available to all officers and employees of the city who are members of their respective retirement systems, including all such city officers appointed or elected to a term of office to the extent permitted by law, all such officers and employees of the Seattle Public Library upon adoption by the board of trustees of the Seattle Public Library of a resolution providing therefor, and all such officers and employees under the jurisdiction of the Seattle Transit Commission upon adoption by the Seattle Transit Commission of a resolution providing therefor; provided that the benefits of the program shall be made available to those city officers serving a term of office as of January 1, 1967 who elect to make premium payments which include the city's proportionate share until the commencement of their next succeeding terms whereupon said officers may participate in said program on the same basis as all other officers and employees of the city. (Ord. 95466 § 5; January 19, 1967).

1.65.060 Retired officers and employees. Such program is hereby made available to certain city officers and employees on an optional basis subject to the terms of the contract. (Ord. 95466 § 6; January 19, 1967).

1.65.070 Commencement. Said program shall commence as of January 1, 1967, and any action taken pursuant to the authority and prior to the effective date of the ordinance codified in this chapter is hereby ratified and confirmed. (Ord. 95466 § 7; January 19, 1967).

Chapter 1.66

SUGGESTION AWARDS

Sections:

- 1.66.010 Continuation—Participation and eligibility.
- 1.66.020 Administration and membership of board.
- 1.66.030 Procedure for making and consideration of suggestions.
- 1.66.040 Encouragement and representation.

1.66.010 Continuation—Participation and eligibility. The city hereby continues a program of awards to stimulate and reward suggestions of city officers and employees, of benefit to the city. Participation therein shall be limited to those officers and employees who submit such suggestions in accordance with the following regulations:

(1) To be eligible for a money award a suggestion must make possible an extension of public service commensurate with the expense involved or an elimination or reduction of city expenditures without substantially impairing such service, or provide a desirable safety factor.

(2) Employees shall not be eligible for an award for suggestions pertaining to subjects assigned for research or development or to problems

assigned for solution or which such employee would normally be expected to offer in line of duty.

(3) The suggestion must propose a change which was not under active consideration by the city agency affected at the time the suggestion was made.

(4) If duplicate suggestions are submitted, only the first received shall be eligible for an award.

(5) A suggestion which has been put into effect by the city agency concerned must be submitted for award consideration within sixty days of its adoption: Provided that this requirement may be waived by the city council upon recommendation of the suggestion award board.

(6) Each suggester shall execute the following agreement:

In consideration of my participation in the Suggestion Award Program I hereby agree that the use of the City of Seattle of my suggestion concerning . . . shall not be the basis of a claim of any nature against the city of Seattle by me, my heirs, executors or assigns.

(7) Appropriate commendation of an employee whose adopted suggestion does not merit a cash award may be recommended by the board.

(8) Insofar as may be equitable and practicable the total amount of a money award shall be approximately ten percent of the estimated value to the city of the suggestion during the first year following its adoption. If the foregoing formula in the judgment of the suggestion award board does not suitably measure the merits of a suggestion, the board shall determine the amount it deems equitable and recommend same to the city council. (Ord. 86927 § 1; February 24, 1958).

1.66.020 Administration and membership of board. The administration of the Suggestion Award Program is hereby vested in a suggestion award board of seven members, as follows:

One member appointed jointly by the city treasurer, city comptroller and chairman of the finance committee and he shall be an employee of the department of finance; two members appointed by the board of public works, one of whom shall be an employee of a utility department and one an employee of a general fund department; one member appointed by the executive board of the civil service league; one member appointed from the fire department by the municipal firemen's pension board; one member appointed from the police department by the police pension board; and the secretary and chief examiner of the civil service commission shall be the secretary of the board. All members of the board shall be civil service employees of the city.

The terms of the members of the board shall be four years and until their successors are appointed.

The board shall elect annually a chairman and vice-chairman from among its members. The secretary shall keep minutes of board meetings and such other records as may be required. The board shall meet in regular

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session once a month. Additional meetings may be called by the chairman as the needs of the city service require. Meetings shall be public and interested persons shall be given reasonable opportunity to be heard and a majority of the members of the board shall constitute a quorum and a majority vote of the members present at any meeting is required to carry an action of the board. (Ord. 86927 § 2; February 24, 1958).

1.66.030 Procedure for making and consideration of suggestions. The following procedure for making and consideration of suggestions is hereby established:

- (1) Suggestions must be submitted on prescribed forms to the board.
- (2) Suggestions must be signed but names will remain undisclosed until consideration of the suggestion has been completed.
- (3) The board shall receive, record and acknowledge receipt of suggestions; shall advise the suggester of any undue delay in the consideration thereof and shall notify the suggester of action taken as soon as final consideration has been had.
- (4) Suggestions shall be referred for consideration to the city agency or departments affected, which shall within thirty days thereafter report its findings and recommendations to the board. The departmental report shall indicate whether or not a suggestion has been adopted and the actual or estimated reduction of expenditures or the value thereof to the city.
- (5) The board shall evaluate each suggestion, taking into consideration department action and the objective of the suggestion award program; and it shall formulate and transmit to the city council an official recommendation covering the merits of the suggestion, whether the same justifies an award and the type and amount thereof.
- (6) The city council, upon approval of a recommendation of the board, may authorize a money award or an appropriate commendation.
- (7) A suggester may file written request for reconsideration of a suggestion which had been rejected but subsequently adopted. Other rejected suggestions may be resubmitted to the board in the regular manner.
- (8) All communications to the board shall be addressed in care of the secretary. (Ord. 86927 § 3; February 24, 1958).

1.66.040 Encouragement and representation. The head of each department and agency of the city government shall encourage employees to submit suggestions to the board and each may designate two employees whose names and titles shall be reported to the board. One shall act as a departmental or agency representative and the other shall act as an alternate. (Ord. 86927 § 4; February 24, 1958).

Chapter 1.67
DENTAL CARE PROGRAM

Sections:

- 1.67.010 Adoption.
- 1.67.020 Administration.
- 1.67.030 Contract.
- 1.67.040 City contributions—Expenditures.
- 1.67.050 Application of benefits.
- 1.67.060 Commencement date.

1.67.010 Adoption. The city of Seattle adopts the following dental care program for certain officers and employees of the city as hereinafter provided, the cost thereof to be paid by the city. (Ord. 100862 § 1; April 3, 1972).

1.67.020 Administration. The administration of such program is vested in the board of administration of the city employees' retirement system.

Said board, in addition to other duties imposed by ordinance, shall prepare, adopt and revise in an advisory capacity plans for the betterment of said dental care program; review disputed claims thereunder; designate the firm of Johnson & Higgins as broker on a nonvested basis in connection with the administration of such program, and hereafter from time to time designate a broker on a nonvested basis by and with the consent of the city council; and conduct any administrative duties required of the city in connection with such program or incidental thereto. (Ord. 100862 § 2; April 3, 1972).

1.67.030 Contract. To effectuate such program, the chairman of said board of administration is authorized and directed for and on behalf of the city to make and execute a contract with Washington Dental Service providing for dental insurance benefits commencing April 1, 1972 for eligible officers and employees of the city upon the terms and conditions contemplated in C.F. 272299. Said contract may be modified pursuant to the terms thereof upon the concurrence by resolution of the city council. (Ord. 100862 § 3; April 3, 1972).

1.67.040 City contributions—Expenditures. All city contributions to the dental care program contemplated by this chapter and all moneys accruing to the city under such program shall be paid into the special "health care fund" heretofore created and established in the city treasury, and from such special fund shall be paid all liabilities incurred by reason of such dental care program, and such other expenditures as may be authorized by ordinance, and for such purpose the sum of three hundred thirty-

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five thousand dollars is appropriated from the emergency fund reimbursable by the appropriation and transfer made and authorized of a like amount from unexpended and unencumbered funds accruing in 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. 100862 § 4; April 3, 1972).

1.67.050 Application of benefits. Subject to the terms of the contract provided for in Section 1.67.030 and except for officers and employees covered by collective bargaining agreements entered into between the city and IBEW Local #77 pursuant to the authority of Seattle Transit Commission Resolution 268 and Ordinances 98887 and 100325, the benefits of such dental care program shall apply to all officers and employees of the city and their eligible dependents, including all such city officers appointed or elected to a term of office to the extent permitted by law, and all such officers and employees of the Seattle public library upon adoption by the board of trustees of the Seattle public library of a resolution providing therefor; provided that the benefits of said program shall be made available to those city officers ineligible by reason of serving a term of office as of April 1, 1972 who elect to make premium payments until the commencement of their next succeeding terms whereupon the benefits of said program shall be applicable to said officers on the same basis as all other officers and employees of the city. (Ord. 100862 § 5 as amended by Ord. 100990 § 1; May 15, 1972).

1.67.060 Commencement date. Said program shall commence as of April 1, 1972, and execution of the contract authorized in Section 1.67.030 and expenditures in connection therewith, and any action taken pursuant to the authority and prior to the effective date of the ordinance codified in this chapter ratified and confirmed. (Ord. 100862 § 6; April 3, 1972).

Chapter 1.68

DEPARTMENT EFFICIENCY REPORTS

Sections:

- 1.68.010 Department heads to submit to civil service commission.
- 1.68.020 Forms and rating system.

1.68.010 Department heads to submit to civil service commission. The heads of the various departments of the city government are required and directed to furnish to the civil service commission, at such times as may be designated by the commission but not more frequently than once in every ninety days, efficiency reports in respect to each and every classified civil service officer and employee employed in their respective departments, which said reports shall be made on such forms as shall be furnished, and based on such system of rating as shall be prescribed by the commission under Section 1.68.020. (Ord. 42542 § 1; August 3, 1921).

1.68.020 Forms and rating system. The civil service commission is authorized and directed to prepare such forms and provide such system of rating as will tend to standardize and make uniform the reports of the department heads hereinabove provided for. (Ord. 42524 § 2; August 3, 1921).

Chapter 1.76

VACANCIES IN APPOINTIVE CHARTER OFFICES

Sections:

- 1.76.010 Performance of duties of unfilled vacancy.

1.76.010 Performance of duties of unfilled vacancy. If any appointive charter office becomes vacant, the highest ranking unsubordinated officer or employee in such office shall, pending the filling of such vacancy under Charter Article XIX, Section 6, perform, in addition to his regular duties, the duties of such appointive office so that the office concerned shall function and the interest of the public be protected in any such interim, and ratifying and confirming such procedure. (Ord. 83897 § 1; March 7, 1955).

Chapter 1.77

POLICE OFFICERS' BILL OF RIGHTS

Sections:

- 1.77.010 Policy.
- 1.77.020 Internal investigation defined.
- 1.77.030 Officer advised of alleged misconduct.
- 1.77.040 Representation by counsel.
- 1.11.050 Officer to be informed in writing—Recorded interviews.

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- 1.77.060 Interviewing procedures.
- 1.77.070 Intimidation of officer prohibited.
- 1.77.080 Severability.

1.77.010 Policy. It shall be the policy of the city of Seattle that all city law enforcement officers shall be entitled to the protection of the provisions of this chapter which shall constitute and may be referred to as the "Police Officers' Bill of Rights." (Ord. 102150 § 1; May 15, 1973).

1.77.020 Internal investigation defined. For the purposes of this chapter, 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 that 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; May 15, 1973).

1.77.030 Officer advised of alleged misconduct. 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:

- (1) Committing a criminal offense;
- (2) 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; May 15, 1973).

1.77.040 Representation by 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; May 15, 1973).

1.77.050 Officer to be informed in writing—Recorded interviews. 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.

Such officer may request that the interview be recorded, either mechan-

ically 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; May 15, 1973).

1.77.060 Interviewing 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; May 15, 1973).

1.77.070 Intimidation of officer 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; May 15, 1973).

1.77.080 Severability. The invalidity of any section, subsection, provision, clause, or portion of this chapter, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of this chapter or the validity of its application to other persons or circumstances. (Ord. 102150 § 8; May 15, 1973).

Chapter 1.78

DEPARTMENT OF COMMUNITY DEVELOPMENT

Sections:

- 1.78.010 Created—Purpose.
- 1.78.020 Director—Appointment—Duties.
- 1.78.030 City planner—Appointment—Duties.
- 1.78.040 Transfer of urban renewal positions.
- 1.78.050 Issuance of proclaimer certificates.

