

**Chapter 10.01
GENERAL
PROVISIONS—ADMINISTRATION AND
ENFORCEMENT**

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Severability. The provisions of Title 10 are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of Title 10 or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of Title 10 or the validity of its application to other persons or circumstances.
(Ord. 109949 § 1(part), 1981.)

10.01.010 Purpose and policy declared.

A. Title 10 of the Seattle Municipal Code is enacted as an exercise of the police power of Seattle to protect and preserve the public peace, health, safety, and welfare. Its provisions shall be liberally construed for the accomplishment of these purposes.

B. It is expressly the purpose of Title 10 to provide for and promote the health, safety and welfare of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of Title 10.

C. It is the specific intent of Title 10 to place the obligation of complying with its requirements upon the owner or operator of each premises within its scope, and no provision of nor term used in Title 10 is intended to impose any duty whatsoever upon the City or any of its officers or employees, for whom the implementation or enforcement of Title 10 shall be discretionary and not mandatory.

D. Nothing contained in Title 10 is intended to be nor shall be construed to create or form the basis for any liability on the part of the City or its officers, employees or agents, for any injury or damage resulting from the failure of the owner or operator of a premises to comply with the provisions of Title 10, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of Title 10 on the part of the City by its officers, employees or agents.
(Ord. 109949 § 1 (part), 1981.)

10.01.020 Applicability.

The provisions included in this chapter are generally applicable to activities regulated by Title 10 and to the administration and enforcement of all permits required by Title 10 of the

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Seattle Municipal Code. If provisions regulating a specific type of establishment are inconsistent with this chapter, the provision of the specific regulations shall control.
(Ord. 109949 § 1(part), 1981.)

10.01.030 Definitions.

A. Except as otherwise specified in Title 10, the following definitions apply:

1. "Administrative code" means the Administrative Code of the City (Chapter 3.02 of the Seattle Municipal Code) as now or hereafter amended.

2. "City" means The City of Seattle.

3. "Department" means the Seattle-King County Department of Public Health.

4. "Director" means the Director of the Seattle-King County Department of Public Health or his/her designated representative.

5. "Hearing Examiner" means the Hearing Examiner of the City or his/her designated representative.

6. "Permit" means a valid legal authorization required by Title 10 in order to engage in a business or occupational activity in the City.

7. "Person" means any individual, partnership, corporation, trust, unincorporated or incorporated association, marital community, joint venture, governmental entity, or other entity or group of persons however organized.

8. "Person in charge" means the individual present in an establishment who is the supervisor of the regulated activity or of the establishment requiring a permit at the time of inspection. If no individual is the supervisor, then any person working therein may be deemed to be the person in charge.

9. "Title 10" means Title 10 of the Seattle Municipal Code.

B. Unless the context clearly indicates otherwise, the singular includes the plural, and the plural includes the singular.
(Ord. 109949 § 1(part), 1981.)

10.01.040 Enforcement.

This chapter shall be enforced and administered by the Director. The Director is authorized pursuant to the Administrative Code of the City to make rules and regulations not inconsistent with the provisions of Title 10 for the purpose of enforcing and carrying out its provisions.
(Ord. 109949 § 1(part), 1981.)

10.01.050 Permits not transferable or assignable—Exceptions.

A permit is not transferable; provided, that the Director may authorize transfer where no previously unpermitted person acquires a permit thereby, and if, in the judgment of the Director, transferral is consistent with the purposes of this Code.
(Ord. 109949 § 1 (part), 1981.)

10.01.060 Display and removal of permit.

A. Each permit issued pursuant to this chapter shall be displayed conspicuously in the establishment for which issued.

B. The permittee shall remove from the premises or other area where it is placed as required by this chapter, every permit upon expiration, suspension or revocation. Whenever a permit is suspended or revoked, the permittee shall return the permit to the Director. If a suspended or revoked permit is not returned, it may be removed by the Director.
(Ord. 109949 § 1(part), 1981.)

10.01.070 Permits the property of the City.

All permits issued pursuant to this chapter remain the property of the City.
(Ord. 109949 § 1(part), 1981.)

10.01.080 Separate permit for each location.

A separate permit shall be obtained for each location at which an activity subject to a permit is conducted. Each permit shall be valid only at the location stated on the permit.
(Ord. 109949 § 1(part), 1981.)

10.01.090 Application.

Application for any permit shall be in writing on a form provided by the Director. The application shall include:

A. Applicant's full name, post office address, and the signature of an authorized representative of the applicant;

B. Whether such applicant is an individual, firm, or corporation, and, if a partnership, the names and addresses of the partners;

C. The location and type of the proposed establishment;

D. Remittance of any fees required by Chapter 10.03; and

E. If the application is for a seasonal or temporary permit, it shall also include the inclusive dates of the proposed operation;

F. Such other information as may reasonably be required by the Director in determining whether or not to issue a permit.
(Ord. 109949 § 1(part), 1981.)

10.01.100 Duplicate permits.

Where, from such evidence as he/she may require, the Director finds that a permit has been lost, he/she may issue a duplicate to the permittee upon payment of the required fee.
(Ord. 109949 § 1(part), 1981.)

10.01.110 Permit expiration.

All permits issued pursuant to this chapter shall expire one (1) year following the date of issuance. All temporary and seasonal permits issued pursuant to this chapter shall expire on the date set forth on the face of such permit.
(Ord. 109949 § 1(part), 1981.)

10.01.120 Effect of payment by bad check.

Whenever payment of any fee imposed by Title 10 is made by a check that is not honored by the drawee bank, any permit issued pursuant to payment by that check is void from the date of permit issuance. The permit may be reissued upon payment by certified check, money order, or cash of the original amount, plus an administrative charge.
(Ord. 109949 § 1(part), 1981.)

10.01.130 Computation of time.

In computing any period of days prescribed by Title 10, the day of the act or event from which the designated period of time runs shall not be included. The last day of the period shall be included unless it is Saturday, Sunday, or a City legal holiday, in which event the last day of such period shall be the next succeeding day which is not a Saturday, Sunday, or City legal holiday.
(Ord. 109949 § 1(part), 1981.)

10.01.140 Investigation of applicant.

The Director may investigate the applicant for any permit to be issued pursuant to Title 10. The Director shall request record checks, site inspections or confirmation of zoning compliance to be

performed by appropriate city agencies when they are required by Title 10. The City administrator to which such request has been directed shall ascertain whether the applicant, activity, and/or premises comply with the requirements of laws, ordinances, rules and regulations to be enforced by the agency. The agencies shall notify the Director, in writing, whether any violation is found, specifying any noncompliance. In the event a written reply is not received by the Director within thirty (30) days from the date of the original request for the check or inspection, the Director may issue the permit if the applicant is deemed qualified to hold the license in all other respects.
(Ord. 109949 § 1(part), 1981.)

10.01.150 Complete application.

An application is complete when:
A. All information required by the application and by the provisions of Title 10 have been received by the Director; and
B. All permit and other required fees have been paid.
(Ord. 109949 § 1(part), 1981.)

10.01.160 Permit issuance.

The Director shall issue the permit upon finding that the application is complete, that all the requirements and conditions of this Code and rules and regulations prescribed hereunder have been satisfied, and that the applicant is qualified to hold the permit.
(Ord. 109949 § 1(part), 1981.)

10.01.170 Proration of annual permit fee.

A. If an application is made for a permit to be effective during the last six (6) months of an annual permit period, the fee shall be one-half (1/2) of the annual fee.
B. There shall be no proration of a permit fee when the permit is temporary or seasonal.
(Ord. 109949 § 1(part), 1981.)

10.01.180 Refund of permit fee.

A permit fee is refundable only if a permit is

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denied, or if a fee has been paid where none is imposed, or if the permit is issued where none is required, or the permittee never engages in permitted activity due to the refusal of any governmental agency to issue a necessary license, if the applicant for a permit withdraws his/her application before the permit is issued, if the applicant for a temporary permit withdraws his/her application more than fourteen (14) days prior to the event, or if the food-service establishment permit has been overpaid by more than Twenty-five Dollars (\$25.00), except, each refund shall be subject to a Twenty-five Dollar (\$25.00) deduction for the cost of administration.

(Ord. 117000 § 1, 1993; Ord. 109949 § 1(part), 1981.)

10.01.190 Grounds for permit denial, suspension or revocation.

A. Permits may be denied, suspended or revoked by the Director for violation of any provision of Title 10 or of any ordinance or law which regulates any activity requiring a permit in order to further the public interest in public health, safety, and welfare. A permit may also be denied, suspended, or revoked upon a finding that any applicant or permittee, or any owner, officer, or agent thereof:

1. Has been subject to any adverse finding in any judgment or order in any judicial or administrative proceeding in which fraud, deceit, coercion, breach of trust, unfair method of competition, unfair or deceptive trade act or practice, or assertion of unconscionable contractual provisions, or other similar act, practice, or conduct, on the part of the permittee or applicant is proven, and the time elapsed since the judgment or order is less than ten (10) years; or

2. Has violated or failed to comply with any applicable provision of any City ordinance relating to public health or safety or rule or regulation prescribed thereunder; provided, that failure to obtain a permit shall not be grounds for permit denial; or

3. Has been subject to an adverse finding in any judgment or order, in any judicial or administrative proceeding for violation of any provision of a City ordinance or rule or regulation prescribed thereunder pertaining to fire, building, sanitation, zoning, weights and measures, license, consumer protection, or environmental protection matters, or any activity regulated by Title 10; or

4. Has violated or failed to comply with any final order of the Director or Hearing Examiner; or

5. Has failed to complete the application for a permit as required by this chapter; or

6. Has failed to obtain a license or permit required by state or other law necessary to engage in activity regulated by this Code; or

7. Has failed to comply with RCW Chapters 49.12 and 28A.28, and rules and regulations promulgated pursuant thereto, regarding employment of minors; or

8. If the applicant has any outstanding monies owed to the Department for permit fees, late fees, checks returned by the bank, or other miscellaneous fees.

