KK

Ordinance No. 105427

AN ORDINANCE relating to Cable Communications; establishing the Office of Cable Communications and providing for the granting and renewal of franchises and the terms and conditions thereof.

[illegible] up Mar 17 76
3-17-76 [illegible] — Pass

Exhibits "A" and "B" in separate roll of Maps + overlays. (in Compartment #17 #17 - Vault 3)

COMPTROLLER
FILE NUMBER

3

Council Bill No. 97252

INTRODUCED: MAR 6 1976	BY: LARKIN
REFERRED: MAR 3 1976	TO: [illegible]
REFERRED:	
REFERRED:	
REPORTED: [illegible]	SECOND READING: [illegible] 1976
THIRD READING: MAR 2[illegible] 1976	SIGNED: [illegible]
PRESENTED TO MAYOR: [illegible]	APPROVED: MAR 2[illegible]
RETD. TO CITY CLERK: [illegible]	PUBLISHED:
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

Unanimous Vote

YES_____ NO_____

CABLE COMMUNICATIONS ORDINANCE - 105427

....ORDINANCE 105427 AMENDMENTS...RE TO.....

Ord 107025 -Amends Sec's 7, 11 & 15 to specify CATV access Channel requirements for 12 & 20 channel capacity systems & to extend the time allowed for completion of construction.

Ord 107433 -Grants franchise to United Community Antenna Systen Inc, dba-Viacom Cablevision for operation of a cable communications system in Cable Districts identified with Cablevision on Exhibit A to Ord 105427.

Ord 107434 -Grants franchise to N.W. Cablevision Inc (which originally made application as Teleprompter Corp) for operation of a cable communications system in Cable Districts identified with Teleprompter on Exhibit "A" to Ord 105427.

Ord 107614 -Relating to Office of Cable Communication;Amending Sec 4,13, 14 and 15 of Ordinance 105427 as amended, adding a new Sec 13A providing for certain penalties, and repealing Ordinance 102998 to effect transfer of said Office from the Board of Public Works to the Executive Depart.; creating a position of Administrative Specialist I in the Executive Department- Office of Cable Communications; and establishing a budget for said Office in Executive Dept. by reappropriation and transfer.

Res 26079 -PUBLIC ACCESS CABLE TV CHANNEL -Auth Appl for Grant to establish & operate a municipal government and.....

Ord. 108649 -Establishes filing fees for Hearing Examiner appeals.

C.F. 289274 -Cable Communications Franchise Applications from Clearview TV Cable, Teleprompter, Inc., & Viacom Intern'l for the NW Cable District of the City with report & recommendation for acceptance from the Office of Cable Communications pursuant to CATV Ordinance ...

Ord. 109769 -Grants a franchise to NW Cablevision, d/b/a Teleprompter of Seattle, for operation of cable communications systems in the NW Cable T.V. Franchise District, etc...

Ord. 110038 -Amends Ord. 105427 to shorten the time for receipt of applications for cable television franchises, etc.

TABLE OF CONTENTS

Cable Communications Ordinance

Section		Page
1.	Purpose	1
2.	Short Title	1
3.	Definitions	1
4.	Office of Cable Communications	4
5.	Citizens Cable Communications Advisory Board	5
6.	Franchise To Install and Operate	7
7.	Cable Service	7
8.	Franchise Term: Duration and Termination	12
9.	Cable Districts and Access Areas	15
10.	Applications For Franchise	15
11.	Procedure For Granting Franchises	17
12.	Subscriber Rates and Charges	22
13.	Bonds, Indemnity and Insurance	25
14.	Acceptance of Franchise	28
15.	Permits and Construction	29
16.	Consumer Protection	34
17.	Limitations of Franchise	37
18.	Rights Reserved To The City and The People	40
19.	Rules and Regulations	42
20.	Equal Opportunity Employment and Affirmative Action Plan	43
21.	Interpretation	44
22.	Severability	45
23.	Effective Date	46
24.	Incorporation by Reference	46
	Exhibit A - Cable Districts	47
	Exhibit B - Access Areas	48
	Exhibit C - Glossary of Cable Television Terms	49

CGW:mlk
2-10-76

ORDINANCE 105427

AN ORDINANCE relating to Cable Communications; establishing the Office of Cable Communications and providing for the granting and renewal of franchises and the terms and conditions thereof.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. PURPOSE. It is the purpose of this ordinance to regulate in the public interest the operation of cable communications systems and their use of the public streets by establishing procedures for the granting and termination of franchises and the fixing of subscriber rates and charges, by prescribing rights and duties of operators and users of cable communications systems, and by providing generally for cable communications service to the citizens of Seattle.

Section 2. SHORT TITLE. This ordinance shall constitute the "Cable Communications Ordinance" of The City of Seattle and may be referred to as such.

Section 3. DEFINITIONS. For the purposes of this ordinance the following terms, phrases, words, abbreviations and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense shall include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number.

(a) "Access channels" mean those channels designated and maintained by a cable communications system for programming not originated or procured by the system, including, but not limited to, the local government, the educational, and the public access channels described in and required by Section 7 hereof.

(b) "Advisory Board" means the Citizens Advisory

Board created in Section 5 of this Ordinance.

(c) "Basic Services" shall be as defined in Section 7(a).

(d) "City" means The City of Seattle, a municipal corporation of the State of Washington in its present incorporated form or in any later reorganized, consolidated, enlarged or reincorporated form.

(e) "Cable communications system" or "CATV system", which words are used interchangeably for the purpose of this ordinance, are terms describing a system employing antennae, microwave, wires, wave-guides, coaxial cables or other conductors, equipment, or facilities designed, constructed, or used for the purpose of

(1) Collecting and amplifying local and distant broadcast, television, or radio signals and distributing and transmitting them;

(2) Transmitting original cablecast programming not received through television broadcast signals;

(3) Transmitting television pictures, film and video-tape programs not received through broadcast television signals, whether or not encoded or processed to permit reception by only selected receivers; and

(4) Transmitting and receiving all other signals: digital, voice, audio-visual.

(f) "Council" means the City Council of the City of Seattle or any future body constituting the legislative body of the City.

(g) "Franchise" means and includes any authorization granted hereunder in terms of a franchise, privilege, permit, license or otherwise to construct, operate and maintain a

cable communication system within all or a specified area in the City. Any such authorization, in whatever form granted, shall not mean and include any license or permit required for the privilege of transacting and carrying on a business within the City as required by other ordinances and laws of this City.

(h) "Grantee" means any person, firm or corporation granted a franchise by the City under this ordinance and the lawful successor, transferee or assignee of such person, firm or corporation.

(i) Reserved.

(j) "Mayor" means the Mayor of The City of Seattle or any other person however designated who shall be the chief executive officer of the City.

(k) "Non-basic Services" shall be as defined in Section 7(b).

(l) Reserved.

(m) "Person" means any natural person and all domestic and foreign corporations, associations, syndicates, joint stock corporations, partnerships of every kind, clubs, business and common law trusts and societies.

(n) "Property of Grantee" means all property owned, installed and used within the City by a Grantee in the conduct of a cable communications system business under the authority of a franchise grant pursuant to this ordinance.

(o) "Street" for the purpose of this ordinance means the surface, the air space above the surface, and the area below the surface of any public street under the jurisdiction of the City.

(p) "Subscriber" or "User" means any person or entity receiving for a consideration, direct or indirect, any

service of a Grantee's cable communications system.

Section 4. OFFICE OF CABLE COMMUNICATIONS.

(a) There is hereby created an Office of Cable Communications for the administration and enforcement of this and any other City ordinances relating to cable communications.

There shall be a Director of said office who shall be appointed by the Mayor, subject to confirmation by a majority vote of all members of the City Council, and such director, whose office shall not be included in the Classified Civil Service, may be removed by the Mayor upon filing a statement of his reasons therefor with the City Council; provided that no appointment shall be made under the authority of this section except upon the filing by the Civil Service Commission as a permanent record in the office of the City Comptroller, of its recommendation that such office, as a professional or administrative office or position similar to offices and positions designated in Article XVI, Section 11 of the City Charter, should not be included in the Classified Civil Service.

(b) The duties of the Office of Cable Communications shall be carried out under the direction of the Board of Public Works and are as follows:

(1) To process applications for the granting or renewal of franchises;

(2) To furnish the council information, recommendations and technical assistance in connection with ... ting and renewing franchises;

(3) To process applications for approval o ... ial or increased subscriber rates and to participate ... rate hearings;

(4) To investigate subscriber complaints and to resolve them by conciliation where possible;

(5) To review generally the adherence by Grantees to the terms of their respective franchises and to regulations of the Federal Communications Commission;

(6) To serve as liaison for the distribution of information among public agencies, private firms and individual property owners with respect to (1) the undergrounding of utility wires, (2) leasing of poles and pole space, and (3) the scheduling of construction whenever such undergrounding, leasing or construction affects existing or potential CATV facilities, whether or not the public improvement involved is limited in scope to the undergrounding of overhead wiring;

(7) To promote the use of cable communications, the use of local government, education and public access channels, the procurement of grant funds to satisfy such uses, and community involvement in the formulation of City policy with respect to cable communications; and

(8) To furnish to the Advisory Board such information and such staff, secretarial and other assistance as the Advisory Board may require to carry out its duties.

Section 5. CITIZENS CABLE COMMUNICATIONS ADVISORY BOARD.

(a) There is hereby created a citizens' cable communications advisory board consisting of seven (7) members, each of whom shall be appointed by the Mayor subject to approval by the Council to serve without compensation for a term of three (3) years without eligibility for reappointment to consecutive terms. Of the members appointed initially three shall be appointed for terms of three years each, two for terms of two years each, and two for terms of one year each.

Thereafter the term of each member shall be three years. The Advisory Board shall at all times include two (2) members representing public access; one (1) member representing the industry; one (1) member representing education; three (3) members at large and the Director of the Office of Cable Communications shall serve as secretary to the board.

(b) The duties of the Advisory Board are as follows:

(1) To make recommendations to the Council on standards and guidelines for the granting of CATV franchises, and from time to time to recommend amendments to this ordinance;

(2) To make written recommendations to the Council concerning the disposition of specific applications for the granting or renewal of a franchise. The Advisory Board shall include with its recommendations a summary of the papers, documents and other evidence which it considered and of the reasons for its recommendation;

(3) To make recommendations to the Office of Cable Communications on the disposition of applications for approval of initial subscriber rates and charges or for approval of changes in such rates and charges;

(4) To conduct informal hearings upon and to make written recommendations regarding resolution of subscriber complaints which the Office of Cable Communications is unable to resolve through conciliation;

(5) To make recommendations to the Office of Cable Communications concerning use of any access channel;

(6) Generally to advise the government of the City in the formulation and implementation of policy on cable communications and to promote citizen participation in that process by means of public information program and otherwise; and

(7) To assist the Office of Cable Communications and

the Council in the formulation of policy concerning appropriation of funds for (i) the production of materials for use on access channels, (ii) the construction and maintenance of facilities for such production, and (iii) the education of the public in the use of such facilities; and to make written recommendations to the Council and the Mayor regarding the making of applications for financial assistance and the use of grant funds received pursuant to such applications.

Section 6. FRANCHISE TO INSTALL AND OPERATE.

(a) The Council may grant to any person a nonexclusive franchise to install, construct, operate and maintain a cable communications system on streets within one or more cable districts as defined herein. The award of such franchises shall be made pursuant to the procedures, terms and conditions set forth herein, and only to such persons who offer to provide a cable communications system under and pursuant to the terms and conditions of this ordinance. No provision of this ordinance shall be deemed or construed to require the granting of a franchise with respect to any cable district when, in the opinion of the Council, it is in the public interest to restrict to one or more the number of Grantees holding franchises with respect to a particular cable district or districts.

(b) It shall be unlawful for any person to install, construct, operate or maintain a cable communications system on streets within all or any part of the City without first obtaining a franchise under and pursuant to the terms and provisions of this ordinance, except as provided in Sections 11(g) and 23(a) hereof.

AMENDED-ORD. 107025

Section 7. CABLE SERVICE.

(a) Basic services. Any cable communications system

permitted to be installed and operated hereunder shall

(1) Be operationally capable of relaying to subscriber drops (i.e., terminals) if technically practicable those television or radio broadcast signals for the carriage of which the Grantee is now or hereafter authorized by the Federal Communications Commission;

(2) If technically and economically practicable be constructed with technical capacity for nonvoice return communication such that: (i) return communications are capable of being received and processed both at the head-end for the cable district in which the communication originates and at a main head-end for all cable districts served by the Grantee; (ii) return communications will be transmitted on a band width below the lowest band width used by the Grantee to transmit television broadcast signals; (iii) at the option of the subscriber, no return signals will be communicated; and (iv) the system will include technical safeguards calculated to deter interception of return communications by third parties;

(3) Distribute color television signals which it receives in color;

(4) Provide in each cable district at least one (1) access channel each for local government, educational, and public access uses such that: (i) all access channels will be made available without charge; (ii) access channel assignments shall be made by the Office of Cable Communications in consultation with the Grantees and shall be uniform throughout the City; (iii) the requirement of this ordinance that there be such access channels shall be reviewed at the end of each five (5) year period by the Office of Cable Communications to verify the need for such channels; (iv) programs on any

access channel shall be available to all subscribers within a single access district; (v) to the extent technically practicable cable district head-ends shall be interconnected to permit transmission to all cable districts signals transmitted on all access channels; (vi) For each access district there shall be provided, without charge, facilities sufficient to originate a live or videotaped television program on the public access channel, which shall be available during the system's broadcast day on a first-come, first-serve, non-discriminatory basis; and

(5) Have a minimum capacity of twenty (20) channels.

(b) Nonbasic services. Any cable communication system permitted to be installed and operated hereunder may also if technically practicable engage in the business of

(1) Transmitting original cablecast programming not received through television broadcast signals;

(2) Transmitting television pictures, film and videotaped programs not received through broadcast television signals, whether or not encoded or processed to permit reception by only selected receivers or subscribers; and

(3) Transmitting and receiving all other signals: digital, voice, audio-visual.

(c) Subscriber complaints. In providing the foregoing services, and excepting circumstances beyond Grantee's control such as riots, civil disturbances and acts of God, the Grantee shall

(1) Limit system failures to a minimum time duration by locating and commencing correction of malfunctioning equipment promptly, but in no event longer than twenty-four (24) hours after occurrence irrespective of holidays or other nonbusiness hours;

(2) Upon complaint by a subscriber and at the request of the Office of Cable Communications, demonstrate to the satisfaction of the Office of Cable Communications that a signal being delivered meets the technical and performance standards of strength and quality set forth in the rules and regulations of the Federal Communications Commission;

(3) Render efficient service, making system repairs promptly and interrupting service only for good cause and for the shortest time possible. Planned interruptions, insofar as possible, shall be preceded by notice given to subscribers twenty-four (24) hours in advance and shall occur during periods of minimum use of the system.

(4) Maintain an office in or near the City which shall be so operated that complaints and requests for repairs or adjustments may be received at any time. The current local telephone number(s) for the office and complaint service shall be listed in telephone directories distributed in Grantee's area of service.

(5) Maintain a written record or "log" listing date of system failures and specific customer complaints other than those concerning system failures, and describing the nature of the complaint and when and what action was taken by Grantee in response thereto. Records relating to each complaint shall be kept at Grantee's local office for a period of three (3) years and shall be available for public inspection during regular business hours by the Office of Cable Communications.

(d) Educational and Municipal Service.

(1) With respect to the local government and educational access channels, (i) on condition of reimbursement of Grantee's actual cost for installation and periodic maintenance, the

Grantee shall provide a cable return length if technically practicable permitting transmission of originated program material between the head-end of the Grantee and (a) each building designated by the Office of Cable Communications and located within a cable district for which the Grantee holds a franchise and which is owned and controlled by the City and used for public purposes and not for residential use (fire and police stations excepted) and (b) each state-accredited public or private educational institution located within a cable district for which the Grantee holds the franchise and which requests such installation; and (ii) if the Grantee elects to provide facilities for production of program materials for use on the local government or educational access channels, the Grantee shall charge no more than reasonable production costs, a schedule of which charges shall be filed with the Office of Cable Communications on January 2 of each year.

(2) With respect to basic cable services, (i) the Grantee shall provide if technically practicable all subscriber services and a tie-in connection without cost (except for actual cost of installation in the case of an underground connection), to each state-accredited public or private educational institution and each building designated by the Office of Cable Communications which is owned and controlled by the City and used for public purposes and not residential use (fire and police stations excepted), when the cable system passes any such institution or building.

(e) Compatibility and Interconnection.

(1) It is the desire of the City in enacting this ordinance that all cable communication systems franchised hereunder shall, insofar as financially and technically

feasible, be compatible one with another and with systems adjacent to the City;

(2) Whenever it is financially and technically feasible, the Grantee shall so construct, operate, and modify the System as to be able to tie the same into all other systems within and adjacent to the City.

(f) Uses Permitted. Any franchise granted pursuant to the provisions of this ordinance shall authorize and permit the Grantee to engage in the business of operating and providing a cable communications system in the City, and for that purpose to erect, install, construct, prepare, replace, reconstruct, maintain and retain in, on, over, under, upon, across and along any street such poles, wire, cable, conductors, ducts, conduit, vaults, manholes, amplifiers, appliances, attachments and other property as may be necessary and appurtenant to the cable communications system and in addition, so to use, operate, and provide similar facilities by means of properties (i.e., systems or components thereof) rented or leased from other persons, including but not limited to, any public utility or other Grantee franchised or permitted to do business in the City; Provided, however, that nothing herein contained shall relieve the Grantee from the requirements of Ordinance 90047 relating to the use of public streets or from the requirements of any other ordinance, rule or regulation enacted or promulgated by or on behalf of the City in connection with the exercise of the City's police powers.

Section 8. FRANCHISE TERM: DURATION AND TERMINATION.

(a) Each franchise granted by the City under this ordinance shall be for a term of fifteen years (15) from the date of its acceptance by the grantee.

(b) The City may terminate by ordinance enacted for such purpose any franchise granted pursuant to the provisions of this ordinance in the event of the willful failure, refusal, or neglect by Grantee to do or comply with any material and substantial requirement contained in this ordinance or rule or regulation of the Office of Cable Communications validly adopted pursuant to this ordinance. System failure in all or a major part of any cable district shall constitute noncompliance with a material requirement of this ordinance if such failure continues for a period of ten (10) consecutive days or for a period of twenty-four (24) consecutive hours on thirty (30) or more occasions during any period of twelve (12) consecutive calendar months.

(c) The Office of Cable Communications shall initiate a proceeding before a hearing examiner pursuant to the Administrative Code of the City for the purpose of having said examiner make the determinations contemplated by Section 8 (d) hereof if (i) the Office of Cable Communications determines that by reason of system failure not resulting from circumstances beyond its control the Grantee has failed to comply with any material or substantial requirement of this ordinance; or (ii) the Office of Cable Communications determines that the Grantee has failed or refused or neglected to do or comply with any material or substantial requirement or limitation contained in this or other ordinance (other than system failure) or any rule or regulation of the Office of Cable Communications validly adopted pursuant to this ordinance; and such failure, refusal, or neglect has continued for a period of thirty (30) days following written demand by the Office of Cable Communications to do or comply with such requirement, limitation, term, condition, rule or regulation;

or (iii) the Office of Cable Communications has received a petition requesting institution of such proceedings and signed by at least twenty-five (25) percent of the subscribers within the cable district served by the Grantee; provided however, that this subsection shall not be so interpreted as to preclude consideration by the Office of Cable Communications of complaints by non-subscribers concerning matters in which such non-subscriber(s) have a material interest.

(d) In any such proceeding, it shall be the duty of the hearing examiner after receiving testimony and evidence from all interested parties (i) to determine whether any such failure, refusal or neglect by Grantee to do or comply with any such material requirement, limitation, term, condition, rule or regulation has occurred, and (ii) if so, to determine whether such failure, refusal or neglect by Grantee was with just cause; and (iii) if such failure, refusal or neglect by the Grantee was with just cause, to direct compliance within such time and upon such terms and conditions as are reasonable; provided, however, if the issue before the hearing examiner involves noncompliance with Section 15(a) he shall make a recommendation to the Council regarding a time certain for compliance by Grantee.

(e) If the hearing examiner shall determine that such failure, refusal or neglect by the Grantee was without just cause, he shall report such determination to the City Council whereupon the City may by ordinance declare that the franchise of such Grantee shall be terminated and forfeited as of a date to be specified in such ordinance unless there be compliance by the Grantee within such period as the City may also fix in such ordinance. Such ordinance shall be published once in the City official newspaper within three days after

the same shall have become a law.

(f) The termination and forfeiture of any franchise shall in no way affect any other rights of the City under the franchise or any provision of law;

Section 9. CABLE DISTRICTS AND ACCESS AREAS.

(a) Cable Districts shall be as depicted on Exhibit "A" - "CABLE DISTRICTS," hereto attached.

(b) Access Districts shall be as depicted on Exhibit "B" - "ACCESS AREAS" hereto attached.

Section 10. APPLICATIONS FOR FRANCHISE. Each application for the granting or renewal of a franchise to construct, operate or maintain any cable communications system in this City shall be filed with the Office of Cable Communications, be accompanied by a processing fee in the amount of Two Hundred Fifty Dollars and shall also contain or be accompanied by the following:

(a) The name, address and telephone number of the applicant;

(b) A detailed statement of the corporate or other business entity organization of the applicant, including but not limited to, the following and to whatever extent may reasonably be required by the Office of Cable Communications:

(1) The names, residence and business addresses of all officers and directors of the applicant;

(2) The names and addresses of all persons having, controlling, or being entitled to have or control, five percent or more of the ownership of the applicant, either directly or indirectly, and the respective ownership share of each such person;

(3) A detailed description of all previous experience of the applicant or the owners of the applicant

in providing cable communications and in related or similar fields;

(4) A detailed and complete recent financial statement prepared by or under the supervision of certified public accountants, and of any corporation owning a majority or more of the voting stock of the applicant;

(5) A detailed financial plan showing the financial resources required to construct and operate the proposed system together with satisfactory evidence of the availability to applicant of funding requirements in excess of applicant's own cash resources not otherwise committed;

(c) A detailed statement of the proposed plan of operation of the applicant, which shall include

(1) A statement of the cable district proposed to be served and a proposed time schedule, not in conflict with this ordinance, for installation in each neighborhood or portion of the district of all equipment necessary to complete energization throughout the entire area to be served.