1.78.010 Created—Purpose. There is created a "department of community development" to administer the city's comprehensive plan; to provide the city with long, intermediate, and short-range development guidelines through direction of the capital improvement program; to review

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and make recommendations regarding building codes administration; to administer joint private and public development projects such as urban renewal; and to cooperate with citizens for neighborhood planning. (Ord. 97473 § 1; February 13, 1969).

1.78.020 Director—Appointment—Duties. There shall be a director of said department to be appointed by the mayor, subject to confirmation by a majority vote of all members of the city council, and such director, whose office shall not be included in the classified civil service, may be removed by the mayor, upon filing a statement of his reasons therefor with the city council; provided that no appointment shall be made under the authority of this section except upon the filing by the civil service commission as a permanent record in the office of the city comptroller, of its recommendation that such office, as a professional or administrative office or position similar to offices and positions designated in Article XVI Section 11 of the city charter, should not be included in the classified civil service.

The director shall be the head of the department of community development, and shall be responsible for the administration of the department of community development, and he shall:

- (1) Supervise and direct the city planner;
- (2) Manage, control, and be responsible for federally assisted urban renewal projects, and in such connection shall:
 - A. Prepare 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 of Seattle;
- (3) Prepare and submit to the appropriate agencies such applications for intergovernmental cooperative projects as shall be authorized by the mayor and city council;
- (4) Develop policy recommendations concerning zoning and building codes;
- (5) Coordinate and direct the capital improvement program;
- (6) Appoint, remove, supervise, and control all officers and employees

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of the department of community development in accordance with civil service rules and regulations;

(7) Manage the preparation of the proposed annual budget of the department of community development, authorize necessary expenditures and supervise the maintenance of adequate accounting systems and procedures; and

(8) Through the mayor, make periodic reports to the city council of the operations of the department of community development. (Ord. 97473 § 2; February 13, 1969).

1.78.030 City planner—Appointment—Duties. There is created in the department of community development the position of city planner, to be appointed by the mayor, subject to confirmation by a majority of the city council, and such city planner, whose office shall not be included in the classified civil service, may be removed by the mayor upon filing a statement of his reasons therefor with the city council; provided that no appointment shall be made under the authority of this section except upon the filing by the civil service commission as a permanent record in the office of the city comptroller, of its recommendation that such office, as a professional or administrative office or position similar to offices and positions designated in Article XVI Section 11 of the City Charter, should not be included in the classified civil service.

The city planner shall be directly responsible to the director of community development and shall assist the mayor, city council, the planning commission, as a technical advisor regarding the city's comprehensive plan, zoning, and capital improvements; prepare reports and recommendations relative to annexation review and urban renewal plans and projects; and review public improvement projects proposed for construction by the city and advise of their consistency with the comprehensive plan. (Ord. 97473 § 3; February 13, 1969).

1.78.040 Transfer of urban renewal positions. The following positions:

- 1 Accountant, urban renewal
- 2 Accountant II
- 3 Advisor, urban renewal architectural
- 4 Advisor, urban renewal community services
- 3 Advisor, urban renewal financing
- 1 Advisor, urban renewal public relations
- 1 Clerk II
- 1 Director, assistant, community services
- 1 Director, assistant, project operations
- 1 Director, associate, program administration
- 3 Manager, assistant, urban renewal project
- 3 Manager, urban renewal project
- 1 Manager, urban renewal relocation and property
- 4 Secretary I

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- 1 Secretary II
- 3 Specialist, urban renewal real estate
- 4 Specialist, urban renewal rehabilitation
- 9 Specialist, urban renewal relocation
- 2 Stenographer clerk I
- 5 Stenographer clerk II
- 1 Supervisor, urban renewal architectural
- 1 Supervisor, urban renewal real estate
- 1 Supervisor, urban renewal rehabilitation
- 2 Supervisor, urban renewal relocation
- 2 Trainee, urban renewal

heretofore established in the executive department of the city for the administration of federally assisted city of Seattle urban renewal projects are hereby transferred to the department of community development and those employees filling such positions shall be continued in such employment in accordance with civil service rules and regulations under the department of community development. (Ord. 97473 § 4; February 13, 1969).

1.78.050 Issuance of proclaimer certificates. The following officials of the department of community development are authorized to prepare, execute and submit the following proclaimer certificates to the department of housing and urban development on behalf of the local public agency in accordance with the regulations, policies and requirements of the secretary of housing and urban development as shall be in effect from time to time:

The assistant director for project operations is authorized to prepare, execute and submit proclaimer certificates relating to:

- (1) Establishment of fair market value for property to be acquired;
- (2) Technical specifications conformance with local standards or standards necessary to support urban renewal objectives for project improvements;
- (3) Establishment of fair re-use value of property to be sold;
- (4) LPA staff appraisal and re-use value of fragments of property to be acquired or sold.

The director of community development is authorized to prepare, execute and submit:

- (1) Proclaimer certificates relative to modification of an approved urban renewal plan. (Ord. 99731 § 1; March 19, 1971).

Chapter 1.80

DEPARTMENT OF HUMAN RIGHTS

Sections:

- 1.80.010 Created—Purpose.
- 1.80.020 Director—Appointment—Duties.
- 1.80.030 Human rights commission established—Duties.

1.80.040 Commission responsibilities.

1.80.050 Transfer of positions.

1.80.010 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; July 30, 1969).

1.80.020 Director—Appointment—Duties. There shall be a director of said 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, should not be included in the classified civil service.

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:

(1) 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;

(2) Administer all ordinances pertaining to the department of human rights and take appropriate remedial action where necessary;

(3) 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 of services of any office or department of the city of Seattle;

(4) 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;

(5) Support, provide staff for, encourage and consult regularly with the human rights commission in its efforts to promote equality, justice and

1.80.020 ADMINISTRATION AND PERSONNEL

understanding among all citizens of the city and 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;

(6) 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;

(7) Make periodic reports and recommendations to the mayor and city council concerning the operations of the human rights commission and department of human rights;

(8) Have such other and further powers and duties as shall be prescribed by ordinance.

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 chapter or any other ordinance administered or enforced by the director of human rights.

In the performance of the duties imposed upon him by this 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.

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

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. 97971 § 2 as amended by Ord. 101477 § 1; October 17, 1972).

1.80.030 Human rights commission established—Duties. 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 present members of the human rights commission established by Ordinance 92191 are hereby appointed members of the human rights commission herein established to serve for the remainder of the terms to which they were originally appointed; and provided further that the city council by a two-thirds vote of all its members, may remove any member for cause.

The commission shall organize, elect officers, and adopt such rules and administrative procedures consistent with the City Charter and this chapter as are necessary to accomplish the duties prescribed in Section 1.80.040. (Ord. 97971 § 3; July 30, 1969).

1.80.040 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:

(1) 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;

(2) 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;

(3) 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; July 30, 1969).

1.80.050 Transfer of positions. The following positions:

- 1 Director, assistant, human rights commission
- 1 Representative, human relations
- 1 Secretary II
- 1 Specialist, community relations
- 1 Stenographer-clerk II

heretofore established in the executive department of the city to assist the human rights commission in the performance of its duties are hereby transferred to the department of human rights and those employees filling such positions shall be continued in such employment in accordance with civil service rules and regulations under the department of human rights. (Ord. 97971 § 5; July 30, 1969).

Chapter 1.82

DEPARTMENT OF HUMAN RESOURCES

Sections:

- 1.82.010 Created.
- 1.82.020 Transfer of departments.
- 1.82.025 Director—Appointment—Duties—Compensation.
- 1.82.030 Office of women's rights—Created.
- 1.82.040 Office of women's rights—Director.
- 1.82.050 Women's commission—Established—Appointment.
- 1.82.060 Women's commission—Duties—Annual report.
- 1.82.061 Women's commission—Organization.
- 1.82.062 Women's commission—Meetings.
- 1.82.070 Division on aging—Created—Purpose.
- 1.82.080 Technical advisory committee on aging—Established—Appointment—Meetings.
- 1.82.090 Director of division on aging—Office created—Appointment—Salary—Duties.
- 1.82.100 Positions of program coordinator I and stenographer clerk II created.

1.82.010 Created. As of January 1, 1973 there is created a department of human resources for the development of a comprehensive human resources plan; to act as coordinator and advocate for social needs and concerns of the city's population; and for the administration, coordination, planning and operation of 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. 101667 § 1; December 13, 1972)

1.82.020 Transfer of departments In implementation of the functions contemplated in Section 1.82.010, 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 by Ordinances 99534, 99901, and 100266 respectively, are transferred to, and two new positions of "assistant to the director" at a salary rate of \$1439-1497-1557 per month are established in, the department of human resources, all in accordance with the 1973 Budget of said department of human resources, and said office of human resources is abolished. (Ord. 101667 § 2; December 13, 1972).

1.82.025 Director—Appointment—Duties—Compensation. There shall be a director of said department to be appointed by the mayor, subject to confirmation by a majority vote of all members of the city council, and such director, whose office shall not be included in the classified civil service may be removed by the mayor upon filing a statement of his reasons

therefor with the city council; provided that no appointment shall be made under the authority of this section except upon the filing by the civil service commission as a permanent record in the office of the city comptroller, of its recommendation that such office, as a professional or administrative office or position similar to offices and positions designated in Article XVI, Section 11 of the City Charter, should not be included in the classified civil service; 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 said department for a period of sixty days and thereafter for successive sixty day periods with the approval of the city council.

The director shall be the head of the department of human resources and shall be responsible for the administration of said department and he shall:

(1) Appoint, remove, supervise and control officers and employees in the department of human resources in accordance with civil service rules and regulations;

(2) Develop and manage programs providing the services for which the department of human resources is responsible;

(3) 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

(4) Have such other and further powers and duties as shall be prescribed by ordinance.

That as of January 1, 1973 the rate of compensation for the position of director of human resources is fixed and established at one thousand eight hundred and fifty-eight dollars per month. (Ord. 101667 § 3; December 13, 1972).

1.82.030 Office of women's rights—Created. The women's division heretofore transferred to and established in the executive department by Ordinance 101670 is hereby 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; May 24, 1973).

1.82.040 Office of women's rights—Director. In lieu of the position of director of the Seattle women's division heretofore created by Ordinance

1.82.040 ADMINISTRATION AND PERSONNEL

99534 and which is abolished, 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. Such 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 appointment by the women's commission; provided that no appointment shall be made under the authority of this section except upon the filing by the civil service commission as a permanent record in the office of the city comptroller of its recommendation that such office, as a professional or administrative office or position similar to offices and positions designated in Article XVI, Section 11 of the City Charter, should not be included in the classified civil service.

Such appointment shall be subject to confirmation by a majority vote of all members of the city council, and such 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.

The rate of compensation for the position of director of the office of women's rights is fixed and established at \$1489-1549-1611 per month and to pay such compensation the mayor is authorized to use unexpended and unencumbered budget salary funds accumulating in the 1973 budget of the executive department.

The director of the office of women's rights shall be the head of and responsible for the administration of said office and in connection with such administration shall have duties and responsibilities including but not limited to the following:

(1) Appoint, remove, supervise and control officers and employees in the office of women's rights in accordance with civil service rules and regulations;

(2) 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;

(3) Administer all ordinances pertaining to the office of women's rights and take appropriate remedial action;

(4) 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;

(5) 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;

(6) Attend either in person or by designated representative, all regular meetings of the women's commission;

(7) 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;

(8) Develop programs serving women and seek additional funding sources;

(9) 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;

(10) Have such other and further powers and duties as shall be prescribed by ordinance. (Ord. 102182 § 2; May 24, 1973).

1.82.050 Women's commission—Established—Appointment. There is established a Seattle women's commission to be composed of fifteen members appointed from among those persons whose names 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 herein 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 terms; and provided further that any vacancy shall be filled for the unexpired term in the same manner as original appointments. (Ord. 102182 § 3; May 24, 1973).

1.82.060 Women's commission—Duties—Annual report. 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:

(1) To activate full and equal participation of women in the workings of the city;

(2) 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;

(3) 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;

(4) 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;

(5) 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 of Seattle;

(6) To prepare an annual report with staff participation; and

(7) 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; May 24, 1973).