B. Nothing shall prohibit revoking or suspending a permit that was erroneously issued by the Department.

(Ord. 117000 § 2, 1993; Ord. 109949 § 1(part), 1981.)

10.01.200 Summary suspension or revocation.

Notwithstanding any other provision of Title 10, a permit may be suspended or revoked by order of the Director, or any act or practice may be ordered to be ceased by the Director, without a hearing upon finding that:

A. There is reasonable cause to believe that the act or practice is regulated by Title 10 or that grounds for permit suspension or revocation exist, and that continuation of the act or practice will cause a clear, substantial and imminent hazard to health, safety, or property; or

B. Any public liability insurance policy required by Title 10 to be filed with the Director is impaired or is cancelled.

(Ord. 109949 § 1(part), 1981.)

10.01.210 Order of permit suspension, revocation or denial.

Permit suspension, revocation or denial shall be in writing in the form of an order and shall include a recital of the authority for the action, a brief and concise statement of facts which constitute the grounds for denial, suspension or revocation, and the Director's signature. A copy of the order, including notice of the right to a hearing shall be served on the applicant or permittee.

(Ord. 109949 § 1(part), 1981.)

(Seattle 3-94)

10.01.220 Appeal of permit denial, suspension or revocation.

A. If the Director has ordered a permit denied, suspended or revoked, the applicant may contest the denial by filing a notice of appeal and request for hearing with the Hearing Examiner within ten (10) days after service or mailing of the order.

B. If a timely request for hearing is filed by the applicant or permittee, a hearing before the Hearing Examiner shall be scheduled and shall be conducted by the Hearing Examiner according to his/her rules for contested cases.

C. If a timely appeal is not filed by the applicant or permittee, the order of the Director denying, suspending or revoking the permit shall be

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Seattle Municipal Code
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Text provided for historic reference only.

See ordinances creating and amending sections for complete text, graphics, and tables and to confirm accuracy of this source file.

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final; provided, that the Director may waive the ten (10) day appeal requirement upon satisfaction that failure to receive notice of the order was beyond the control of the person requesting the hearing.

(Ord. 109949 § 1(part), 1981.)

10.01.230 Effect of complaint or request for hearing on conduct of business activity.

Except in the case of summary suspension or revocation, whenever a timely request for hearing on a complaint is filed, a permittee may engage in the activity for which the permit is required, pending decision by the Hearing Examiner.

(Ord. 109949 § 1(part), 1981.)

10.01.240 Order of the Hearing Examiner.

The Hearing Examiner may affirm or deny decisions of the Director to issue, deny, suspend, or revoke a permit.

(Ord. 109949 § 1(part), 1981.)

10.01.250 Finality of the decision of the Hearing Examiner.

The decision of the Hearing Examiner shall be final upon service upon each party.

(Ord. 109949 § 1(part), 1981.)

10.01.260 Permits—Reinstatement after suspension.

Any person whose permit has been suspended may, at any time, submit to the Department a written application for an inspection for the purpose of reinstatement of a suspended permit, which application shall include a statement signed by the applicant that, in his opinion, the conditions causing suspension of the permit have been corrected. Within the ten (10) days following the Department's receipt of such an application, the Director shall inspect the premises or facilities for which inspection has been requested. In the event the applicant and such premises or facilities are in compliance with the requirements of the applicable ordinances, the permit shall be reinstated.

(Ord. 109949 § 1(part), 1981.)

10.01.270 Consent agreement.

The Director may enter into a consent agreement with the applicant or permittee for settlement of a contested case at any time prior to issuance of a decision by the Hearing Examiner. The consent agreement shall be in writing and signed by the applicant or permittee. The agreement shall be final when signed by the Director.

(Ord. 109949 § 1(part), 1981.)

10.01.280 Inspections—Frequency.

An inspection of an establishment, facilities, substances or activities regulated by this Code may be performed by the Director as often as the Director deems necessary. The Director shall inspect every establishment prior to issuing a permit therefor whenever the permittee is delinquent in the payment of any applicable permit fee. (Ord. 109949 § 1(part), 1981.)

10.01.290 Inspections—Access.

Every person operating an establishment shall permit the Director, after proper identification, to enter the establishment during its normal business hours for the purpose of making inspections to determine compliance with applicable ordinances; and shall permit the Director to examine the records of the establishment to obtain information pertaining to food substances and/or supplies regulated by this Code that have been purchased, received, used, sold or otherwise distributed or stored by the establishment. (Ord. 109949 § 1(part), 1981.)

10.01.300 Inspections—Report.

A. Whenever an inspection of a permitted establishment is made, the findings shall be recorded on the inspection report form prepared by the Director.

B. The inspection report form shall summarize the requirements of the applicable Seattle Municipal Code chapters. Inspection remarks shall be written to reference, by section number, the section of the Seattle Municipal Code violated, and shall state the date of the inspection, the correction to be made, and the period of time allowed for the correction of the violations found. The inspection report shall also state that failure to comply with any specified time limits for corrections may result in a Department directive to cease permitted operations and that an opportunity for hearing on the inspection findings will be provided if a written request for a

hearing is filed with the Director within ten (10) days following the date of the inspection report.

C. A copy of the completed inspection report form shall be furnished to the person in charge of the establishment at the conclusion of the inspection. The completed inspection report form is a public document that shall be made available for public disclosure to any person who requests it according to law. (Ord. 109949 § 1(part), 1981.)

10.01.310 Inspection—Time allowed for correction of violations.

Correction of the violations identified in any inspection report shall be accomplished within the period specified therein. (Ord. 109949 § 1(part), 1981.)

10.01.320 Administrative proceedings—Service of notices.

A notice or order provided for in this chapter is properly served when it is delivered in person to the applicant, permittee or the person in charge, or when it is sent by registered or certified mail, return receipt requested, to the last known address of the applicant or permittee. A copy of the notice shall be filed in the records of the Department. (Ord. 109949 § 1(part), 1981.)

10.01.330 Violations.

A. It is a violation for any person to engage in any activity for which a permit is required without first obtaining a permit in accordance with the provisions of this Code;

B. It is a violation for any person to employ an individual in the capacity of an agent if that agent has failed to obtain any permit required by this Code;

C. It is a violation for any permittee or agent thereof to authorize any unpermitted person to engage in activity for which a permit is required, under color of a permit issued to the permittee;

D. It is a violation for any person to make or manufacture any permit required by this Code except upon order of the Director;

E. It is a violation for any person other than the Director, a permittee, or agent thereof to possess any permit issued pursuant to this Code. (Ord. 109949 § 1(part), 1981.)

10.01.340Liability insurance.

A. In those instances where Title 10 requires that the applicant for a permit shall provide insurance as a condition of receiving the permit, the purpose of the requirement is to ensure that members of the public and the City will be compensated for losses caused by personal injury or property damage resulting from the tortious acts of the permittee and its agents, employees, and officers.

B. Whenever the issuance of a permit is conditioned upon any applicant's obtaining liability insurance, each insurance policy shall:

1. Be issued by a company authorized to do business as an insurer in Washington State pursuant to the provisions of RCW Title 48 as now or hereafter amended;

2. Insure the permittee, and by endorsement or otherwise, name the City as additional insured protected against liability for, any damages sustained by any person on account of the negligence or the failure of permittee or any person in his/her employ, to comply with all laws and the ordinances of the City relating to the activity for which the permit is issued; and promise to defend from and pay any such damages;

C. Contain by endorsement or otherwise, the following recital:

“This policy is issued pursuant to Title 10 of the Seattle Municipal Code and is intended to comply with all the conditions and requirements thereof; any exception or limitation herein in conflict with any such condition or requirement is void.”;

D. Be approved by the Director as to sufficiency and, upon request by the Director, as to form by the City Attorney; and

E. Be terminable only on at least thirty (30) days' written notice to the Director.
(Ord. 109949 § 1 (part), 1981.)

10.01.350Penalties.

A. Any person violating or failing to comply with any of the provisions of Title 10 or any rule or regulation promulgated thereto, or any Order of the Hearing Examiner, is guilty of a violation subject to the provisions of Title 12A of the Seattle Municipal Code unless such violation or failure is specifically designated elsewhere in this Code as a crime.

B. Each day of continued violation or non-compliance constitutes a separate offense.
(Ord. 109949 § 1(part), 1981.)

10.01.360Construction.

The provisions of this chapter do not apply to or govern the construction of and punishment of any offense committed prior to the effective date of this chapter or to the construction and application of any defense to a prosecution for such an offense. Such an offense must be construed and punished according to the provisions of law existing at the time of the commission thereof in the same manner as if this chapter had not been enacted.

(Ord. 109949 § 1(part), 1981.)

**Chapter 10.02
CIVIL EMERGENCIES¹**

Sections:

- 10.02.010Proclamation of civil emergency.**
- 10.02.020Authority of Mayor to issue certain orders.**
- 10.02.030Authority of Mayor to enter into contracts and incur obligations.**
- 10.02.040Use of services and equipment of municipalities and citizens.**
- 10.02.050Disaster readiness and response plan.**
- 10.02.060Disaster Response Council.**
- 10.02.070Emergency purchases of supplies.**
- 10.02.080Budget Director to review purchases and mutual aid agreements.**
- 10.02.090Executive Services Department to register employees and volunteers.**
- 10.02.100Notification of Governor, news media and public.**
- 10.02.110Violation—Penalty.**

Statutory Reference: For statutory provisions on emergency services, see RCW Ch. 38.52.

1.Cross-reference: For further provisions regarding the Mayor's emergency powers, see Chapter 12A.26 of this Code.

10.02.010Proclamation of civil emergency.

A. Whenever riot, unlawful assembly, insurrection, other disturbance, the imminent threat thereof, or any fire, flood, storm, earthquake or

other natural catastrophe or disaster occurs in the City and results in or threatens to result in the death or injury of persons or the destruction of property or the disruption of local government to such extent as to require, in the judgment of the Mayor, extraordinary measures to prevent the death or injury of persons and to protect the public peace, safety and welfare, and alleviate damage, loss, hardship or suffering, the Mayor shall forthwith proclaim in writing of the existence of a civil emergency.