(2) A statement or schedule setting forth all proposed classifications of rates and charges to be made against subscribers and all rates and charges as to each of said classifications including installation charges and service charges and which shall remain in effect for not less than 12 months following the grant of the franchise; provided Grantee by this requirement shall not be precluded from initiating an application for a rate revision prior to the twelfth month, to be effective thereafter if allowed;

(3) A detailed, informative and referenced statement

describing the actual equipment and operational standards proposed by the applicant, including when applicable administrative and technical procedures for interconnection of access channels and for safeguarding the privacy of return signals. In no event shall said operational and performance standards be less than those contained in Title 47, Subpart K (Section 76.601 et seq.) Rules and Regulations, Federal Communications Commission adopted February 2, 1972, and as amended.

(4) A copy of any agreement proposed to be entered into between the applicant and any subscriber;

(5) A statement setting forth the substance of, and names of persons party to, all agreements existing or proposed between the applicant and any other person which materially relate to or depend upon the granting of the franchise;

(d) A copy of any agreement with respect to the franchise area existing between the applicant and any public utility providing for the use of any facilities of the public utility; and

(e) Any other reasonable information requested by the Office of Cable Communications or the Council, or required by any provision of any other ordinance of the City or its charter, or deemed pertinent by the applicant.

AMENDED ORD. 101025

Section 11. PROCEDURE FOR GRANTING FRANCHISES.

(a) For a period of One Hundred Eighty (180) days immediately preceding the expiration date of a franchise for any given cable district the Office of Cable Communications will accept for filing applications for franchises for such cable district. At least ten (10) days but not more than thirty (30) days in advance of the aforementioned date on which applications will first be accepted, the Office of

Cable Communications shall give written notice thereof to each person who is then the holder of an existing CATV cable franchise from the City and to any person who has requested such notice in writing, and by publication of notice for one day in a newspaper of general circulation throughout the City, which published notice shall include a copy of the table of contents of this ordinance.

In the event that the Office of Cable Communications, upon the advice and recommendation of the Advisory Board, determines that an area not a part of a cable district is to be designated a cable district and is to be served, the Director of the Office of Cable Communications shall publish notice in a newspaper of general circulation throughout the City that applications for a franchise to serve such area will be received until a designated date which date shall be not less than One Hundred Eighty (180) days nor more than Two Hundred Ten (210) days after publication of such notice. Such published notice shall contain a copy of the table of contents of this ordinance.

(b) Upon receipt of any application for franchise, the Office of Cable Communications shall prepare a written analysis or report upon such application and thereafter in consultation with the Advisory Board make recommendations respecting such application. Any such analysis or reports and recommendations shall be completed and filed with the Council within ninety (90) days following the close of the period for filing of the application.

(c) Upon receipt of the reports or analysis and recommendations of the Office of Cable Communications, the Council shall promptly schedule a public hearing upon the application reported, and shall cause the City Clerk to

publish notice thereof in at least two newspapers of general circulation within the City at least once a week for each of the two weeks preceding such hearing, provided, however, that no two or more applications shall be considered at any one hearing except by consent of the applicants and no applications shall be considered at any one hearing which do not relate to the same cable district. The notice shall state the name of each proposed Grantee for each cable district and the place where applications and relevant material are available to the public, and shall set forth the day, hour and place when and where any interested persons may file written comments pertaining thereto and/or appear before the Council and be heard.

(d) At the hearing so scheduled or any adjournments thereof, all citizens and other interested parties shall have an opportunity to express their views orally or in writing to the Council, and the Council shall consider all the views expressed at the public hearing in determining its action upon each franchise application. Written comments if responsive to written or oral statements of any person filed or made at the hearing, but not otherwise, shall be received up to the conclusion of the fifth (5th) business day following the conclusion of the hearing, and be considered by the Council. The Council shall also give due consideration to the quality of the service proposed; the experience, character, background, and financial responsibility of each applicant and its management and owners; the technical and performance quality of equipment, the program proposed for construction, and the applicant's ability to meet construction and physical requirements and to abide by the terms and requirements of the franchise generally. The Council shall also give weight

to local ownership and to ownership representing minorities within the larger public.

(e) If the Council should determine to reject any application, such determination shall be final and the application shall be deemed rejected. If the Council shall determine further to consider an application, then:

(1) The Council shall determine on the basis of economic feasibility whether the applicant should be excused for the time being from constructing cable facilities in any part of the cable district where cable facilities have not already been installed and where the applicant does not propose such installation, provided that such determination shall be made only after a public hearing pursuant to notice thereof and of the time, place and specific proposal to be considered, in a newspaper of general circulation in the cable district at least once a week for two weeks; and

(2) The reasonableness of the subscriber rates and charges proposed by the applicant shall be inquired into at a hearing before a hearing examiner pursuant to the Administrative Code of the City (Ordinance 102228) and Section 12 of this ordinance. The hearing examiner shall make a determination concerning the reasonableness of said proposed rates and charges and forward such determination to the City Council. In the event that the hearing examiner determines that an independent audit of applicant's accounts and records by certified public accountants is essential to a determination of the fairness of applicant's proposed rates and charges he may direct applicants to cooperate in such respect. If an applicant is already operating under an existing franchise and does not propose to increase its rates and charges, no such hearing shall be required;

(3) If the Council shall determine that a franchise be granted to the applicant upon the terms proposed by the applicant with respect to the applicant's construction program and subscriber rates and charges or upon different terms, such determination shall be expressed in the ordinance granting a franchise to the applicant.

(4) No bill granting a franchise shall be finally passed within thirty (30) days after its introduction, nor until it has been published in the official newspaper of the City at the expense of the applicant for ten (10) consecutive press days. Any ordinance granting a franchise shall be published once in the official newspaper of the City at the expense of the applicant therefor within three (3) days after the same shall have become law.

(f) The procedure for granting any franchise other than those contemplated by subsection (a) of this Section 11 and for renewing any franchise granted pursuant to this ordinance shall be as follows:

(1) Upon receipt of any application for the granting or renewal of a franchise, the Office of Cable Communications shall prepare a written analysis or report upon such application and thereafter in consultation with the Advisory Board, make recommendations respecting such application and cause the same to be completed and, together with the application, filed with the Council within 90 days.

(2) On receipt of such report or analysis and recommendation, the Council shall schedule a public hearing and cause notice thereof to be published at least once a week for each of two (2) weeks preceding the hearing in each of the two newspapers of general circulation within the City, which notice shall contain the same information described in

Subsection (c) of this Section 11. In addition, if the application is for renewal of a franchise for a cable district then served by a local access channel, the applicant shall broadcast notice of the hearing over all such channels at least once each working day between the hours of 9 a.m. and 11 p.m. during the two weeks immediately preceding the hearing.

(3) The procedures followed at and subsequent to the hearing shall be the same as those described in Subsections (d) and (e) of this Section 11.

(g) Unless a cable district is already partially served pursuant to an existing franchise no Grantee shall be awarded a franchise for less than an entire cable district, provided, however, that any person operating a cable system within the City pursuant to a franchise outstanding on the effective date of this ordinance shall be entitled to continue to operate in the area served on the effective date of this ordinance, for which such outstanding franchise was granted, until the expiration of such outstanding franchise, notwithstanding the designation of a different Grantee under this ordinance for a cable district encompassing all or part of the area in which the existing system operates. When, as a result of this subsection a cable district is served by more than one system, the system shall be interconnected at the expense of the Grantee operating under a franchise initially granted pursuant to this ordinance in such a way as to provide common access channels throughout the cable district.

Section 12. SUBSCRIBER RATES AND CHARGES

(a) No Grantee shall impose or be permitted to impose upon subscribers or users rates or charges for installation or for basic services, approved by the Federal Communications

Commission and the City, until it has first been determined in the manner hereinafter provided that such rates are not in excess of a reasonable amount. The determination of the hearing examiner in such respect shall be made in accordance with the Administrative Code of the City (Ordinance 102228) and shall constitute a final order or decision; provided, however, that in connection with the original grant of a franchise pursuant hereto the reasonableness of rates or charges shall be determined according to Section 11 hereof.

Any applicant for the granting or renewal of a franchise (except an applicant who already provides cable service to all or part of the cable district for which the franchise or renewal is sought and who proposes no increase in rates and charges for installation and basic services) and any Grantee proposing any increase in rates and charges for installation or basic services shall first file with the Office of Cable Communications a schedule of the proposed increased rates and charges together with supporting financial data presented in a manner susceptible of meaningful comparison among all Grantees, as prescribed by rules adopted pursuant to Section 19 hereof. Such supporting data shall include a statement covering the period since the last previous rate adjustment showing clearly what total proceeds were derived from the system in terms of ratepayers payments and users charges and the proportion of those proceeds devoted to operation and maintenance of the system and construction of capital plant in the cable district. The Office of Cable Communications shall examine and investigate the material submitted by the applicant or Grantee and, in consultation with the Advisory Board, make a recommendation to the Council with respect thereto within thirty (30) days after receipt.

(b) The application of the applicant or Grantee and the report of the Office of Cable Communications and recommendations of the Advisory Board and the Office of Cable Communications shall be submitted to a hearing examiner, and the reasonableness of the proposed rates and charges shall be determined after notice and a hearing by a hearing examiner pursuant to the Administrative Code of the City. Notice of the hearing shall briefly describe the proposed rates and charges and the recommendation of the Office of Cable Communications with respect thereto and shall state the place where the application and relevant facts are available to the public, the time and place of the hearing, and the date by which written comments must be submitted. Notice of the hearing will be sufficient if published at least once a week during each of the two weeks preceding the hearing in a newspaper of general circulation within the City and in one or as many more community newspapers within the cable district or franchise areas, as may be necessary to cover the entire district and if broadcast over the local access channels of the applicant or Grantee (if any) in the cable district or districts affected at least once each working day between the hours of 9 a.m. and 11 p.m. during the two weeks immediately preceding the hearing.

(c) The purpose of the hearing before a hearing examiner shall be to determine whether the rates and charges proposed by the applicant or Grantee are in excess of a reasonable amount. In the event that the hearing examiner determines that an independent audit of applicant's accounts and records by certified public accountants is essential to a determination of the fairness of applicant's proposed rates and charges he may direct applicants to cooperate

in such respect, and failure to consent to such audit without just cause shall be a ground for rejection of the applicant's application. The applicant or Grantee shall have the burden of persuasion.

Section 13. BONDS, INDEMNITY AND INSURANCE.

(a) Bond. Upon being granted a franchise and upon the filing of the acceptance required under Section 14 hereof, a Grantee shall deliver to the Board of Public Works for filing with the City Clerk and thereafter maintain continuously in effect a good and sufficient bond in the penal sum of One Hundred Thousand Dollars ($100,000), executed by a surety company authorized and qualified to do business in the State of Washington as a surety or by other sureties acceptable to the Board of Public Works and in a form approved by the Corporation Counsel, which bond shall stipulate that Grantee shall strictly comply with each and every condition and covenant of its franchise; provided, that whenever in the judgment of the Board of Public Works of the City any bond or bonds filed by a Grantee pursuant to the provisions hereof shall be deemed insufficient to satisfy the conditions of the bond, the Grantee shall upon demand furnish a new or additional bond in such amount as may be specified by the Board of Public Works and with such sureties as are acceptable to the Board of Public Works, and maintain such new or additional bond continuously in effect; and provided further that said bond shall include the obligation of the surety to guarantee payment to the City of the penalty provided for in Section 13 (a) (1) should such penalty become applicable.

13 (a) (1) It is the intent of this ordinance that the citizens of Seattle who have contracted with a cable television franchise Grantee for basic cable services be provided

uninterrupted service and should any Grantee abandon or willfully cease to serve any cable district or portion thereof, said Grantee shall be subject to a penalty to be fixed by the Board of Public Works of not less than Fifty Dollars ($50) nor more than One Hundred Dollars ($100), in the discretion of said Board, for each day such willful cessation of service or abandonment continues, but not to exceed a total sum of Fifty Thousand Dollars ($50,000). Operation by a temporary substitute operator by permission of the Grantee and the City shall stay the penalty provision aforesaid for so long as the system is thereby maintained in operation.

(b) Indemnity. By acceptance of a franchise granted pursuant hereto and the rights and privileges thereby granted, Grantee does covenant and agree with the City for itself, its successors and assigns, to at all times protect and save harmless the City from all claims, actions, suits, liability, loss, cost, expenses or damages of every kind or description which may accrue to or be suffered by an person or persons or property, and to appear and defend at its own cost and expense any action instituted or begun against the City for damages by reason of the construction, reconstruction, readjustment, repair, maintenance, operation or use of the streets of the City, or any act(s) or omission(s) of Grantee, its successors or assigns, exercising any privilege conferred by this ordinance or by such franchise, and in case judgment shall be rendered against the City in any such suit or action, said Grantee shall fully satisfy such judgment within ninety (90) days after such action or suit shall have been finally determined if determined adversely to the City. Such indemnity shall include, but not be limited to, any

liability as may arise or occur, or be alleged to arise or occur, from concurrent, contributing or joint acts or omissions of Grantee and the City, but not attributable to the sole negligence of the City.

(c) Insurance. So long as Grantee shall possess any right or privilege granted pursuant to this ordinance or franchise, and before the commencement of any work under this agreement, the Grantee shall deliver to the Board of Public Works for filing with the City Comptroller a policy of insurance (or a copy thereof) showing that it has procured and is maintaining at all times a policy of public liability insurance, in a form approved by the Corporation Counsel, naming the City as an insured, protecting and holding the City harmless from any and all damages of any kind whatsoever which may arise in connection with the services or work to be performed hereunder, whether or not such damages are alleged to arise or result from acts or omissions which are the sole negligence of the City, its officers, employees and/or agents or the combined negligence of the City and others, in at least the principal amount of One Million Dollars ($1,000,000) for bodily injury or death to any one person or for bodily injury or death to any number of persons in any one incident, and/or One Million Dollars ($1,000,000) for all property damage occurring during any one incident, and/or One Million Dollars ($1,000,000) for deprivation of civil rights and civil liberties, defamation of character, libel, slander, invasion of contractual rights, inverse condemnation, or similar or other causes of action, provided the Board of Public Works may increase the minimum policy limits and coverage from time to time as it deems appropriate to adequately protect the City and the public. The policy

shall provide for at least thirty (30) days notice to the Board of Public Works of any change, cancellation or lapse thereof, and that "This policy is issued and intended to comply with the conditions and requirements of Section 13 (c) of this ordinance."

Section 14. ACCEPTANCE OF FRANCHISE.

(a) No franchise granted under this ordinance shall become effective for any purpose unless and until an acceptance in writing thereof shall have been filed with the City Clerk. Such written acceptance, which shall be in form and substance approved by the Corporation Counsel of the City, shall also be and operate as an acceptance of each and every term and condition and limitation contained in this ordinance or in such franchise, or otherwise specified as herein provided.

(b) The written acceptance shall be filed by the Grantee not later than thirty (30) days following the effective date of the ordinance granting such franchise.

(c) In default of the filing of such written acceptance as herein required, the Grantee shall be deemed to have rejected and repudiated the franchise and the City may invite and thereafter receive applications from persons desiring to serve the subject cable district.

(d) In any case, all rights, remedies and redress which may or shall be available to the City under this ordinance, shall at all times be available to the City and shall be preserved and maintained and shall continuously exist in and to the City and shall not be in any manner or means modified or abridged, altered, restricted or impaired by reason of this ordinance or otherwise.

(e) By acceptance of a franchise granted pursuant to

this ordinance any and all grantees specifically acknowledge that nothing in this ordinance contained or in any franchise granted pursuant thereto constitutes an abrogation by the City of its police powers in any respect whatsoever.

(f) If for the purpose of documenting his compliance with federal regulations for federal authorities, any person operating a CATV system within any cable district or districts pursuant to a franchise outstanding on the effective date of this ordinance desires to accomplish such documentation by electing to accept the terms and conditions of this ordinance he may do so by filing with the Office of Cable Communications a written acceptance of the terms and conditions of such ordinance which shall be in form and substance approved by the Corporation Counsel of the City and shall specify the cable district or districts to which the acceptance relates. Such an acceptance shall have the effect of conforming such outstanding franchise to this ordinance for the district or districts specified except that such outstanding franchise shall terminate on its original expiration date.

AMENDED ORD. 107025

Section 15. PERMITS AND CONSTRUCTION.

(a) The construction of new cable facilities or the extension of existing cable facilities by a Grantee shall be done in accordance with a plan or design first submitted to and approved by the Board of Public Works and pursuant to a permit issued by said Board, and the Grantee shall at all times comply with Ordinance 90047 (commonly called the "Street Use Ordinance"), as the same now reads or is hereafter amended and Section 15 of this ordinance, except that if this ordinance and Ordinance 90047 be in any respect inconsistent the provisions of the latter shall control. To the end that an entire cable district, except for the portion

thereof on which pursuant to the terms of this franchise no construction is required, be served within five (5) years from the date this franchise is granted construction schedules shall be negotiated between the Grantee and the Office of Cable Communications so that cable service will be extended at a rate of not less than twenty (20) percent per year (following receipt by the Grantee of a Certificate of Compliance from the Federal Communications Commission) in all areas of the cable district other than areas where such facilities have already been installed or in which, pursuant to the terms of the franchise, no construction is required; provided, however, that the legislative authority may by ordinance and pursuant to a specific application by the Grantee, extend the time for a Grantee's performance to a date certain.

(b) All poles, cables, wires, antennae, conduits or appurtenances shall be constructed and erected in a neat, workmanlike manner and shall be of such height and occupy such position as the Board of Public Works shall direct. Whenever it is practicable to make use of poles already in the streets of the City, the Grantee shall make use of such poles as provided in Ordinance 90047, provided that in any district in which telephone, telegraph and electric power wires and cables have been placed underground, the Grantee shall not be permitted to erect poles or to run or suspend wires, cables or other conductors thereon but shall lay such wires, cables or conductors underground in such manner as is required by the City, and if, prior to the passage of any ordinance creating a local improvement district or utility local improvement district which involves placing overhead utilities underground Grantee shall have erected poles and suspended wires, cables and other conductors thereon, Grantee

shall participate in such underground project and shall remove poles, cables and wires from the surface of the streets within such district and shall place the same underground in conformity with the requirements of the Board of Public Works.

(c) If in any part of the cable district for which the Grantee has been awarded a franchise and where no cable facilities have been installed, the City or a local improvement district proposes to place telephone, telegraph and electric power wires and cables underground, or to require the same, Grantee may place facilities in the underground project, but if Grantee does not do so and subsequently enters the area to serve the same, Grantee shall place its facilities underground. In areas where all other utilities have their facilities underground the Grantee shall underground its facilities within a reasonable period of time, as directed by the Board of Public Works.

(d) Nothing in this ordinance shall be construed to prevent the City or any Local Improvement District or Utility Local Improvement District from sewering, paving, grading, altering or otherwise improving or reimproving any of the streets of the City, including the installation of City-owned utilities, and the City shall not be liable for any damages resulting to the Grantee by reason of the performance of such work or by exercise of such rights of the City. This ordinance shall not be so construed so as to deprive the City of any rights or privileges which it now has, or which may hereafter be conferred upon it to regulate and control the use of the streets. Whenever and to whatever extent any street shall be improved or the grade thereof changed, modified, raised or lowered, or the size, position

or location of any City-owned public utilities changed, modified or altered, any of the installations belonging to the Grantee which may be affected by or shall conflict with any such changes, alterations or modifications shall be promptly adjusted, removed, altered, raised, lowered or otherwise modified to conform to the improvements or changes made, by and at the cost and expense of Grantee and in conformity with the requirements of the Board of Public Works. The City shall at all times have the right to make use of any or all of the poles of said Grantee for wires, cables and conductors to carry any City-owned systems or facilities requiring such use.

(e) Whenever it shall be necessary, in the erection of poles or in the construction of underground pipes or conduits, to excavate in any portion of any street, the Grantee shall file with the Board of Public Works an application for permission to do such work, together with plans, designs and drawings on a reasonable scale setting forth the streets to be disturbed, and obtain a permit from or approval of the Board of Public Works for so doing before beginning such work, all as contemplated by Ordinance 90047, as it now exists and may hereafter be amended. After any poles are erected or such pipes or conduits constructed, Grantee shall promptly replace any portion of the street disturbed by such work in a neat and workmanlike manner to its original condition and as required and approved by the Board of Public Works. The Grantee at the discretion of the Board of Public Works shall keep on deposit in the City Treasury to the credit of the Board of Public Works the sum of One Thousand Dollars ($1,000) in cash to be used by said Board as necessary for the purpose of restoring streets in the manner prescribed by

said Board, to pay the reasonable costs of any City inspection necessitated by Grantee's actions pursuant to this franchise, and to pay the cost of raising or removing of any wires, cables or conductors as provided in subsection (f) of this Section 15.

(f) Whenever permission is obtained from the Board of Public Works for use of any streets of the City for the purpose of moving any building or structure, Grantee, upon forty-eight (48) hours notice from the Board of Public Works, shall raise or remove any wires, cables or conductors which may obstruct the removal of such building or structure, and in the case of Grantee's refusal or failure to comply with such notice, the Board of Public Works may raise or cause to be raised or remove or cause to be removed such wires, cables or conductors at the expense of Grantee for the purpose aforesaid.

(g) Construction, maintenance and operation of Grantee's System, including house connections, shall be in accordance with the provisions of this ordinance and in accordance with the provisions of all other applicable codes and ordinances, including the Electrical Code (Ordinance 103501), and Grantee shall comply with all applicable state and federal laws and the rules and regulations of the Federal Communications Commission relating to CATV systems.

(h) Except in areas of the cable district in which, by the terms of the Grantee's franchise, no construction is required, the Grantee shall, on payment of the installation charge prescribed in accordance with Section 12 hereof, provide a connection, overhead or underground in the discretion of the Board of Public Works, to any point located not more than three hundred (300) feet from Grantee's nearest distribution

cable, and shall not accept payment for an installation charge unless there is a distribution cable within three hundred (300) feet of the subscriber's property or a specific written agreement has been entered into with the subscriber regarding the cost of a connection over a distance greater than 300 feet.

(i) Notwithstanding any limitation to the contrary contained in Grantee's franchise, the Council by ordinance may require Grantee to construct cable facilities in any part of the cable district where by the terms of the franchise no such construction was originally required, if the Council determines on recommendation of the Office of Cable Communications or on petition by residents of the excluded area that because of changed economic circumstances since the granting of the franchise it has become feasible to require construction in such area.

(j) It shall be Grantee's sole responsibility when cable passes over or under private or publicly owned property to obtain all necessary permission from the owner thereof.

Section 16. CONSUMER PROTECTION. Subscribers and users in each cable district shall have the protection described in this Section 16 in addition to all other rights conferred in this ordinance. A copy of this Section 16 shall be furnished by the Grantee, at Grantee's expense, to each new subscriber.