1.82.061 Women's commission—Organization. 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 Charter and this chapter, as are necessary for the conduct of its affairs and performance of its functions and responsibilities prescribed in Section 1.82.060. (Ord. 102182 § 5; May 24, 1973).

1.82.062 Women's 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; May 24, 1973).

1.82.070 Division on aging—Created—Purpose. As of May 1, 1971 there is created in the executive department, office of human resources a division on aging 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; May 13, 1971).

1.82.080 Technical advisory committee on aging—Established—Appointment—Meetings. There is established a technical advisory commit-

tee 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.

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

The committee shall organize, elect officers, and adopt such rules and administrative procedures consistent with the City Charter and this chapter 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.

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 and relating to the aging. (Ord. 99901 § 2; May 13, 1971).

1.82.090 Director of division on aging—Office created—Appointment—Salary—Duties. As of May 1, 1971 there is created in the executive department the position of director of the division on aging at the salary rate of \$1,237 - 1,286, \$1,337 - 1,390 - 1,446 per month, to be appointed by the mayor subject to confirmation by a majority vote of all members of the city council, and such director, whose office shall not be included in the classified civil service, may be removed by the mayor upon filing a statement of his reasons therefor with the city council; provided, that no appointment shall be made under the authority of this section except upon the filing by the civil service commission as a permanent record in the office of the city comptroller, of its recommendation that such office, as a professional or administrative office or position similar to offices and positions designated in Article XVI, Section 11 of the City Charter, should not be included in the classified civil service. Said 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 said division and recommendations for further action. (Ord. 99901 § 3; May 13, 1971).

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1.82.100 Positions of program coordinator I and stenographer clerk II created. As of May 1, 1971 there is created in the executive department one additional position of program coordinator I and one additional position of stenographer clerk II subordinate to the director of the division on aging at the salary rate provided for like positions in the salary ordinance and the mayor is authorized to fill said positions, subject to civil service laws and rules. (Ord. 99901 § 4; May 13, 1971).

Chapter 1.83

SALARY ADMINISTRATION POLICY COMMITTEE

Sections:

1.83.010 Created—Membership.

1.83.020 Function—Duties.

1.83.010 Created—Membership. There is established a salary administration policy committee for the city of Seattle composed of six members as follows:

- (1) The mayor or his designated representative;
- (2) The city budget director;
- (3) The city personnel director;
- (4) The president of the city council;
- (5) The chairman of the city council finance committee;
- (6) The chairman of the city council human resources and judiciary committee. (Ord. 102308 § 1; July 6, 1973).

1.83.020 Function—Duties. 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 said salary administration policy committee is hereby authorized to:

- (1) 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;
- (2) Review all compensation issues requiring policy decisions as recommended by the city personnel office;
- (3) Formulate and propose guidelines consistent with the city's policy relative to pay practices and procedures. (Ord. 102308 § 2; July 6, 1973).

Chapter 1.84

YOUTH COMMISSION

Sections:

1.84.010 Agreement to establish—Functions.

1.84.020 Appointment and organization of commission.

- 1.84.030 Expenses.
- 1.84.040 Youth coordinating board.
- 1.84.050 City and county youth agency responsibility.

1.84.010 Agreement to establish—Functions. The city of Seattle 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 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. 92729 § 1 as amended by Ord. 98132, Ord. 99856 and Ord. 101414 § 1; September 15, 1972).

1.84.020 Appointment and organization of commission. Such 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.

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.

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 1.84.010. Each year, it shall elect from its membership a chairman and 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. 92729 § 2 as amended by Ord. 96352, Ord. 98132, Ord. 99856 and Ord. 101414 § 2; September 15, 1972).

1.84.030 Expenses. The bureau of youth affairs, and the youth division will share in funding of such joint organization and operation. (Ord. 92729 § 3 added by Ord. 101414 § 3; September 15, 1972).

1.84.040 Youth coordinating board. The city of Seattle 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 non voting members. Said board shall be convened at the request of any 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. 92729 § 4 as amended by Ord. 98132, Ord. 99856, Ord. 101414 and Ord. 102047 § 1; April 23, 1973).

1.84.050 City and county youth agency responsibility. The city youth division and the county bureau of youth affairs, besides having staff service responsibility to the commission as described in Section 1.84.030, 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. 92729 § 5 added by Ord. 99856 § 5; April 29, 1971).

Chapter 1.86

ANIMAL CONTROL DIVISION

Sections:

- 1.86.010 Created.
- 1.86.020 Director—Powers and duties.
- 1.86.030 Animal control commission.

1.86.010 Created. As of May 1, 1972 there is created in the executive department 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. 100965 § 1; May 1, 1972).

1.86.020 Director—Powers and duties. As of May 1, 1972 there is created in the executive department the position of director of animal con-

trol to be appointed by the mayor subject to confirmation by a majority vote of all members of the city council, which position shall not be included in the classified civil service; 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, 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 May 1, 1972 a person to temporarily act as director of said division for a period of sixty days and thereafter for successive sixty day periods with the approval of the city council.

The director shall be the head of the division of animal control and shall be responsible for the administration of the Division of animal control and he shall:

(1) Appoint, remove, supervise and control officers and employees in the division of animal control in accordance with civil service laws and rules. Such officers and employees are created as follows:

No. of Positions	Position Title	Monthly Salary (1st Step)
1	Senior accountant	\$935.00
1	Community coordinator	815.00
1	Senior secretary	539.00
1	Senior clerk	632.00
4	Clerk typist I	402.00
1	Senior kennelman	753.00
3	Kennelman	683.00
3	Senior enforcement officer	799.00
10	Enforcement officers	745.00

B. Intermittent and Part Time:

2	Kennelman	\$3.94/hour
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(2) Serve as poundmaster for the city of Seattle, 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 animal control and his authorized agents are vested with the powers of a special policeman, and shall be authorized to arrest any violator of such ordinances;

(3) 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, and under the direction of the city comptroller issue such licenses;

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(4) Maintain comprehensive records of the operation of the division of animal control and make quarterly reports to the mayor and budget director in such form as shall be prescribed by said officers; and

(5) Have such other and further powers and duties as shall be prescribed by ordinance.

As of May 1, 1972 the rate of compensation for the position of director of animal control is fixed and established at a maximum of \$1,503 per month. (Ord. 100965 § 2; May 1, 1972).

1.86.030 Animal control commission. 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, 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 original appointments.

Such commission shall organize, elect such officers and adopt such rules and administrative procedures for its own government consistent with the City Charter and this ordinance as may be necessary to accomplish its function described herein.

It shall be the function of the animal control commission to act in an advisory capacity to the mayor and director of animal control with regard to the operation of the division of animal control, and review and report quarterly to the mayor and the city council concerning such operation with its recommendations relating thereto. (Ord. 100965 § 3; May 1, 1965).

Chapter 1.87

SEATTLE ARTS COMMISSION

Sections:

1.87.010 Established—Membership.

- 1.87.020 Organization.
- 1.87.030 Duties and powers.
- 1.87.040 Special assistant for the arts—Position created.
- 1.87.050 Special assistant for the arts—Compensation—Transfer of funds.
- 1.87.060 Seattle arts commission operating fund.
- 1.87.070 Expenditures.

1.87.010 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 and 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; June 8, 1971).

1.87.020 Organization. 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 said commission shall be appointed by the mayor for a one year term, subject to confirmation by the city council. (Ord. 99982 § 2; June 8, 1971).

1.87.030 Duties and powers. The commission shall have the following duties and powers:

- (1) To hold regular public meetings and keep a written record of its proceedings which shall be a public record;
- (2) 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;
- (3) 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 said commission;
- (4) 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;
- (5) To encourage donations and grants to the civic arts account of

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the general donation and gift fund and to advise the city regarding the receipt and expenditure of such funds;

(6) 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;

(7) 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; June 8, 1971).

1.87.040 Special assistant for the arts—Position created. As of June 1, 1971 there is created in the Seattle Center department the position of special assistant for the arts at the salary rate of \$1,262 - 1,312 - 1,364 - 1,418 - 1,475 per month to serve as executive secretary to the Seattle arts commission. Said 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 said special assistant, whose position 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 position, as a professional or administrative office or position similar to offices and positions designated in Article XVI, Section 11 of the City Charter, should not be included in the classified civil service. (Ord. 99982 § 4; June 8, 1971).

1.87.050 Special assistant for the arts—Compensation—Transfer of funds. As of June 1, 1971 to pay the compensation of the position created in Section 1.87.050, the allowance for "Salaries and Wages" in the 1971 Budget of the Seattle Center department is increased in the amount of thirteen thousand two hundred seventy-five dollars by the appropriation and transfer made and authorized of a like amount or so much thereof as may be necessary from the unexpended and unencumbered allowance for Account "54.6 Seattle Arts Commission" in the non-departmental 1971 budget, which account is hereby decreased in such amount, and the city comptroller is authorized to draw and the city treasurer to pay the necessary warrants and make the necessary transfers. (Ord. 99982 § 5; June 8, 1971).

1.87.060 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, and into which fund shall be deposited the sum of eight thousand nine hundred ninety-six dollars hereby appropriated

and transferred from the General Fund, non-departmental 1971 Budget Account "54.6—Seattle arts commission" and the sum of twenty-eight thousand seventy-nine dollars hereby appropriated and transferred from the general fund, non-departmental 1971 Budget Account "54.7—Implementation fine arts program", which accounts are hereby decreased in such respective amounts; and such other transfers and appropriations of city funds as shall from time to time be made and authorized. (Ord. 99982 § 6; June 8, 1971).

1.87.070 Expenditures. Expenditures from the Seattle arts commission operating fund shall be made in accordance with the provisions of the annual budget pertaining thereto, or for the remainder of 1971 in accordance with specific expenditures and appropriations therefor hereafter authorized by ordinance. (Ord. 99982 § 7; June 8, 1971).

Chapter 1.88

ART IN PUBLIC WORKS CONSTRUCTION

Sections:

- 1.88.010 Purpose.
- 1.88.020 Definitions.
- 1.88.030 Funds for works of art.
- 1.88.040 Commission authority.
- 1.88.050 Placement.
- 1.88.060 Fund and payments.

1.88.010 Purpose. The city of Seattle accepts a responsibility for expanding public experience with visual art. Such art has enabled people in all societies better to understand their communities and individual lives. Artists capable of creating art for public places must be encouraged and Seattle's standing as a regional leader in public art enhanced. A policy is therefore established to direct the inclusion of works of art in public works of the city. (Ord. 102210 § 1; May 31, 1973).

1.88.020 Definitions. (a) "Commission" means the Seattle arts commission.

(b) "Construction project" means any capital project paid for wholly or in part by the city of Seattle to construct or remodel any building, decorative or commemorative structure, park, street, sidewalk, parking facility or utility or any portion thereof within the limits of the city of Seattle.

(c) "Capital improvement program" means the city's program bearing that name for advance planning of capital developments. (Ord. 102210 § 2; May 31, 1973).

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1.88.030 Funds for works of art. (a) Requests for appropriations. All city department heads, together with the director of the office of management and budget, shall include in all estimates of necessary expenditures and all requests for authorizations or appropriations for construction projects, an amount for works of art equal to at least one percent of the total cost of any such construction project as estimated in the capital improve-

ment program for the year in which such estimate or request is made. If the source of funding or other appropriate law with respect to any particular project precludes art as an object of expenditure of funds, the amount of funds so restricted shall be excluded from the total project cost in making the aforesaid calculation.

(b) Legislative authorization. The legislative authority may make appropriations for works of art to be selected and implemented by the commission in connection with construction projects as provided in Sections 1.88.040 through 1.88.060 and may also provide for the appropriation of funds to the "municipal arts fund" established in Section 1.88.060 for works of art to be selected and implemented by said commission as provided in Sections 1.88.040 through 1.88.060. (Ord. 102210 § 3; May 31, 1973).