B. Such civil emergency shall cease to exist upon the issuance of a proclamation by the Mayor terminating the same. Such proclamation shall be issued by the Mayor when such extraordinary measures are no longer required for the protection of the public peace, safety and welfare.

C. Any such proclamation by the Mayor shall at the earliest practicable time be presented to the City Council for ratification and confirmation, modification, or rejection, and if rejected, shall be void.

(Ord. 102850 § 1, 1973.)

10.02.020 Authority of Mayor to issue certain orders.

Upon the proclamation of a civil emergency by the Mayor, and during the existence of such civil emergency, the Mayor may make and proclaim any or all of the following orders:

A. An order imposing a general curfew applicable to the City as a whole, or to such geographical area or areas of the City and during such hours, as he deems necessary, which effective hours and affected area or areas may be modified from time to time;

B. An order requiring any or all business establishments to close and remain closed until further order;

C. An order requiring the closure of any or all bars, taverns, liquor stores, and other business establishments where alcoholic beverages are sold or otherwise dispensed; provided that with respect to those business establishments which are not primarily devoted to the sale of alcoholic beverages and in which such alcoholic beverages may be removed or made secure from possible seizure by the public, the portions thereof utilized for the sale of items other than alcoholic beverages may, in the discretion of the Mayor, be allowed to remain open;

D. An order requiring the discontinuance of the sale, distribution or giving away of alcoholic beverages in any or all parts of the City;

E. An order requiring the discontinuance of the sale, distribution or giving away of firearms and/or ammunition for firearms in any or all parts of the City;

F. An order requiring the discontinuance of the sale, distribution or giving away of gasoline or other liquid flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle;

G. An order requiring the closure of any or all business establishments where firearms and/or ammunition for firearms are sold or otherwise dispensed; provided that with respect to those business establishments which are not primarily devoted to the sale of firearms and/or ammunition and in which such firearms and/or ammunition may be removed or made secure from possible seizure by the public, the portions thereof utilized for the sale of items other than firearms and ammunition may, in the discretion of the Mayor, be allowed to remain open;

H. An order closing to the public any or all public places including streets, alleys, public ways, schools, parks, beaches, amusement areas, and public buildings;

I. An order prohibiting the carrying or possession of a firearm or any instrument which is capable of producing bodily harm and which is carried or possessed with intent to use the same to cause such harm, provided that any such order shall not apply to peace officers or military personnel engaged in the performance of their official duties;

J. An order requesting federal and/or state assistance in combating such civil emergency;

K. An order establishing economic controls in aid of and supplementary to and consistent with federal orders relating to price stabilization or controls including: the convening and establishing of ration boards; auditing retail and wholesale ration accounts; monitoring price control operations and reporting violations to appropriate authorities; assisting in providing essential supplies to disaster victims; advising appropriate authorities concerning rationing, price control, wage and rent controls and allocation of food and other essential commodities;

L. An order directing the use of all public and private health, medical, and convalescent facilities

and equipment to provide emergency health and medical care for injured persons;

M. An order authorizing, in cooperation with utility management and appropriate state and federal agencies, the shutting off, restoration, and operation of utility services in accordance with priorities established for combating such civil emergency;

N. An order providing for the evacuation and reception of the population of the City or any part thereof; and

O. Such other orders as are immediately necessary for the protection of life and property;

Provided however, that any such orders shall at the earliest practicable time be filed with the City Clerk and presented to the City Council for ratification and confirmation, modification or rejection, and if rejected shall be void.

(Ord. 116368 § 203, 1992; Ord. 102850 § 2, 1973.)

10.02.030 Authority of Mayor to enter into contracts and incur obligations.

A. Upon the proclamation by the Mayor of a civil emergency resulting from a disaster caused by enemy attack, sabotage, or other hostile action, or by fire, flood, storm, earthquake, or other natural cause, and during the existence of such civil emergency, the Mayor, in carrying out the provisions of RCW Chapter 38.52, shall have the power by order to enter into contracts and incur obligations necessary to combat such disaster, protect the health and safety of persons and property, and provide emergency assistance to the victims of such disaster. Such powers shall be exercised in the light of the exigencies of the situation without regard to time-consuming procedures and formalities prescribed by ordinance (excepting mandatory constitutional requirements), including, but not limited to, budget law limitations and requirements of competitive bidding and publication of notices pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the levying of taxes, and the appropriation and expenditures of public funds; provided, that the Mayor shall, wherever practicable, advise and consult with the City Council with respect to disaster response activities, and any such order shall at the earliest practicable time be presented

to the City Council for review and appropriate legislation including:

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1. Findings by resolution with respect to actions taken;
2. Authorization of payment for services, supplies, equipment loans and commandeered property used during disaster response activities;
3. Approval of gifts, grants or loans accepted by the Mayor during the emergency;
4. Levy of taxes to meet costs of disaster response and recovery operations;

and upon such review the City Council may ratify and confirm, modify, or reject any such order, and if rejected any such order shall be void.

B. The City Finance Director shall be authorized to draw and to pay the necessary warrants for expenditures made pursuant to order and authorized by the City Council.

(Ord. 116368 § 204, 1992; Ord. 102850 § 3, 1973.)

10.02.040 Use of services and equipment of municipalities and citizens.

In addition to and/or in connection with the exercise of the powers specified in Sections 10.02.020 and 10.02.030, the Mayor shall in accordance with RCW Chapter 38.52 and in carrying out the provisions thereof:

A. Utilize to the maximum extent practicable the services, equipment, supplies and facilities of existing departments, offices, and agencies of the City, state and other municipal corporations organized under the laws of the state; and

B. In the event of a disaster and upon the proclamation by the Governor of the existence of such disaster, command the service and equipment of as many citizens as the Mayor considers necessary in the light of the disaster proclaimed; provided, that citizens so commandeered shall be entitled during the period of such service to all privileges, benefits and immunities as are provided by RCW Chapter 38.52 and federal and state civil defense regulations for registered civil defense or emergency services workers.

(Ord. 102850 § 4, 1973.)

10.02.050 Disaster readiness and response plan.

Plans and programs for executing emergency powers including a disaster readiness and response plan shall be prepared and kept current under the direction of the Mayor who shall submit such plans and programs and proposed amendments thereto to the City Council for re-

view and approval by resolution. Upon such approval the Mayor shall be authorized to exercise in accordance with such plans and programs the powers provided therein.
(Ord. 102850 § 5, 1973.)

10.02.060 Disaster Response Council.

There shall be a Disaster Response Council consisting of such number of members as shall be appointed by the Mayor who shall designate the chairman thereof. Members of the Council shall serve without compensation, but may be reimbursed for reasonable and necessary expenses incurred in the performance of their duties.

The Council shall meet at least quarterly at the places and times as shall be prescribed by the Mayor, and shall:

A. Advise the Mayor on all matters pertaining to disaster readiness and response capabilities within the City;

B. Periodically review and make recommendations for the revision and/or maintenance of up-to-date disaster response plans for the City consistent with RCW Chapter 38.52 and including:

1. Preparations for and the carrying out of executive emergency powers,

2. The delegation and subdelegation of administrative authority by the Mayor,

3. The performance of emergency functions including firefighting, police, medical and health, welfare, rescue, engineering, transportation, communications and warning services, evacuation of persons from stricken areas, plant protection, restoration of utility services, and other functions relating to civilian protection together with all activities necessary or incidental to the preparation for and carrying out of such functions,

4. Requirements for department operation including management succession, procedures for providing twenty-four (24) hour capability, mobilization procedures, special disaster response procedures, plans for records protection, personnel procedures, finance plans, and training procedures for disaster response;

C. Provide cooperation and coordination with the disaster response plans of other local organizations and agencies;

D. Prepare and recommend to the Mayor plans for mutual aid operations with the state and political subdivisions thereof;

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E. Recommend expenditures for disaster preparations and training.
(Ord. 102850 § 6, 1973.)

10.02.070 Emergency purchases of supplies.

Upon the proclamation of a civil emergency by the Mayor, and during the existence thereof, emergency purchases of supplies, materials and equipment are authorized to be made in accordance with the following procedure:

A. Preprinted emergency purchasing forms shall be provided by the Purchasing Agent for use for all emergency purchases or contracting for supplies, materials or labor during the existence of such emergency, which forms shall provide for the filling in of appropriate information prescribed by the Purchasing Agent including: date and time of purchase; name and address of supplier; quantity, unit, description, unit price and total price of item; name and appropriate identification number from the City employee identification card of the person making the purchase; date required and date delivered; description of use of item, including disaster work order number, description of disaster work and location of use; and name and appropriate identification number from the City employee identification card of the person receiving the item.

B. An employee identification card shall be used in all cases to verify that the purchaser is an employee of the City.

C. A log of all purchases made during any emergency shall be maintained by each department and by the Purchasing Agent.

D. The heads of departments using emergency purchase forms shall account for all costs incurred in making such purchases.

E. Upon termination of the emergency, the heads of departments shall review all emergency purchase orders issued by their respective departments, and shall verify and authenticate such orders, and submit a summary thereof through the Purchasing Agent to the City Council for authorization of payment.
(Ord. 102850 § 7 1973.)

10.02.080 Budget Director to review purchases and mutual aid agreements.

The Budget Director, in cooperation with City departments making purchases or expenditures during the existence of an emergency, shall review all such purchases or expenditures for po-

tential reimbursement under appropriate state or federal disaster assistance programs or other available state or federal grant funds. The Budget Director shall also review all mutual aid agreements and services received thereunder by the City during any such civil emergency and shall certify to the City Finance Director the services received and any payment due therefor.

(Ord. 118912 § 34, 1998; Ord. 117408 § 24, 1994; Ord. 116368 § 205, 1992; Ord. 102850 § 8, 1973.)