(a) The Office of Cable Communications shall, in addition to receiving and investigating subscriber complaints, furnish timely information to the public regarding proceedings with respect to proposals to change the terms of this ordinance or other City ordinances relating to cable communications, the terms of any franchise, subscriber rates and charges in

any cable district, or relating to renewal or termination of any franchise or the transfer of control of any Grantee.

(b) Each Grantee shall furnish to the Office of Cable Communications, and the Office of Cable Communications shall compile and maintain for public inspection during regular business hours, copies of:

(1) All applications and other communications submitted by franchise applicants or Grantees to the City, the Federal Communications System or any other federal, state, or local regulatory body having jurisdiction in respect of cable communications within this City;

(2) Current information on ownership and management of the Grantee;

(3) Current information on forms of subscriber agreements used by the Grantee; complaint procedures followed by the Grantee; and nonbasic services offered by the Grantee and the rates and charges therefor; and

(4) Records of all requests for use of public access channels and leased channel time and the disposition of such requests, and records of all signals and programs carried (other than radio and television broadcast signals).

(c) The Office of Cable Communications shall also compile and maintain for public inspection during regular business hours copies of:

(1) All federal, state, and local laws and regulations applicable to cable communications within this City;

(2) Records of all complaints filed with the Office of Cable Communications and the disposition thereof; and

(3) Policy statements and administrative and staff operating procedures of the Office of Cable Communications and the Advisory Board;

(4) All reports and recommendations to the Council by the Office of Cable Communications or the Advisory Board, or both.

(d) Each Grantee shall make available to the public, at such hours of the day and at such places and in such manner as the Grantee shall determine with the approval of the Advisory Board, current information pertaining to schedules of rates and charges for basic and nonbasic services, the address and telephone number of the Grantee's local office, instructions for operating subscriber terminal equipment, an emergency service telephone number, a description of complaint procedures, a description of subscriber rights, and schedules for programs on the local government, educational, and public access channels (to the extent such program content is known to the Grantee).

(e) In the operation of a CATV system under a franchise granted pursuant to this ordinance, no Grantee shall make or grant any undue preference or advantage to any subscriber or user or other person, nor discriminate against any person or group; provided that this subsection shall not be construed to prohibit trade promotions customary in the industry, provided such trade promotions are not otherwise prohibited by law.

(f) If a Grantee should for any reason cancel service to a subscriber without cause within a period of thirty-six (36) months from the commencement of furnishing service to that subscriber and prior to the termination or expiration of the Grantee's franchise, the Grantee shall refund to that subscriber a fraction of the installation charge paid by that subscriber, the numerator of which shall be the number of months remaining until completion of the 36-month period,

and the denominator of which shall be 36.

(g) No Grantee shall cause or permit the viewing habits of any subscriber to be monitored without the subscriber's express consent.

(h) Whenever a Grantee shall offer a new service or facility, or changes in channel allocation or assignment, the Grantee shall give notice thereof to the general public, to the Office of Cable Communications and through the Office of Cable Communications to each educational institution and to the person in charge of each City-owned building in the cable district to which the Grantee provides basic service without charge pursuant to Section 7 of this ordinance, whereupon such new service or facility shall be made available to all subscribers if technically practicable, and without discrimination.

(i) A Grantee shall give to subscribers advance written notice of any hearing concerning Grantee's franchise or any proposed change in subscriber rates and charges, such notice to contain all information contained in the published notice of hearing, and shall prior to such hearing file an affidavit by one of its officers attesting to the fact that such written notice to subscribers has in fact been given.

Section 17. LIMITATIONS OF FRANCHISE.

(a) Every franchise granted pursuant to this ordinance shall be nonexclusive.

(b) No privilege shall be granted or conferred by any franchise granted under this ordinance except those specifically prescribed herein.

(c) Any privilege claimed under any such franchise by the Grantee in any street or other public property shall be subordinate to the City's police powers and to any prior

lawful occupancy of the streets or other public property.

(d) Any such franchise shall be a privilege to be held in personal trust by the original Grantee. It cannot in any event be sold, transferred, leased, assigned or disposed of in whole or in part, either by forced or involuntary sale or by voluntary sale, merger, consolidation or otherwise, without prior approval of the City expressed by ordinance, and then only under such conditions as may therein be prescribed. An application for any approval required by this subsection shall be filed with the Office of Cable Communications and a hearing thereon shall be conducted by the Council in the same manner as an application for granting or renewal of a franchise as provided in Section 11(f) of this ordinance, A recommendation by the City Council for such approval may not be unreasonably refused; provided, however, the proposed assignee must show financial responsibility as determined by the Council, must demonstrate to the Council's satisfaction its ability to comply with the provisions of this ordinance and must agree to comply with all provisions of this ordinance; and provided further that in case of a transfer or assignment as security by mortgage or other hypothecation in whole or in part to secure indebtedness, such consent shall not be required unless and until the secured party elects to realize upon the collateral. In the event Grantee is a corporation, an assignment of the franchise shall be deemed to occur if there is an actual change in control or where ownership of more than fifty percent (50%) of the voting stock of Grantee is acquired by a person or group of persons acting in concert, none of whom already own 50 percent ormore of the voting stock singly or collectively. Any such transfer or assignment shall be made only by an instrument in writing, such as a

bill of sale or similar document, a duly executed copy of which shall be filed in the Office of Cable Communications within thirty (30) days after such transfer or assignment.

(e) Time shall be of the essence of any franchise granted hereunder. The Grantee shall not be relieved of its obligation to comply promptly with any of the provisions of this ordinance by any failure of the City to enforce prompt compliance.

(f) For purposes of the administration of this ordinance any right or power conferred or impressed upon any officer, employee, department or board of the City shall be subject to transfer by the City to any other officer, employee, department or board of the City.

(g) Grantees shall have no recourse whatsoever against the City for any loss, cost, expense or damage arising out of any provision or requirement of this ordinance or for any franchise issued hereunder or because of its enforcement.

(h) Grantees shall be subject to all requirements of City laws, rules, regulations and specifications heretofore or hereafter enacted or established.

(i) Any franchise granted hereunder shall be in lieu of any and all other rights, privileges, powers, immunities and authorities owned, possessed, controlled or exercisable by Grantee, or any successor to any interest of Grantee, of or pertaining to the construction, operation or maintenance of any cable communications system in the cable district to which the franchise relates; and the acceptance of any franchise hereunder shall, as of the effective date of such franchise, operate between Grantee and the City as an abandonment of any and all of such rights, privileges, powers, immunities and authorities within the said cable district,

to the effect that, as between Grantee and the City, all construction, operation and maintenance by the Grantee of any cable communication system in such district or districts shall be, and shall be deemed and construed in all instances and respects to be, under and pursuant to said franchise and not under or pursuant to any other right, privilege, power, immunity or authority whatsoever.

(j) No Grantee nor any major stockholder of a Grantee shall directly or indirectly engage within the City in the business of selling, leasing, renting, servicing or repairing radio or television sets or other receivers or parts thereof which make use of standard broadcast entertainment signals, provided that nothing therein shall prevent Grantee from making modifications to the tuner input circuit of the subscribers television receivers and the fine tuning of the customers operating controls only, to insure proper operation under conditions of cable connection at the time of installation or in response to subscriber complaints, or from the selling, servicing or repairing receivers and other equipment belonging to other CATV system operators for use in the conduct of their businesses.

(k) No Grantee may exercise any control over program content on any access channel, except to the extent necessary to prevent the presentation of program material prohibited by rules and regulations of the Federal Communications Commission.

Section 18. RIGHTS RESERVED TO THE CITY AND THE PEOPLE.

(a) Every franchise, right or privilege granted pursuant to this ordinance shall be subject to the right of the Council, or the people of the City acting for themselves

by the initiative and referendum, at any time, subsequent to the grant, to repeal, amend or modify the said grant with due regard to the rights of the Grantee and the interest of the public; and to cancel, forfeit and abrogate any such grant if the franchise granted thereby is not operated in full accordance with its provisions, or at all; and at any time during the life of the franchise grant to the right of the people acquire, by purchase or condemnation, for the use of the City itself, all the property of the Grantee within the limits of the public streets, at a fair and just value, which shall not include any valuation of the franchise itself, which shall thereupon terminate; and every ordinance making such grant shall contain a reservation of these rights of the Council, and of the people of the City acting for themselves by the initiative and referendum, to so repeal, amend or modify said ordinance, and to so cancel, forfeit and abrogate the grant, and to so acquire the property of the grantee in the public streets, as herein above set forth.

(b) Notwithstanding any other provision of this ordinance, as long as the City charter shall so provide the Council shall not consider or grant any application for extension of the period of any franchise, nor any new franchise covering all or any substantial part of the rights or privileges of any existing franchise, until within three years of the expiration of the existing grant, and then only after submission to and approval by a majority vote of the qualified electors; but this subsection shall not be construed to prohibit the consideration and granting of a new franchise which does not extend the period of the existing franchise.

(c) There is hereby reserved in the City every right

and power which is required to be herein reserved or provided by any law, and a Grantee by its acceptance of a franchise agrees to be bound thereby and to comply with any action or requirements of the City in its exercise of such rights or powers heretofore or hereafter enacted or established.

(d) There is hereby reserved in the City the power to amend at intervals of five (5) years or more each and any section of this ordinance so as to require additions or improved specifications pertaining to construction, operation, maintenance or otherwise on the part of the Grantee, to reflect technical and economic changes occurring during the franchise term and to enable the City and the Grantee to take advantage of new developments in the cable communications industry so as to serve the public more effectively, efficiently and economically, without the consent of the Grantee, provided such amendments do not materially alter the contents of any franchise and provided further that this provision shall not be interpreted as a limitation in any manner whatsoever or at any time whatsoever upon the exercise by the City of its police powers.

(e) A Grantee shall upon request of the Mayor make its facilities immediately available to the City for emergency use during the period of any emergency or disaster declared by the Mayor or the Council.

Section 19. RULES AND REGULATIONS.

(a) Prior to receiving any applications for franchises, the Office of Cable Communications shall adopt rules, regulations and standards governing the operation of cable communication systems in the City which rules, regulations and standards shall be consistent with this ordinance and all other applicable ordinances of The City of Seattle. Such rules,

regulations and standards shall apply to and govern the operations of the Grantee of any franchise hereunder and are expressly declared to be a part of any franchise granted pursuant to this ordinance.

(b) Provided the same do not materially alter the contents of any franchise, the Office of Cable Communications may at any time adopt new rules or regulations or standards and may amend, modify, delete or otherwise change rules, regulations or standards previously adopted, provided, however, this section shall not be interpreted as a limitation upon the exercise by the City of its police powers.

(c) Any rules, regulations or standards proposed to be adopted pursuant to this Section 19 shall be adopted in accordance with the procedures prescribed by the Administrative Code of the City.

Section 20. EQUAL OPPORTUNITY EMPLOYMENT AND AFFIRMATIVE ACTION PLAN.

(a) During the performance of a franchise, the Grantee agrees as follows: The Grantee will not discriminate against any employee or applicant for employment because of race, creed, color, sex, age, or national origin, unless based upon bona fide occupational qualification. The Grantee will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their creed, race, color, sex, age, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer, recruitment, or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The Grantee agrees to post in conspicuous places, available to employees and

applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

(b) Grantee also agrees that it will, prior to commencement of operations pursuant to its franchise and during the term of the franchise, furnish to the Director of the Department of Human Rights of the City, upon his request and on such form as may be provided by said director therefor, a report of the affirmative action taken by the Grantee in implementing the terms of this provision, and will permit access to his records of employment, employment advertisements, application forms, other pertinent data and records by the Director of the Department of Human Rights for the purpose of investigation to determine compliance with this provision.

(c) If upon investigation the Director of the Human Rights Department finds probable cause to believe that the Grantee has failed to comply with any of the terms of this section, the Grantee and the Council shall be so notified in writing. The Council shall give the Grantee an opportunity to be heard, after ten days notice. If the Council concurs in the findings of the Director, it may suspend the franchise, pending compliance by the Grantee with the terms of this provision.

(d) Failure to comply with any of the terms of this section shall be a material breach of the franchise.

(e) Comparable provisions shall be inserted in all subcontracts for work covered by any franchise.

Section 21. INTERPRETATION.

This ordinance and any franchise granted pursuant to it shall at all times be so interpreted as to require the Grantee to comply with all pertinent rules, regulations and

requirements of the Federal Communications Commission, or any other federal or state body or agency having jurisdiction in regard to CATV systems. Such interpretation of this ordinance shall not be deemed to diminish, impair, alter or affect any contractual benefit to the City or Grantee, nor any contractual obligation of the Grantee under any franchise issued hereunder.

Section 22. SEVERABILITY.

(a) If any portion of this ordinance shall be held illegal, invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

(b) If any portion of this ordinance should be inconsistent with any rule or regulation now or hereafter adopted by the Federal Communications Commission, then to the extent of the inconsistency, the rule or regulation of the Federal Communications Commission shall control for so long, but only for so long, as such rule or regulation shall remain in effect, but the remaining portions of this ordinance shall not thereby be affected.

Section 23. EFFECTIVE DATE.

This ordinance shall become effective thirty (30) days from and after its passage and approval by the Mayor except as follows:

(a) Nothing contained in this ordinance shall abridge, impair, alter, modify or in any way affect any right, privilege or immunity of either the Grantee or the City conferred by or arising under any cable franchise granted prior to and remaining in effect on the effective date of this ordinance; Provided, that the acceptance of a franchise granted under this ordinance for any cable district shall be deemed to constitute the surrender by the Grantee of the right to

operate a CATV system in that cable district under any prior franchise.

(b) Section 7(a)(2), Section 7(a)(4) and Section 7(a)(5) shall become effective when 47 C.F.R. § 76.251, as now in effect or as hereafter amended, becomes applicable to systems that commenced operations before March 31, 1972.

Section 24. This Cable Communications Ordinance shall be incorporated in its entirety by reference into and become a part of each and every CABLE Television franchise granted by The City of Seattle.

Section 25. 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 22 day of March, 1976,

and signed by me in open session in authentication of its passage this 22 day of March, 1976.

President of the City Council.

Approved by me this 26 day of March, 1976

Mayor.

Filed by me this 26 day of March, 1976.

Attest: E. L. Kirk
City Comptroller and City Clerk.

(SEAL)

By J. F. Fenton
Deputy Clerk.

Published

CSS 8.1.6

Ord. 105427

CABLE TELEVISION

GLOSSARY OF TERMS

ALL-CHANNEL ANTENNA: An antenna which receives signals equally well over a wide band of frequencies.

AMPLIFIER: A device consisting of electronic components used to increase power, voltage or current of a signal.

AMPLITUDE MODULATED LINK: A form of microwave which uses amplitude modulation of a microwave carrier rather than the conventional frequency modulation usually used for microwave television links. This is usually accomplished by heterodyne conversion from conventional TV channels.

ANTENNA ARRAY: A radiating or receiving system composed of several spaced radiators or elements.

ATTENUATOR: A device for reducing the power of a signal.

ATTENUATION LOSS: The actual power loss in a cable, attenuator, coupling, or other device when electrical energy is transmitted through it, usually expressed in decibels.

AUTOMATIC GAIN CONTROL (AGC): A circuit which automatically controls the gain of an amplifier so that the output signal level is virtually constant for varying input signal level.

AUTOMATIC TILT: Automatic correction of change in tilt, or the relative level of signals of different frequencies.

BACK MATCHED TAP: A cable tap device which employs transformer isolation and also employs impedance matching at the tap-off points.

BRIDGER: An amplifier connected directly into the main trunk line to feed distribution cables with minimum insertion loss in the main trunk line.

CABLECASTING: Origination of programming by a CATV system, usually other than automated services such as scanning weather dials, and exclusive of broadcast signals.

CABLE POWERING: A method of supplying power through the coaxial cable to system amplifiers.

CAPACITIVE TAP: A tap device with a capacitor network providing the desired amount of loss and isolation between the feeder cable and the subscriber drop cable.

CASCADE: The operation of devices (usually amplifiers) in sequence in a cable system with the output of one device feeding the input of the next.

CASCADEABILITY: The performance capability of amplifiers used to reamplify the same signal along a cable system without noticeable degradation.

CHANNEL COMBINER: An electronic or passive device which accepts the RF signals from many sources and combines them for delivery to the cable.

COAXIAL CABLE: A cylindrical outer conductor (shield) surrounding a central conductor held centrally in place by an insulating material referred to as the dielectric. It is the most commonly used means of CATV signal distribution.

CO-CHANNEL: A form of TV signal distortion where the same frequency is received from two different transmitters simultaneously. It generally appears as horizontal bars in the picture.

CONDUIT: A tube, manufactured of an environment protective material, through which CATV cable is conveyed in an underground system.

CONVERTER: An electronic device that will shift any television channel(s) from one channel to another.

CROSS MODULATION: A form of signal distortion in which the visual content from one channel is superimposed on the visual content of another channel.

DIELECTRIC: The material, usually an electrical insulator, which separates two conductors between which an electric potential exists. Usually, the insulating material separating the center conductor and outer shield of a co-axial cable.

DIRECTIONAL COUPLER: A passive device that divides signal power between two paths with a greater degree of attenuation in one direction than in the other.

DIRECTIONAL TAP: A passive line tapping device based on directional coupler principles which diverts a portion of the signal from the line to the drop cable. The directional quality attenuates signals from the drop line, reducing reflections in the distribution cable.

DISTRIBUTION AMPLIFIER: An amplifier used with the main trunk cable at a point from which one or more feeder cables are extended (branched out).

DISTRIBUTION SYSTEM: The part of a CATV system used to carry signals from the head-end to the subscriber's receivers.

DROP: The cable which connects the tap on the feeder line to the subscriber's house.

FEEDER LINE: The coaxial cable running from bridgers, to line-extenders and taps. Sometimes called a distribution cable.

FIELD STRENGTH METER: A frequency selective heterodyne receiver capable of tuning the frequency band of interest, as used for TV, 54 to 216 MHz, with indicating meter showing the magnitude input of voltage and a dial indicating the approximate frequency.

FREQUENCY: The number of complete cycles or vibrations per unit of time (example: 60 cycles per second).

GAIN: A measure of the signal level increase in an amplifier usually expressed in dB.

HEADEND: The electronic equipment located at the start of a cable system, usually including antennas, preamplifiers, frequency converters, demodulators, modulators and related equipment. Both the building and the equipment which receives the television signals and processes them before application to the cable system are known as the head-end.

INSERTION LOSS: Additional loss in a system when a device such as a directional coupler is inserted; equal to the difference in signal level between input and output of such a device.

LINE EXTENDER: Feeder line amplifiers used to provide signals at a sufficiently high level to the more distant subscribers.

LOG PERIODIC ANTENNA: A form of antenna with intrinsic broadband and directional characteristics. Characterized by low response to the back and sides.

MAJOR TELEVISION MARKET: The specified zone of a commercial television station licensed to a Top-100 community, or a combination of such specified zones where more than one community is listed.

MARKER GENERATOR: An electronic instrument providing variable or fixed signals and used in conjunction with frequent sweep testing to determine a specific frequency in the RF spectrum.

MESSENGER: A steel cable, strung between poles or other supporting structures which supports the CATV coaxial cable. The coaxial cable is usually attached to the messenger by lashing with stainless steel wire.

MODULATION: The process, or result of the process, whereby some characteristic of one wave is varied in accordance with another wave.

NOISE: In general, any unwanted signal or interference. Usually refers to unwanted signals of a random nature arising from thermal effects in the input circuits of amplifiers. This form of noise is known as "snow."

PARABOLIC ANTENNA: An antenna that has a folded dipole or feed horn mounted at the focal point of a metal or mesh dish having a concave shape known as a parabola.

PREAMPLIFIER: An electronic device, usually having superior input noise figure, designed to strengthen or boost a weak off-air signal to a level where it will be sufficient to drive succeeding amplifiers.

PRESSURE TAP: A device which connects to the center conductor and shield of a distribution cable to extract television signals; tap does not require cutting of cable to make contact for a subscriber drop.

RESOLUTION: A measure of picture resolving capabilities of a television system determined primarily by band width, scan rates and aspect ratio. Relates to fineness of details perceivable.

RETURN LOSS: The ratio of incident to reflected power, usually applied to measure the reflected signal at an interface between cable and equipment or to measure reflections arising from structural imperfections within a cable.

SEMICONDUCTOR: A material having conductivity characteristics intermediate between conductors and insulators. Junctions between certain types of semiconductors permit electric current to flow more easily in one direction than the other.

SHARE OF VIEWING HOURS: The total hours that non-cable television households viewed the subject station during the week, expressed as a percentage of the total hours these households viewed all stations during the period.

SPACING: Length of cable between amplifiers based on the amount of gain required to overcome cable losses in dB at the highest TV channel carried in the system.

SPLITTER: Usually a hybrid device, consisting of an RF transformer, capacitors and resistors, that divides the signal from an input cable equally to two or more output cables.

STACKED ANTENNA ARRAY: A group of identical antenna physically grouped and connected electrically for greater gain and directivity.

TAP: A device that diverts a small part of the TV signal energy to the subscriber's drop line, from the feeder cable.

TELEVISION DEMODULATOR: A television receiver designed to recover the video modulation from a television channel and make it available as an electronic signal without displaying it on a picture tube.

TELEVISION MODULATOR: A low-powered television transmitter usually used in local origination.

TERMINATOR: A resistive load for a coaxial cable designed to absorb the remaining energy at the end of a line eliminating reflection of energy which would appear as "ghosts." Usually coupled through a blocking capacitor which prevents short circuiting of the cable power system.

TILT: The difference in cable attenuation or amplifier gain between lower and higher frequencies on the cable system.

TRUNK LINE: The main coaxial line of a CATV system which feeds signals from the head-end to the community being served.

TRUNK LINE AMPLIFIER: An amplifier specifically designed for service in CATV trunk lines, usually provided with cable powering, AGC, and minimum distortion characteristics to optimize system performance in cascaded systems.