1.88.040 Commission authority. To carry out its responsibilities hereunder, the commission shall:

(a) Make periodic reviews, at least annually, of all city capital improvement program projects with the mayor, the board of public works and appropriate city department heads or their designated representatives, for the purpose of making recommendations to the legislative authority of the city as to appropriations for works of art;

(b) Determine a method or methods of selection and commissioning of artists with respect to the design, execution and placement of works of art for which appropriations have been made, and pursuant to such method or methods, select and commission artists by contract for such purposes;

(c) Determine the specific location and/or amounts to be expended on works of art in those cases in which the legislative authority has not done so;

(d) Require that any proposed work of art requiring extraordinary operation or maintenance expenses receive prior approval of the department head involved;

(e) Determine the placement of works of art consistent with the provisions of Section 1.88.050;

(f) Authorize payments for the design, execution and placement of works of art from appropriations for works of art in connection with specific construction projects or from appropriations to the municipal arts fund;

(g) Promulgate rules and regulations, in consultation with the design commission, to facilitate the implementation of its responsibilities hereunder and shall consult with the design commission in carrying out such responsibilities. (Ord. 102210 § 4; May 31, 1973).

1.88.050 Placement. Works of art selected and implemented pursuant to the provisions of this chapter and any amendment thereto may be placed in, on or about any municipal construction project or other municipally-

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owned, leased or rented property. They may be attached or detached within or about such property, and may be either temporary or permanent. Placement of works of art shall be authorized by the commission, and city officers responsible for the design and construction of such projects shall make appropriate space available for the placement of works of art. (Ord. 102210 § 5; May 31, 1973).

1.88.060 Fund and payments. There is established in the city treasury a special fund designated "municipal arts fund" into which funds appropriated as contemplated by Section 1.88.030 (b) hereof shall be deposited. Each disbursement from such fund or from other appropriations for works of art shall be authorized by the commission, shall be expressly designated as to payee and to purpose, and the city comptroller shall draw and the city treasurer shall pay warrants upon such fund or other appropriations upon vouchers or approvals therefor approved by the executive secretary of the commission. (Ord. 102210 § 6; May 31, 1973).

Chapter 1.89

PARKING COMMISSION

Sections:

- 1.89.010 Created—Members.
- 1.89.020 Chairman—Rules.
- 1.89.030 Public parking facilities.
- 1.89.040 Powers and duties.
- 1.89.050 Constructing new off-street parking facilities.
- 1.89.060 Approval of construction plans.
- 1.89.070 Inventory—Council report.
- 1.89.080 Fund.
- 1.89.090 Money to city treasury—Expenditures.

1.89.010 Created—Members. 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 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; and provided further that the five persons appointed by the mayor and approved by the city council on August 18, 1969 and August 25, 1969 (C.F. 264414, 264415, 164416, 264417, 264418) are appointed and confirmed as the first members of the Seattle parking commission herein established to serve the terms designated in said C.F.s. Members shall serve without

compensation, but may be reimbursed for actual and necessary expenses incurred in the performance of their duties. (Ord. 98247 § 1; Oct. 8, 1959).

1.89.020 Chairman—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 Charter and this chapter. No resolution shall be adopted by the Seattle parking commission except upon the concurrence of at least three members. (Ord. 98247 § 1; Oct. 8, 1969).

1.89.030 Public 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" 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; Oct. 8, 1969).

1.89.040 Powers and duties. The Seattle parking commission is authorized and empowered on behalf of and in the name of the city of Seattle by resolution to:

(1) 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 Chapter 204, Laws of 1969, Extraordinary Session and this chapter; and accept with the city council's concurrence grants-in-aid including compliance with conditions attached thereto;

(2) 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 Charter provisions;

(3) 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;

(4) Subject to applicable civil service provisions of the City Charter, remove and control officers and employees, utilize the negotiating committee established in Chapter 1.48 in connection with any collective bargaining with employees, and control all equipment and property under the commission's jurisdiction;

(5) Subject to the competitive bidding requirements of Section 12, Chapter 204, Laws of 1969, Extraordinary Session, 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;

(6) 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;

(7) 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;

(8) Determine the need for and recommend to the city council:

(a) The establishment of local improvement districts to pay the cost of parking facilities or any part thereof;

(b) The issuance of bonds or other financing by the city for construction of parking facilities;

(c) The acquisition of property and property rights by condemnation from the public, or in street areas;

(9) 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;

(10) Exercise such other and further powers and duties as shall be prescribed by ordinance. (Ord. 98247 § 4; Oct. 8, 1969).

1.89.050 Constructing new off-street parking facilities. Whenever the Seattle parking commission intends to construct new off-street parking facilities, it shall:

(1) 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;

(2) Prepare a report to the city council stating the proposed method of financing and property acquisition;

(3) 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; Oct. 8, 1969).

1.89.060 Approval of construction plans. 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.

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; Oct. 8, 1969).

1.89.070 Inventory — Council report. The chairman of the Seattle parking commission or his designee shall keep a current inventory of all property under its 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; Oct. 8, 1969).

1.89.080 Fund. A special fund designated the "Seattle parking commission fund" is hereby 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; Oct. 8, 1969).

1.89.090 Money to city treasury—Expenditures. Every officer or agent of the Seattle parking commission who receives or has 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; Oct. 8, 1969).

Chapter 1.90

SEATTLE-KING COUNTY COMMISSION ON ALCOHOLISM

Sections:

- 1.90.010 Created—Duties.
- 1.90.020 Members.
- 1.90.030 Authority—Budget.
- 1.90.040 Annual report.

1.90.010 Created—Duties. There is hereby 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 of Seattle 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

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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 concern for, and governmental and private response to the problems of alcoholism. (Ord. 98304 § 1; Oct. 31, 1969).

1.90.020 Members. The 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; Oct. 31, 1969).

1.90.030 Authority—Budget. 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; Oct. 31, 1969).

1.90.040 Annual 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; Oct. 31, 1969).

Chapter 1.92 DESIGN COMMISSION

Sections:

- 1.92.010 Established.
- 1.92.020 Capital improvement project defined.
- 1.92.030 Consulting capacity.
- 1.92.040 Membership.
- 1.92.050 Compensation for professional and skilled services.
- 1.92.060 Chairman.
- 1.92.070 Functions.
- 1.92.080 Advisory and review function.
- 1.92.090 Operating fund.

1.92.010 Established. There is hereby 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 hereinafter provided. (Ord. 96897 § 1 as amended by Ord. 96977; Aug. 8, 1968).

1.92.020 Capital improvement project defined. "Capital improvement project" means 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; July 17, 1968).

1.92.030 Consulting capacity. 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. 96897 § 3 as amended by Ord. 102107 § 1; May 8, 1973).

1.92.040 Membership. 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 September 30, 1970, and three serve for one year, ending September 30, 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 of Washington. (Ord. 96897 § 4 as amended by Ord. 96977; August 8, 1968).

1.92.050 Compensation for professional and skilled services. 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 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 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.

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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; July 17, 1968).

1.92.060 Chairman. 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 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. 96897 § 6 as amended by Ord. 96977; August 8, 1968).

1.92.070 Functions. The commission shall serve in an advisory capacity. Its functions 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; July 17, 1968).

1.92.080 Advisory and review function. 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 formulation 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 esthetic objectives. (Ord. 96897 § 8; July 17, 1968).

1.92.090 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; July 17, 1968).

Chapter 1.93

IMPLEMENTATION OF MODEL CITIES PROGRAM BY PUBLIC CORPORATIONS

Sections:

- 1.93.010 Authorization.
- 1.93.020 Definitions.
- 1.93.030 Corporate life.
- 1.93.040 Powers.
- 1.93.050 Powers specified.
- 1.93.060 Additional powers.
- 1.93.070 Limitation of powers.
- 1.93.080 Purview of affairs.
- 1.93.090 Application for charter.
- 1.93.100 Review of application.
- 1.93.110 Issuance of charter.
- 1.93.120 Effect of issuance of charter.
- 1.93.130 Qualification statement.
- 1.93.140 Organizational meeting.
- 1.93.150 Charter contents.

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- 1.93.160 Limits upon name—Seal.
- 1.93.170 Mandatory statement—Reservation.
- 1.93.180 Scope of activities—Constraint.
- 1.93.190 Corporate structure—Basic pattern.
- 1.93.200 Offices—Division of duties.
- 1.93.210 Council concurrence required.
- 1.93.220 Constituency concurrence required.
- 1.93.230 Rules and regulations.
- 1.93.240 Proposing charter amendments.
- 1.93.250 Corporate offices and officers.
- 1.93.260 Composition of the council.
- 1.93.270 Composition of the constituency.
- 1.93.280 Records—Access thereto.
- 1.93.290 Meetings of the council.
- 1.93.300 Meetings of any constituency.
- 1.93.310 Meetings—City participation.
- 1.93.320 Quorum.
- 1.93.330 Voting—Representation.
- 1.93.340 Tenure in office.
- 1.93.350 Deposit of public funds.
- 1.93.360 Private use of public funds prohibited.
- 1.93.370 Obligations from the grant agreement.
- 1.93.380 Affirmative obligation to the city.
- 1.93.390 Bonds and notes.
- 1.93.400 Charter amendment.
- 1.93.410 Trusteeship.
- 1.93.420 Termination.
- 1.93.430 Dissolution—Statement.
- 1.93.440 Merger with public corporation.
- 1.93.450 Termination—Disposition of assets.
- 1.93.460 Unauthorized representation.
- 1.93.470 Ancilliary authority.
- 1.93.480 Cutoff date.
- 1.93.490 Construction.
- 1.93.500 Severability.
- 1.93.510 Ratification of prior acts.

1.93.010 Authorization. The city of Seattle authorizes the establishment and chartering of one or more public corporations, commissions and/or authorities, each as an independent legal entity, to perform all manner and type of community services in furtherance of the Grant Agreement between the city of Seattle and the United States, as now existing or hereafter amended, to carry out the purposes of the Demonstration Cities and Metropolitan Development Act of 1966 (Public Law 89-754; 80 Stat. 1255),

or in furtherance of an agreement by such public corporation, commission and or authority with the United States for such purposes, all as authorized by Chapter 177, Laws of 1971, Extraordinary Session, Sections 5 and 7.

Such *public corporation*, commission or authority shall have the power and authority described in Sections 1.93.040 through 1.93.060 insofar as authorized by its *charter*; be limited by the restrictions and provisions set forth in Section 1.93.070; be organized in accordance with the process outlined in Sections 1.93.090 through 1.93.110 and with the structure, purposes and organization provided for by Sections 1.93.150 through 1.93.340 and its *charter*; observe the constitutional limitations set forth in Sections 1.93.350 and 1.93.360; adhere to the provisions derived from the *grant agreement* and contained in Section 1.93.370; fulfill the affirmative duties to the *city* stated in Section 1.93.380; incur indebtedness as allowed by Section 1.93.390; and shall be subject to the powers reserved by the *city* and the supervening conditions stated in Sections 1.93.400 through 1.93.420.

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 recourse to the assets, credit or services of the *city* on account of any debts, obligations, or liabilities of such public corporation, commission or authority. (Ord. 100495 § 1; December 1, 1971).

1.93.020 Definitions. As used in this chapter, wherever italicized, the term:

"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 ordinance;

"Charter means the articles of organization of the *public corporation* irrespective of the name applied thereto and all amendments thereto. For example, it includes but is not limited to such designations as "charter," "compact," "articles of incorporation" and "articles of association";

"City" means the city of Seattle;

"Comptroller" means the city comptroller or a person authorized to act on his behalf; and in the event of reorganization of the office of the city comptroller, the successor official performing such duties or a person authorized to act on his behalf;

"Comptroller general" means the comptroller general of the United States of America or a person authorized to act on his behalf;

"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 regula-*

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tions. To illustrate, it includes but is not limited to such designations as the membership, the electorate, the public, interested citizens, or residents within a district;

"Constituent" means a member of the *constituency*;

"Corporate" refers or pertains to a *public corporation*;

"Corporate office" means an office or official position of the *public corporation*, irrespective of designation, but excludes membership positions of the *council*;

"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*;

"Corporate official" means an officer or official of the *public corporation*, irrespective of designation, and includes members of the *council*;

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

"Grant agreement" means that certain grant agreement for a comprehensive city demonstration program between the city of Seattle and the United States of America, Department of Housing and Urban Development, adopted August 1, 1969, pursuant to Ordinance 97825 and contained in C.F. 264621, as now existing or hereafter amended;

"HUD" means the Secretary of Housing and Urban Development of the United States of America or a person authorized to act on his behalf;

"Insolvent." "Insolvency" means an inability of a *public corporation* to pay debts as they become due in the usual course of its affairs;

"Mayor" means the mayor of the city of Seattle;

"Model cities director" means the Seattle model cities director, a person authorized to act on his behalf, and any successor official performing such duties;

"Model neighborhood" means the area designated for the Seattle model city program;

"Program" means the *HUD* approved comprehensive city demonstration program of the city of Seattle as the same may from time to time be amended;

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

"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;

"Resolution" means an action of the *council* with the quorum required in Section 1.93.320;

“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;

“State” (when used as a noun) means the state of Washington. (Ord. 100495 § 2; December 1, 1971).