10.02.090 Executive Services Department to register employees and volunteers.

The Executive Services Department with the cooperation of City departments shall be responsible for the registration of City employees and volunteers as civil defense or emergency services workers pursuant to RCW Chapter 38.52 and shall formulate and recommend a plan and program for compensation and reimbursement of persons so registered.

(Ord. 118397 § 98, 1996; Ord. 102850 § 9 1973.)

10.02.100 Notification of Governor, news media and public.

The Mayor shall cause any proclamation issued by him pursuant to the authority of this chapter to be delivered to the Governor of the state and, to the extent practicable, to all news media within the City, and shall utilize such other available means, including public address systems, as shall be necessary in his judgment, to give notice of such proclamations to the public.

(Ord. 102850 § 10, 1973.)

10.02.060 HEALTH AND SAFETY

10.02.110 Violation—Penalty.

It is unlawful for anyone to fail or refuse to obey an order proclaimed by the Mayor pursuant to the provisions of this chapter. Anyone convicted of a violation of this section shall be punishable by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for not more than one hundred eighty (180) days, or both such fine and imprisonment.
(Ord. 102850 § 11, 1973.)

**Chapter 10.03
HEALTH CODE FEES**

Sections:

- 10.03.010 Administrative fees and charges.**
- 10.03.013 Meat, rabbit, poultry, and aquatic foods permit, inspection, and examination fees.**
- 10.03.020 Fumigator and exterminator permit and examination fees.**
- 10.03.030 X-ray diagnostic fees for asbestos-related lung disease cases.**
- 10.03.045 Laboratory fees.**
- 10.03.056 Fees implementing Chapter 10.56—Swimming and spa pools.**
- 10.03.110 Food-service establishment permit fees.**
- 10.03.120 School inspection, review, and investigation fees.**
- 10.03.130 Fees for personal health care and dental services.**
- 10.03.140 Immunization fees.**
- 10.03.150 Travel immunizations and related services.**
- 10.03.155 Premarital seriological services—Charges.**
- 10.03.160 Tuberculin test fees.**
- 10.03.170 Pet kennel permit fees.**
- 10.03.180 Construction and environmental review fees.**
- 10.03.200 Sales to nonprofit community clinics.**
- 10.03.210 Sales to other health departments and districts.**

10.03.010 Administrative fees and charges.

The Director shall charge and collect the following administrative fees and charges under the circumstances indicated below:

- A. For replacement of lost or destroyed permit \$ 25.00;
 - B. For transferring a permit pursuant to SMC Section 10.01.050 25.00;
 - C. For reissuing, pursuant to SMC Section 10.01.120, any permit previously voided for payment of permit fee with dishonored check 25.00;
 - D. For processing the late payment of any annual permit fee if delinquent by more than ten (10) days: One-quarter ($1/4$) of the applicable permit fee;
 - E. For processing the late payment of any annual permit fee if delinquent by more than thirty (30) days: One-half ($1/2$) of the applicable permit fee;
 - F. For processing the late payment of any seasonal permit fee if delinquent by no more than five (5) days 25.00;
 - G. Inspections requested by permittee or person in charge of regulated activity, if outside regular Department working hours: Cost to the Department of providing the hours;
 - H. Furnishing special services or materials, requested by the public, if not ordinarily provided by the Department: Cost to the Department of performing the service or furnishing the materials;
 - I. Change of name for an existing permit, no other change 25.00;
 - J. Processing of a refund 25.00.
- (Ord. 117000 § 3, 1993; Ord. 115945 § 1, 1991; Ord. 112569 § 1, 1985; Ord. 110268 § 1, 1981; Ord. 109951 § 1(part), 1981.)

10.03.013 Meat, rabbit, poultry, and aquatic foods permit, inspection, and examination fees.

- A. Amount of Permit Fees. The fees for annual permits issued pursuant to Seattle Municipal Code Chapter 10.13 shall be as follows:
 - 1. Permit for wholesale MPRAF shop in which one (1) or more persons are engaged in preparing and processing and/or dispensing MPRAF food products:
 - a. Two (2) or fewer persons so engaged \$575.00
 - b. Three (3) or more persons so engaged 805.00
 - 2. Wholesale MPRAF dealer's

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| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------|--------|
| permit | 460.00 |
| 3. Retail processed MPRAF shop permit | 85.00 |
| 4. Permit for retail MPRAF shop in which one (1) or more persons are engaged in preparing, processing, or dispensing MPRAF or MPRAF products: | |
| a. Up to three (3) persons so engaged | 345.00 |
| b. Four (4) or more persons so engaged | 460.00 |
| 5. MPRAF warehouse permit | 85.00 |
| 6. Extra unit fee: smoke shop, deli, seafood, gourmet, each | 175.00 |
| 7. Meat cutter's permit and apprentice meat cutter's permit | 25.00 |
| 8. Meat cutter's examination | 25.00 |

Provided, that the fee for any annual permit issued during the period beginning January 1st and ending June 30th of any year, shall be an amount equal to one-half (1/2) of the applicable fee stated above.

B. Inspection Mileage Fee. Every person issued a preparer's permit or a permit for any wholesale MPRAF shop located outside the City shall be charged an inspection mileage fee of Thirty-four Cents (\$.34) per mile for the one (1) way distance between the inspector's office and the inspection site.

C. Permit Fee Due Date. The fee for any permit to be issued under this section shall be due and payable on or before the commencement date of the operation or activity subject to such permit.

D. Permit Expiration Date. Permits issued pursuant to this section shall expire annually, on June 30th.

E. Fee Refunds. The Seattle-King County Department of Public Health is authorized to refund any permit fee paid under the following circumstances:

1. Where the fee or any portion thereof has been overpaid;
2. Where the fee has been paid in advance of the applicable permit effective period, and where the permit-holding individual or entity never undertook an operation or activity authorized by the permit during its effective period because of the permit-holder's illness, death, dissolution, sale or other transfer of interest; provided, that proof of any such circumstances,

satisfactory to the Director of Public Health, must be submitted to the Director before any such refund will be provided. Each such refund shall be subject to a Fifteen Dollar (\$15.00) deduction for the costs of administration.
(Ord. 116936 § 1, 1993; Ord. 115439 § 1, 1990; Ord. 115139 § 8, 1990; Ord. 110881 § 1, 1982.)

10.03.020 Fumigator and exterminator permit and examination fees.

Fees for permits, examinations and inspections under this chapter shall be paid prior to permit issuance, examination or inspection as follows:

| | |
|------------------------------------------------------------------------------------------|----------|
| A. Master fumigator..... | \$150.00 |
| B. Master exterminator..... | 150.00 |
| C. Master fumigator and Master exterminator permit (if held by the same individual)..... | 150.00 |
| D. Master fumigator exam (each time administered)..... | 150.00 |
| E. Master exterminator exam (each time administered)..... | 150.00 |
| F. Master fumigator and master exterminator exam (if administered concurrently)..... | 200.00 |
| G. Fumigation inspection fee, per fumigation..... | 200.00 |

(Ord. 114837 § 1, 1989; Ord. 112566 § 1, 1985; Ord. 109951 § 1(part), 1981.)

10.03.030 X-ray diagnostic fees for asbestos-related lung disease cases.

A. The Director of the Seattle-King County Department of Public Health is authorized and directed to charge and collect a fee from other local health departments in the amount of Ten Dollars (\$10.00) for the service of X-ray reading and interpretation on each suspected asbestos-related lung disease case.

B. All funds received by the Department of Public Health in implementing the provisions of subsection A of this section, shall be deposited into the King County Tuberculosis Control Fund.
(Ord. 107951 §§ 1, 2, 1979.)

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10.03.056 HEALTH AND SAFETY

10.03.045 Laboratory fees.

The Director of Public Health is authorized to charge and collect fees in the amount indicated for the following laboratory services:

- A. Microbiological testing for:
 - 1. Ova and parasites examination \$17.60
 - 2. Ova and parasites examination with trichrome 29.30
 - 3. Culture, Group A streptococcus 6.00
 - 4. Culture, Group B streptococcus 6.00
 - 5. Culture, Yersinia 36.45
 - 6. Culture, acid-fast bacilli with smear 30.00
 - 7. Culture, gonorrhea 4.25
 - 8. Cryptosporidium examination 10.00
 - 9. Culture, E coli 0157:H7 15.00
 - 10. Culture, Haemophilus ducreyi 7.50
 - 11. Culture, Herpes simplex virus 20.00
 - 12. Culture, Stool 16.75
 - 13. Culture, Virus 20.00
 - 14. Pinworm examination 6.55
 - 15. Rotavirus antigen 25.00
- B. Serological testing for:
 - 1. Adenovirus antibody \$ 7.00
 - 2. Brucella antibody 7.00
 - 3. Chlamydia group antibody (Psittacosis-LGV) 7.00
 - 4. Cytomegalovirus antibody (CMV) 7.00
 - 5. Hepatitis A IgM antibody (IgM anti-HAV) 15.50
 - 6. Hepatitis B surface antigen (HBsAg) 7.00
 - 7. Hepatitis B core antibody (anti-HBc) 9.00
 - 8. Hepatitis B surface antibody (anti-HBs) 7.00
 - 9. Hepatitis B screen (HBsAg, anti-HBs) 13.00
 - 10. Hepatitis panel (HBsAg, anti-HBs, anti-HBc) 21.50
 - 11. Hepatitis panel (HBsAg, anti-HBs, anti-HBc, IgM anti-HAV) 36.00
 - 12. Herpes simplex virus antibody 7.00
 - 13. HIV-1 antibody, confirmation 50.00
 - 14. HIV-2 antibody, confirmation 50.00
 - 15. HIV-1/HIV-2 antibody, routine (includes WB when EIA is repeatably reactive) 10.00
 - 16. Influenza A antibody 7.00

- 17. Influenza B antibody 7.00
- 18. Measles antibody, diagnostic 7.00
- 19. Measles antibody, immune status 15.00
- 20. Mumps antibody, diagnostic 7.00
- 21. Mumps antibody, immune status 15.00
- 22. Mycoplasma antibody 7.00
- 23. Respiratory syncytial virus antibody 7.00
- 24. Rubella antibody, diagnostic 9.25
- 25. Rubella antibody, immune status 5.25
- 26. Rubella antibody, quantitative 6.00
- 27. Syphilis, cerebrospinal fluid, FTA-ABS 15.00
- 28. Syphilis, cerebrospinal fluid VDRL 4.25
- 29. Syphilis, routine (includes MHA-TP when needed for sexually transmitted disease investigation) 4.25
- 30. Syphilis, treponemal antibody, FTA-ABS w/ VDRL 14.00
- 31. Syphilis, treponemal antibody, FTA-ABS w/out VDRL 12.00
- 32. Syphilis, treponemal antibody, MHA-TP w/ VDRL 6.65
- 33. Syphilis, treponemal antibody, MHA-TP w/out VDRL 4.65
- 34. Toxoplasma antibody, IgG 7.00
- 35. Toxoplasma antibody, IgM 25.00
- 36. Tularemia antibody 7.00

Other:
Miscellaneous laboratory procedure Cost
(Ord. 116943 § 1, 1993; Ord. 111447 § 1, 1983; Ord. 110882 § 1, 1982.)