ASSISTANT CORPORATION COUNSEL

JAMES M. TAYLOR
GORDON F. CRANDALL
G. GRANT WILCOX
THOMAS J. WETZEL
ARTHUR T. LANE
CHARLES R. NELSON
LAWRENCE K. McDONELL
J. ROGER NOWELL
JORGEN G. BADER
E. NEAL KING
JAMES B. HOWE, JR.
DONALD H. STOUT
MYRON L. CORNELIUS
PHILIP M. KING
RICHARD E. MANN
RICHARD S. OETTINGER
JAMES G. BLAIR
W. FREDERICK GREENLEE
WALTER L. WILLIAMS
ELIZABETH A. HUNEKE
CHARLES D. BROWN
DONA M. CLOUD

THE CITY OF SEATTLE

LAW DEPARTMENT

MUNICIPAL BUILDING • SEATTLE, WASHINGTON 98104
AREA CODE 206 TELEPHONE 583-2304

JOHN P. HARRIS, CORPORATION COUNSEL

CITY PROSECUTORS
ROBERT M. ELIAS
JACK B. REGAN
ROBERT B. JOHNSON
JOSEPH T. SCHLOSSER
ROSS A. RADLEY

CLAIMS MANAGER
V. L. PORTER

February 26, 1976

Re: Cable Television Ordinance

Utilities Committee
City Council
City of Seattle

Gentlemen:

Pursuant to your request by letter dated January 20, 1976, as modified by your letter dated February 3, 1976, and City Council transmittal of CF 278748 entitled "Communication of Council Member Wayne D. Larkin transmitting a proposed ordinance regulating the franchising and cable casting of cable TV in the City, as prepared by the Citizens CATV Advisory Committee", we have incorporated into the draft CATV ordinance transmitted to the Utilities Committee by us November 26, 1975 the following changes made by the Committee of the Whole at a hearing January 13, 1976 and forward the resulting revision herewith as proposed legislation:

(1) Section 4, Page 4, Part 7 -- changed from the draft ordinance to read:

"To promote the use of cable communications, the use of local government, education and public access channels, the procurement of grant funds to satisfy such uses, and community involvement in the formulation of City policy with respect to cable communications."

(2) The first paragraph of Section 12(a), Page 20 of the draft ordinance has been reworded as follows:

"(a) No Grantee shall shall impose or be permitted to impose upon subscribers or users rates or charges for installation or for basic services approved by the Federal Communications Commission and the City until it has first been determined in the manner hereinafter provided that such rates are not in excess of a reasonable amount. The determination of the hearing examiner in such respect shall be made in accordance with the Administrative Code of the City (Ordinance 102228) and shall constitute a final order

or decision; provided, however, that in connection with the original grant of a franchise pursuant to this ordinance the reasonableness of rates or charges shall be determined according to Section 11 hereof."

in order to comply with the request of the Committee as stated in your letter and also to carry out the intent of Councilman Miller's motion to the effect that except with respect to the rates and charges proposed by an applicant in connection with the initial grant of a franchise under procedures provided for in Section 11, the Council be relieved of any further involvement in the determination of the reasonableness of rates and charges.

Such revision of Section 12(a) also complies with a Federal Communications Commission request that nonbasic services be eliminated from the scope of this section.

(3) In accordance with Committee request, Section 18(k), Page 34, has been revised to read as follows in order to allow the franchisee a measure of control over the cablecasting on access channels of federally-prohibited material:

> "No Grantee may exercise any control over program content on any access channel, except to the extent necessary to prevent the presentation of program material prohibited by rules and regulations of the Federal Communications Commission."

Also incorporated at the suggestion of the Federal Communications Commission and with the concurrence of the Committee of the Whole is a change in Section 7(a)(2) to add the words "and economically" after the words "If technically" so that the first line of said section now reads: "If technically and economically practicable be constructed with . . . ."

We have also revised Section 14 relating to bonds and insurance, updating the same, to include language relating to sureties and insurance coverage recently adopted in other legislation.

We have also deleted the previously "reserved" sections and renumbered the remainder. Cross references have been adjusted accordingly.

Yours very truly,

JOHN P. HARRIS
Corporation Counsel

By G. Grant Wilcox
G. GRANT WILCOX
Assistant

GGW:mlk
Enclosure

CSS 20.14

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported and Adopted MAR 22 1976

Your Committee on UTILITIES

to which was referred C.B. 97252

Relating to Cable Communications; establishing the Office of Cable Communications and providing for the granting and renewal of franchises and the terms and conditions thereof. Exhibits "A" and "B" in separate roll of maps and overlays.

RECOMMEND THAT THE SAME DO PASS

Wayne D. Larkin UTIL.
Chairman

Committee

Chairman

Committee

ORD.# 105497

35MM

CABLE COMMUNICATIONS
LEGISLATIVE CHRONOLOGY

1951 O-80611 12/51
Grants MASTER TELEVISION ANTENNA SYSTEM 25-year franchise (Magnolia, Queen Anne and Lake Washington "shadow areas") (CF 212985, 214431)

O-80610 12/51
Grants HOLERT ELECTRONIC 25-year franchise (4400-7200 Beach Drive SW; Riviera Place NE; Arroyo Vista) (CF 212381).

1956 O-85540 10/56
Authorizes HOLERT to discontinue Beach Drive service (CF 228140, 228142, 229914).

1965 R-20356 8/65
Assigns HOLERT franchise to NORTHWEST CABLEVISION.

1966 R-20863, O-95363 12/66
Assigns MASTER TELEVISION ANTENNA SYSTEM franchise to UNITED COMMUNITY ANTENNA SYSTEM.

1967 O-95546 2/67
Grants TELECABLE 20-year franchise (Green Lake area) (CF 254977).

O-95545 2/67
Grants COLORCABLE 20-year franchise (Rainier Valley) (CF 254976).

O-95547 2/67
Grants SEATTLE CABLEVISION 20-year franchise (CBD, Capitol Hill, Fir Hill) (CF 256522, 256594).

1968 (TELECABLE is now a subsidiary of VIACOM.)

1973

1977 R-25682 11/77
Assigns COLORCABLE franchise to NORTHWEST CABLEVISION.

R-25682 11/77
Assigns SEATTLE CABLEVISION franchise to NORTHWEST CABLEVISI

1978 O-107433 6/78
Grants UNITED COMMUNITY ANTENNNA SYSTEM DBA VIACOM CABLEVISION Northeast and Southeast franchise (CF 284574, 285974).

1

O-107434 6/78
Grants NORTHWEST CABLEVISION DBA TELEPROMPTER West and Southwest franchise (CF 284574, 285974).

2

1981 O-109769 3/81
Grants NORTHWEST CABLEVISION DBA TELEPROMPTER Northwest District franchise (CF 291702).

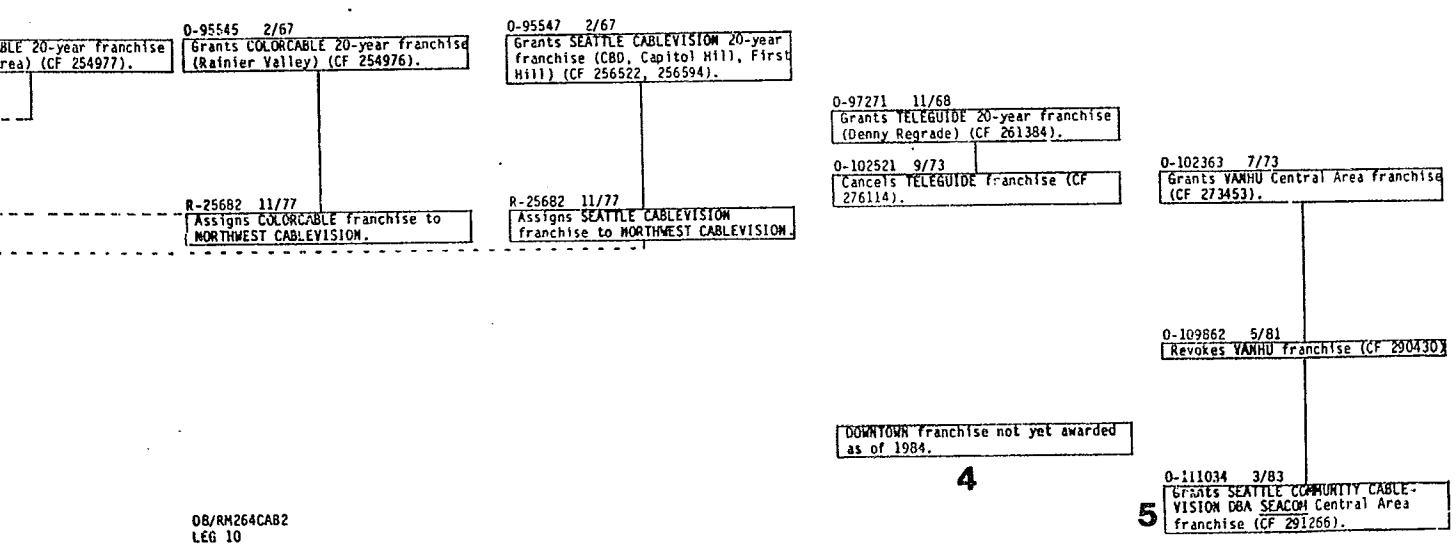
3

O-109885 5/81
Approves change of control to GROUP W CABLE.

1983

08/RM264CAB1
LEG 10

08/RM264CAB2
LEG 10



OB/RM264CAB2
LEG 10

TIME AND DATE STAMP

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

Jaime D. Larkin

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: Utilities

PRESIDENT'S SIGNATURE

C S. 20.28

C-542

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 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. 105427

was published on March 30, 1976

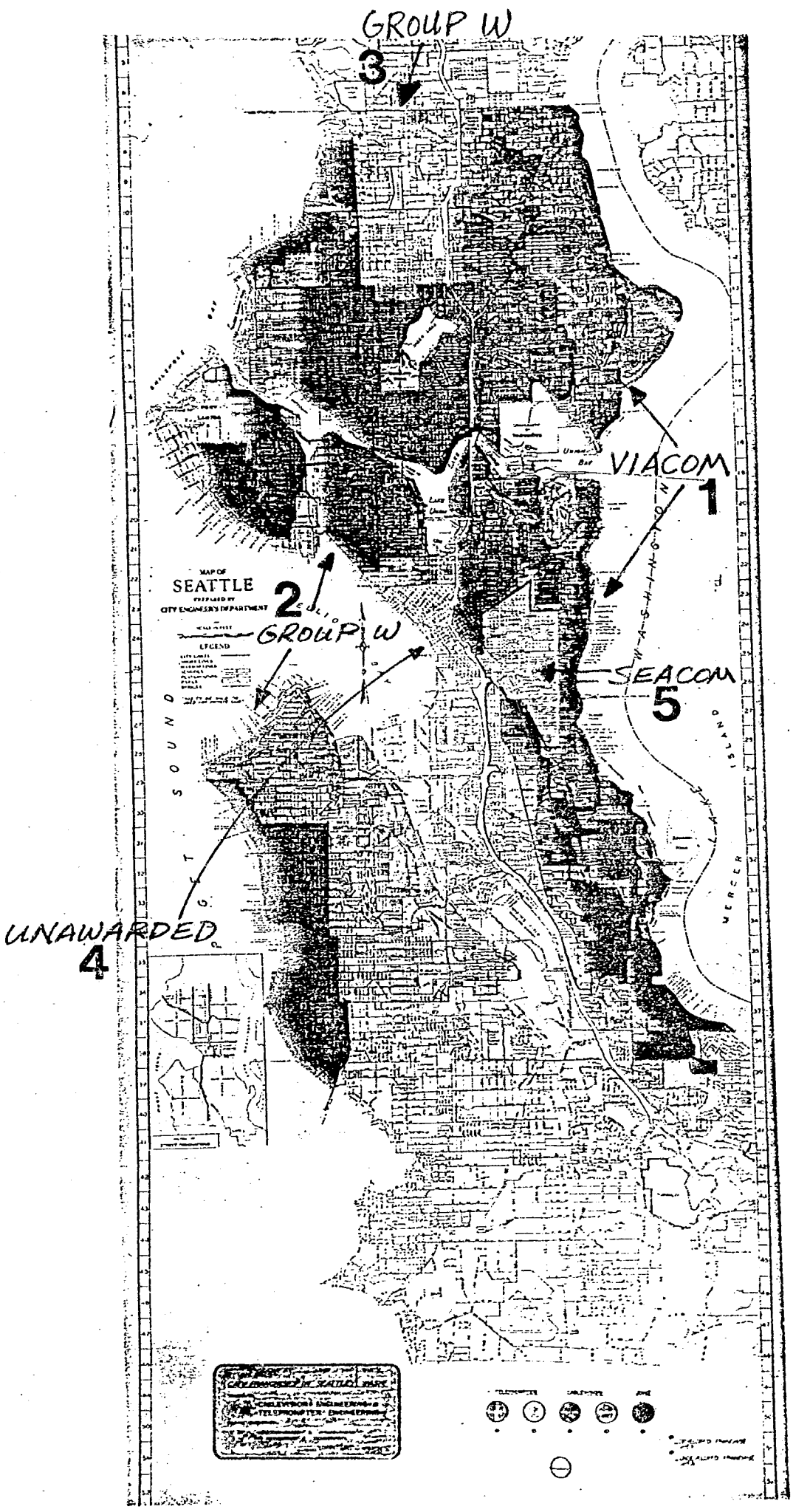
Subscribed and sworn to before me on

March 30, 1976

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

AFFIDAVIT OF PUBLICATION - ORD. 105427

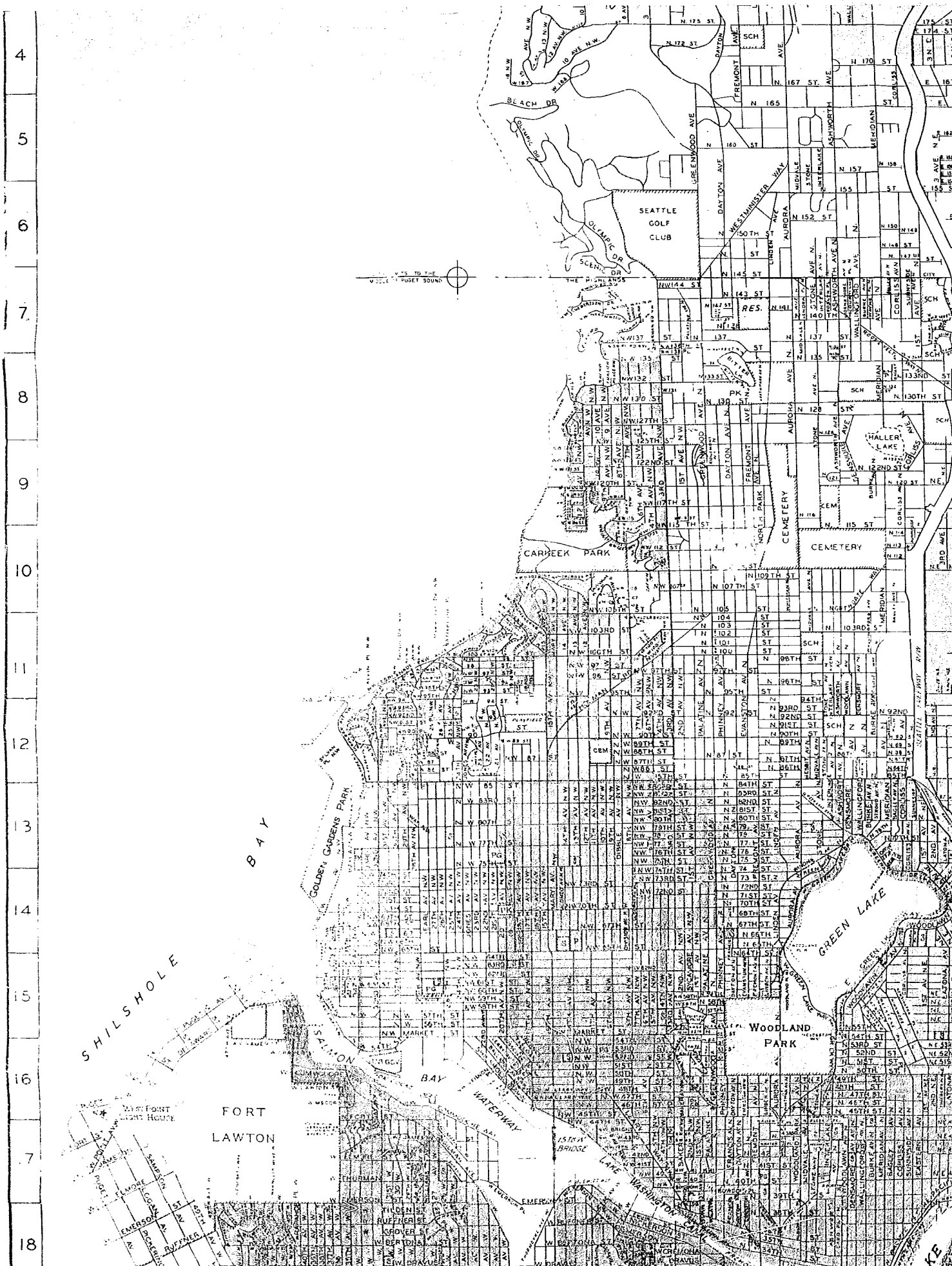
CHAMPION CLASP NO. 68 2 x 10


GROUP W
3
VIACOM
1
MAP OF
SEATTLE
PREPARED BY
CITY ENGINEER'S DEPARTMENT
LEGEND
2
GROUP W
SEACOM
5
PUGET SOUND
MERCER ISLAND
UNAWARDED
4