1.93.030 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. 100495 § 3; December 1, 1971).

1.93.040 Powers. Except as otherwise limited by this chapter or by its *charter* or by law, a *public corporation* shall have the power:

- (a) To own and sell real and personal property;
- (b) To contract with individuals, associations and corporations, and the state and the United States;
- (c) To sue and be sued;
- (d) To lend and borrow funds;
- (e) To do anything a natural person may do; and
- (f) To perform all manner and type of community services and activities in the furtherance of the *grant agreement* or an agreement by the *public corporation* with the United States to carry out the purposes of the Demonstration Cities and Metropolitan Development Act of 1966 as now or hereafter amended. (Ord. 100495 § 4; December 1, 1971).

1.93.050 Powers specified. Except as otherwise limited by this chapter or by its *charter* or by law, the powers granted a *public corporation* by Section 1.93.040 include but are not limited to the power to:

- (a) Purchase, lease, exchange, improve, use or otherwise transfer *real* or personal *property* or in 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 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*

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purposes or to secure financial assistance from the United States ("matching funds") for *corporate* projects and activities;

(c) Contract for and accept gifts or loans of funds or property from the United States, the *state*, the *city*, other corporations, associations, individuals or any other source and to comply with the terms and conditions thereof;

(d) Lend its funds, property or credit or services for *corporate* purposes, or act as a surety or guarantor for *corporate* purposes;

(e) Provide advisory, consultative, training, educational and community services or advice to individuals, associations, corporations, or governmental agencies, with or without charge;

(f) Donate money, property or services on such terms and conditions and conditions as the *public corporation* may in its discretion deem advisable, to individuals, associations or corporations for *corporate* purposes;

(g) Control the use and disposition of *corporate* property, assets, and credit;

(h) Invest and reinvest its funds;

(i) Fix and collect charges for services rendered or to be rendered, and establish the consideration for property transferred; and

(j) Maintain books and records as appropriate for the conduct of its affairs and as may be required by the city pursuant to its *grant agreement*; and

(k) To 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;

all the aforesaid powers to be exercised for *corporate* purposes in implementation of projects and activities contemplated by the *grant agreement* or any contract with the *city* or in furtherance of an agreement by the *public corporation* with the United States in furtherance of the purposes of the Demonstration Cities and Metropolitan Development Act of 1966. (Ord. 100495 § 5; December 1, 1971).

1.93.060 Additional powers. Except as otherwise limited by this chapter or by its *charter* or by law, a *public corporation* shall have in addition to the powers enumerated above 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 1.93.430;

(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. 100495 § 6; December 1, 1971).

1.93.070 Limitation of powers. A *public corporation* organized under this chapter shall have no power of eminent domain nor any power to levy taxes or special assessments.

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*.

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 the same be used for publicity or propaganda purposes designed to support or defeat legislation pending before the Congress of the United States, or the legislature of this *state* or this *city*. (Ord. 100495 § 7; December 1, 1971).

1.93.080 Purview of affairs. All funds, assets or credit of the *public corporation* shall be applied toward or expended upon community services and projects and activities authorized by its *charter* and in furtherance of an agreement by a city or by the *public corporation* with the United States to carry out the purposes of the Demonstration Cities and Metropolitan Development Act of 1966. A *public corporation* organized under this chapter shall not issue shares of stock, pay dividends, make private distribution of assets, make loans to *corporate officials*, or engage in business for profit.

The foregoing limitation does not preclude the following transactions, and a *public corporation*, unless restricted by its *charter*, may:

(a) 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 of 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 projects and activities of a model cities program;

(b) Assist *corporate officials* or *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*;

(c) Return to *corporate officials* or *constituents* fees, dues or service charges originally contributed by them and surplus to the purposes for which collected;

(d) any *corporate official*, or former *corporate official*, in any legal action or proceeding in which he is made a party by reason of his position

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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 wilful misconduct in the performance of duty; and

(e) 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 as long as such gain is not the object or purpose of the *public corporation's* transactions or activities and is applied to or expended upon community services and projects and activities as aforesaid. (Ord. 100495 § 8; December 1, 1971).

1.93.090 Application for charter. To initiate proceedings to charter a *public corporation* under this chapter, any person or group of persons shall apply in duplicate to the *city comptroller* therefor. The application shall set forth:

- (a) The proposed name of the *public corporation*;
- (b) The character or period of its duration;
- (c) The precise purposes or functions to be performed, and the relationship of such purposes or functions and activities to the Seattle model city program;
- (d) The *charter* requested;
- (e) The proposed initial *rules and regulations*;
- (f) The names and addresses of persons nominated as the initial *corporate officials*;
- (g) 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;
- (h) The name and address of each applicant, together with the qualification statement set forth in Section 1.93.130.

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* or any person who exercises any functions or responsibilities on behalf of the *city* in connection with the *grant agreement*.

One copy of the application shall be filed with the *city comptroller* as a public record open to public inspection and one copy shall be forwarded to the *model cities director* for review and recommendation. To allow for public inspection and review, at least thirty days shall elapse between filing of an application and issuance of a *charter*. (Ord. 100495 § 9; December 1, 1971).

1.93.100 Review of application. The *model cities director* shall review all applications to determine the following matters, refer to the *mayor* his findings, and make recommendations thereon:

(a) Whether chartering the *public corporation* will help to fulfill the purposes of the Demonstration Cities and Metropolitan Development Act of 1966, perform activities or functions contemplated by the *grant agreement* and/or complement the Seattle model city program without impeding the responsibilities of the *city* as coordinator thereof;

(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 modifications should be made in the proposed *charter* or the proposed initial *rules and regulations* to comply with the *grant agreement* or this chapter, to encourage citizen participation, and/or further the best interests of the Seattle model city program, 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 funding described in the application as derived from the United States pursuant to the *grant agreement* will be made available; and

(f) Whether the *charter* should issue as requested, or with changes, revisions or modification, or upon certain conditions, restrictions or the occurrence of certain events; or whether the application should be denied. The *mayor* may in his discretion in the public interest issue a *charter*:

(a) Upon his concurrence in affirmative findings and favorable recommendations by the *model cities director*; or

(b) Upon acceptance by the applicants of changes, revisions, modifications, conditions, restrictions or contingencies recommended by the *model cities director* or the *mayor*; or

(c) Upon satisfactory resolution of differences between the applicant and the *model cities director*.

The application shall be denied if the *model cities director* in his discretion so recommends. (Ord. 100495 § 10; December 1, 1971).

1.93.110 Issuance of charter. 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 *city comptroller*. One original shall be retained by the *city comptroller* and filed as a public record; and a duplicate original shall be delivered to the applicant(s). The *city comptroller* shall give notice of the issuance of the *charter* to the Secretary of State of

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this *state* and to *HUD*, and furnish a copy of the *charter* and this ordinance to each upon request therefor. (Ord. 100495 § 11; December 1, 1971).

1.93.120 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*, filing of an 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. 100495 § 12; December 1, 1971).

1.93.130 Qualification statement. Unless waived by *HUD* the applicant(s) and all *corporate officials* before assuming their positions or commencing an additional term shall sign in duplicate originals the following qualification statement, or an amended form superseding the same:

“
(date)

“QUALIFICATION STATEMENT

I shall faithfully perform my duties as

“I will adhere to that portion of Section 501 (Conflict of Interest; Public Officials and Others) of the Grant Agreement between the City of Seattle and the United States of America for federal assistance to the Seattle Model Cities Program (called “this Agreement” below), which provides as follows:

(A) *General.*—(1) No member of the City’s governing body or of the governing body of the locality and (2) no official or employee of the City or of the locality or any person who exercises any functions or responsibilities in connection with this Agreement (a) may be admitted, directly or indirectly, to any share or part of this Agreement or to any benefit to arise from the same, or (b) shall own or acquire any personal interest in any property, contract, or proposed contract which would conflict with the performance of his duties or responsibilities under this Agreement, except to the extent provided for in this Section. If any such member, official, employee or other person (hereafter referred to collectively as “person”) presently, or in the future, acquires, owns, or controls any such share, benefit, or personal interest, he shall immediately disclose such share, benefit or personal interest to the City. Upon such disclosure, such person shall not continue his participation unless the City and Government shall determine that, in the light of such share, benefit, or personal interest, the participation of such person in any such action would not be contrary to the public interest.

“I presently have no interest and shall not acquire any interest, direct or indirect, in the Model Neighborhood area or any parcels therein, which

would conflict in any manner or degree with the performance of my duties.

 (Signature of applicant or
corporate official)”

The *city* may amend the qualification statement by resolution of the *city council* to comply with or reflect any changes in the *grant agreement* and such amended qualification statement shall supersede the foregoing and be executed by all *corporate officials*. One original of the qualification statement shall be filed with the *city comptroller* as a public record and the duplicate original filed with the *public corporation*. (Ord. 100495 § 13; December 1, 1971).

1.93.140 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. 100495 § 14; December 1, 1971).

1.93.150 Charter contents. The *charter* shall set forth the following:

- (a) The name of the *public corporation* and its *corporate seal*;
- (b) The character or period of duration of the *public corporation* as provided in Section 1.93.030;
- (c) This statement in a prominent place:

“----- is organized pursuant Ordinance 100495
 (name of *public corporation*)

of the City of Seattle and Chapter 177, Laws of 1971, Extraordinary Session, Sections 5 and 7 (Revised Code of Washington 35.21.660 and 35.21.670). RCW 35.21.670(1) 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 recourse to the assets, credit or services of the municipal corporation creating the same on account of any debts, obligations or liabilities of such public corporation, commission or authority.”;

- (d) The purpose and scope of activities of the *public corporation*;
- (e) The powers of the *public corporation* and any limitations thereon as provided in Sections 1.93.040 through 1.93.060;

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(f) The structure or fundamental organization of the *public corporation*;

(g) A division of duties within the corporate structure as provided in Section 1.93.200;

(h) The powers and duties of the *council*;

(i) The powers and duties of any *constituency* with advisory or voting rights;

(j) The method of amending its *rules and regulations* or adopting another set; and

(k) The method of proposing amendments to its *charter* to the *city*.

The *charter* shall set forth the following matters in conformity with Sections 1.93.250 through 1.93.300, 1.93.320 and 1.93.330, 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 vacancies; and any qualifications for the *office* and conditions upon exercising its powers;

(m) 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;

(n) The composition of the *constituency*, if any: its character, powers and voting rights; any 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;

(o) The maintenance of *corporate* records and public access thereto;

(p) Regular and special meetings of the *council* and notice requirements;

(q) Regular and special meetings of any *constituency* and notice requirements;

(r) The quorum of the *council* and of any *constituency* necessary to conduct affairs;

(s) The method of voting and for representation of persons absent from meetings if allowed;

(t) Suspension or removal of *corporate officials* from an office or position; and conditions which would require such suspension;

(u) 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. 100495 § 15; December 1, 1971).

1.93.160 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” or the name “the City of Seattle” therein; and

(b) Adopt or appear deceptively similar to the name of any corporation, existing or organized under the laws of this *state* or authorized to transact business or conduct affairs in this *state*, or a corporate name reserved or registered as permitted by the laws of this *state*.

The *corporate* seal shall carry the name of the *public corporation*. (Ord. 100495 § 16; December 1, 1971).