10.03.056 Fees implementing Chapter 10.56—Swimming and spa pools.

- A. Permit Fees.
 - 1. Annual permits for one pool \$300.00
 - 2. Annual permit for each additional pool on the same premises as first pool 150.00
- B. Plan Review Fees.
 - 1. New pool 150.00
 - 2. Alteration (including change of filtration equipment, pumps or other mechanical equipment) 25.00
- C. Variance review fee 150.00

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(Ord. 116942 § 1, 1993; Ord. 116435 § 1, 1992; Ord. 115441 § 1, 1990; Ord. 110886 § 1, 1982; Ord. 110180 § 2, 1981.)

10.03.110 Food-service establishment permit fees.

A. The permit fees for the food-service establishments subject to regulation by Chapter 10.10 Seattle Municipal Code shall be the annual fees set forth below and, with respect to temporary food-service establishments, the periodic fee set forth below:

| Type of Food-Service Establishment | Fee |
|------------------------------------------------------------------------------------------------------------------------|------------|
| Restaurants | |
| Seating capacity 1 — 75 | \$155.00 |
| Seating capacity 76 — 150 | 245.00 |
| Seating capacity 151 — 250 | 355.00 |
| Seating capacity over 250 | 460.00 |
| Caterers (if not part of another food-service establishment), Food-Processing establishments and Retail Bakeries | 155.00 |
| Snack Bars (in which no food preparation occurs) | 65.00 |
| Mobile Food-Service Units | |
| Mobile Food Carts, | |
| base fee | 185.00 |
| Additional locations, each | 65.00 |
| Restricted Mobile Food Vehicles, | |
| base fee | 185.00 |
| Additional vehicles, each | 65.00 |
| Unrestricted Mobile Food Vehicles, | |
| base fee | 215.00 |
| Additional vehicles, each | 65.00 |
| Temporary Food-Service Establishments, | |
| Low-hazard operation | 55.00 |
| High-hazard operation | 80.00 |

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
| Religious, charitable or educational organization or institution with an Internal Revenue Service 501(C)(3) nonprofit tax-exempt status | \$ 25.00 |
| Food Demonstrators | 90.00 |
| Food Promoters | 250.00 |
| Taverns (no food preparation) | 90.00 |
| Grocery Stores | |
| Less than 4 checkout devices | 65.00 |
| 4 — 8 checkout devices | 140.00 |
| Over 8 checkout devices | 250.00 |
| Bed and Breakfast | |
| Continental breakfast..... | 65.00 |
| Full-service breakfast | 155.00 |
| Reduced Fee Establishments | |
| Religious, charitable or educational organization or institution with an Internal Revenue Service 501(C)(3) | |
| Operating a food service establishment | 50.00 |
| Public, Private, or parochial school lunchroom..... | One-half fee for applicable category above |
| Vending facility under the supervision of the Washington State Commission form the Blind..... | One-half fee for applicable category above |
| Plan Review | |
| New construction..... | 200.00 |
| Remodel..... | 150.00 |
| Multiple permits in one facility (2+) (each)..... | 100.00 |
| Resubmittal (per hour) | Cost of service |
| Subsequent pre-occupancies, on-site inspection prior to plant submittal, or on-site inspection when no plan | |

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Temporary establishment..... \$ 25.00

Late Fees

- Annual permits, 10—30 days..... 25%
- Annual permits, more than 30 days..... 50%
- School lunchroom..... -0-
- Temporary applications, submitted 9—14 days prior to the event..... 25.00
- Temporary applications, submitted 3—8 days prior to the event..... 50.00
- Temporary applications, submitted 0—2 days prior to the event, when approved..... 50.00

Miscellaneous Fees

Request for variance 150.00

Provided, that if the application pertains to a seasonal food-service establishment or a food-service establishment that is to be operated only after October 1st, in any year, the applicable permit fee shall be one-half (1/2) the annual fee specified above.

B. The fee for any permit to be issued under Chapter 10.10 of the Seattle Municipal Code shall be due and payable on or before the commencement date of the operation subject to such permit.

C. For the purpose of calculating seating capacity to determine the applicable permit fee, the following methodology shall be used:

1. Only the number of seats and other provisions for on-premises consumption shall be counted; seating used solely for customer waiting shall not be counted.

2. Any restaurant comprised of more than one (1) type of operation, such as a coffee shop and cocktail lounge, may, at the option of the permittee, have its seating capacity computed as if the restaurant were only a single operation.

3. Seating count for “take-out” and “drive-in” type food-service establishments shall either include the total number of inside and outside seats or two (2) seats for each defined parking stall provided by the food-service establishment, whichever is greater.

(Ord. 117000 § 1, 1993: Ord. 116934 § 1, 1993: Ord. 116436 § 1, 1992: Ord. 115945 § 2, 1991: Ord. 115441 § 3, 1990: Ord. 114837 § 2, 1989:

Ord. 113908 § 1, 1988: Ord. 112569 § 2, 1985; Ord. 110883 § 1, 1982; Ord. 110268 § 2, 1981.)

10.03.120 School inspection, review, and investigation fees.

A. The Director is authorized and directed to charge and collect from the appropriate board of education or school, the indicated fee for the services described below:

1. For reviewing \$75.00 base fees plus \$50.00 per hour for actual time spent performing such review work
2. For any pre-occupancy 40.00 inspection conducted subsequent to the initial inspection conducted pursuant to WAC 248-64-250(2)(a) and SMC Section 10.58.010 B.
3. For any certification..... 75.00 inspection conducted pursuant to SMC Section 10.58.010 C.
4. For any exemption investi- 75.00 gation conducted pursuant to SMC Section 10.58.010 D.

B. Fees due under SMC Section 10.03.120 A shall be payable by the affected school or board of education prior to the Director of Public Health's final approval of any plans and specifications submitted for review. All other fees shall be due and payable by the affected school or board of education upon submission to the Director of Public Health of the application or request to perform the chargeable activity.

(Ord. 116937 § 1, 1993: Ord. 114837 § 2, 1989: Ord. 112562 § 1, 1985: Ord. 110265 § 2, 1981.)

10.03.130 Fees for personal health care and dental services.

A. General Fees Established. Fees for health care services authorized in SMC Section 10.60.010 are hereby fixed and established as the indicated maximum allowable reimbursement levels under Title XIX of the Social Security Act, as amended, rounded to the nearest dollar, for the indicated units of service, as specified in the then current Schedule of Maximum Allowances and Program Descriptions published by the State of

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Washington, Department of Social and Health Services, Division of Medical Assistance, one (1) copy of each of which documents has been filed with the City Clerk in C.F. 297801, which schedule is hereby adopted and, by this reference, made a part of this section; provided, that fees for dental services authorized in SMC Section 10.60.010, are hereby fixed and established as the indicated maximum allowable reimbursement levels under Title XIX of the Social Security Act, as amended, rounded to the nearest dollar, for the indicated units of service, as specified in the then current Schedule of Maximum Allowances and Program Descriptions published by the State of Washington, Department of Social and Health Services, Division of Medical Assistance, one (1) copy of which has been filed with the City Clerk in C.F. 297802, which schedule is hereby adopted and, by this reference, made a part of this section; provided, further, that fees for HIV Intervention Services authorized in SMC Section 10.60.010, providing early medical intervention/treatment to HIV seropositive low-income persons, are hereby fixed and established as the indicated maximum allowable reimbursement rate under RCW 70.24.250 and RCW 43.20A.550 and Washington State Administrative Code Chapter 248-168 for the indicated units of service as specified in the then current HIV Intervention Program Operations and Billing Manual published by the State of Washington, Department of Health, one (1) copy of which has been filed with the City Clerk as C.F. 298033, which schedule is hereby adopted and, by this reference, made a part of this subsection, less the adjustment specified by the Department of Health for each eligible recipient; and except the family planning annual visit fee is fixed and established as the maximum Title XIX allowable charges for E/M code 99204 or 99215; provided, further, that treatment of chlamydia fees shall be waived at sites within the Department that receive federal funding to subsidize this treatment; provided, further, that in the event the State Department of Social and Health Services, or its successor, publishes any new or revised Schedule of Maximum Allowances or the State Department of Health, or its successor, publishes a new or revised HIV Intervention Program Operations or Billing Manual, then the Director of Public Health, after making and filing a finding by said Director that such new or revised Schedule is consistent with State guidelines for the establish-

ment of such schedules and filing one (1) copy of such new or revised Schedule with the City Clerk, which copy is adopted and made a part of this section by this reference, shall charge and collect, as the Department's fee, the maximum allowable reimbursement set forth in such new or revised Schedule.