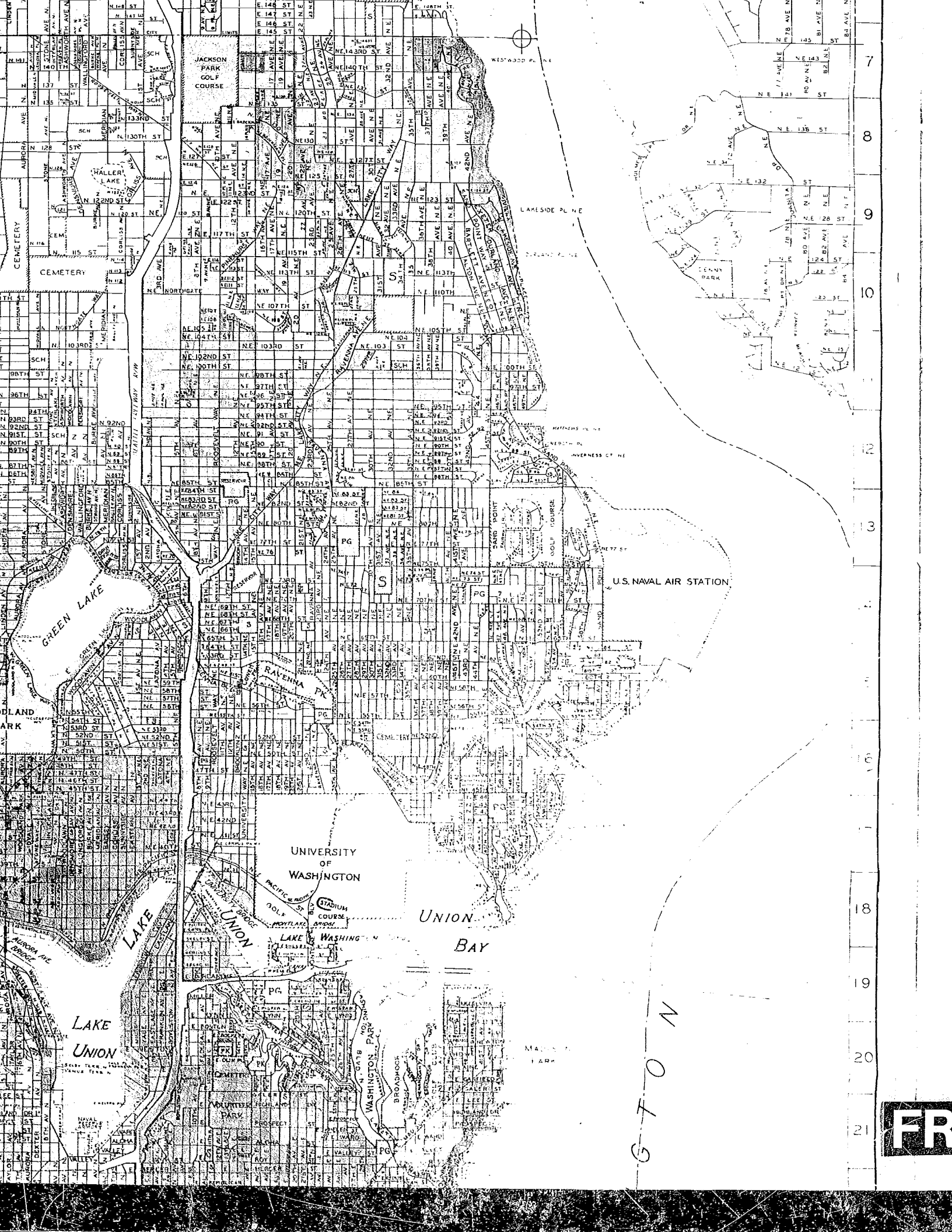
ORDINANCE 105427

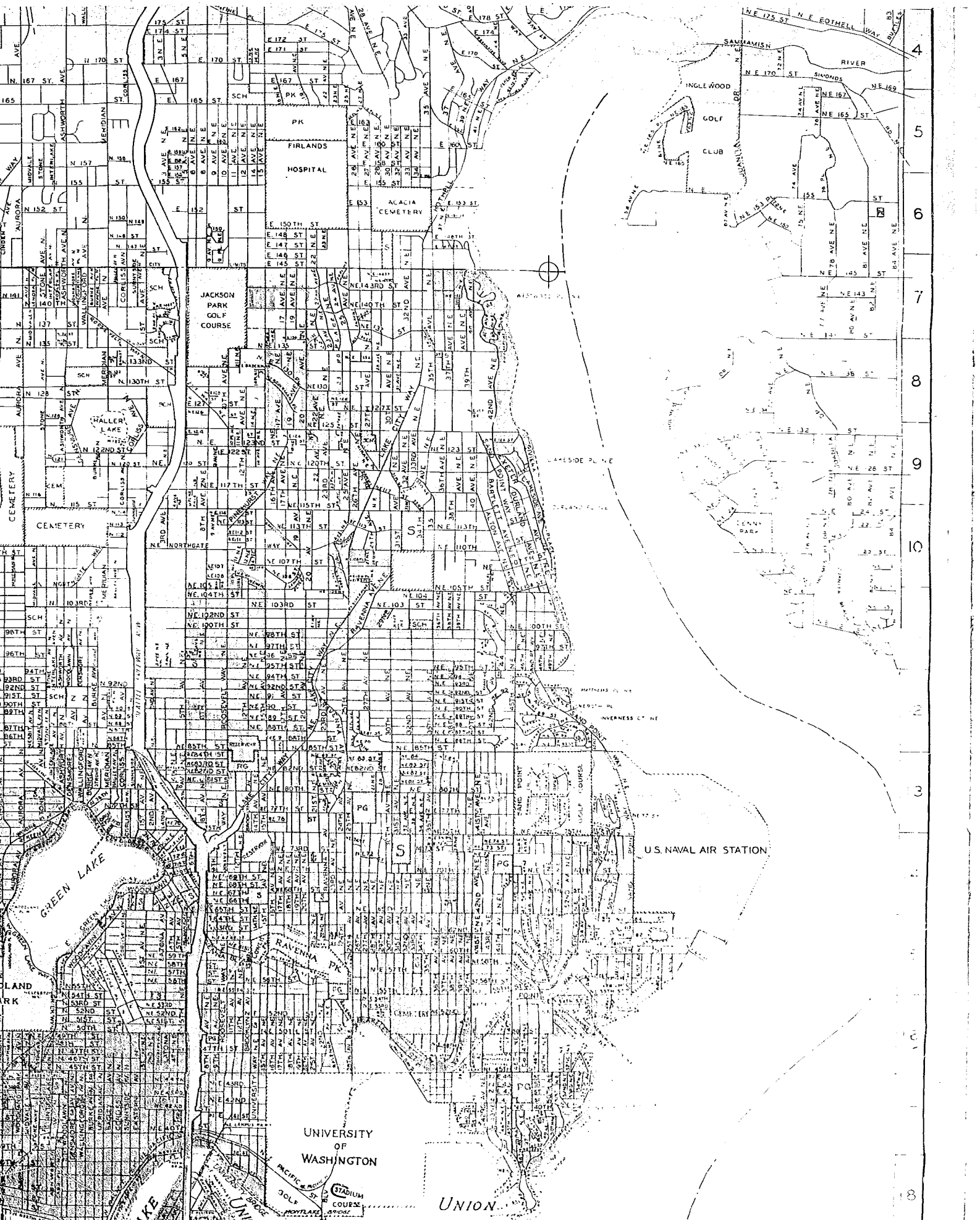
HARD BINDER # 31

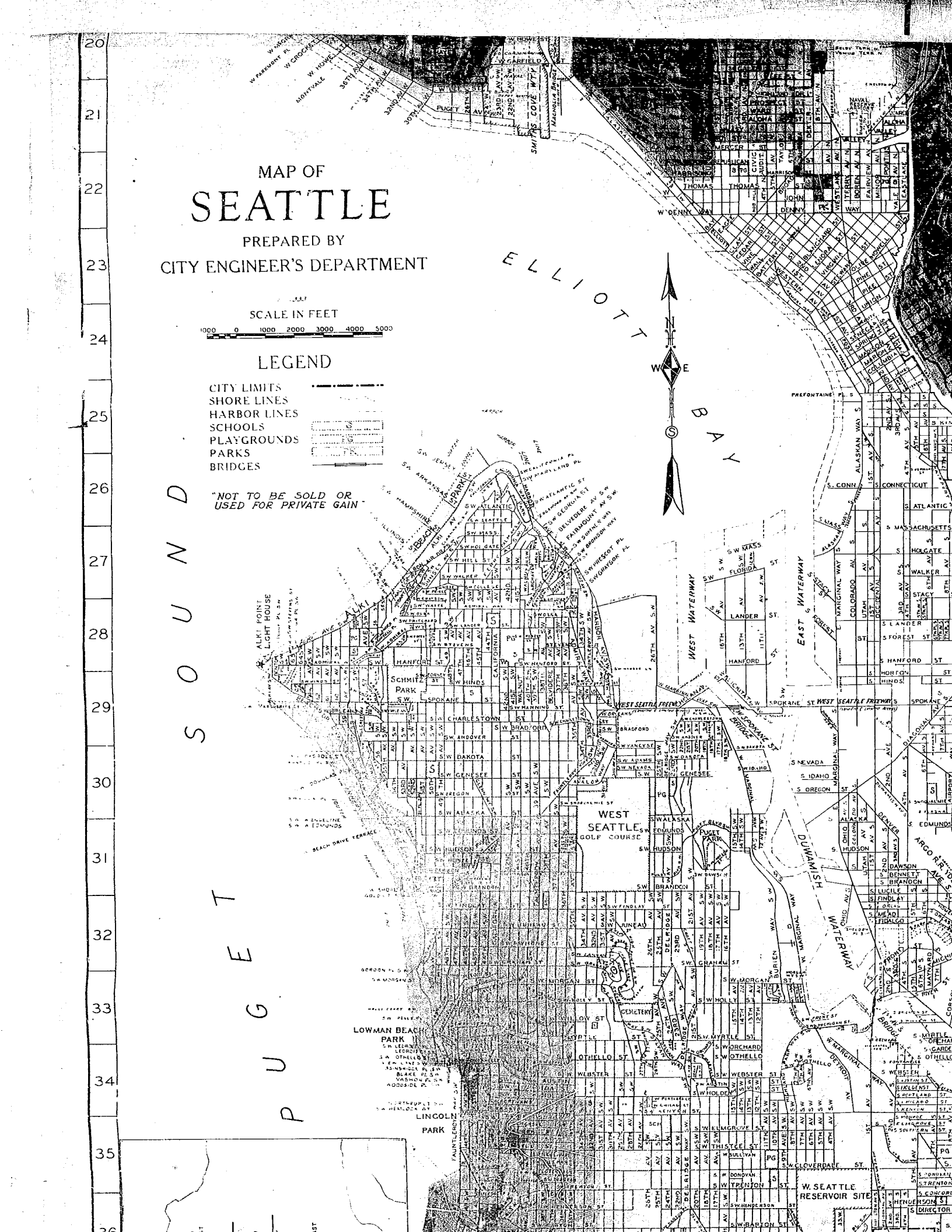
CABLE COMMUNICATIONS


SEATTLE GOLF CLUB
CARKEEK PARK
CEMETERY
HALLER LAKE
GOLDEN GARDENS PARK
SHILSHOLE BAY
SALMON BAY
LAKE WASHINGTON WATERWAY
GREEN LAKE
WOODLAND PARK
FORT LAWTON
WEST POINT LIGHT HOUSE
BEACH DR
OLYMPIC DR
SCENIC DR
WESTMINSTER WAY
DAYTON AVE
FREMONT AVE
AURORA
MERIDIAN
15TH AV BRIDGE
N 175 ST
N 172 ST
N 167 ST
N 165 ST
N 160 ST
N 157 ST
N 155 ST
N 152 ST
N 150TH ST
N 145 ST
NW 144 ST
N 143 ST
N 137 ST
NW 132 ST
N 130TH ST
N 128 ST
N 122ND ST
NW 120TH ST
NW 117TH ST
N 115 ST
NW 112 ST
N 109TH ST
NW 107TH ST
N 105 ST
NW 103RD ST
N 103RD ST
NW 100TH ST
N 98TH ST
NW 97TH ST
N 96TH ST
N 95TH ST
N 92ND ST
N 91ST ST
N 90TH ST
NW 89TH ST
NW 88TH ST
NW 87TH ST
N 87TH ST
N 86TH ST
NW 85TH ST
NW 84TH ST
N 84TH ST
NW 83RD ST
N 83RD ST
NW 82ND ST
N 82ND ST
NW 81ST ST
N 81ST ST
NW 80TH ST
NW 79TH ST
N 79TH ST
NW 78TH ST
N 78TH ST
NW 77TH ST
N 77TH ST
NW 76TH ST
N 76TH ST
NW 75TH ST
N 75TH ST
NW 74TH ST
N 74TH ST
NW 73RD ST
N 73RD ST
NW 72ND ST
N 72ND ST
NW 71ST ST
N 71ST ST
NW 70TH ST
N 70TH ST
NW 69TH ST
N 69TH ST
NW 68TH ST
N 68TH ST
NW 67TH ST
N 67TH ST
N 66TH ST
N 65TH ST
NW 64TH ST
N 64TH ST
NW 63RD ST
N 63RD ST
NW 62ND ST
N 62ND ST
NW 61ST ST
N 61ST ST
NW 60TH ST
N 60TH ST
NW 59TH ST
N 59TH ST
NW 58TH ST
N 58TH ST
NW 57TH ST
N 57TH ST
NW 56TH ST
N 56TH ST
NW 55TH ST
N 55TH ST
NW 54TH ST
N 54TH ST
NW 53RD ST
N 53RD ST
NW 52ND ST
N 52ND ST
NW 51ST ST
N 51ST ST
NW 50TH ST
N 50TH ST
NW 49TH ST
N 49TH ST
NW 48TH ST
N 48TH ST
NW 47TH ST
N 47TH ST
NW 46TH ST
N 46TH ST
NW 45TH ST
N 45TH ST
NW 44TH ST
N 44TH ST
NW 43RD ST
N 43RD ST
NW 42ND ST
N 42ND ST
NW 41ST ST
N 41ST ST
NW 40TH ST
N 40TH ST
NW 39TH ST
N 39TH ST
NW 38TH ST
N 38TH ST
NW 37TH ST
N 37TH ST
NW 36TH ST
N 36TH ST
NW 35TH ST
N 35TH ST
NW 34TH ST
N 34TH ST
NW 33RD ST
N 33RD ST
NW 32ND ST
N 32ND ST
NW 31ST ST
N 31ST ST
NW 30TH ST
N 30TH ST
NW 29TH ST
N 29TH ST
NW 28TH ST
N 28TH ST
NW 27TH ST
N 27TH ST
NW 26TH ST
N 26TH ST
NW 25TH ST
N 25TH ST
NW 24TH ST
N 24TH ST
NW 23RD ST
N 23RD ST
NW 22ND ST
N 22ND ST
NW 21ST ST
N 21ST ST
NW 20TH ST
N 20TH ST
NW 19TH ST
N 19TH ST
NW 18TH ST
N 18TH ST
NW 17TH ST
N 17TH ST
NW 16TH ST
N 16TH ST
NW 15TH ST
N 15TH ST
NW 14TH ST
N 14TH ST
NW 13TH ST
N 13TH ST
NW 12TH ST
N 12TH ST
NW 11TH ST
N 11TH ST
NW 10TH ST
N 10TH ST
NW 9TH ST
N 9TH ST
NW 8TH ST
N 8TH ST
NW 7TH ST
N 7TH ST
NW 6TH ST
N 6TH ST
NW 5TH ST
N 5TH ST
NW 4TH ST
N 4TH ST
NW 3RD ST
N 3RD ST
NW 2ND ST
N 2ND ST
NW 1ST ST
N 1ST ST
NW MARKET ST
N MARKET ST
NW 56TH ST
NW 57TH ST
NW 58TH ST
NW 59TH ST
NW 60TH ST
NW 61ST ST
NW 62ND ST
NW 63RD ST
NW 64TH ST
NW 65TH ST
NW 66TH ST
NW 67TH ST
NW 68TH ST
NW 69TH ST
NW 70TH ST
NW 71ST ST
NW 72ND ST
NW 73RD ST
NW 74TH ST
NW 75TH ST
NW 76TH ST
NW 77TH ST
NW 78TH ST
NW 79TH ST
NW 80TH ST
NW 81ST ST
NW 82ND ST
NW 83RD ST
NW 84TH ST
NW 85TH ST
NW 86TH ST
NW 87TH ST
NW 88TH ST
NW 89TH ST
NW 90TH ST
NW 91ST ST
NW 92ND ST
NW 93RD ST
NW 94TH ST
NW 95TH ST
NW 96TH ST
NW 97TH ST
NW 98TH ST
NW 99TH ST
NW 100TH ST
NW 101ST ST
NW 102ND ST
NW 103RD ST
NW 104TH ST
NW 105TH ST
NW 106TH ST
NW 107TH ST
NW 108TH ST
NW 109TH ST
NW 110TH ST
NW 111TH ST
NW 112TH ST
NW 113TH ST
NW 114TH ST
NW 115TH ST
NW 116TH ST
NW 117TH ST
NW 118TH ST
NW 119TH ST
NW 120TH ST
NW 121ST ST
NW 122ND ST
NW 123RD ST
NW 124TH ST
NW 125TH ST
NW 126TH ST
NW 127TH ST
NW 128TH ST
NW 129TH ST
NW 130TH ST
NW 131ST ST
NW 132ND ST
NW 133RD ST
NW 134TH ST
NW 135TH ST
NW 136TH ST
NW 137TH ST
NW 138TH ST
NW 139TH ST
NW 140TH ST
NW 141ST ST
NW 142ND ST
NW 143RD ST
NW 144TH ST
NW 145TH ST
NW 146TH ST
NW 147TH ST
NW 148TH ST
NW 149TH ST
NW 150TH ST
NW 151ST ST
NW 152ND ST
NW 153RD ST
NW 154TH ST
NW 155TH ST
NW 156TH ST
NW 157TH ST
NW 158TH ST
NW 159TH ST
NW 160TH ST
NW 161ST ST
NW 162ND ST
NW 163RD ST
NW 164TH ST
NW 165TH ST
NW 166TH ST
NW 167TH ST
NW 168TH ST
NW 169TH ST
NW 170TH ST
NW 171ST ST
NW 172ND ST
NW 173RD ST
NW 174TH ST
NW 175TH ST
NW 176TH ST
NW 177TH ST
NW 178TH ST
NW 179TH ST
NW 180TH ST
NW 181ST ST
NW 182ND ST
NW 183RD ST
NW 184TH ST
NW 185TH ST
NW 186TH ST
NW 187TH ST
NW 188TH ST
NW 189TH ST
NW 190TH ST
NW 191ST ST
NW 192ND ST
NW 193RD ST
NW 194TH ST
NW 195TH ST
NW 196TH ST
NW 197TH ST
NW 198TH ST
NW 199TH ST
NW 200TH ST
NW 201ST ST
NW 202ND ST
NW 203RD ST
NW 204TH ST
NW 205TH ST
NW 206TH ST
NW 207TH ST
NW 208TH ST
NW 209TH ST
NW 210TH ST
NW 211TH ST
NW 212TH ST
NW 213TH ST
NW 214TH ST
NW 215TH ST
NW 216TH ST
NW 217TH ST
NW 218TH ST
NW 219TH ST
NW 220TH ST
NW 221ST ST
NW 222ND ST
NW 223RD ST
NW 224TH ST
NW 225TH ST
NW 226TH ST
NW 227TH ST
NW 228TH ST
NW 229TH ST
NW 230TH ST
NW 231ST ST
NW 232ND ST
NW 233RD ST
NW 234TH ST
NW 235TH ST
NW 236TH ST
NW 237TH ST
NW 238TH ST
NW 239TH ST
NW 240TH ST
NW 241ST ST
NW 242ND ST
NW 243RD ST
NW 244TH ST
NW 245TH ST
NW 246TH ST
NW 247TH ST
NW 248TH ST
NW 249TH ST
NW 250TH ST
NW 251ST ST
NW 252ND ST
NW 253RD ST
NW 254TH ST
NW 255TH ST
NW 256TH ST
NW 257TH ST
NW 258TH ST
NW 259TH ST
NW 260TH ST
NW 261ST ST
NW 262ND ST
NW 263RD ST
NW 264TH ST
NW 265TH ST
NW 266TH ST
NW 267TH ST
NW 268TH ST
NW 269TH ST
NW 270TH ST
NW 271ST ST
NW 272ND ST
NW 273RD ST
NW 274TH ST
NW 275TH ST
NW 276TH ST
NW 277TH ST
NW 278TH ST
NW 279TH ST
NW 280TH ST
NW 281ST ST
NW 282ND ST
NW 283RD ST
NW 284TH ST
NW 285TH ST
NW 286TH ST
NW 287TH ST
NW 288TH ST
NW 289TH ST
NW 290TH ST
NW 291ST ST
NW 292ND ST
NW 293RD ST
NW 294TH ST
NW 295TH ST
NW 296TH ST
NW 297TH ST
NW 298TH ST
NW 299TH ST
NW 300TH ST
NW 301ST ST
NW 302ND ST
NW 303RD ST
NW 304TH ST
NW 305TH ST
NW 306TH ST
NW 307TH ST
NW 308TH ST
NW 309TH ST
NW 310TH ST
NW 311TH ST
NW 312TH ST
NW 313TH ST
NW 314TH ST
NW 315TH ST
NW 316TH ST
NW 317TH ST
NW 318TH ST
NW 319TH ST
NW 320TH ST
NW 321ST ST
NW 322ND ST
NW 323RD ST
NW 324TH ST
NW 325TH ST
NW 326TH ST
NW 327TH ST
NW 328TH ST
NW 329TH ST
NW 330TH ST
NW 331ST ST
NW 332ND ST
NW 333RD ST
NW 334TH ST
NW 335TH ST
NW 336TH ST
NW 337TH ST
NW 338TH ST
NW 339TH ST
NW 340TH ST
NW 341ST ST
NW 342ND ST
NW 343RD ST
NW 344TH ST
NW 345TH ST
NW 346TH ST
NW 347TH ST
NW 348TH ST
NW 349TH ST
NW 350TH ST
NW 351ST ST
NW 352ND ST
NW 353RD ST
NW 354TH ST
NW 355TH ST
NW 356TH ST
NW 357TH ST
NW 358TH ST
NW 359TH ST
NW 360TH ST
NW 361ST ST
NW 362ND ST
NW 363RD ST
NW 364TH ST
NW 365TH ST
NW 366TH ST
NW 367TH ST
NW 368TH ST
NW 369TH ST
NW 370TH ST
NW 371ST ST
NW 372ND ST
NW 373RD ST
NW 374TH ST
NW 375TH ST
NW 376TH ST
NW 377TH ST
NW 378TH ST
NW 379TH ST
NW 380TH ST
NW 381ST ST
NW 382ND ST
NW 383RD ST
NW 384TH ST
NW 385TH ST
NW 386TH ST
NW 387TH ST
NW 388TH ST
NW 389TH ST
NW 390TH ST
NW 391ST ST
NW 392ND ST
NW 393RD ST
NW 394TH ST
NW 395TH ST
NW 396TH ST
NW 397TH ST
NW 398TH ST
NW 399TH ST
NW 400TH ST
NW 401ST ST
NW 402ND ST
NW 403RD ST
NW 404TH ST
NW 405TH ST
NW 406TH ST
NW 407TH ST
NW 408TH ST
NW 409TH ST
NW 410TH ST
NW 411TH ST
NW 412TH ST
NW 413TH ST
NW 414TH ST
NW 415TH ST
NW 416TH ST
NW 417TH ST
NW 418TH ST
NW 419TH ST
NW 420TH ST
NW 421ST ST
NW 422ND ST
NW 423RD ST
NW 424TH ST
NW 425TH ST
NW 426TH ST
NW 427TH ST
NW 428TH ST
NW 429TH ST
NW 430TH ST
NW 431ST ST
NW 432ND ST
NW 433RD ST
NW 434TH ST
NW 435TH ST
NW 436TH ST
NW 437TH ST
NW 438TH ST
NW 439TH ST
NW 440TH ST
NW 441ST ST
NW 442ND ST
NW 443RD ST
NW 444TH ST
NW 445TH ST
NW 446TH ST
NW 447TH ST
NW 448TH ST
NW 449TH ST
NW 450TH ST
NW 451ST ST
NW 452ND ST
NW 453RD ST
NW 454TH ST
NW 455TH ST
NW 456TH ST
NW 457TH ST
NW 458TH ST
NW 459TH ST
NW 460TH ST
NW 461ST ST
NW 462ND ST
NW 463RD ST
NW 464TH ST
NW 465TH ST
NW 466TH ST
NW 467TH ST
NW 468TH ST
NW 469TH ST
NW 470TH ST
NW 471ST ST
NW 472ND ST
NW 473RD ST
NW 474TH ST
NW 475TH ST
NW 476TH ST
NW 477TH ST
NW 478TH ST
NW 479TH ST
NW 480TH ST
NW 481ST ST
NW 482ND ST
NW 483RD ST
NW 484TH ST
NW 485TH ST
NW 486TH ST
NW 487TH ST
NW 488TH ST
NW 489TH ST
NW 490TH ST
NW 491ST ST
NW 492ND ST
NW 493RD ST
NW 494TH ST
NW 495TH ST
NW 496TH ST
NW 497TH ST
NW 498TH ST
NW 499TH ST
NW 500TH ST
NW 501ST ST
NW 502ND ST
NW 503RD ST
NW 504TH ST
NW 505TH ST
NW 506TH ST
NW 507TH ST
NW 508TH ST
NW 509TH ST
NW 510TH ST
NW 511TH ST
NW 512TH ST
NW 513TH ST
NW 514TH ST
NW 515TH ST
NW 516TH ST
NW 517TH ST
NW 518TH ST
NW 519TH ST
NW 520TH ST
NW 521ST ST
NW 522ND ST
NW 523RD ST
NW 524TH ST
NW 525TH ST
NW 526TH ST
NW 527TH ST
NW 528TH ST
NW 529TH ST
NW 530TH ST
NW 531ST ST
NW 532ND ST
NW 533RD ST
NW 534TH ST
NW 535TH ST
NW 536TH ST
NW 537TH ST
NW 538TH ST
NW 539TH ST
NW 540TH ST
NW 541ST ST
NW 542ND ST
NW 543RD ST
NW 544TH ST
NW 545TH ST
NW 546TH ST
NW 547TH ST
NW 548TH ST
NW 549TH ST
NW 550TH ST
NW 551ST ST
NW 552ND ST
NW 553RD ST
NW 554TH ST
NW 555TH ST
NW 556TH ST
NW 557TH ST
NW 558TH ST
NW 559TH ST
NW 560TH ST
NW 561ST ST
NW 562ND ST
NW 563RD ST
NW 564TH ST
NW 565TH ST
NW 566TH ST
NW 567TH ST
NW 568TH ST
NW 569TH ST
NW 570TH ST
NW 571ST ST
NW 572ND ST
NW 573RD ST
NW 574TH ST
NW 575TH ST
NW 576TH ST
NW 577TH ST
NW 578TH ST
NW 579TH ST
NW 580TH ST
NW 581ST ST
NW 582ND ST
NW 583RD ST
NW 584TH ST
NW 585TH ST
NW 586TH ST
NW 587TH ST
NW 588TH ST
NW 589TH ST
NW 590TH ST
NW 591ST ST
NW 592ND ST
NW 593RD ST
NW 594TH ST
NW 595TH ST
NW 596TH ST
NW 597TH ST
NW 598TH ST
NW 599TH ST
NW 600TH ST
NW 601ST ST
NW 602ND ST
NW 603RD ST
NW 604TH ST
NW 605TH ST
NW 606TH ST
NW 607TH ST
NW 608TH ST
NW 609TH ST
NW 610TH ST
NW 611TH ST
NW 612TH ST
NW 613TH ST
NW 614TH ST
NW 615TH ST
NW 616TH ST
NW 617TH ST
NW 618TH ST
NW 619TH ST
NW 620TH ST
NW 621ST ST
NW 622ND ST
NW 623RD ST
NW 624TH ST
NW 625TH ST
NW 626TH ST
NW 627TH ST
NW 628TH ST
NW 629TH ST
NW 630TH ST
NW 631ST ST
NW 632ND ST
NW 633RD ST
NW 634TH ST
NW 635TH ST
NW 636TH ST
NW 637TH ST
NW 638TH ST
NW 639TH ST
NW 640TH ST
NW 641ST ST
NW 642ND ST
NW 643RD ST
NW 644TH ST
NW 645TH ST
NW 646TH ST
NW 647TH ST
NW 648TH ST
NW 649TH ST
NW 650TH ST
NW 651ST ST
NW 652ND ST
NW 653RD ST
NW 654TH ST
NW 655TH ST
NW 656TH ST
NW 657TH ST
NW 658TH ST
NW 659TH ST
NW 660TH ST
NW 661ST ST
NW 662ND ST
NW 663RD ST
NW 664TH ST
NW 665TH ST
NW 666TH ST
NW 667TH ST
NW 668TH ST
NW 669TH ST
NW 670TH ST
NW 671ST ST
NW 672ND ST
NW 673RD ST
NW 674TH ST
NW 675TH ST
NW 676TH ST
NW 677TH ST
NW 678TH ST
NW 679TH ST
NW 680TH ST
NW 681ST ST
NW 682ND ST
NW 683RD ST
NW 684TH ST
NW 685TH ST
NW 686TH ST
NW 687TH ST
NW 688TH ST
NW 689TH ST
NW 690TH ST
NW 691ST ST
NW 692ND ST
NW 693RD ST
NW 694TH ST
NW 695TH ST
NW 696TH ST
NW 697TH ST
NW 698TH ST
NW 699TH ST
NW 700TH ST
NW 701ST ST
NW 702ND ST
NW 703RD ST
NW 704TH ST
NW 705TH ST
NW 706TH ST
NW 707TH ST
NW 708TH ST
NW 709TH ST
NW 710TH ST
NW 711TH ST
NW 712TH ST
NW 713TH ST
NW 714TH ST
NW 715TH ST
NW 716TH ST
NW 717TH ST
NW 718TH ST
NW 719TH ST
NW 720TH ST
NW 721ST ST
NW 722ND ST
NW 723RD ST
NW 724TH ST
NW 725TH ST
NW 726TH ST
NW 727TH ST
NW 728TH ST
NW 729TH ST
NW 730TH ST
NW 731ST ST
NW 732ND ST
NW 733RD ST
NW 734TH ST
NW 735TH ST
NW 736TH ST
NW 737TH ST
NW 738TH ST
NW 739TH ST
NW 740TH ST
NW 741ST ST
NW 742ND ST
NW 743RD ST
NW 744TH ST
NW 745TH ST
NW 746TH ST
NW 747TH ST
NW 748TH ST
NW 749TH ST
NW 750TH ST
NW 751ST ST
NW 752ND ST
NW 753RD ST
NW 754TH ST
NW 755TH ST
NW 756TH ST
NW 757TH ST
NW 758TH ST
NW 759TH ST
NW 760TH ST
NW 761ST ST
NW 762ND ST
NW 763RD ST
NW 764TH ST
NW 765TH ST
NW 766TH ST
NW 767TH ST
NW 768TH ST
NW 769TH ST
NW 770TH ST
NW 771ST ST
NW 772ND ST
NW 773RD ST
NW 774TH ST
NW 775TH ST
NW 776TH ST
NW 777TH ST
NW 778TH ST
NW 779TH ST
NW 780TH ST
NW 781ST ST
NW 782ND ST
NW 783RD ST
NW 784TH ST
NW 785TH ST
NW 786TH ST
NW 787TH ST
NW 788TH ST
NW 789TH ST
NW 790TH ST
NW 791ST ST
NW 792ND ST
NW 793RD ST
NW 794TH ST
NW 795TH ST
NW 796TH ST
NW 797TH ST
NW 798TH ST
NW 799TH ST
NW 800TH ST
NW 801ST ST
NW 802ND ST
NW 803RD ST
NW 804TH ST
NW 805TH ST
NW 806TH ST
NW 807TH ST
NW 808TH ST
NW 809TH ST
NW 810TH ST
NW 811TH ST
NW 812TH ST
NW 813TH ST
NW 814TH ST
NW 815TH ST
NW 816TH ST
NW 817TH ST
NW 818TH ST
NW 819TH ST
NW 820TH ST
NW 821ST ST
NW 822ND ST
NW 823RD ST
NW 824TH ST
NW 825TH ST
NW 826TH ST
NW 827TH ST
NW 828TH ST
NW 829TH ST
NW 830TH ST
NW 831ST ST
NW 832ND ST
NW 833RD ST
NW 834TH ST
NW 835TH ST
NW 836TH ST
NW 837TH ST
NW 838TH ST
NW 839TH ST
NW 840TH ST
NW 841ST ST
NW 842ND ST
NW 843RD ST
NW 844TH ST
NW 845TH ST
NW 846TH ST
NW 847TH ST
NW 848TH ST
NW 849TH ST
NW 850TH ST
NW 851ST ST
NW 852ND ST
NW 853RD ST
NW 854TH ST
NW 855TH ST
NW 856TH ST
NW 857TH ST
NW 858TH ST
NW 859TH ST
NW 860TH ST
NW 861ST ST
NW 862ND ST
NW 863RD ST
NW 864TH ST
NW 865TH ST
NW 866TH ST
NW 867TH ST
NW 868TH ST
NW 869TH ST
NW 870TH ST
NW 871ST ST
NW 872ND ST
NW 873RD ST
NW 874TH ST
NW 875TH ST
NW 876TH ST
NW 877TH ST
NW 878TH ST
NW 879TH ST
NW 880TH ST
NW 881ST ST
NW 882ND ST
NW 883RD ST
NW 884TH ST
NW 885TH ST
NW 886TH ST
NW 887TH ST
NW 888TH ST
NW 889TH ST
NW 890TH ST
NW 891ST ST
NW 892ND ST
NW 893RD ST
NW 894TH ST
NW 895TH ST
NW 896TH ST
NW 897TH ST
NW 898TH ST
NW 899TH ST
NW 900TH ST
NW 901ST ST
NW 902ND ST
NW 903RD ST
NW 904TH ST
NW 905TH ST
NW 906TH ST
NW 907TH ST
NW 908TH ST
NW 909TH ST
NW 910TH ST
NW 911TH ST
NW 912TH ST
NW 913TH ST
NW 914TH ST
NW 915TH ST
NW 916TH ST
NW 917TH ST
NW 918TH ST
NW 919TH ST
NW 920TH ST
NW 921ST ST
NW 922ND ST
NW 923RD ST
NW 924TH ST
NW 925TH ST
NW 926TH ST
NW 927TH ST
NW 928TH ST
NW 929TH ST
NW 930TH ST
NW 931ST ST
NW 932ND ST
NW 933RD ST
NW 934TH ST
NW 935TH ST
NW 936TH ST
NW 937TH ST
NW 938TH ST
NW 939TH ST
NW 940TH ST
NW 941ST ST
NW 942ND ST
NW 943RD ST
NW 944TH ST
NW 945TH ST
NW 946TH ST
NW 947TH ST
NW 948TH ST
NW 949TH ST
NW 950TH ST
NW 951ST ST
NW 952ND ST
NW 953RD ST
NW 954TH ST
NW 955TH ST
NW 956TH ST
NW 957TH ST
NW 958TH ST
NW 959TH ST
NW 960TH ST
NW 961ST ST
NW 962ND ST
NW 963RD ST
NW 964TH ST
NW 965TH ST
NW 966TH ST
NW 967TH ST
NW 968TH ST
NW 969TH ST
NW 970TH ST
NW 971ST ST
NW 972ND ST
NW 973RD ST
NW 974TH ST
NW 975TH ST
NW 976TH ST
NW 977TH ST
NW 978TH ST
NW 979TH ST
NW 980TH ST
NW 981ST ST
NW 982ND ST
NW 983RD ST
NW 984TH ST
NW 985TH ST
NW 986TH ST
NW 987TH ST
NW 988TH ST
NW 989TH ST
NW 990TH ST
NW 991ST ST
NW 992ND ST
NW 993RD ST
NW 994TH ST
NW 995TH ST
NW 996TH ST
NW 997TH ST
NW 998TH ST
NW 999TH ST
NW 1000TH ST