1.93.170 Mandatory statement—Reservation. The *city council* by resolution may amend the statement required by Section 1.93.150(c) from time-to-time to reflect any subsequent *state* legislation amending or supplementing Chapter 177, Laws of 1971, Extraordinary Session, Sections 1.93.050 and 1.93.070, or recodification of such sections, and such amendatory statement shall be attached as an amendment to the *charter* of the *public corporation*. (Ord. 100495 § 17; December 1, 1971).

1.93.180 Scope of activities—Contraint. Whenever the laws of this *state* or of the United States or a city ordinance requires a license or permit to undertake certain activities or perform an act, the *public corporation* shall comply therewith prior to undertaking the activity or performing the act.

A *public corporation* may undertake projects and activities or perform acts outside the limits of the *city* upon an affirmative authorization by its *charter* to do so. (Ord. 100495 § 18; December 1, 1971).

1.93.190 Corporate structure—Basic pattern. Power and responsibility within the corporate structure shall be distributed among the *corporate officers*, the *council* and any *constituency*.

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*.

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 1.93.210.

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If the *charter* reposes stewardship for management and determination of all *corporate* affairs in the *council*, the *charter* need not provide for any *constituency* or may prescribe a *constituency* with advisory capacity only. In all other cases the *charter* shall establish a *constituency* and designate its power in compliance with Section 1.93.220.

If a *constituency* is provided, the *council* or a committee thereof shall report to the *constituency* at a meeting held at least quarterly and receive such advice, counsel or directions as the *charter* shall designate. (Ord. 100495 § 19; December 1, 1971).

1.93.200 Offices—Division of duties. 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.

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. 100495 § 20; December 1, 1971).

1.93.210 Council concurrence required. General 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, notes 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, 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 *city 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. 100495 § 21; December 1, 1971).

1.93.220 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. 100495 § 22; December 1, 1971).

1.93.230 Rules and regulations. The *rules and regulations* shall be subordinate to and consistent with the *charter*; may be altered, amended or repealed from time-to-time as the *charter* shall prescribe, and shall set forth such matters designated in Section 1.93.150, subsections (1) through (u), 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*.

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 affected by the amendment), and an earlier effective date be set. (Ord. 100495 § 23; December 1, 1971).

1.93.240 Proposing charter amendments. A *public corporation* may propose to the *city* that its *charter* be amended by *resolution* of its *council* passed by a procedure outlined in its *charter* and in conformity with Section 1.93.320 at a regular or special meeting of which thirty days' advance notice was given; and where concurrence of the *constituency* is required by the *charter* or by Section 1.93.220, by approval of the *constituency* through either written ballots by mail or a vote of *constituents* as 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 by the *charter* in accordance with Section 1.93.320.

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. 100495 § 24; December 1, 1971).

1.93.250 Corporate offices and officers. *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*.

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.

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. 100495 § 25; December 1, 1971).

1.93.260 Composition of the council. 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 is provided by the *charter*, the term of a position on the *council* shall be two years.

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.

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, on matters other than those described in Section 1.93.210, act for and on behalf of the *council*. Unless the *charter* or *rules and regulations* shall require a greater number, the *council* 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. 100495 § 26; December 1, 1971).

1.93.270 Composition of the constituency. Insofar as such differences or provisions further the objectives of the *program* or are related to the projects and activities to be undertaken by the *public corporation*, the *charter* may:

- (a) 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;

(b) Confer on certain classes or *constituents* advisory capacity only, while other classes or *constituents* may vote on specific matters or have general voting powers; or

(c) Provide for limited membership in the *constituency* or establish dues or membership fee.

The *charter* may provide for open participation; for example, any *model neighborhood* resident eighteen years of age or older that attends a quarterly or special meeting of the *constituency* may exercise the powers and enjoy status as a *constituent*: and the *charter* may provide for affiliation by persons not eligible or unwilling to assume status as a *constituent*.

Unless the *charter* provides otherwise, all residents of the *model neighborhood* eighteen 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.

Constituency status shall be personal and may not be transferred by purchase or sale or assignment or by payment of any other consideration. (Ord. 100495 § 27; December 1, 1971).

1.93.280 Records—Access thereto. 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*.

Any *constituent*, including persons in an advisory status, and *corporate officials*, may examine the official journal; and every *constituent* shall have access to records and information of the *public corporation* to the same degree as a citizen enjoys to records and information of the *city*. (Ord. 100495 § 29; December 1, 1971).

1.93.290 Meetings of the council. 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*. All meetings of the *council* shall be held and conducted in accordance with Chapter 250, Laws of 1971, Extraordinary Session, 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.

All meetings shall be open and public, except the *council* may hold an executive session to consider matters enumerated in Chapter 250,

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Laws of 1971, Extraordinary Session, Section 1.93.110, shall enter the cause therefor upon its official journal.

Any of the actions identified in Section 1.93.210(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. 100495 § 29; December 1, 1971).

1.93.300 Meetings of any constituency. 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*.

Notice of meeting, stating the place, day and hour, shall be mailed to *constituents* entitled to be present at least ten (10) days and not more than thirty days before the meeting; *provided*, that if the *constituency* is the public-at-large or a class in excess of one thousand 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 the *public corporation's* offices.

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. 100495 § 30; December 1, 1971).

1.93.310 Meetings—City participation. 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 *city* the *public corporation* shall promptly call and conduct a special meeting to consider matters appropriate to the regular meeting bypassed.

The *mayor*, *model cities director* and the *city council* shall be given notice of any meetings of a *constituency* and entitled to appear in person or by representative. (Ord. 100495 § 31; December 1, 1971).

1.93.320 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 1.93.210, subsections (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 1.93.220 provides 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 five hundred persons. (Ord. 100495 § 32; December 1, 1971).

1.93.330 Voting—Representation. 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.

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. 100495 § 33; December 1, 1971).

1.93.340 Tenure in office. A *corporate official* shall serve for the term designated and until his successor shall have been elected or appointed and qualified.

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 and existing term. Upon removal from a *corporate office* or position or upon the abrogation or extinction thereof, such *corporate official* shall have no power office, but the same shall be without prejudice to any vested contract right to compensation for services rendered or tendered. (Ord. 100495 § 34; December 1, 1971).

1.93.350 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. 100495 § 35; December 1, 1971).

1.93.360. Private use of public funds prohibited. The making of profit out of public money or using the same for any purpose not authorized

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by law by any officer having the possession or control thereof is prohibited. (Ord. 100495 § 36; December 1, 1971).

1.93.370 Obligations from the grant agreement. In any projects or activities financed in whole or in part, directly or indirectly, from funds derived pursuant to the *grant agreement* and upon any projects or activities comprising part of or undertaken in conjunction with the Seattle model city program, the *public corporation* will comply with the following obligations:

(A) Safeguarding of Funds. The *public corporation* shall deposit all funds derived directly or indirectly from the *grant agreement* in a depository acceptable to *HUD* and otherwise safeguard such funds pursuant to such instructions as *HUD* may from time-to-time issue;

(B) Establishment and Maintenance of Records. The *public corporation* shall establish and maintain records in accordance with requirements prescribed by *HUD*, with respect to all matters connected with any projects or activities financed from funds derived directly or indirectly from the *grant agreement* or undertaken in conjunction with the Seattle model city program. Except as otherwise authorized by *HUD*, the *public corporation* shall retain such records for a period of three years after completion of the *program*;

(C) Reports and Information. The *public corporation*, at such times and in such forms as *HUD* may require, shall furnish *HUD* such statements, records, reports, data and information, as *HUD* may request pertaining to matters connected with any projects or activities financed from funds derived directly or indirectly from the *grant agreement* or undertaken in conjunction with the Seattle model city program;

(D) Audits and Inspections. The *public corporation* will, at any time during normal business hours and as often as the *city*, *HUD* and/or the *comptroller general* may deem necessary, make available to the *city*, *HUD* and the *comptroller general* for examination all of its records with respect to all matters connected with any projects or activities financed from funds derived directly or indirectly from the *grant agreement* or undertaken in conjunction with the Seattle model city program and will permit the *city*, *HUD* and the *comptroller general* 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;

(E) Conflict of Interest—Public Officials and Others: (1) No member of the *city's* governing body or of the governing body of the locality, and (2) No official or employee of the *city* or of the locality or any person who exercises any functions or responsibilities in connection with the *grant agreement*: (a) May be admitted, directly or indirectly, to any share or part of the *grant agreement* or to any benefit to arise from the same, or (b) Shall own or acquire any personal interest in any property,

contract, or proposed contract which would conflict with the performance of his duties or responsibilities under the *grant agreement*, except to the extent provided for in this subsection. If any such member, official, employee or other person (hereafter referred to collectively as "person"), presently or in the future, acquires, owns, or controls any such share, benefit, or personal interest, he shall immediately disclose such share, benefit, or personal interest, to the *city*. Upon such disclosure, such person shall not continue his participation unless the *city* and the United States shall determine, that in the light of such share, benefit, or personal interest, the participation of such person in any such action would not be contrary to the public interest. The *city* will promptly advise HUD of the facts and circumstances concerning any disclosure made to it pursuant hereto or any information obtained by it relating to conflicts of interest;

(F) Citizen Participation. The *public corporation* will conduct its operations and affairs and will implement subsection (E) above in such a manner so as not to unreasonably impede attainment of widespread citizen participation in the implementation of the *grant agreement*;

(G) Opportunities for Residents. In all work made possible by or resulting from the *grant agreement*, the *public corporation* and each employer will take affirmative action to ensure that residents of the *model neighborhood* area are given maximum opportunities for training and employment and that business concerns located in, or owned in substantial part by, residents of the *model neighborhood* are to the greatest extent feasible awarded contracts.

The *public corporation* will comply with directives and policy statements issued by HUD from time-to-time to implement this provision;

(H) Fair Housing. In all housing projects and activities and in all relocation activities made possible by or resulting from the *grant agreement*, the *public corporation* agrees to take affirmative action to further the fair housing policies of the United States;

(I) Discrimination Prohibited. (a) In all hiring or employment made possible or resulting from the *grant agreement*, the *public corporation* and each employer: (1) Will not discriminate because of race, color, religion, sex or national origin, and (2) Will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their 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 advertising; 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 to be provided by the United States setting forth the provisions of this nondiscrimination

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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 race, color, religion, sex or national origin,

(b) The *public corporation* will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the regulations of the Secretary of Labor at 41 CFR Chapter 60, which is paid for in whole or in part with funds pursuant to the *grant agreement*, the equal opportunity clause which is a part of the labor standards provisions attached to the *grant agreement* (City Comptroller's File 264621).

The *public corporation* will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work.

The *public corporation* will assist and cooperate actively with HUD and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and the rules, regulations and relevant orders of the Secretary of Labor, that it will furnish HUD and the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist HUD in the discharge of its primary responsibility for securing compliance.

The *public corporation* will refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, United States Government contracts and federally assisted construction contracts pursuant to the Executive Order. If the *public corporation* fails or refuses to comply with these undertakings, HUD may take such action with respect to the *public corporation* as deemed appropriate,

(c) No person in the United States shall, on the ground of race, color, religion, sex, or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity made possible by or resulting from the *grant agreement* and this chapter. The *public corporation* and each employer will comply with all requirements imposed by or pursuant to the regulations of HUD effectuating Title VI of the Civil Rights Act of 1964;

(J) Whenever grant funds are used in whole or in part for the purchase or construction (including rehabilitation) of property other than office equipment, supplies, materials and other personal property used for the administration of the program or any project, title to said property shall not be transferred for a period of five years from the date of purchase or completion of construction without the approval of HUD, and of the *city*. Should it be desirable to sell the property or otherwise

transfer the ownership before expiration of the five-year period, a request should be submitted to the *city*. *City* approval of such request shall require *HUD* concurrence. In giving its approval, *HUD* may impose such additional conditions and requirements as it deems necessary.

The foregoing subsections (A) through (J) take precedence over any conflicting provisions in this chapter, and shall be implemented as *HUD* may direct from time-to-time. (Ord. 100495 § 37; December 1, 1971).