B. Fee Adjustments. Except as is provided in SMC Section 10.03.130 F, and except for the Department of Health-imposed sliding fee scale for HIV Intervention Program services, and except as mandated by Title X Federal Guidelines for sliding fee scales for Family Planning clinics, the Director of Public Health is authorized to charge and collect reduced fees for the personal health care and dental services authorized to be performed under SMC Section 10.60.010, according to the following schedule:

| Gross Income Level of Health Care Services Recipient | Fee Category | Fee (Expressed as a percentage of Departmental fee as established in SMC 10.03.130 A or B) |
|------------------------------------------------------------------------|--------------|--------------------------------------------------------------------------------------------|
| Equal to or less than 100% of the CSA Poverty Guidelines Pharmaceu- | A | No charge for clinic services. \$2.50 will be charged for each tical supply |
| From more than 100% through 150% of the CSA Poverty Guidelines | B | 25% of the full charge for clinic services and pharmaceutical supplies |
| From more than 150% through 200% of the CSA Poverty Guidelines | C | 50% of the full charge for clinic services and pharmaceutical supplies |
| From more than 200% through 250% of the CSA Poverty Guidelines | D | 75% of the full charge for clinic services and pharmaceutical supplies |
| Over 250% of the CSA Poverty Guidelines maceutical | E | Full charge for clinic services and pharmaceutical supplies |

C. The Director of Public Health is authorized to waive the fees established by this section, for care provided to any recipient who demonstrates, or on whose behalf a demonstration is given, to the reasonable satisfaction of the Director, that such recipient is unable to pay such fees, or when the Director determines that such services are necessary to avert to control a current public health problem.

D. The term "CSA Poverty Guidelines," as used in subsection C hereof, means the "poverty

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income guidelines” applicable to the State of Washington, as published in the Federal Register Vol. 58, No. 28, pg. 8287.9, effective February 12, 1993, one (1) copy of which, together with related information, has been filed with the City Clerk in C.F. 298004, and which guidelines are hereby adopted and, by this reference, made a part hereof; provided, that in the event the federal government publishes any new or revised poverty guidelines and no different poverty guidelines have been established by the City Council, then the term “CSA Poverty Guidelines” shall mean such new or revised poverty income guidelines, upon the filing of one (1) copy of the same with the City Clerk.

E. No Fee for Treatment of Certain Sexually Transmitted Diseases. Notwithstanding any provision in subsection A or B hereof, to the contrary, the Director of Public Health shall not charge or collect a fee for health care services provided for the treatment of syphilis, gonorrhea or chancroid.

F. Fees Chargeable to Third-Party Payors. Whenever a chargeable personal health care service or treatment is provided to a recipient for whom third-party financial assistance is available, including but not limited to that from private insurance carriers, Medicaid Managed Care Plans, Medicare, and Medicaid, the Department shall charge the third-party payor the Fee Category E fee, except for patients covered by Title XIX of the Social Security Act, as amended, the fees for whom shall be those specified in SMC Section 10.03.130 A.

(Ord. 116935 § 1, 1993: Ord. 115423 § 1, 1990: Ord. 114833 § 1, 1989: Ord. 114232 § 1, 1988: Ord. 113733 § 1, 1987: Ord. 113170 § 1, 1986: Ord. 112557 § 1, 1985: 112026 § 1, 1984: Ord. 111446 § 1, 1983: Ord. 110902 § 2, 1982: Ord. 110272 § 3, 1981.)

10.03.140 Immunization fees.

The Director of Public Health is authorized to charge and collect fees for other than travel-related immunization, as follows:

Cost of vaccine plus a Ten Dollar (\$10) administration fee.

Provided, that any such fee may be waived for an immunization provided to any recipient who shows or on whose behalf a showing is made, to the satisfaction of the Director, that such recipient is unable to pay such fee or when the Director

determines that such service is necessary to avert or control a current public health problem.

(Ord. 116941 § 1, 1993: Ord. 114231 § 1, 1988: Ord. 112561 § 1, 1985: Ord. 111445 § 1, 1983: Ord. 110903 § 1, 1982: Ord. 110649 § 1, 1982.)

10.03.150 Travel immunizations and related services.

The Director of Public Health is authorized and directed to charge and collect the following fees for the designated health-related services provided to persons traveling to points outside the United States:

| | Service | Fee |
|-------------------------------------------------------------------------------------------------------------------------------------------------|---------|------------------------------------------------------------------------------------------------------------------------------------|
| Issuing or updating International Travel Certificate and assessing all immunizations | | the greater of \$18 or allowable Title XIX reimbursement for E/M CPT 99211 plus the cost of vaccine plus a \$10 administration fee |
| Issuing and/or updating any Travel Certificate and/or an exemption letter if no immunization is provided by the Department | | the greater of \$18 or allowable Title XIX reimbursement for E/M CPT 99211 |
| Validating or attesting that any required immunization has been provided by other than the Seattle-King County Department of Public Health..... | | the greater of \$18 or allowable Title XIX reimbursement for E/M CPT 99211 |

(Ord. 116941 § 2, 1993: Ord. 114231 § 2, 1988: Ord. 112561 § 2, 1985: Ord. 112025 § 1, 1984: Ord. 111445 § 2, 1983: Ord. 110903 § 2, 1982.)

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10.03.155Premarital seriological services—Charges.

The Director of the Seattle-King County Department of Public Health is directed and authorized to charge every individual receiving venipuncture services for premarital seriological studies, including physician certification of results, a Ten Dollar (\$10) fee. (Ord. 109991 § 1, 1981.)

10.03.160Tuberculin test fees.

The Director of Public Health is authorized to charge and collect a fee for tuberculin tests, as follows:

For all individuals \$7

Provided, that any such fee may be waived for any tuberculin test provided to any recipient who shows or on whose behalf a showing is made, to the satisfaction of the Director, that such recipient is unable to pay such fee, or when the Director determines that such service is necessary to avert or control an emergency or communicable public health problem.

(Ord. 112551 § 1, 1985; Ord. 111444 § 1, 1983.)

10.03.170Pet kennel permit fees.

Fees for permits under this chapter shall be paid prior to permit issuance as follows:

- A. Commercial kennel \$75;
- B. Veterinary hospital 40;
- C. Pet shop 75;
- D. Pet kennel 20.

(Ord. 112107 § 1, 1985.)

10.03.180Construction and environmental review fees.

The Director is authorized and directed to charge and collect from the applicant for construction or master use permits when Health Department review is required the indicated fees for services described below:

- A. For the review of construction plans for non-single-family new or remodel construction \$50;
- B. For environmental review of plans subject to the Washington State Environmental Policy Act (RCW 43.21C) \$250 base fee, plus additional

fee for actual review costs over and above \$250.

(Ord. 115944 § 1, 1991.)

10.03.200Sales to nonprofit community clinics.

To assist nonprofit community clinics in obtaining drugs or supplies, the Director of Public Health shall set, charge and collect fees according to the following rate:

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| Service | Fee |
|--------------------------------------------------------------|---------------------------------|
| Sales of Drugs or Supplies (Ord. 116940 § 1(part), 1993.) | At cost plus a 15% handling fee |

**Chapter 10.06
EMERGENCY CONTROL OF
DRAINAGE PROBLEMS, EARTH
MOVEMENT, MUD FLOWS,
WINDSTORM DAMAGE AND OTHER
HAZARDS**

10.03.210 Sales to other health departments and districts.

To assist other health departments and health districts in obtaining drugs and supplies, the Director of Public Health shall set, charge and collect fees according to the following rates:

| Service | Fee |
|--------------------------------------------------------------|-------------------------------------------------------|
| Sales of Drugs or Supplies (Ord. 116940 § 1(part), 1993.) | At cost plus shipping charges plus a 15% handling fee |

Sections:

10.06.010 Citizen requests for assistance—Authority of Department Directors.

10.06.010 Citizen requests for assistance—Authority of Department Directors.

A. For the emergency control of drainage problems, earth movement, mud flows, windstorm damage, and other hazards occurring or threatening to occur on private property, Department Directors are authorized upon the request of the owner or occupant of any such property to render necessary emergency assistance. City crews or contractors under the direction of a City employee may provide this assistance to citizens during an emergency when working in an area to restore City facilities or protect public safety under the following conditions:

1. Assistance may be provided to reduce or relieve a hazardous condition or the threat of a hazardous condition, not simply as a convenience to the citizen;
2. Assistance may be provided to the extent that the City resources are sufficient to perform the work;
3. Assistance may be provided to the extent that the City crew determines it will not interfere with higher priority emergency work;
4. Assistance may be provided if the City crew determines it will not place the City crew or contractors in an unsafe situation; and
5. Assistance may be provided if the City crew determines the work can be done without causing additional damage.

B. Department Directors are authorized to enter into agreements with any such owner or occupant providing for reimbursement of the City's cost of performing such emergency assistance, and is further authorized to collect such costs. Such agreements may include a waiver protecting the City from claims arising from the work to be performed as a result of the request for assistance and a cost estimate for the work to be

**Chapter 10.04
PUBLIC FALLOUT SHELTERS**

Sections:

10.04.020 Use of certain City property.

10.04.020 Use of certain City property.

The City consents to the use of City property under the management and control of the Board of Library Trustees for public fallout shelter purposes upon appropriate authorization by the Board and Commission.
(Ord. 91478 § 2, 1962.)

10.07.010 HEALTH AND SAFETY

performed based on current rates for labor, equipment, materials and other costs. In order to collect such costs, there must be an agreement with such owner or occupant and the City may seek reimbursement up to the amount estimated or actual costs, whichever is less.

(Ord. 118896 § 1, 1998; Ord. 118396 § 9, 1996; Ord. 102112 § 1, 1973.)