SHILSHOLE BAY
GOLDEN GARDENS PARK
CARKEEK PARK
CEMETERY
HALLER LAKE
GREEN LAKE
WOODLAND PARK
FORT LAWTON
WEST POINT LIGHT HOUSE
SALMON BAY
WATERWAY
LAKE WASHINGTON CANAL
AURORA AVE BRIDGE
LAKE UNION
SMITHS COVE WTY
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21


JACKSON PARK GOLF COURSE
HALLER LAKE
CEMETERY
GREEN LAKE
RAVENNA PK
U.S. NAVAL AIR STATION
UNIVERSITY OF WASHINGTON
STADIUM
UNION BAY
LAKE UNION
LAKE WASHINGTON
WASHINGTON PARK
VOLUNTEER PARK
SAND POINT
LAKESIDE PL NE
WESTWOOD PL NE
NE 145 ST
NE 138 ST
NE 132 ST
NE 128 ST
NE 124 ST
NE 123 ST
NE 122 ST
NE 120 ST
NE 117 TH ST
NE 115TH ST
NE 113TH ST
NE 110TH
NE 107 TH ST
NE 105 ST
NE 104TH ST
NE 103RD ST
NE 102ND ST
NE 100TH ST
NE 98TH ST
NE 97TH ST
NE 95TH ST
NE 94TH ST
NE 92ND ST
NE 91 ST
NE 90TH ST
NE 89TH ST
NE 88TH ST
NE 85TH ST
NE 82ND ST
NE 80TH ST
NE 77TH ST
NE 75TH ST
NE 70TH ST
NE 69TH ST
NE 68TH ST
NE 67TH ST
NE 66TH ST
NE 65TH ST
NE 64TH ST
NE 63RD ST
NE 62ND ST
NE 61ST ST
NE 59TH ST
NE 58TH ST
NE 57TH ST
NE 56TH ST
NE 55TH ST
NE 54TH ST
NE 53RD ST
NE 52ND ST
NE 51ST ST
N 145 ST
N 143RD ST
N 135 ST
N 133RD
N 130TH ST
N 128 ST
N 122ND ST
N 120 ST
N 116
N 115 ST
N 103RD
N 92ND
N 85TH ST
N 77 ST
N 76
N 72
N 65TH ST
N 63 ST
N 62ND ST
N 59TH ST
N 58TH ST
N 55TH ST
N 54TH ST
N 53RD ST
N 52ND ST
N 51ST ST
N 46TH ST
N 45TH ST
N 39TH ST
N 36TH ST
N 34TH ST
N 32ND ST
N 31ST
N 30TH ST
N 29TH ST
N 28TH ST
N 27TH ST
N 26TH ST
N 25TH ST
N 24TH ST
N 23RD ST
N 22ND ST
N 21ST ST
N 20TH ST
N 19TH ST
N 18TH ST
N 17TH ST
N 16TH ST
N 15TH ST
N 14TH ST
N 13TH ST
N 12TH ST
N 11TH ST
N 10TH ST
N 9TH ST
N 8TH ST
N 7TH ST
N 6TH ST
N 5TH ST
N 4TH ST
N 3RD ST
N 2ND ST
N 1ST ST
NE 143RD ST
NE 141 ST
NE 139TH ST
NE 138TH ST
NE 137 ST
NE 136TH ST
NE 135 ST
NE 134TH ST
NE 133RD ST
NE 132ND ST
NE 131ST ST
NE 130TH ST
NE 129TH ST
NE 128TH ST
NE 127TH ST
NE 126TH ST
NE 125TH ST
NE 124TH ST
NE 123RD ST
NE 122ND ST
NE 121ST ST
NE 120TH ST
NE 119TH ST
NE 118TH ST
NE 117TH ST
NE 116TH ST
NE 115TH ST
NE 114TH ST
NE 113TH ST
NE 112TH ST
NE 111TH ST
NE 110TH ST
NE 109TH ST
NE 108TH ST
NE 107TH ST
NE 106TH ST
NE 105TH ST
NE 104TH ST
NE 103RD ST
NE 102ND ST
NE 101ST ST
NE 100TH ST
NE 99TH ST
NE 98TH ST
NE 97TH ST
NE 96TH ST
NE 95TH ST
NE 94TH ST
NE 93RD ST
NE 92ND ST
NE 91ST ST
NE 90TH ST
NE 89TH ST
NE 88TH ST
NE 87TH ST
NE 86TH ST
NE 85TH ST
NE 84TH ST
NE 83RD ST
NE 82ND ST
NE 81ST ST
NE 80TH ST
NE 79TH ST
NE 78TH ST
NE 77TH ST
NE 76TH ST
NE 75TH ST
NE 74TH ST
NE 73RD ST
NE 72ND ST
NE 71ST ST
NE 70TH ST
NE 69TH ST
NE 68TH ST
NE 67TH ST
NE 66TH ST
NE 65TH ST
NE 64TH ST
NE 63RD ST
NE 62ND ST
NE 61ST ST
NE 60TH ST
NE 59TH ST
NE 58TH ST
NE 57TH ST
NE 56TH ST
NE 55TH ST
NE 54TH ST
NE 53RD ST
NE 52ND ST
NE 51ST ST
NE 50TH ST
NE 49TH ST
NE 48TH ST
NE 47TH ST
NE 46TH ST
NE 45TH ST
NE 44TH ST
NE 43RD ST
NE 42ND ST
NE 41ST ST
NE 40TH ST
NE 39TH ST
NE 38TH ST
NE 37TH ST
NE 36TH ST
NE 35TH ST
NE 34TH ST
NE 33RD ST
NE 32ND ST
NE 31ST ST
NE 30TH ST
NE 29TH ST
NE 28TH ST
NE 27TH ST
NE 26TH ST
NE 25TH ST
NE 24TH ST
NE 23RD ST
NE 22ND ST
NE 21ST ST
NE 20TH ST
NE 19TH ST
NE 18TH ST
NE 17TH ST
NE 16TH ST
NE 15TH ST
NE 14TH ST
NE 13TH ST
NE 12TH ST
NE 11TH ST
NE 10TH ST
NE 9TH ST
NE 8TH ST
NE 7TH ST
NE 6TH ST
NE 5TH ST
NE 4TH ST
NE 3RD ST
NE 2ND ST
NE 1ST ST
NE 143RD ST
NE 141 ST
NE 139TH ST
NE 138TH ST
NE 137 ST
NE 136TH ST
NE 135 ST
NE 134TH ST
NE 133RD ST
NE 132ND ST
NE 131ST ST
NE 130TH ST
NE 129TH ST
NE 128TH ST
NE 127TH ST
NE 126TH ST
NE 125TH ST
NE 124TH ST
NE 123RD ST
NE 122ND ST
NE 121ST ST
NE 120TH ST
NE 119TH ST
NE 118TH ST
NE 117TH ST
NE 116TH ST
NE 115TH ST
NE 114TH ST
NE 113TH ST
NE 112TH ST
NE 111TH ST
NE 110TH ST
NE 109TH ST
NE 108TH ST
NE 107TH ST
NE 106TH ST
NE 105TH ST
NE 104TH ST
NE 103RD ST
NE 102ND ST
NE 101ST ST
NE 100TH ST
NE 99TH ST
NE 98TH ST
NE 97TH ST
NE 96TH ST
NE 95TH ST
NE 94TH ST
NE 93RD ST
NE 92ND ST
NE 91ST ST
NE 90TH ST
NE 89TH ST
NE 88TH ST
NE 87TH ST
NE 86TH ST
NE 85TH ST
NE 84TH ST
NE 83RD ST
NE 82ND ST
NE 81ST ST
NE 80TH ST
NE 79TH ST
NE 78TH ST
NE 77TH ST
NE 76TH ST
NE 75TH ST
NE 74TH ST
NE 73RD ST
NE 72ND ST
NE 71ST ST
NE 70TH ST
NE 69TH ST
NE 68TH ST
NE 67TH ST
NE 66TH ST
NE 65TH ST
NE 64TH ST
NE 63RD ST
NE 62ND ST
NE 61ST ST
NE 60TH ST
NE 59TH ST
NE 58TH ST
NE 57TH ST
NE 56TH ST
NE 55TH ST
NE 54TH ST
NE 53RD ST
NE 52ND ST
NE 51ST ST
NE 50TH ST
NE 49TH ST
NE 48TH ST
NE 47TH ST
NE 46TH ST
NE 45TH ST
NE 44TH ST
NE 43RD ST
NE 42ND ST
NE 41ST ST
NE 40TH ST
NE 39TH ST
NE 38TH ST
NE 37TH ST
NE 36TH ST
NE 35TH ST
NE 34TH ST
NE 33RD ST
NE 32ND ST
NE 31ST ST
NE 30TH ST
NE 29TH ST
NE 28TH ST
NE 27TH ST
NE 26TH ST
NE 25TH ST
NE 24TH ST
NE 23RD ST
NE 22ND ST
NE 21ST ST
NE 20TH ST
NE 19TH ST
NE 18TH ST
NE 17TH ST
NE 16TH ST
NE 15TH ST
NE 14TH ST
NE 13TH ST
NE 12TH ST
NE 11TH ST
NE 10TH ST
NE 9TH ST
NE 8TH ST
NE 7TH ST
NE 6TH ST
NE 5TH ST
NE 4TH ST
NE 3RD ST
NE 2ND ST
NE 1ST ST


