

Ordinance No. 100603

AN ORDINANCE relating to street use and street use permits and amending Section 13 of Ordinance 90047 to exempt certain public agencies from payment of fees for use of street area being vacated.

1-4-72 para

COMPTROLLER
FILE NUMBER 270966

Council Bill No. 92216

INTRODUCED: DEC 27 1971	BY: Streets & Sewers Finance
REFERRED: DEC 27 1971	TO: Streets & Sewers Finance
REFERRED:	
REFERRED:	
REPORTED: JAN 10 1972	SECOND READING: JAN 10 1972
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PRESENTED TO MAYOR: JAN 11 1972	APPROVED: JAN 12 1972
RTD. TO CITY CLERK: JAN 12 1972	PUBLISHED: JAN 15 1972
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PASSED OVER VETO:	VETO SUSTAINED:

CSB 8.1.67

JJB

ORDINANCE 100603

AN ORDINANCE relating to street use and street use permits and amending Section 13 of Ordinance 90047 to exempt certain public agencies from payment of fees for use of street area being vacated.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 13 of Ordinance 90047 is amended to read as follows:

Section 13. REVOCATION OF PERMITS - All permits granted under the provisions of this ordinance for the use of any "Public Place" shall be wholly of a temporary nature, shall vest no permanent right; and shall be issued and may in any case be revoked by the Board of Public Works upon thirty (30) days' notice; or without notice, in case any such use or occupation shall become dangerous or any structure or obstruction permitted shall become insecure or unsafe, or shall not be constructed, maintained or used in accordance with the provisions of this ordinance.

If any such structure or obstruction, or use or occupancy, is not discontinued on notice so to do by the Board of Public Works, the City Engineer may forthwith remove such structure or obstruction from such place, or make such repairs upon such structure or obstruction as may be necessary to render the same secure and safe, at the expense of the grantee of the permit, or his successor, and such expense may be collected in the manner provided by law; and the Board of Public Works may require a surety bond in such connection.

The Board of Public Works of the City of Seattle is hereby further authorized and directed to prepare and adopt a schedule of fees applicable to all such permits heretofore or hereafter issued commensurate with the cost of administration, inspection and policing involved in the issuance and continuance of such permits and the use

thereby granted, and any such schedule, when approved by the City Council of the City of Seattle by resolution, shall govern the amount of the fee for any such permit, which shall be collected by said Board as a condition to the issuance or continuance of any such permit;

order to effectuate collection of such fees the Board shall promptly notify holders of outstanding permits issued pursuant to previous ordinances of the City of Seattle, from time to time, to pay the applicable fee or the permit will be revoked. Upon petition by a public agency for a vacation of street area, street use fees for such street area shall be suspended if the Board of Public Works finds that such public agency as a current practice conveys or permits the City to use a portion of the public agency's property for street or other public purpose without charge; provided, should the street vacation petition be denied, street use fees shall be payable for the full period of use.

(To be used for all Ordinances except Emergency.)

Section 2... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 10 day of January, 1972, and signed by me in open session in authentication of its passage this 10 day of January, 1972.

[Signature]
President, PRO TEM of the City Council.

Approved by me this 12 day of January, 1972.

[Signature]
Mayor.

Filed by me this 12 day of January, 1972.

Attest: *[Signature]*
City Comptroller and City Clerk.

(SEAL)

JAN 15 1972

Published

By *[Signature]*
Deputy Clerk.

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted:

JAN 10 1972

Your Committee on FINANCE and STREETS & SEWERS

to which was referred C.B. 92216,

relating to street use and street use permits and amending
Section 13 of Ordinance 90047 to exempt certain public agencies from pay-
ment of fees for use of street area being vacated,

RECOMMEND THAT THE SAME DO PASS.

George Cooley

Fin.
Chairman

J. Hill

S&S
Chairman

Committee

C-575

AN ORDINANCE relating to street use and street permits, and amending Section 13 of Ordinance 90847 to exempt certain public agencies from payments of fees for use of street area being vacated.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 13 of Ordinance 90847 is amended to read as follows:

Section 13. REVOCATION OF PERMITS - All permits granted under the provisions of this ordinance for the use of any "Public Place" shall be wholly of a temporary nature, shall vest no permanent right, and shall be issued and may in any case be revoked by the Board of Public Works upon thirty (30) days' notice; or without notice, in case any such use or occupation shall become dangerous or unsafe, or structure or obstruction permitted shall become insecure or unsafe, or not be maintained, or maintained or used in accordance with the provisions of this ordinance.

If such structure or obstruction, or use or occupancy, is not discontinued on notice so to be by the Board of Public Works, the City Engineer may forthwith remove such structure or obstruction from such place, or make such repairs upon such structure or obstruction as may be necessary to render the same secure and safe, at the expense of the grantee of the permit, or if necessary and such expense may be collected in the manner provided by law; and the Board of Public Works may require a surety bond in such connection.

The Board of Public Works of the City of Seattle is hereby further authorized and directed to prepare and adopt a schedule of fees applicable to all such permits heretofore or hereafter issued commensurate with the cost of administration, inspection and policing involved in the issuance and continuance of such permit; and the use thereby granted, and any such schedule when approved by the City Council of the City of Seattle by resolution shall be a condition of the amount of the fee for any such permit, which shall be collected by said Board as a condition to the issuance or continuance of any such permit; and in order to effectuate collection of such fees the Board shall promptly notify holders of outstanding permits issued pursuant to previous ordinances of the City of Seattle from time to time to pay the applicable fee or the amount will be revoked, UPON PETITION BY A PUBLIC AGENCY FOR A VACATION OF STREET AREA, STREET USE FEES FOR SUCH STREET AREA SHALL BE SUSPENDED IF THE BOARD OF PUBLIC WORKS FINDS THAT SUCH PUBLIC AGENCY AS A CURRENT PRACTICE CONVEYS OR PERMITS THE CITY TO USE A PORTION OF THE PUBLIC AGENCY'S PROPERTY FOR STREET OR OTHER PUBLIC PURPOSE WITHOUT CHARGE; PROVIDED, SHOULD THE STREET VACATION PETITION BE DENIED, STREET USE FEES SHALL BE PAYABLE FOR THE FULL PERIOD OF USE.

Section 2. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 14th day of January, 1972, and signed by me in open session in authentication of its passage this 14th day of January, 1972.

SAM SMITH, President pro tem. of the City Council.

Approved by me this 12th day of January, 1972.

WES UHLMAN, Mayor.

Filed by me this 12th day of January, 1972.

Attest: G. G. ERLANDSON, City Controller and City Clerk.

(Seal) By J. F. FENTON, Deputy Clerk.

Publication ordered by G. G. ERLANDSON, Controller and City Clerk.

Date of Official Publication in the Daily Journal of Commerce, Seattle, January 15, 1972. (C-575)

Affidavit of Publication

STATE OF WASHINGTON,
KING COUNTY--SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a.....

ORDINANCE NO. 100603

was published on Jan. 15, 1972

John E. Duggan

Subscribed and sworn to before me on

Jan 15, 1972

John E. Duggan

Notary Public for the State of Washington, residing in Seattle.

(Note: RCW 42.28.060 states: "It shall not be necessary for a notary public in certifying an oath to be used in any of the courts in this state, to append an impression of his official seal.")