1.93.380 Affirmative obligations to the city. A *public corporation* shall:

(a) Maintain a principal office at a location within the limits of the *city*;

(b) File and maintain current with the *City 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) File an original qualification statement for each *corporate official* as provided by Section 1.93.130;

(d) Place the statement set forth in Section 1.93.150(c) or as amended pursuant to Section 1.93.170 in a prominent location in its principal office and at all other offices where the public may readily see it; stamp or print said statement upon all stationary or correspondence used by the *public corporation* in the conduct of its operations or affairs and projects and activities (exclusive of internal communications); and print or stamp the said statement on all contracts, *bonds*, and other documents that may entail any debt or liability by the *public corporation*;

(e) 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 the *public corporations'* projects and activities in connection with the Seattle model city program, naming the *city* as an additional insured;

(f) File an annual report with the *city 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; and

(g) Answer fully and within a reasonable time any written inquiries by *city* officials in the course of their duties about its finances, organization or activities. (Ord. 100495 § 38; December 1, 1971).

1.93.390 Bonds and notes. *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

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bonds and notes are authorized. All *bonds* or notes issued shall carry in a prominent place thereof the statement set forth in Section 1.93.150(c) or as amended pursuant to Section 1.93.170. 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* shall expressly in writing guarantee such *bonds* or notes.

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*; *provided* no *bonds* may be sold at private sale without prior HUD approval. *Bonds* and notes may be 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.

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 to 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.

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 chapter although not enumerated herein. (Ord. 100495 § 39; December 1, 1971).

1.93.400 Charter amendment. The *city* reserves the right to and may amend this chapter and any *charter* issued pursuant hereto as may be required by or necessary to comply with amendments or supplements to the *grant agreement*, *state* legislation as may be enacted in the future, and decisions of a court of competent jurisdiction, irrespective of any

concurrence by or prejudice to the *public corporation*. In all other cases, *charter* amendments shall require the concurrence of both the *city* and the *public corporation*.

A *public corporation* proposing an amendment to its *charter* after approval in accordance with Section 1.93.240 shall file the same in duplicate with the *city comptroller*. One proposed amendment shall be filed as a public record and the other forwarded to the *model cities director* for review and recommendation thereon with attention to the criteria set forth in Section 1.93.100(b) and (c). The *mayor* may approve the proposed amendment upon the recommendation of the *model cities director* or he may disapprove the same. A *charter* amendment proposed by a *public corporation* shall take effect and become part of the *charter* upon the filing of the *mayor's* approval with the *city comptroller*. (Ord. 100495 § 40; December 1, 1971).

1.93.410 Trusteeship. The *city council* by resolution at a public hearing held with notice to the *public corporation* may impose a trusteeship over a *public corporation* organized pursuant to this chapter or if authorized by law initiate proceedings in the Superior Court for such trusteeship under any of the following circumstances:

(a) The *council* of the *public corporation* has requested the same by *resolution*;

(b) The *public corporation* has filed a statement of dissolution preparatory to termination of its existence;

(c) The *public corporation* has failed to set forth the statement required by Section 1.93.380(d) and set forth in Section 1.93.150(c) in written contracts, *bonds* or other documents or has failed to display the same in its offices;

(d) 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*;

(e) The *public corporation* becomes *insolvent* or otherwise unable to carry out its contractual obligations to creditors and other persons;

(f) The *charter* was procured through fraud or misrepresentation of any material matter that has an effect upon the projects or activities to be undertaken;

(g) The *public corporation* has filed false annual reports with the *city comptroller*, failed to file an annual report as required by Section 1.93.380(f), after notice of such omission, or has failed to answer or made false or misleading answers to inquiries by the *city* made pursuant to Section 1.93.380(g);

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(h) 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 undertaken by contract in connection with a model cities program;

(i) 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 *city* to do so pursuant to Section 1.93.310;

(j) 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, finds upon the evidence presented any of the following:

(1) *HUD* has advised the *city* that the *public corporation* is incompetent or ineligible to participate as a contracting party in the project or activity of the Seattle model cities program for which it was created, or *HUD* recommends in writing that the *public corporation* be excluded from further participation in the *program*, or that *HUD* has or will suspend financial assistance previously approved on account of the performance of the *public corporation*,

(2) *HUD* has reported to the *city* that the provisions of Section 1.93.370, subsections (A) through (J) are not being fully complied with by the *public corporation*; or such noncompliance exists,

(3) The *council* has unreasonably impaired public participation in conduct of projects and activities of the Seattle model city program, or oppressed or hindered any *constituency* in its exercise of its powers and responsibilities,

(4) The assets of the *public corporation* have been or are committed to be misapplied or wasted, or illegally expended,

(5) The *public corporation* has misused, abused, or continuously exceeded the power or authority conferred by this chapter or its *charter*, or

(6) The *public corporation* has committed or is about to commit a material violation of this chapter or its *charter*; or has committed repeated violations of this chapter or its *charter*.

The *city* shall take such actions as necessary during the trusteeship to achieve the object thereof as expeditiously as reasonable or, if so authorized by law, authorize or initiate proceedings in the Superior Court for appointment of one or more trustee(s) to achieve such objects and for supervision of the trustee's administration; and except in case of dissolution, the *city* or such trustee(s) shall transfer management of the *public corporation* to *corporate officials* upon completion thereof and terminate the trusteeship. During the trusteeship, the *city* may reorganize the *public corporation*, and amend its *charter* and/or its *rules and regulations*, and the *city* or the trustee(s) may suspend and/or remove

corporate officials, and manage the assets and affairs and exercise any and all corporate powers as necessary or appropriate to fulfill outstanding agreements in connection with projects or activities of a model cities program, 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 *HUD* or the *comptroller general* or its creditors or obligees; and/or oversee its dissolution. (Ord. 100495 § 41; December 1, 1971).

1.93.420 Termination. The existence of the *public corporation* may be terminated by the *city* upon direction of *HUD* to do so or, in the absence of such direction 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 judgement of a court of competent jurisdiction shall have become final, which judgement 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 by the *city* stated in Section 1.93.420(e) through (j) 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) The finding by the *city council* of any of the matters in Section 1.93.420(j), subparts (1) through (6), as cause for a trusteeship, together with an additional finding that management or reorganization under a trusteeship would not correct the deficiency, enable the *public corporation* to fulfill its outstanding agreements in connection with projects or activities of a model cities program, perform functions for which chartered, reinstate its credit or credibility with *HUD* or the *comptroller general*, or for other cause is impractical or infeasible, and that termination is warranted under the circumstances;

(f) Repeal of Chapter 177, Laws of 1971, Extraordinary Session, Sections 5 and 7, or amendment thereof or supplementary legislation thereto which singularly or cumulatively restrict all or the major portion of the activities by the *public corporation* for which *chartered* or permit 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

(g) 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 corporations'* existence for causes designated above 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. 100495 § 42; December 1, 1971).

1.93.430 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 reorganization in a plan approved by the *city*, 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 *city* 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 *city* shall indicate such dissolution by inscription of "*charter cancelled*" on the original *charter* of the *public corporation*, on file with the *city comptroller* and, when available, on the duplicate original of the *public corporation*, and the existence of the *public corporation* shall cease. The *city comptroller* shall give notice thereof to the Secretary of State of this *state*, to *HUD*, and other persons requested by the *public corporation* in its dissolution statement. (Ord. 100495 § 43; December 1, 1971).

1.93.440 Merger with public corporation. An application by a *public corporation* to merge with or into another *public corporation* organized under this ordinance shall be processed in the same manner as a *charter*

amendment by the *public corporation* and as an application for *charter* by the *city* in accordance with Sections 9 and 10; and approval by the *mayor* shall authorize the merger. In event of such merger, all the rights, assets and property of the *public corporation* shall vest in the surviving *public corporation* or successor *public corporation*, unless the *grant agreement* or covenants with *HUD* shall specify otherwise. (Ord. 100495 § 44; December 1, 1971).

1.93.450 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 the *grant agreement*, covenants with *HUD* or 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 1.93.440;

(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; or that covenants to use the same in a manner to fulfill the purposes of the Demonstration Cities and Metropolitan Development Act of 1966;

(d) To the state of Washington for use in or application upon projects and activities or functions for which the assets were acquired or are devoted, or for accomplishment of purposes stated in the Demonstration Cities and Metropolitan Development Act of 1966;

(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 for accomplishment of purposes stated in the Demonstration Cities and Metropolitan Development Act of 1966;

(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; or other related purposes stated in the Demonstration Cities and Metropolitan Development Act of 1966;

(g) To nonprofit organizations performing community service, charitable or educational activities similar to the projects and activities for which the assets were acquired or seeking to accomplish purposes stated in the Demonstration Cities and Metropolitan Development Act of 1966; *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

1.93.460—1.93.500 ADMINISTRATION AND PERSONNEL

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 corporation* setting forth the proposed uses thereof, and accept, with the concurrence of *HUD*, 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 or for fulfilling the purposes of the Demonstration Cities and Metropolitan Development Act of 1966, without respect to the aforesaid designation of priorities.

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. 100495 § 45; December 1, 1971).

1.93.460 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. 100495 § 46; December 1, 1971).

1.93.470 Ancillary authority. The *mayor*, *model cities director*, and *city 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 herein imposed. (Ord. 100495 § 47; December 1, 1971).

1.93.480 Cutoff date. No *charter* shall issue for the creation of a *public corporation* after June 30, 1974, other than to enable the merger or reorganization of an existent *public corporation* or a successor in interest to perform projects and activities of an existent *public corporation* to be terminated. (Ord. 100495 § 48; December 1, 1971).

1.93.490 Construction. This chapter shall be liberally construed so as effectuate its purposes. (Ord. 100495 § 49; December 1, 1971).

1.93.500 Severability. In the event a court of competent jurisdiction adjudges 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 ordinance so adjudged to be invalid or unconstitutional. (Ord. 100495 § 50; December 1, 1971).

1.93.510 Ratification of prior acts. Receipt by the *city* and review by *city* officials of an application for a *charter* for a *public corporation* and any other actions, exclusive of issuance of such a *charter*, pursuant to the authority and prior to the effective date of the ordinance codified herein is ratified and confirmed. (Ord. 100495 § 51; December 1, 1971).

Chapter 1.94

MODEL CITY LAND USE REVIEW BOARD

Sections:

- 1.94.010 Established—Membership.
- 1.94.020 Duties.
- 1.94.030 Consultants—Planning process.
- 1.94.040 Report of actions.
- 1.94.050 Organizations—Chairman.

1.94.010 Established—Membership. There is established the “Model City Land Use Review Board,” herein called the “board,” composed of seven members appointed by the mayor as follows: the chairman and vice-chairman of the Seattle model city program advisory council, the co-chairmen of the Seattle model city housing and physical environment task force; the chairman of the planning committee of the Central Seattle community council; an architect nominated by the Seattle model city housing and physical environment task force; and an urban planner, designer or transportation expert nominated by the Seattle model city housing and physical environment task force. The Seattle model city program director and the director of planning of the city planning commission shall sit with and advise the board, but shall have no vote. Also serving in an advisory capacity with no vote shall be the subcommittee chairmen of the model city housing and physical environment task force.

Each member shall continue as a member of the board so long as such member occupies the office indicated, except that the architect member and the urban planner, designer or transportation expert member shall be appointed annually as of January 1 of each year, and may be reappointed to successive terms. Members shall serve without compensation from the city or from any trust, donation or legacy to the city for their services as members. (Ord. 97488 § 1; February 19, 1969).

1.94.020—1.94.040 ADMINISTRATION AND PERSONNEL

1.94.020 Duties. The duties of the board shall be as follows:

(a) To generate broad-based community participation in comprehensive land use planning in the Seattle model neighborhood area as described in the contract for planning grant authorized by Ordinance 96627 (C. F. 260511).

(b) To assist the city planning commission in the development and preparation of a revised comprehensive land use plan for the model neighborhood using the data, knowledge and experience acquired in planning the Seattle model city program.

(c) To study and develop a more refined criteria base and planning process capable of being used both before and after the adoption of a revised comprehensive land use plan for the model neighborhood, and to function as an advisory body to the Seattle model city program in matters relating to comprehensive land use planning.