FIRLANDS HOSPITAL
ACACIA CEMETERY
JACKSON PARK GOLF COURSE
HALLER LAKE
CEMETERY
NORTHGATE
LAKESIDE PL NE
INGLEWOOD GOLF CLUB
SAMMAMISH RIVER
NE 175 ST
NE EOTHELL WAY
NE 170 ST
SIMONDS
NE 169
NE 167
NE 165 ST
NE 155 ST
NE 153 PLACE
NE 145 ST
NE 143
NE 130
NE 128 ST
NE 122ND ST
NE 120 ST
NE 117TH ST
NE 115TH ST
NE 113TH
NE 110TH
NE 107TH ST
NE 105TH ST
NE 104
NE 103RD ST
NE 100TH ST
NE 98TH ST
NE 97TH
NE 95TH
NE 94TH ST
NE 92ND ST
NE 90
NE 88TH ST
NE 85TH ST
NE 80TH
NE 77TH ST
NE 73RD
NE 68TH ST
NE 65TH ST
NE 62ND ST
NE 61ST ST
NE 57TH
NE 53RD ST
NE 52ND ST
NE 51ST ST
NE 50TH
NE 47TH ST
NE 45TH ST
NE 42ND
NE 41ST
NE 40TH ST
NE 38TH ST
NE 32 ST
NE 28 ST
NE 24 ST
NE 22
NE 20 ST
U.S. NAVAL AIR STATION
GREEN LAKE
RAVENNA PK
UNIVERSITY OF WASHINGTON
STADIUM COURSE
UNION
PACIFIC
MONTLAKE
INVERNESS CT NE
MATTHEWS PL NE
NEWTON PL
LAKESIDE PL NE
ISLAND PL NE
BAKER PL NE
KENNY PARK
RAVENNA AVE NE
LAKE CITY WAY NE
ROOSEVELT WAY NE
PINEHURST
NE 3RD AVE
NE 8TH AVE
NE 12TH AVE
NE 15TH AVE
NE 17TH AVE
NE 19TH AVE
NE 20TH AVE
NE 22ND AVE
NE 23RD AVE
NE 25TH AVE
NE 26TH AVE
NE 30TH AVE
NE 32ND AVE
NE 35TH AVE
NE 36TH AVE
NE 38TH AVE
NE 39TH AVE
NE 40TH AVE
NE 42ND AVE
NE 43RD AVE
NE 45TH AVE
NE 47TH AVE
NE 50TH AVE
NE 52ND AVE
NE 55TH AVE
NE 57TH AVE
NE 60TH AVE
NE 61ST AVE
NE 62ND AVE
NE 63RD AVE
NE 64TH AVE
NE 65TH AVE
NE 66TH AVE
NE 68TH AVE
NE 70TH AVE
NE 72ND AVE
NE 74TH AVE
NE 75TH AVE
NE 78TH AVE
NE 80TH AVE
NE 81ST AVE
NE 82ND AVE
NE 84TH AVE
NE 85TH AVE
NE 86TH AVE
NE 87TH AVE
NE 88TH AVE
NE 89TH AVE
NE 90TH AVE
NE 91ST AVE
NE 92ND AVE
NE 93RD AVE
NE 94TH AVE
NE 95TH AVE
NE 96TH AVE
NE 97TH AVE
NE 98TH AVE
NE 99TH AVE
NE 100TH AVE
NE 101ST AVE
NE 102ND AVE
NE 103RD AVE
NE 104TH AVE
NE 105TH AVE
NE 106TH AVE
NE 107TH AVE
NE 108TH AVE
NE 109TH AVE
NE 110TH AVE
NE 111TH AVE
NE 112TH AVE
NE 113TH AVE
NE 114TH AVE
NE 115TH AVE
NE 116TH AVE
NE 117TH AVE
NE 118TH AVE
NE 119TH AVE
NE 120TH AVE
NE 121ST AVE
NE 122ND AVE
NE 123RD AVE
NE 124TH AVE
NE 125TH AVE
NE 126TH AVE
NE 127TH AVE
NE 128TH AVE
NE 129TH AVE
NE 130TH AVE
NE 131ST AVE
NE 132ND AVE
NE 133RD AVE
NE 134TH AVE
NE 135TH AVE
NE 136TH AVE
NE 137TH AVE
NE 138TH AVE
NE 139TH AVE
NE 140TH AVE
NE 141ST AVE
NE 142ND AVE
NE 143RD AVE
NE 144TH AVE
NE 145TH AVE
NE 146TH AVE
NE 147TH AVE
NE 148TH AVE
NE 149TH AVE
NE 150TH AVE
NE 151ST AVE
NE 152ND AVE
NE 153RD AVE
NE 154TH AVE
NE 155TH AVE
NE 156TH AVE
NE 157TH AVE
NE 158TH AVE
NE 159TH AVE
NE 160TH AVE
NE 161ST AVE
NE 162ND AVE
NE 163RD AVE
NE 164TH AVE
NE 165TH AVE
NE 166TH AVE
NE 167TH AVE
NE 168TH AVE
NE 169TH AVE
NE 170TH AVE
NE 171ST AVE
NE 172ND AVE
NE 173RD AVE
NE 174TH AVE
NE 175TH AVE
NE 176TH AVE
NE 177TH AVE
NE 178TH AVE
NE 179TH AVE
NE 180TH AVE
NE 181ST AVE
NE 182ND AVE
NE 183RD AVE
NE 184TH AVE
NE 185TH AVE
NE 186TH AVE
NE 187TH AVE
NE 188TH AVE
NE 189TH AVE
NE 190TH AVE
NE 191ST AVE
NE 192ND AVE
NE 193RD AVE
NE 194TH AVE
NE 195TH AVE
NE 196TH AVE
NE 197TH AVE
NE 198TH AVE
NE 199TH AVE
NE 200TH AVE
NE 201ST AVE
NE 202ND AVE
NE 203RD AVE
NE 204TH AVE
NE 205TH AVE
NE 206TH AVE
NE 207TH AVE
NE 208TH AVE
NE 209TH AVE
NE 210TH AVE
NE 211TH AVE
NE 212TH AVE
NE 213TH AVE
NE 214TH AVE
NE 215TH AVE
NE 216TH AVE
NE 217TH AVE
NE 218TH AVE
NE 219TH AVE
NE 220TH AVE
NE 221ST AVE
NE 222ND AVE
NE 223RD AVE
NE 224TH AVE
NE 225TH AVE
NE 226TH AVE
NE 227TH AVE
NE 228TH AVE
NE 229TH AVE
NE 230TH AVE
NE 231ST AVE
NE 232ND AVE
NE 233RD AVE
NE 234TH AVE
NE 235TH AVE
NE 236TH AVE
NE 237TH AVE
NE 238TH AVE
NE 239TH AVE
NE 240TH AVE
NE 241ST AVE
NE 242ND AVE
NE 243RD AVE
NE 244TH AVE
NE 245TH AVE
NE 246TH AVE
NE 247TH AVE
NE 248TH AVE
NE 249TH AVE
NE 250TH AVE
NE 251ST AVE
NE 252ND AVE
NE 253RD AVE
NE 254TH AVE
NE 255TH AVE
NE 256TH AVE
NE 257TH AVE
NE 258TH AVE
NE 259TH AVE
NE 260TH AVE
NE 261ST AVE
NE 262ND AVE
NE 263RD AVE
NE 264TH AVE
NE 265TH AVE
NE 266TH AVE
NE 267TH AVE
NE 268TH AVE
NE 269TH AVE
NE 270TH AVE
NE 271ST AVE
NE 272ND AVE
NE 273RD AVE
NE 274TH AVE
NE 275TH AVE
NE 276TH AVE
NE 277TH AVE
NE 278TH AVE
NE 279TH AVE
NE 280TH AVE
NE 281ST AVE
NE 282ND AVE
NE 283RD AVE
NE 284TH AVE
NE 285TH AVE
NE 286TH AVE
NE 287TH AVE
NE 288TH AVE
NE 289TH AVE
NE 290TH AVE
NE 291ST AVE
NE 292ND AVE
NE 293RD AVE
NE 294TH AVE
NE 295TH AVE
NE 296TH AVE
NE 297TH AVE
NE 298TH AVE
NE 299TH AVE
NE 300TH AVE
NE 301ST AVE
NE 302ND AVE
NE 303RD AVE
NE 304TH AVE
NE 305TH AVE
NE 306TH AVE
NE 307TH AVE
NE 308TH AVE
NE 309TH AVE
NE 310TH AVE
NE 311ST AVE
NE 312ND AVE
NE 313RD AVE
NE 314TH AVE
NE 315TH AVE
NE 316TH AVE
NE 317TH AVE
NE 318TH AVE
NE 319TH AVE
NE 320TH AVE
NE 321ST AVE
NE 322ND AVE
NE 323RD AVE
NE 324TH AVE
NE 325TH AVE
NE 326TH AVE
NE 327TH AVE
NE 328TH AVE
NE 329TH AVE
NE 330TH AVE
NE 331ST AVE
NE 332ND AVE
NE 333RD AVE
NE 334TH AVE
NE 335TH AVE
NE 336TH AVE
NE 337TH AVE
NE 338TH AVE
NE 339TH AVE
NE 340TH AVE
NE 341ST AVE
NE 342ND AVE
NE 343RD AVE
NE 344TH AVE
NE 345TH AVE
NE 346TH AVE
NE 347TH AVE
NE 348TH AVE
NE 349TH AVE
NE 350TH AVE
NE 351ST AVE
NE 352ND AVE
NE 353RD AVE
NE 354TH AVE
NE 355TH AVE
NE 356TH AVE
NE 357TH AVE
NE 358TH AVE
NE 359TH AVE
NE 360TH AVE
NE 361ST AVE
NE 362ND AVE
NE 363RD AVE
NE 364TH AVE
NE 365TH AVE
NE 366TH AVE
NE 367TH AVE
NE 368TH AVE
NE 369TH AVE
NE 370TH AVE
NE 371ST AVE
NE 372ND AVE
NE 373RD AVE
NE 374TH AVE
NE 375TH AVE
NE 376TH AVE
NE 377TH AVE
NE 378TH AVE
NE 379TH AVE
NE 380TH AVE
NE 381ST AVE
NE 382ND AVE
NE 383RD AVE
NE 384TH AVE
NE 385TH AVE
NE 386TH AVE
NE 387TH AVE
NE 388TH AVE
NE 389TH AVE
NE 390TH AVE
NE 391ST AVE
NE 392ND AVE
NE 393RD AVE
NE 394TH AVE
NE 395TH AVE
NE 396TH AVE
NE 397TH AVE
NE 398TH AVE
NE 399TH AVE
NE 400TH AVE
NE 401ST AVE
NE 402ND AVE
NE 403RD AVE
NE 404TH AVE
NE 405TH AVE
NE 406TH AVE
NE 407TH AVE
NE 408TH AVE
NE 409TH AVE
NE 410TH AVE
NE 411ST AVE
NE 412ND AVE
NE 413RD AVE
NE 414TH AVE
NE 415TH AVE
NE 416TH AVE
NE 417TH AVE
NE 418TH AVE
NE 419TH AVE
NE 420TH AVE
NE 421ST AVE
NE 422ND AVE
NE 423RD AVE
NE 424TH AVE
NE 425TH AVE
NE 426TH AVE
NE 427TH AVE
NE 428TH AVE
NE 429TH AVE
NE 430TH AVE
NE 431ST AVE
NE 432ND AVE
NE 433RD AVE
NE 434TH AVE
NE 435TH AVE
NE 436TH AVE
NE 437TH AVE
NE 438TH AVE
NE 439TH AVE
NE 440TH AVE
NE 441ST AVE
NE 442ND AVE
NE 443RD AVE
NE 444TH AVE
NE 445TH AVE
NE 446TH AVE
NE 447TH AVE
NE 448TH AVE
NE 449TH AVE
NE 450TH AVE
NE 451ST AVE
NE 452ND AVE
NE 453RD AVE
NE 454TH AVE
NE 455TH AVE
NE 456TH AVE
NE 457TH AVE
NE 458TH AVE
NE 459TH AVE
NE 460TH AVE
NE 461ST AVE
NE 462ND AVE
NE 463RD AVE
NE 464TH AVE
NE 465TH AVE
NE 466TH AVE
NE 467TH AVE
NE 468TH AVE
NE 469TH AVE
NE 470TH AVE
NE 471ST AVE
NE 472ND AVE
NE 473RD AVE
NE 474TH AVE
NE 475TH AVE
NE 476TH AVE
NE 477TH AVE
NE 478TH AVE
NE 479TH AVE
NE 480TH AVE
NE 481ST AVE
NE 482ND AVE
NE 483RD AVE
NE 484TH AVE
NE 485TH AVE
NE 486TH AVE
NE 487TH AVE
NE 488TH AVE
NE 489TH AVE
NE 490TH AVE
NE 491ST AVE
NE 492ND AVE
NE 493RD AVE
NE 494TH AVE
NE 495TH AVE
NE 496TH AVE
NE 497TH AVE
NE 498TH AVE
NE 499TH AVE
NE 500TH AVE
NE 501ST AVE
NE 502ND AVE
NE 503RD AVE
NE 504TH AVE
NE 505TH AVE
NE 506TH AVE
NE 507TH AVE
NE 508TH AVE
NE 509TH AVE
NE 510TH AVE
NE 511ST AVE
NE 512ND AVE
NE 513RD AVE
NE 514TH AVE
NE 515TH AVE
NE 516TH AVE
NE 517TH AVE
NE 518TH AVE
NE 519TH AVE
NE 520TH AVE
NE 521ST AVE
NE 522ND AVE
NE 523RD AVE
NE 524TH AVE
NE 525TH AVE
NE 526TH AVE
NE 527TH AVE
NE 528TH AVE
NE 529TH AVE
NE 530TH AVE
NE 531ST AVE
NE 532ND AVE
NE 533RD AVE
NE 534TH AVE
NE 535TH AVE
NE 536TH AVE
NE 537TH AVE
NE 538TH AVE
NE 539TH AVE
NE 540TH AVE
NE 541ST AVE
NE 542ND AVE
NE 543RD AVE
NE 544TH AVE
NE 545TH AVE
NE 546TH AVE
NE 547TH AVE
NE 548TH AVE
NE 549TH AVE
NE 550TH AVE
NE 551ST AVE
NE 552ND AVE
NE 553RD AVE
NE 554TH AVE
NE 555TH AVE
NE 556TH AVE
NE 557TH AVE
NE 558TH AVE
NE 559TH AVE
NE 560TH AVE
NE 561ST AVE
NE 562ND AVE
NE 563RD AVE
NE 564TH AVE
NE 565TH AVE
NE 566TH AVE
NE 567TH AVE
NE 568TH AVE
NE 569TH AVE
NE 570TH AVE
NE 571ST AVE
NE 572ND AVE
NE 573RD AVE
NE 574TH AVE
NE 575TH AVE
NE 576TH AVE
NE 577TH AVE
NE 578TH AVE
NE 579TH AVE
NE 580TH AVE
NE 581ST AVE
NE 582ND AVE
NE 583RD AVE
NE 584TH AVE
NE 585TH AVE
NE 586TH AVE
NE 587TH AVE
NE 588TH AVE
NE 589TH AVE
NE 590TH AVE
NE 591ST AVE
NE 592ND AVE
NE 593RD AVE
NE 594TH AVE
NE 595TH AVE
NE 596TH AVE
NE 597TH AVE
NE 598TH AVE
NE 599TH AVE
NE 600TH AVE
NE 601ST AVE
NE 602ND AVE
NE 603RD AVE
NE 604TH AVE
NE 605TH AVE
NE 606TH AVE
NE 607TH AVE
NE 608TH AVE
NE 609TH AVE
NE 610TH AVE
NE 611ST AVE
NE 612ND AVE
NE 613RD AVE
NE 614TH AVE
NE 615TH AVE
NE 616TH AVE
NE 617TH AVE
NE 618TH AVE
NE 619TH AVE
NE 620TH AVE
NE 621ST AVE
NE 622ND AVE
NE 623RD AVE
NE 624TH AVE
NE 625TH AVE
NE 626TH AVE
NE 627TH AVE
NE 628TH AVE
NE 629TH AVE
NE 630TH AVE
NE 631ST AVE
NE 632ND AVE
NE 633RD AVE
NE 634TH AVE
NE 635TH AVE
NE 636TH AVE
NE 637TH AVE
NE 638TH AVE
NE 639TH AVE
NE 640TH AVE
NE 641ST AVE
NE 642ND AVE
NE 643RD AVE
NE 644TH AVE
NE 645TH AVE
NE 646TH AVE
NE 647TH AVE
NE 648TH AVE
NE 649TH AVE
NE 650TH AVE
NE 651ST AVE
NE 652ND AVE
NE 653RD AVE
NE 654TH AVE
NE 655TH AVE
NE 656TH AVE
NE 657TH AVE
NE 658TH AVE
NE 659TH AVE
NE 660TH AVE
NE 661ST AVE
NE 662ND AVE
NE 663RD AVE
NE 664TH AVE
NE 665TH AVE
NE 666TH AVE
NE 667TH AVE
NE 668TH AVE
NE 669TH AVE
NE 670TH AVE
NE 671ST AVE
NE 672ND AVE
NE 673RD AVE
NE 674TH AVE
NE 675TH AVE
NE 676TH AVE
NE 677TH AVE
NE 678TH AVE
NE 679TH AVE
NE 680TH AVE
NE 681ST AVE
NE 682ND AVE
NE 683RD AVE
NE 684TH AVE
NE 685TH AVE
NE 686TH AVE
NE 687TH AVE
NE 688TH AVE
NE 689TH AVE
NE 690TH AVE
NE 691ST AVE
NE 692ND AVE
NE 693RD AVE
NE 694TH AVE
NE 695TH AVE
NE 696TH AVE
NE 697TH AVE
NE 698TH AVE
NE 699TH AVE
NE 700TH AVE
NE 701ST AVE
NE 702ND AVE
NE 703RD AVE
NE 704TH AVE
NE 705TH AVE
NE 706TH AVE
NE 707TH AVE
NE 708TH AVE
NE 709TH AVE
NE 710TH AVE
NE 711ST AVE
NE 712ND AVE
NE 713RD AVE
NE 714TH AVE
NE 715TH AVE
NE 716TH AVE
NE 717TH AVE
NE 718TH AVE
NE 719TH AVE
NE 720TH AVE
NE 721ST AVE
NE 722ND AVE
NE 723RD AVE
NE 724TH AVE
NE 725TH AVE
NE 726TH AVE
NE 727TH AVE
NE 728TH AVE
NE 729TH AVE
NE 730TH AVE
NE 731ST AVE
NE 732ND AVE
NE 733RD AVE
NE 734TH AVE
NE 735TH AVE
NE 736TH AVE
NE 737TH AVE
NE 738TH AVE
NE 739TH AVE
NE 740TH AVE
NE 741ST AVE
NE 742ND AVE
NE 743RD AVE
NE 744TH AVE
NE 745TH AVE
NE 746TH AVE
NE 747TH AVE
NE 748TH AVE
NE 749TH AVE
NE 750TH AVE
NE 751ST AVE
NE 752ND AVE
NE 753RD AVE
NE 754TH AVE
NE 755TH AVE
NE 756TH AVE
NE 757TH AVE
NE 758TH AVE
NE 759TH AVE
NE 760TH AVE
NE 761ST AVE
NE 762ND AVE
NE 763RD AVE
NE 764TH AVE
NE 765TH AVE
NE 766TH AVE
NE 767TH AVE
NE 768TH AVE
NE 769TH AVE
NE 770TH AVE
NE 771ST AVE
NE 772ND AVE
NE 773RD AVE
NE 774TH AVE
NE 775TH AVE
NE 776TH AVE
NE 777TH AVE
NE 778TH AVE
NE 779TH AVE
NE 780TH AVE
NE 781ST AVE
NE 782ND AVE
NE 783RD AVE
NE 784TH AVE
NE 785TH AVE
NE 786TH AVE
NE 787TH AVE
NE 788TH AVE
NE 789TH AVE
NE 790TH AVE
NE 791ST AVE
NE 792ND AVE
NE 793RD AVE
NE 794TH AVE
NE 795TH AVE
NE 796TH AVE
NE 797TH AVE
NE 798TH AVE
NE 799TH AVE
NE 800TH AVE
NE 801ST AVE
NE 802ND AVE
NE 803RD AVE
NE 804TH AVE
NE 805TH AVE
NE 806TH AVE
NE 807TH AVE
NE 808TH AVE
NE 809TH AVE
NE 810TH AVE
NE 811ST AVE
NE 812ND AVE
NE 813RD AVE
NE 814TH AVE
NE 815TH AVE
NE 816TH AVE
NE 817TH AVE
NE 818TH AVE
NE 819TH AVE
NE 820TH AVE
NE 821ST AVE
NE 822ND AVE
NE 823RD AVE
NE 824TH AVE
NE 825TH AVE
NE 826TH AVE
NE 827TH AVE
NE 828TH AVE
NE 829TH AVE
NE 830TH AVE
NE 831ST AVE
NE 832ND AVE
NE 833RD AVE
NE 834TH AVE
NE 835TH AVE
NE 836TH AVE
NE 837TH AVE
NE 838TH AVE
NE 839TH AVE
NE 840TH AVE
NE 841ST AVE
NE 842ND AVE
NE 843RD AVE
NE 844TH AVE
NE 845TH AVE
NE 846TH AVE
NE 847TH AVE
NE 848TH AVE
NE 849TH AVE
NE 850TH AVE
NE 851ST AVE
NE 852ND AVE
NE 853RD AVE
NE 854TH AVE
NE 855TH AVE
NE 856TH AVE
NE 857TH AVE
NE 858TH AVE
NE 859TH AVE
NE 860TH AVE
NE 861ST AVE
NE 862ND AVE
NE 863RD AVE
NE 864TH AVE
NE 865TH AVE
NE 866TH AVE
NE 867TH AVE
NE 868TH AVE
NE 869TH AVE
NE 870TH AVE
NE 871ST AVE
NE 872ND AVE
NE 873RD AVE
NE 874TH AVE
NE 875TH AVE
NE 876TH AVE
NE 877TH AVE
NE 878TH AVE
NE 879TH AVE
NE 880TH AVE
NE 881ST AVE
NE 882ND AVE
NE 883RD AVE
NE 884TH AVE
NE 885TH AVE
NE 886TH AVE
NE 887TH AVE
NE 888TH AVE
NE 889TH AVE
NE 890TH AVE
NE 891ST AVE
NE 892ND AVE
NE 893RD AVE
NE 894TH AVE
NE 895TH AVE
NE 896TH AVE
NE 897TH AVE
NE 898TH AVE
NE 899TH AVE
NE 900TH AVE
NE 901ST AVE
NE 902ND AVE
NE 903RD AVE
NE 904TH AVE
NE 905TH AVE
NE 906TH AVE
NE 907TH AVE
NE 908TH AVE
NE 909TH AVE
NE 910TH AVE
NE 911ST AVE
NE 912ND AVE
NE 913RD AVE
NE 914TH AVE
NE 915TH AVE
NE 916TH AVE
NE 917TH AVE
NE 918TH AVE
NE 919TH AVE
NE 920TH AVE
NE 921ST AVE
NE 922ND AVE
NE 923RD AVE
NE 924TH AVE
NE 925TH AVE
NE 926TH AVE
NE 927TH AVE
NE 928TH AVE
NE 929TH AVE
NE 930TH AVE
NE 931ST AVE
NE 932ND AVE
NE 933RD AVE
NE 934TH AVE
NE 935TH AVE
NE 936TH AVE
NE 937TH AVE
NE 938TH AVE
NE 939TH AVE
NE 940TH AVE
NE 941ST AVE
NE 942ND AVE
NE 943RD AVE
NE 944TH AVE
NE 945TH AVE
NE 946TH AVE
NE 947TH AVE
NE 948TH AVE
NE 949TH AVE
NE 950TH AVE
NE 951ST AVE
NE 952ND AVE
NE 953RD AVE
NE 954TH AVE
NE 955TH AVE
NE 956TH AVE
NE 957TH AVE
NE 958TH AVE
NE 959TH AVE
NE 960TH AVE
NE 961ST AVE
NE 962ND AVE
NE 963RD AVE
NE 964TH AVE
NE 965TH AVE
NE 966TH AVE
NE 967TH AVE
NE 968TH AVE
NE 969TH AVE
NE 970TH AVE
NE 971ST AVE
NE 972ND AVE
NE 973RD AVE
NE 974TH AVE
NE 975TH AVE
NE 976TH AVE
NE 977TH AVE
NE 978TH AVE
NE 979TH AVE
NE 980TH AVE
NE 981ST AVE
NE 982ND AVE
NE 983RD AVE
NE 984TH AVE
NE 985TH AVE
NE 986TH AVE
NE 987TH AVE
NE 988TH AVE
NE 989TH AVE
NE 990TH AVE
NE 991ST AVE
NE 992ND AVE
NE 993RD AVE
NE 994TH AVE
NE 995TH AVE
NE 996TH AVE
NE 997TH AVE
NE 998TH AVE
NE 999TH AVE
NE 1000TH AVE