**Chapter 10.07
GRAFFITI NUISANCE CODE**

Sections:

10.07.010 Definitions.

10.07.020 Violation of chapter.

10.07.030 Notice.

10.07.040 Notice of civil violation and hearing.

10.07.050 Hearing before the Hearing Examiner.

10.07.060 Monetary penalty.

10.07.070 Abatement by the City.

10.07.080 Enforcement.

10.07.090 Severability.

10.07.010 Definitions.

A. "Abate" means to remove the graffiti by such means, in such a manner and to such an extent as the Director or the Hearing Examiner reasonably determines is necessary to remove the graffiti from public view.

B. "Director" means the Director of Seattle Public Utilities or his or her designee.

C. "Graffiti" means unauthorized markings, visible from premises open to the public, that have been placed upon any property through the use of paint, ink, chalk, dye or any other substance capable of marking property.

D. "Graffiti nuisance property" means property upon which graffiti has not been abated after the abatement date established pursuant to subsection 10.07.030 B.

E. "Hearing Examiner" means The City of Seattle Hearing Examiner and the office thereof established pursuant to Seattle Municipal Code, Chapter 3.02.

F. "Owner" means any entity or entities having a legal or equitable interest in real or personal property including but not limited to the interest of a tenant or lessee.

G. "Premises open to the public" means all public spaces, including but not limited to streets, alleys, sidewalks, parks, and public open space, as well as private property on to which the public is

regularly invited or permitted to enter for any purpose.

H. "Property" means any real or personal property and that which is affixed, incidental or appurtenant to real property, including but not limited to any structure, fence, wall, sign, or any separate part thereof, whether permanent or not.

I. "Responsible party" means an owner, or an entity or person acting as an agent for an owner by agreement, who has authority over the property or is responsible for the property's maintenance or management. Irrespective of any arrangement to the contrary with any other party, each owner shall always be a responsible party for the purposes of this chapter. There may be more than one responsible party for a particular property.

J. "Unauthorized" means without the consent of a responsible party.
(Ord. 118082 § 1(part), 1996.)

10.07.020 Violation of chapter.

A. Any property located in The City of Seattle that becomes a graffiti nuisance property is in violation of this chapter and is subject to its remedies.

B. Every responsible party who permits a property to become a graffiti nuisance property is in violation of this chapter and subject to its remedies.

(Ord. 118082 § 1(part), 1996.)

10.07.030 Notice.

When the Director has reason to believe that a property within the City may be a potential graffiti nuisance property, the Director shall:

A. Identify a responsible party and send that party an informational letter describing the nature and location of the graffiti and requesting that the graffiti be removed promptly. The letter shall explain the problems caused by the continued presence of graffiti and the need for its prompt removal, describe the resources available to aid in graffiti removal, and give notice that failure to remove graffiti is a violation of City law that may lead to legal action to remove the graffiti at the expense of the responsible party and may subject the responsible party to civil penalties.

B. If the graffiti is not promptly removed after the information letter has been sent, the Director shall notify the responsible party in writing, by certified mail, that the property has been identified as a potential graffiti nuisance property. The notice shall contain the following information:

1. The street address or description of the property reasonably sufficient for identification of the property;

2. A concise description of the conditions leading the Director to believe that the property may be a graffiti nuisance property;

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3. A description of what must be done to abate the graffiti;

4. A statement that the graffiti must be abated within ten (10) calendar days after receipt of the letter, and a statement that if the graffiti is not abated within that time the property will be a graffiti nuisance property subject to abatement in accordance with Section 10.07.070, and the responsible party will be subject to monetary penalties and costs in accordance with Sections 10.07.050, 10.07.060 and 10.07.070.

C. The notice referred to in subsection B of this section shall be mailed by certified mail to the responsible party at that party's last known address. The notice shall also be posted at the property. As an alternative to mailing the notice, the Director may cause a copy of the notice to be personally served on the responsible party in the manner authorized by statute for personal service.

D. If, after proper notification has been given and the specified time period has elapsed, the graffiti has not been abated, the Director shall serve a notice of civil violation and hearing on the responsible party directing that party to appear before the City's Hearing Examiner.

E. Once a responsible party has been notified pursuant to subsection A and B of this section that a specified property is a potential graffiti nuisance, the Director may thereafter issue a notice of civil violation and hearing for that property pursuant to Section 10.07.040 without further notice.

(Ord. 118082 § 1(part), 1996.)

10.07.040 Notice of civil violation and hearing.

A. The notice of civil violation and hearing shall include the following:

1. The name and address of the responsible party;

2. The street address or description sufficient for identification of the property which constitutes the graffiti nuisance property;

3. A statement that the property is a graffiti nuisance property and a description of the graffiti constituting the graffiti nuisance;

4. A statement describing what must be done to abate the graffiti;

5. A statement that the costs and expenses of abatement incurred by the City pursuant to Section 10.07.070 and monetary penalties as specified in Section 10.07.050 and 10.07.060 may be assessed against the responsible party;

6. The date, time and location of a hearing before the Hearing Examiner at which the

responsible party shall have the opportunity to contest the existence of the graffiti, to contest his or her responsibility for the graffiti nuisance property, and to raise any other defenses to liability or considerations by way of mitigation; and

7. A statement that the hearing will be canceled and no monetary penalty will be assessed if the Director approves the completed abatement at least forty-eight (48) hours prior to the scheduled commencement of the hearing.

B. Notwithstanding Seattle Municipal Code subsection 3.02.090 A, the date set for the hearing before the Hearing Examiner shall be no sooner than ten (10) and no later than thirty (30) calendar days from the date the notice of civil violation and hearing is issued.

10.07.040

HEALTH AND SAFETY

Seattle Municipal Code

July, 2000 code update file

Text provided for historic reference only.

See ordinances creating and amending sections for complete text, graphics, and tables and to confirm accuracy of this source file.

(Seattle 6-98)

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10-18.2b.2

Seattle Municipal Code
July, 2000 code update
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C. The Director shall serve the notice of civil violation and hearing in the manner described in subsection 10.07.030 C of this chapter. If an address for mailed service cannot, after due diligence, be ascertained and the person to whom the notice is issued cannot, after due diligence, be personally served within King County, notice shall be served by posting a copy of the notice conspicuously at the graffiti nuisance property. Proof of service shall be made by a written declaration under penalty of perjury executed by the person effecting the service, declaring the time and date of service, the manner by which the service was made, and, if by posting, the facts showing that due diligence was used in attempting to serve the person personally or by mail. (Ord. 118082 § 1(part), 1996.)

10.07.050 Hearing before the Hearing Examiner.

A. The Hearing Examiner shall conduct a hearing on the civil violation pursuant to the rules of procedure of the Hearing Examiner for the conduct of hearings. The Director and the person to whom the notice of civil violation and hearing was issued are parties to the hearing and each may call witnesses.

B. The Director shall have the burden to prove by a preponderance of the evidence that the property contains graffiti, that the person issued the notice is a responsible party, that the required abatement is reasonable, and that the required abatement has not been completed prior to the date established in the notice issued pursuant to subsection 10.07.030 B.

C. If the Hearing Examiner finds that the property contains graffiti, that the person issued the notice is a responsible party, but that the abatement required by the Director is not reasonable, then the Examiner shall modify the abatement so that it is reasonable.

D. The Hearing Examiner shall issue to the responsible party a decision and order containing the following information:

1. The decision and order regarding the alleged graffiti nuisance property, including findings of fact and conclusions in support of the decision and order;

2. Any required abatement action and the date by which the abatement must be completed;

3. Any monetary penalties assessed based on subsection F of this section which shall be due ten (10) calendar days after the date of the decision and order;

4. A description of the additional civil penalties which will automatically accrue pursuant to subsection I of this section if the responsible

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10.07.050 HEALTH AND SAFETY

party fails to abate the graffiti nuisance property by the date established in the decision and order;

5. The date after which the City may abate the graffiti nuisance property pursuant to Section 10.07.070 if the required abatement is not completed; and

6. Notice that judicial review of the decision and order may be sought pursuant to subsection K of this section.

E. Monetary penalties assessed by the Hearing Examiner shall accrue in the amount up to One Hundred Dollars (\$100.00) per day beginning on the correction date set by the Director or on a subsequent date set by the Hearing Examiner, provided that the maximum monetary penalty shall be Five Thousand Dollars (\$5,000.00). In the alternative, the Hearing Examiner may choose to assess no monetary penalties.

F. In determining the monetary penalty assessment, the Hearing Examiner shall consider the following factors:

1. Whether the responsible party cooperated with efforts to abate the graffiti nuisance property;

2. Whether the responsible party failed to appear at the hearing;

3. Whether the responsible party made substantial progress in abating the graffiti nuisance property; and

4. Any other relevant factors.

G. The Hearing Examiner shall mail a copy of the decision and order to the person to whom the notice of civil violation and hearing was issued and to the Director within ten (10) working days of the close of the hearing record. If an address for mailing cannot after due diligence be ascertained, a copy of the decision and order shall be posted conspicuously at the property.

H. If the person to whom the notice of civil violation and hearing was issued fails to appear at the scheduled hearing, the Hearing Examiner shall, upon submittal of sufficient evidence by the Director, enter a decision and order finding that the property is a graffiti nuisance property, the person to whom the notice was issued is a responsible party, the required abatement is reasonable, and the required abatement action had not been completed prior to the date established in the notice; and assessing the appropriate monetary penalty and costs.

I. If the responsible party fails to abate the nuisance as ordered by the Hearing Examiner, monetary penalties in addition to any monetary

penalties already assessed by the Hearing Examiner shall automatically accrue in the amount of One Hundred Dollars (\$100.00) per day until the

abatement is complete and shall be due immediately upon accrual.

J. The City will carry out the Hearing Examiner's decision and order and recover all monetary penalties and costs.

K. Any review of the decision and order of the Hearing Examiner must be by land use petition filed within twenty-one (21) days of issuance of the decision and order as provided in Chapter 347 of the Laws of 1995.

(Ord. 118082 § 1(part), 1996.)

10.07.060 Monetary penalty.

A. Payment of a monetary penalty pursuant to this chapter does not relieve the responsible party of the duty to abate the graffiti nuisance.