(d) To review all petitions and proposals for amendment of the official zoning map and all applications for conditional use, special exception, variance and planned unit development relating to property in the Seattle model neighborhood and to report to the city planning commission, board of adjustment and city council as to the effect of such petitions, proposals and applications on the Seattle model neighborhood and recommend whether the same should be granted and approved, or denied. When such petitions, proposals or applications are received by the city planning commission or board of adjustment, copies thereof shall be referred to the board for its recommendations, provided, that the failure of the city planning commission or board of adjustment to refer such petitions, proposals or applications to the board, or the failure of said board to make a recommendation with respect to any such petition, proposal or application shall not affect the validity of any decision thereon. (Ord. 97488 § 2; February 19, 1969).

1.94.030 Consultants—Planning process. The board is authorized to employ such expert and temporary consultants as it may deem necessary with funds made available for such purpose, and staff members of the Seattle model city program and the city planning commission shall study and report on the proposals submitted to the board. The model city program and the city planning commission shall organize their respective planning activities so as to produce a coordinated planning process which will result in a comprehensive plan consistent with city-wide planning criteria and requirements to meet the goals of the model neighborhood, and which when completed may be submitted to the city council for approval by resolution as a modification to the comprehensive plan of Seattle. (Ord. 97488 § 3; February 19, 1969).

1.94.040 Report of actions. All actions of the board shall be reported to the organizations or departments from which board members come in order

PARKS AND RECREATION NAMING COMMITTEE 1.94.050—1.95.010

that such organizations or departments may be kept aware of activities of the board to insure that the purposes for which it is established are carried out. Board recommendations shall be forwarded to the city planning commission and/or board of adjustment for consideration within twenty days after referral to the board, unless an extension of time is authorized. (Ord. 97488 § 4; February 19, 1969).

1.94.050 Organization—Chairman. The board shall organize annually during the month of January, and adopt such administrative procedures as are necessary to accomplish the purposes of this chapter. The chairman of the Seattle model city program advisory council shall be chairman of the board. (Ord. 97488 § 5; February 19, 1969).

Chapter 1.95

PARKS AND RECREATION NAMING COMMITTEE

Sections:

1.95.010 Established—Naming procedure.

1.95.010 Established—Naming procedure. As recommended in C.F. 269124 the superintendent of parks and recreation is authorized to designate the names of parks, recreation areas or facilities from among names submitted to him by a parks and recreation naming committee hereby created which shall consist of the superintendent of parks and recreation, the chairman of the board of park commissioners, and the chairman of the parks and public grounds committee of the city council, and said naming committee is authorized to establish policies and procedures as contemplated in C. F. 269124 to be followed in selecting names to be submitted to the superintendent.

Upon designating a name for a park, recreation area or facility the superintendent of parks and recreation shall submit such name to the mayor, and chairman of the parks and public grounds committee of the city council, and if no objection to such name is made by the mayor or said chairman within ten days of such submittal, and upon filing of such name designation in the office of the city comptroller, the name shall thereupon become officially adopted. (Ord. 99911 § 1; May 19, 1971).

Chapter 1.96

STADIUM STEERING COMMITTEE

Sections:

1.96.010 Established.

1.96.020 Definitions.

1.96.030 Advisory capacity—Membership.

1.96.010—1.96.060 ADMINISTRATION AND PERSONNEL

- 1.96.040 Term of membership.
- 1.96.050 Chairman—Election of additional officers.
- 1.96.060 Advisory functions.

1.96.010 Established. There is established a "stadium steering committee" to be composed and to serve the functions and carry out the duties as provided in this chapter. (Ord. 97645 § 1; April 16, 1969).

1.96.020 Definitions. As used in this chapter, the words hereinafter defined shall have the meanings set forth in this section:

- (a) "Committee" means the stadium facilities steering committee;
- (b) "Stadium facilities" means the multi-purpose stadium, parking structures, and related facilities;
- (c) "Project manager" means the manager employed by King County to supervise the stadium project. (Ord. 97645 § 2; April 16, 1969).

1.96.030 Advisory capacity—Membership. Subject to the provisions of this chapter the committee shall act in an advisory capacity to the city of Seattle and King County in connection with the planning and construction of the stadium facilities. The committee shall consist of seven members, and of the original members, four shall be appointed by King County; one shall be a representative of the state of Washington to be appointed by the governor of the state of Washington; one shall be the mayor of the city of Seattle or his designated representative; and one shall be the King County executive or his designated representative. (Ord. 97645 § 3; April 16, 1969).

1.96.040 Term of membership. Each of the appointed members shall serve for a term of four years or until the stadium project is completed, whichever is earlier. New appointments to the committee and appointments to fill any vacancies occurring in the membership shall be filled from a list of nominees recommended by the committee. (Ord. 97645 § 4; April 16, 1969).

1.96.050 Chairman—Election of additional officers. The chairman of the committee shall be appointed by King County. The committee shall elect such other officers as it may deem necessary and shall adopt such administrative procedures as are required to accomplish the purposes of this chapter. (Ord. 97645 § 5; April 16, 1969).

1.96.060 Advisory functions. The committee shall serve in an advisory capacity. Its function shall be to advise and assist the city of Seattle and King County in the development and execution of the stadium facilities. The advisory functions of the committee shall include:

- (a) Interviewing project manager candidates and recommending one for appointment,

(b) Consulting with and making recommendations to the project manager and the design team on development of stadium facilities;

(c) Assisting project manager and other public agencies in the development and implementation of construction schedules;

(d) Providing continuing review of progress of stadium facilities project planning and construction;

(e) Advising officials of the city of Seattle and King County on the status of stadium facilities planning and construction and recommending changes or modifications in such planning or construction. (Ord. 97645 § 6; April 16, 1969).

Chapter 1.97

DEPARTMENT OF TRANSPORTATION

Sections:

- 1.97.010 Created—Purpose.
- 1.97.020 Director—Appointment.
- 1.97.030 Director—Duties.
- 1.97.050 Continuance of prior legislation.
- 1.97.060 Transfer of funds.
- 1.97.070 Transit transfer agreement.

1.97.010 Created—Purpose. There is created a department of transportation for the management, maintenance, operation, coordination and planning of the public transportation system of the city. (Ord. 100089 § 1; July 8, 1971).

1.97.020 Director — Appointment. There shall be a director of the department of transportation to be appointed by the mayor, subject to confirmation by a majority vote of all members of the city council, and such director, whose office shall not be included in the classified civil service, may be removed by the mayor upon filing a statement of his reasons therefor with the city council; provided that no appointment shall be made under the authority of this section except upon the filing by the civil service commission as a permanent record in the office of the city comptroller, of its recommendation that such office, as a professional or administrative office or position similar to offices and positions designated in Article XVI, Section 11 of the City Charter, should not be included in the classified civil service; provided further, that pending appointment of such director under the authority of this section, the mayor is authorized to appoint a person to temporarily act as director of said department for a period of sixty days and thereafter for successive sixty day periods with the approval of the city council. (Ord. 100089 § 2 (part); July 8, 1971).

1.97.030 Director—Duties. The director of transportation shall be head of and responsible for the administration of the department of transportation and he shall:

(1) Appoint, remove, supervise and control officers and employees in the department of transportation in accordance with civil service rules and regulations;

(2) Have all superintendence, control and management of the facilities, equipment, and property of the public transportation system of the city;

(3) Fix and change routings for the transportation of persons and commodities through the facilities of the system, and subject to such regulations as may be prescribed by ordinance, fix and change rates, fares and charges for the transportation of such persons and commodities;

(4) Determine the type, character, and amount of equipment required and secure the same in accordance with Article VIII, Section 16 of the City Charter;

(5) Enter into such contracts in connection with the public transportation system as shall be authorized by ordinance; provided that contracts for public improvements shall be subject to the authority of the board of public works and the city engineer under Article VII of the City Charter;

(6) Enforce all ordinances pertaining to the public transportation system of the city, and make and enforce rules and regulations consistent with this and other ordinances for the operation of said system;

(7) Determine the need for and recommend the issuance of revenue bonds by the city payable solely from the revenues to be derived from the operation of the public transportation system of the city for the purpose of adding to, purchasing, acquiring, constructing, extending, improving, bettering, operating and maintaining said transportation system, including the purchase of vehicular and other equipment and the extension, repair, improvement and betterment of said system;

(8) Have such other and further powers and duties as shall be prescribed by ordinance. (Ord. 100089 § 2 (part); July 8, 1971).

1.97.050 Continuance of prior legislation. All resolutions, rules and regulations of the Seattle transit commission adopted pursuant to the authority of Article XXIII of the City Charter and in force on August 7, 1971 and not in conflict with this or other ordinances of the city shall continue in force until such time as the city's legislative authority shall enact ordinances on the same subject or until such resolutions, rules and regulations shall expire by their own limitation, and all contracts of the Seattle transit commission entered into pursuant to the authority of said Article XXIII and in force on August 7, 1971 shall continue in force until expiration or termination in accordance with the terms of such contracts. (Ord. 100089 § 4; July 8, 1971).

1.97.060 Transfer of funds. The items in the 1971 budget of the public transportation system of the city, and the positions and salaries of the employees thereof, and all facilities and equipment thereof, are transferred to the department of transportation established herein. (Ord. 100089 § 5; July 8, 1971).

1.97.070 Transit transfer agreement. The mayor and city comptroller are authorized to execute and deliver for and on behalf of the city of Seattle in such numbers as may be necessary an agreement dated as of December 1, 1972 substantially in the form contained in C.F. 274456 entitled "Transit Transfer Agreement—The City of Seattle—Municipality of Metropolitan Seattle" with the Municipality of Metropolitan Seattle, hereinafter referred to as the "Municipality," providing for the transfer of the public transportation authority within the city to the municipality as of January 1, 1973; for the transfer of use of certain city public transportation system properties at a cost to be determined by appraisal procedure; for the maintenance of certain fares and services within the city by the municipality; for the application of payments received by the city therefore for transportation improvement; for certain support and other services to be rendered by the parties; transferring city transit employees to the Municipality and preserving certain of their rights as contemplated by RCW 35.58 and making available existing city insurance and medical plan coverage for such employees, all as recommended by the mayor in said C.F.

Any ordinance, including Ordinance 100089, to the extent inconsistent with the provisions of this section and of the agreement authorized herein is hereby superseded. (Ord. 101714 §§ 1, 2; December 21, 1972).

Chapter 1.98

PUBLIC TRANSPORTATION SYSTEM

Sections:

- 1.98.010 Methods.
- 1.98.020 Passes for senior citizens.

1.98.010 Methods. The methods of carrying passengers on the public transportation system of the city of Seattle are motor buses and trolley buses. (Ord. 96902 § 1; July 17, 1968).

1.98.020 Passes for senior citizens. As of December 11, 1972, the department of transportation shall honor permits for senior citizens under the following conditions:

(a) Senior citizens who meet the qualifications set forth herein may either purchase a pass for the sum of two dollars good for one calendar month or pay ten cents for each transit ride with the privilege of transfer

1.98.020 ADMINISTRATION AND PERSONNEL

on coaches of the Seattle transit system. Applicants who meet the following qualifications are eligible for the fares referred to herein:

Any person, sixty-five years of age, or older, who resides within the corporate limits of the city of Seattle, and who has applied for and received a senior citizen transit permit issued by the department of transportation.

Any person, sixty-five years of age, or older, who resides within the boundaries of King County, Washington, and who has applied for and received a senior citizen transit permit issued by the Municipality of Metropolitan Seattle or by the department of transportation, acting in behalf of the Municipality of Metropolitan Seattle.

(b) Holders of senior citizen permits and/or monthly passes shall be entitled to ride on the coaches of the Seattle transit system at any time during the calendar month such permits and passes are valid.

(c) Zone fares shall not apply to persons eligible either to pay ten cents per ride or to use senior citizen passes.

(d) Senior citizen passes are not transferable, and a pass which is offered for fare by other than the person to whom it was issued shall be retained by the operator and the privilege of purchasing a senior citizen pass shall be revoked.

(e) If a pass is lost, a new application for a permit to carry a senior citizen pass shall be filled out and a new pass purchased.

(f) The director of transportation is authorized and directed to establish the procedures for identifying senior citizens who are eligible for the fares referred to herein. (Ord. 101507 § 1 as amended by Ord. 101688 § 1; December 15, 1972).