B. The monetary penalty constitutes a personal obligation of the responsible party to whom the notice of civil violation and hearing is issued.

C. Any monetary penalty imposed pursuant to this chapter shall accrue interest from the date payment is due at the maximum rate authorized by law for interest on civil judgments, and there shall be added to such penalty the reasonable attorneys' fees and costs incurred in collecting it. (Ord. 118082 § 1(part), 1996.)

10.07.070 Abatement by the City.

A. The Director may abate the graffiti nuisance property when a decision and order has been issued by the Hearing Examiner pursuant to Section 10.07.050 of this chapter and any required abatement is not complete by the date specified in the decision and order.

B. The Director may call upon other City departments and other agencies and resources for assistance in abating a graffiti nuisance property.

C. Using any lawful means, the Director may enter upon the graffiti nuisance property and abate the graffiti. The Director may seek such judicial process as is deemed necessary to carry out the abatement.

D. The costs of correcting the violation shall be billed to the responsible party and shall be due and payable to the City within ten (10) days calendar days. Costs include both the value of the use of City staff and equipment and payments made to third parties, including but not limited to:

1. Personnel costs, both direct and indirect, including attorneys' fees and costs and administrative overhead;

2. Costs incurred in documenting the violation;

3. Hauling, storage and disposal expenses;

4. Actual expenses and costs of the City in preparing notices, specifications and contracts, and in accomplishing or contracting and inspecting the work; and

5. The costs of any required printing and mailing.

(Ord. 118082 § 1(part), 1996.)

10.07.080 Enforcement.

Notwithstanding the provisions of Seattle Municipal Code Section 3.33.020, actions necessary for effective enforcement of this chapter may be brought in Superior Court.

(Ord. 118082 § 1(part), 1996.)

10.07.090 Severability.

The provisions of this chapter are declared to be separate and severable. If any clause, sentence, paragraph, subdivision, section, subsection or portion of this chapter, or the application thereof to any person or circumstance, is held to be invalid, it shall not affect the validity of the remainder of this chapter, or the validity of its application to other persons or circumstances.

(Ord. 118082 § 1(part), 1996.)

Chapter 10.08 ALARM SYSTEMS

Sections:

Subchapter I General Provisions

10.08.010 Unlawful connections designated.

10.08.020 Direct connections to municipal systems prohibited.

10.07.050 HEALTH AND SAFETY

10.08.030 Reporting not prohibited.
10.08.040 Violation—Penalty.

Subchapter II Fire Alarm Systems for
Hospitals, Nursing Homes and Schools

10.08.080 Permit—Application information.
10.08.090 Approval of application.
10.08.100 Alteration of system—Approval
required.
10.08.110 Revocation of permit.
10.08.120 Permit not transferable.

Subchapter III Property and
Panic Alarm Systems

10.08.135 Purpose.
10.08.140 Definitions.
10.08.145 Audible alarm standards.
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alarms.
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presumption.
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**Seattle Municipal Code
July, 2000 code update file
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ALARM SYSTEMS

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sections for complete text, graphics,
and tables and to confirm accuracy of
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10-18.eye

(Seattle 9-96)

- 10.08.178**Frequent false alarms— Process for disregarding automatic alarms—In-person verification.
10.08.180Violation—Civil penalties.

Subchapter I General Provisions

10.08.010Unlawful connections designated.

It is unlawful for anyone having or conducting a privately owned fire alarm system to have direct electrical, mechanical, telephonic or other type of connection with the facilities, of any office, branch, department or agency of the Seattle Fire Department unless such person has and maintains a Central Station Protective Signaling System meeting the standards of the National Fire Protection Association dated June, 1956 (C.F. 234509), or for anyone having or conducting a privately owned burglary and/or robbery alarm system to have or maintain any equipment or device at, or any direct connection with, the facilities of any office, branch, department or agency of the Seattle Police Department; provided that nothing in Subchapters I or II of this chapter shall prohibit the installation or use of regular private or business telephone lines for the reporting by any person of a fire, burglary or robbery.

(Ord. 101476 § 4, 1972: Ord. 87178 § 1, 1958.)

10.08.020Direct connections to municipal systems prohibited.

It shall be unlawful for anyone to make any direct connection to or on the municipally owned fire alarm and/or police signal systems of the City.
(Ord. 87178 § 2, 1958.)

10.08.030Reporting not prohibited.

Nothing in Subchapters I or II of this chapter shall prohibit or prevent any individual from making reports to the Seattle Police and Fire Departments.

(Ord. 87178 § 3, 1958.)

10.08.040Violation—Penalty.

The violation of or failure to comply with any of the provisions of Subchapters I and II of this chapter shall subject the offender upon conviction thereof to a fine of not to exceed Three Hundred Dollars (\$300.00), or imprisonment in the City Jail for not to exceed ninety (90) days, or to both such fine and imprisonment.

(Ord. 87178 § 4, 1958.)

Subchapter II Fire Alarm Systems for Hospitals, Nursing Homes and Schools

10.08.080 Permit—Application information.

Notwithstanding the provisions of Subchapter I of this chapter, a privately owned fire alarm signal system (hereinafter called "signal system") serving a hospital, nursing home, rest home, or school may be connected with the City's fire alarm signal system (hereinafter called "City's alarm system") through a master fire alarm box in accordance with the terms and conditions of an annually renewable permit therefor issued by the Chief of the Fire Department. The annual fee for such permit shall be Twenty-five Dollars (\$25.00). Application for such permit and renewal thereof shall be made in writing to Chief of the Fire Department on forms provided therefor. Such application shall:

A. Describe the property where the signal system is to be, or is located by lot and block, or metes and bounds, and street address or similar description to readily identify and locate the buildings served or to be served by the system;

B. Show the occupancy of all parts of the buildings to be served by the signal system;

C. Be accompanied by drawings and specifications showing the exact location and design of the signal system and such other information as may be reasonably required by the Chief of the Fire Department;

D. Include covenants and agreements signed by the applicant or its authorized agent:

1. To construct and maintain the signal system in a manner conforming to the conditions and requirements prescribed by the National Fire Protection Association in Pamphlet No. 72 or as later amended, a copy of which is filed in the office of the City Clerk,

2. To acquire and convey to the City a fire alarm "master box" and appurtenances thereto of a type approved by the Chief of the Fire Department and to reimburse the Fire Department for the cost of installing the same together with such other costs as may be incurred by the Fire Department in connecting the signal system with the City's alarm system,

3. To maintain the signal system in good working condition and to enter into a maintenance service contract for such purpose with a person or firm approved by the Chief of the Fire Department which shall provide for complete inspection and testing of the system at least once every thirty (30) days,

4. To provide and maintain in full force and effect public liability insurance providing coverage for all claims for damage to persons or property arising out of the connection with, and operation of the signal system with the City's alarm system, naming the City as an additional insured, providing for a limit of not less than One Hundred Thousand Dollars (\$100,000.00) for all damages arising out of bodily injury to or death of one (1) person and subject to that limit for each person, a total limit of not less than Three Hundred Thousand Dollars (\$300,000.00) for all damages arising out of bodily injuries to or death of two (2) or more persons in any one (1) accident; and property damage liability insurance providing for a limit of not less than Twenty-five Thousand Dollars (\$25,000.00) for all damage arising out of injury to or destruction of property in any one (1) accident. A copy of such policy or certificate evidencing the same shall be approved as to form by the City Attorney and filed in the office of the City Clerk prior to issuance of any such permit and shall provide for ten (10) days' notice to the City of any change, cancellation or lapse thereof, and

5. To at all times protect and save harmless the City from all claims, actions, suits, liability, loss, costs, expenses or damages of every kind or description which may accrue to, or be suffered by, any person or persons or property by reason of the connection with and operation of the signal system with the City's alarm system;

E. Give such other information as reasonably may be required by the Chief of the Fire Department.

(Ord. 117242 § 12, 1994; Ord. 116368 § 206, 1992; Ord. 98029 § 1(part), 1969; Ord. 94174 § 1(part), 1965; Ord. 87178 § 5(A), 1958.)

10.08.090 Approval of application.

The Chief of the Fire Department may approve or disapprove such application and prior to the granting of the permit may require such modifications or changes as he finds necessary to properly protect the public and public property in the maintenance and operation of the City's fire alarm signal system.

(Ord. 98029 § 1(part), 1969; Ord. 94174 § 1(part), 1965; Ord. 87178 § 5(B), 1958.)

10.08.100 Alteration of system—Approval required.

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10.08.080 HEALTH AND SAFETY

After connection of any signal system to the City's alarm system the permittee, its successors and assigns shall not construct, reconstruct, relocate, or otherwise alter the design or layout of the system except under the supervision, control and inspection of and in accordance with plans and specifications theretofore approved by the Chief of the Fire Department.

(Ord. 98029 § 1(part), 1969; Ord. 94174 § 1(part), 1965; Ord. 87178 § 5(C), 1958.)

10.08.110 Revocation of permit.

Any permit issued under this subchapter shall be temporary and subject to the primary use of the City's alarm system for public purposes, and the City expressly reserves the right to revoke or refuse renewal of any such permit as follows:

A. By the Chief of the Fire Department upon written notice to the permittee for failure of the permittee to comply with the terms and conditions of the permit or the provisions of Subchapters I and II of this chapter or any lawful order or direction of the Chief of the Fire Department under Subchapters I and II of this chapter; or

B. By ordinance of the City declaring revocation necessary for any reason, which revocation shall be conclusive and final without any right of the permittee to resort to the courts to question the same.

(Ord. 98029 § 1(part), 1969; Ord. 94174 § 1(part), 1965; Ord. 87178 § 5(D), 1958.)

10.08.120 Permit not transferable.

The privilege granted under the permit shall not be assignable or transferable by operation of law nor shall the permittee, its successors or assigns, assign or transfer the same without the written consent of the Chief of the Fire Department.

(Ord. 98029 § 1(part), 1969; Ord. 94174 § 1(part), 1965; Ord. 87178 § 5(E), 1958.)