MAP OF
SEATTLE
PREPARED BY
CITY ENGINEER'S DEPARTMENT
SCALE IN FEET
1000 0 1000 2000 3000 4000 5000
LEGEND
CITY LIMITS
SHORE LINES
HARBOR LINES
SCHOOLS
PLAYGROUNDS
PARKS
BRIDGES
"NOT TO BE SOLD OR USED FOR PRIVATE GAIN"
PUGET SOUND
ELLIOTT BAY
N
W E
S
WEST WATERWAY
EAST WATERWAY
DUWAMISH WATERWAY
WEST SEATTLE GOLF COURSE
LOWMAN BEACH PARK
LINCOLN PARK
SCHMITZ PARK
ALKI POINT LIGHT HOUSE
W. SEATTLE RESERVOIR SITE
W. GARFIELD ST
W. DENNY WAY
SPOKANE ST
W. SPOKANE BRIDGE
WEST SEATTLE FREEWAY
S. MASSACHUSETTS
S. ATLANTIC
S. HOLGATE
S. LANDER
S. FOREST
S. HANFORD
S. HORTON
S. HINDS
S. NEVADA
S. IDAHO
S. OREGON
S. EDMUNDS
S. DAWSON
S. BENNETT
S. BRANDON
S. LUCILE
S. FINDLAY
S. ORCAS
S. MEAD
S. HIDALGO
S. MYRTLE
S. ORCHARD
S. OTHELLO
S. WEBSTER
S. GIRARD
S. HOLDEN
S. ELMGROVE
S. THISTLE ST
S. CLOVERDALE ST
S. DONOVAN
S. TYPTON
S. HENDERSON
S. DIRECTOR
S. CONNECTICUT
S. WALKER
S. STACY
S. MARGINAL WAY
S. COLORADO
S. UTAH
S. OCCIDENTAL
S. 1ST AV
S. 2ND AV
S. 4TH AV
S. 6TH AV
S. 8TH AV
S. 10TH AV
S. 13TH AV
S. 16TH AV
S. 17TH AV
S. 20TH AV
S. 21ST AV
S. 23RD AV
S. 25TH AV
S. 26TH AV
S. 27TH AV
S. 28TH AV
S. 30TH AV
S. 32ND AV
S. 33RD AV
S. 35TH AV
S. 36TH AV
S. 37TH AV
S. 38TH AV
S. 39TH AV
S. 40TH AV
S. 41ST AV
S. 42ND AV
S. 43RD AV
S. 44TH AV
S. 45TH AV
S. 46TH AV
S. 47TH AV
S. 48TH AV
S. 49TH AV
S. 50TH AV
S. 51ST AV
S. 52ND AV
S. 53RD AV
S. 54TH AV
S. 55TH AV
S. 56TH AV
S. 57TH AV
S. 58TH AV
S. 59TH AV
S. 60TH AV
S. 61ST AV
S. 62ND AV
S. 63RD AV
S. 64TH AV
S. 65TH AV
S. 66TH AV
S. 67TH AV
S. 68TH AV
S. 69TH AV
S. 70TH AV
S. 71ST AV
S. 72ND AV
S. 73RD AV
S. 74TH AV
S. 75TH AV
S. 76TH AV
S. 77TH AV
S. 78TH AV
S. 79TH AV
S. 80TH AV
S. 81ST AV
S. 82ND AV
S. 83RD AV
S. 84TH AV
S. 85TH AV
S. 86TH AV
S. 87TH AV
S. 88TH AV
S. 89TH AV
S. 90TH AV
S. 91ST AV
S. 92ND AV
S. 93RD AV
S. 94TH AV
S. 95TH AV
S. 96TH AV
S. 97TH AV
S. 98TH AV
S. 99TH AV
S. 100TH AV
S. 101ST AV
S. 102ND AV
S. 103RD AV
S. 104TH AV
S. 105TH AV
S. 106TH AV
S. 107TH AV
S. 108TH AV
S. 109TH AV
S. 110TH AV
S. 111TH AV
S. 112TH AV
S. 113TH AV
S. 114TH AV
S. 115TH AV
S. 116TH AV
S. 117TH AV
S. 118TH AV
S. 119TH AV
S. 120TH AV
S. 121ST AV
S. 122ND AV
S. 123RD AV
S. 124TH AV
S. 125TH AV
S. 126TH AV
S. 127TH AV
S. 128TH AV
S. 129TH AV
S. 130TH AV
S. 131ST AV
S. 132ND AV
S. 133RD AV
S. 134TH AV
S. 135TH AV
S. 136TH AV
S. 137TH AV
S. 138TH AV
S. 139TH AV
S. 140TH AV
S. 141ST AV
S. 142ND AV
S. 143RD AV
S. 144TH AV
S. 145TH AV
S. 146TH AV
S. 147TH AV
S. 148TH AV
S. 149TH AV
S. 150TH AV
S. 151ST AV
S. 152ND AV
S. 153RD AV
S. 154TH AV
S. 155TH AV
S. 156TH AV
S. 157TH AV
S. 158TH AV
S. 159TH AV
S. 160TH AV
S. 161ST AV
S. 162ND AV
S. 163RD AV
S. 164TH AV
S. 165TH AV
S. 166TH AV
S. 167TH AV
S. 168TH AV
S. 169TH AV
S. 170TH AV
S. 171ST AV
S. 172ND AV
S. 173RD AV
S. 174TH AV
S. 175TH AV
S. 176TH AV
S. 177TH AV
S. 178TH AV
S. 179TH AV
S. 180TH AV
S. 181ST AV
S. 182ND AV
S. 183RD AV
S. 184TH AV
S. 185TH AV
S. 186TH AV
S. 187TH AV
S. 188TH AV
S. 189TH AV
S. 190TH AV
S. 191ST AV
S. 192ND AV
S. 193RD AV
S. 194TH AV
S. 195TH AV
S. 196TH AV
S. 197TH AV
S. 198TH AV
S. 199TH AV
S. 200TH AV
S. 201ST AV
S. 202ND AV
S. 203RD AV
S. 204TH AV
S. 205TH AV
S. 206TH AV
S. 207TH AV
S. 208TH AV
S. 209TH AV
S. 210TH AV
S. 211ST AV
S. 212ND AV
S. 213RD AV
S. 214TH AV
S. 215TH AV
S. 216TH AV
S. 217TH AV
S. 218TH AV
S. 219TH AV
S. 220TH AV
S. 221ST AV
S. 222ND AV
S. 223RD AV
S. 224TH AV
S. 225TH AV
S. 226TH AV
S. 227TH AV
S. 228TH AV
S. 229TH AV
S. 230TH AV
S. 231ST AV
S. 232ND AV
S. 233RD AV
S. 234TH AV
S. 235TH AV
S. 236TH AV
S. 237TH AV
S. 238TH AV
S. 239TH AV
S. 240TH AV
S. 241ST AV
S. 242ND AV
S. 243RD AV
S. 244TH AV
S. 245TH AV
S. 246TH AV
S. 247TH AV
S. 248TH AV
S. 249TH AV
S. 250TH AV
S. 251ST AV
S. 252ND AV
S. 253RD AV
S. 254TH AV
S. 255TH AV
S. 256TH AV
S. 257TH AV
S. 258TH AV
S. 259TH AV
S. 260TH AV
S. 261ST AV
S. 262ND AV
S. 263RD AV
S. 264TH AV
S. 265TH AV
S. 266TH AV
S. 267TH AV
S. 268TH AV
S. 269TH AV
S. 270TH AV
S. 271ST AV
S. 272ND AV
S. 273RD AV
S. 274TH AV
S. 275TH AV
S. 276TH AV
S. 277TH AV
S. 278TH AV
S. 279TH AV
S. 280TH AV
S. 281ST AV
S. 282ND AV
S. 283RD AV
S. 284TH AV
S. 285TH AV
S. 286TH AV
S. 287TH AV
S. 288TH AV
S. 289TH AV
S. 290TH AV
S. 291ST AV
S. 292ND AV
S. 293RD AV
S. 294TH AV
S. 295TH AV
S. 296TH AV
S. 297TH AV
S. 298TH AV
S. 299TH AV
S. 300TH AV
S. 301ST AV
S. 302ND AV
S. 303RD AV
S. 304TH AV
S. 305TH AV
S. 306TH AV
S. 307TH AV
S. 308TH AV
S. 309TH AV
S. 310TH AV
S. 311ST AV
S. 312ND AV
S. 313RD AV
S. 314TH AV
S. 315TH AV
S. 316TH AV
S. 317TH AV
S. 318TH AV
S. 319TH AV
S. 320TH AV
S. 321ST AV
S. 322ND AV
S. 323RD AV
S. 324TH AV
S. 325TH AV
S. 326TH AV
S. 327TH AV
S. 328TH AV
S. 329TH AV
S. 330TH AV
S. 331ST AV
S. 332ND AV
S. 333RD AV
S. 334TH AV
S. 335TH AV
S. 336TH AV
S. 337TH AV
S. 338TH AV
S. 339TH AV
S. 340TH AV
S. 341ST AV
S. 342ND AV
S. 343RD AV
S. 344TH AV
S. 345TH AV
S. 346TH AV
S. 347TH AV
S. 348TH AV
S. 349TH AV
S. 350TH AV
S. 351ST AV
S. 352ND AV
S. 353RD AV
S. 354TH AV
S. 355TH AV
S. 356TH AV
S. 357TH AV
S. 358TH AV
S. 359TH AV
S. 360TH AV
S. 361ST AV
S. 362ND AV
S. 363RD AV
S. 364TH AV
S. 365TH AV
S. 366TH AV
S. 367TH AV
S. 368TH AV
S. 369TH AV
S. 370TH AV
S. 371ST AV
S. 372ND AV
S. 373RD AV
S. 374TH AV
S. 375TH AV
S. 376TH AV
S. 377TH AV
S. 378TH AV
S. 379TH AV
S. 380TH AV
S. 381ST AV
S. 382ND AV
S. 383RD AV
S. 384TH AV
S. 385TH AV
S. 386TH AV
S. 387TH AV
S. 388TH AV
S. 389TH AV
S. 390TH AV
S. 391ST AV
S. 392ND AV
S. 393RD AV
S. 394TH AV
S. 395TH AV
S. 396TH AV
S. 397TH AV
S. 398TH AV
S. 399TH AV
S. 400TH AV
S. 401ST AV
S. 402ND AV
S. 403RD AV
S. 404TH AV
S. 405TH AV
S. 406TH AV
S. 407TH AV
S. 408TH AV
S. 409TH AV
S. 410TH AV
S. 411ST AV
S. 412ND AV
S. 413RD AV
S. 414TH AV
S. 415TH AV
S. 416TH AV
S. 417TH AV
S. 418TH AV
S. 419TH AV
S. 420TH AV
S. 421ST AV
S. 422ND AV
S. 423RD AV
S. 424TH AV
S. 425TH AV
S. 426TH AV
S. 427TH AV
S. 428TH AV
S. 429TH AV
S. 430TH AV
S. 431ST AV
S. 432ND AV
S. 433RD AV
S. 434TH AV
S. 435TH AV
S. 436TH AV
S. 437TH AV
S. 438TH AV
S. 439TH AV
S. 440TH AV
S. 441ST AV
S. 442ND AV
S. 443RD AV
S. 444TH AV
S. 445TH AV
S. 446TH AV
S. 447TH AV
S. 448TH AV
S. 449TH AV
S. 450TH AV
S. 451ST AV
S. 452ND AV
S. 453RD AV
S. 454TH AV
S. 455TH AV
S. 456TH AV
S. 457TH AV
S. 458TH AV
S. 459TH AV
S. 460TH AV
S. 461ST AV
S. 462ND AV
S. 463RD AV
S. 464TH AV
S. 465TH AV
S. 466TH AV
S. 467TH AV
S. 468TH AV
S. 469TH AV
S. 470TH AV
S. 471ST AV
S. 472ND AV
S. 473RD AV
S. 474TH AV
S. 475TH AV
S. 476TH AV
S. 477TH AV
S. 478TH AV
S. 479TH AV
S. 480TH AV
S. 481ST AV
S. 482ND AV
S. 483RD AV
S. 484TH AV
S. 485TH AV
S. 486TH AV
S. 487TH AV
S. 488TH AV
S. 489TH AV
S. 490TH AV
S. 491ST AV
S. 492ND AV
S. 493RD AV
S. 494TH AV
S. 495TH AV
S. 496TH AV
S. 497TH AV
S. 498TH AV
S. 499TH AV
S. 500TH AV

PREPARED BY

CITY ENGINEER'S DEPARTMENT

SCALE IN FEET

1000 0 1000 2000 3000 4000 5000

LEGEND

CITY LIMITS

SHORE LINES

HARBOR LINES

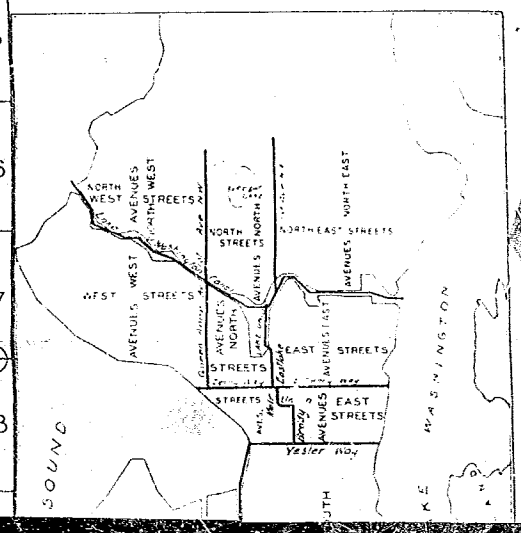
SCHOOLS S

PLAYGROUNDS PG

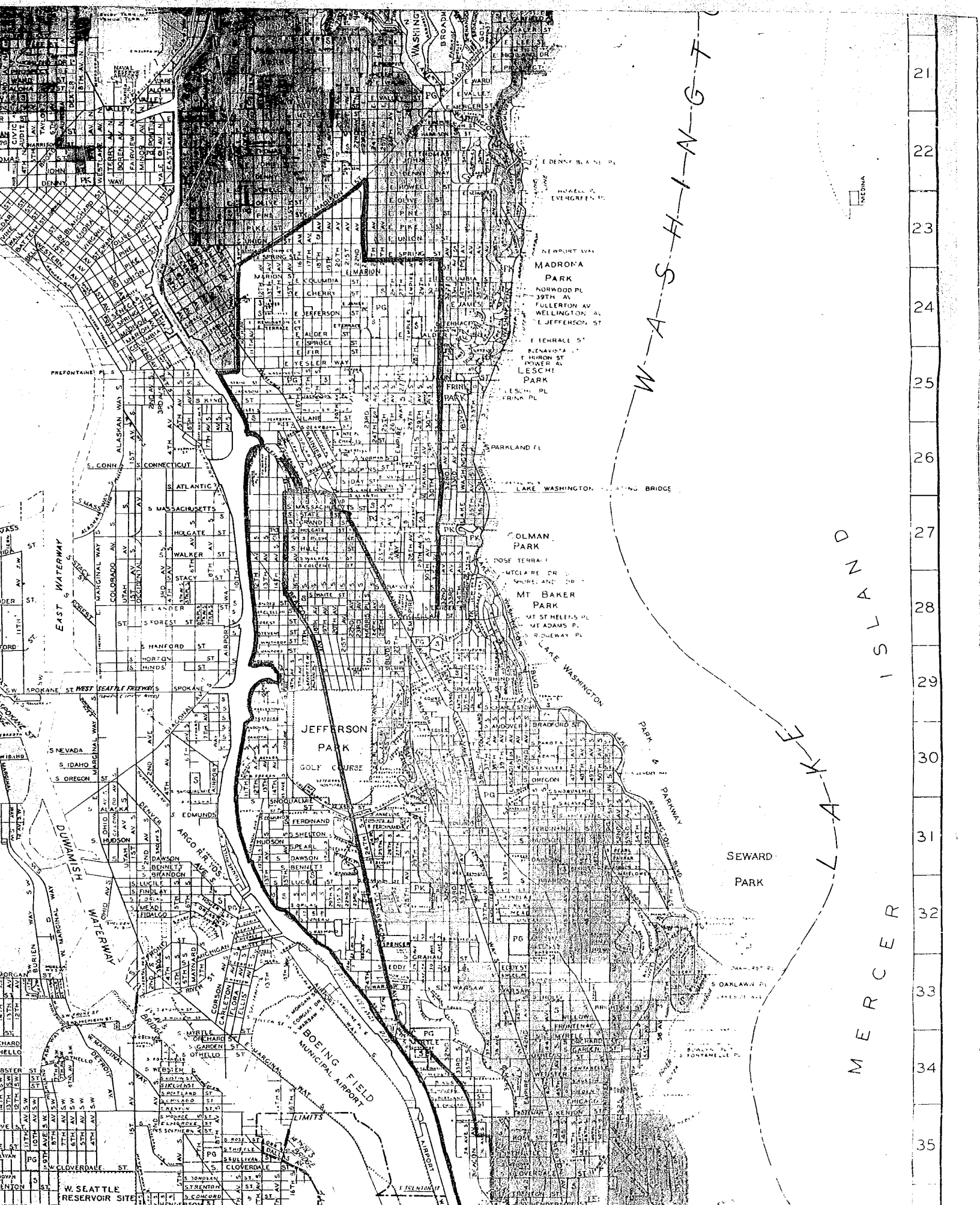
PARKS PK

BRIDGES

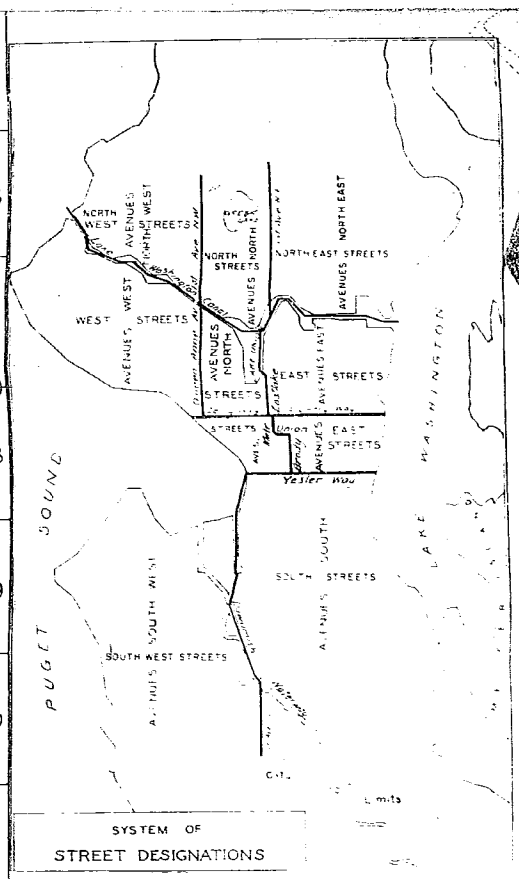
"NOT TO BE SOLD OR USED FOR PRIVATE GAIN"



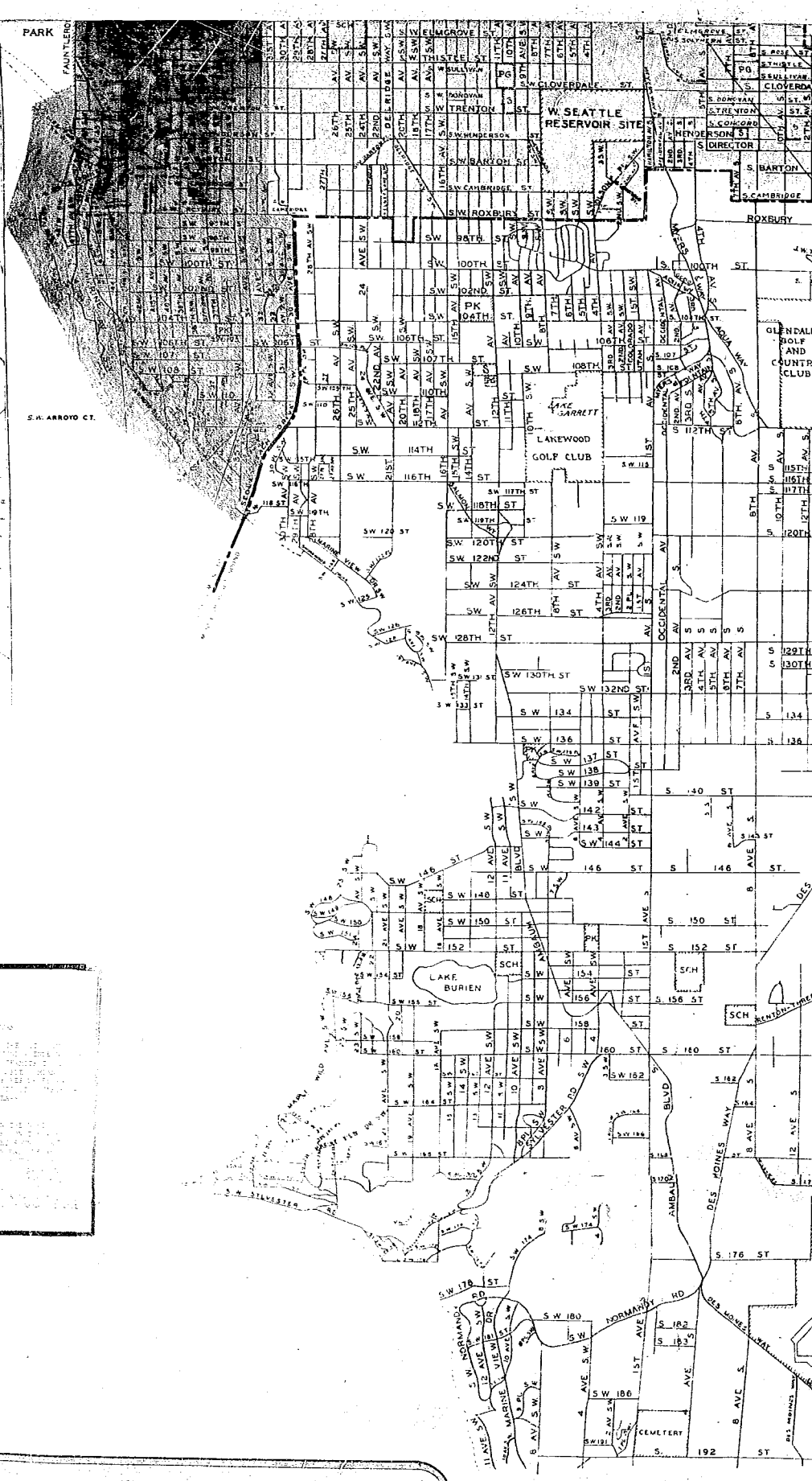
LAKE WASHINGTON
MERCER ISLAND
MADRONA PARK
LESCHI PARK
FRINK PARK
COLMAN PARK
MT BAKER PARK
SEWARD PARK
LAKE WASHINGTON PARK & PARKWAY
LAKE WASHINGTON BLVD
LAKE WASHINGTON FLOATING BRIDGE
JEFFERSON PARK GOLF COURSE
BOEING FIELD MUNICIPAL AIRPORT
DUWAMISH WATERWAY
EAST WATERWAY
WEST SEATTLE FREEWAY
W. SEATTLE RESERVOIR SITE
GLENDALE GOLF AND COUNTRY CLUB
RAINIER GOLF AND COUNTRY CLUB
LAKEWOOD GOLF CLUB
LAKE GARRETT
CITY LIMITS
ARGO R.R. YDS.
ALASKAN WAY
E. MARGINAL WAY
W. MARGINAL WAY
AIRPORT WAY
BEACON AVE
RAINIER
EMPIRE WAY
DES MOINES WAY
PACIFIC HIGHWAY
E YESLER WAY
E JEFFERSON
E CHERRY
E COLUMBIA
E MARION
E SPRING ST
S KING
S JACKSON
S DEARBORN
S MASSACHUSETTS
S HOLGATE ST
S WALKER ST
S STACY ST
S LANDER
S FOREST ST
S HANFORD ST
S SPOKANE ST
S NEVADA
S IDAHO
S OREGON
S ALASKA
S EDMUNDS
S HUDSON
S DAWSON
S BENNETT
S BRANDON
S LUCILE
S FINDLAY
S MEAD
S FIDALGO
S MICHIGAN
S MYRTLE
S ORCHARD ST
S GARDEN ST
S OTHELLO ST
S WEBSTER
S CLOVERDALE
S HENDERSON
S DIRECTOR
S BARTON ST
S CAMBRIDGE
ROXBURY ST
S. 100TH ST.
S 112TH ST
AVON ST
LIMITS
NEWPORT WAY
NORWOOD PL
39TH AV
FULLERTON AV
WELLINGTON AV
E JEFFERSON ST
E TERRACE ST
E HURON ST
POWER AV
LESCHI PL
FRINK PL
PARKLAND PL
DOSE TERRACE
MTCLAIRE DR S
SHORELAND DR S
MT ST HELENS PL
MT ADAMS PL
RIDGEWAY PL
S OAKLAWN PL
BOWLYN PL
S FONTANELLE PL
PREFONTAINE PL S
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38



WASHINGTON
LAKE
MERCER ISLAND
MADRONA PARK
LESCHI PARK
COLMAN PARK
MT BAKER PARK
JEFFERSON PARK
GOLF COURSE
SEWARD PARK
LAKE WASHINGTON PARK & PARKWAY
EAST WATERWAY
DUWAMISH WATERWAY
BOEING FIELD MUNICIPAL AIRPORT
W. SEATTLE RESERVOIR SITE
LAKE WASHINGTON
MEDINA
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35



SYSTEM OF
STREET DESIGNATIONS

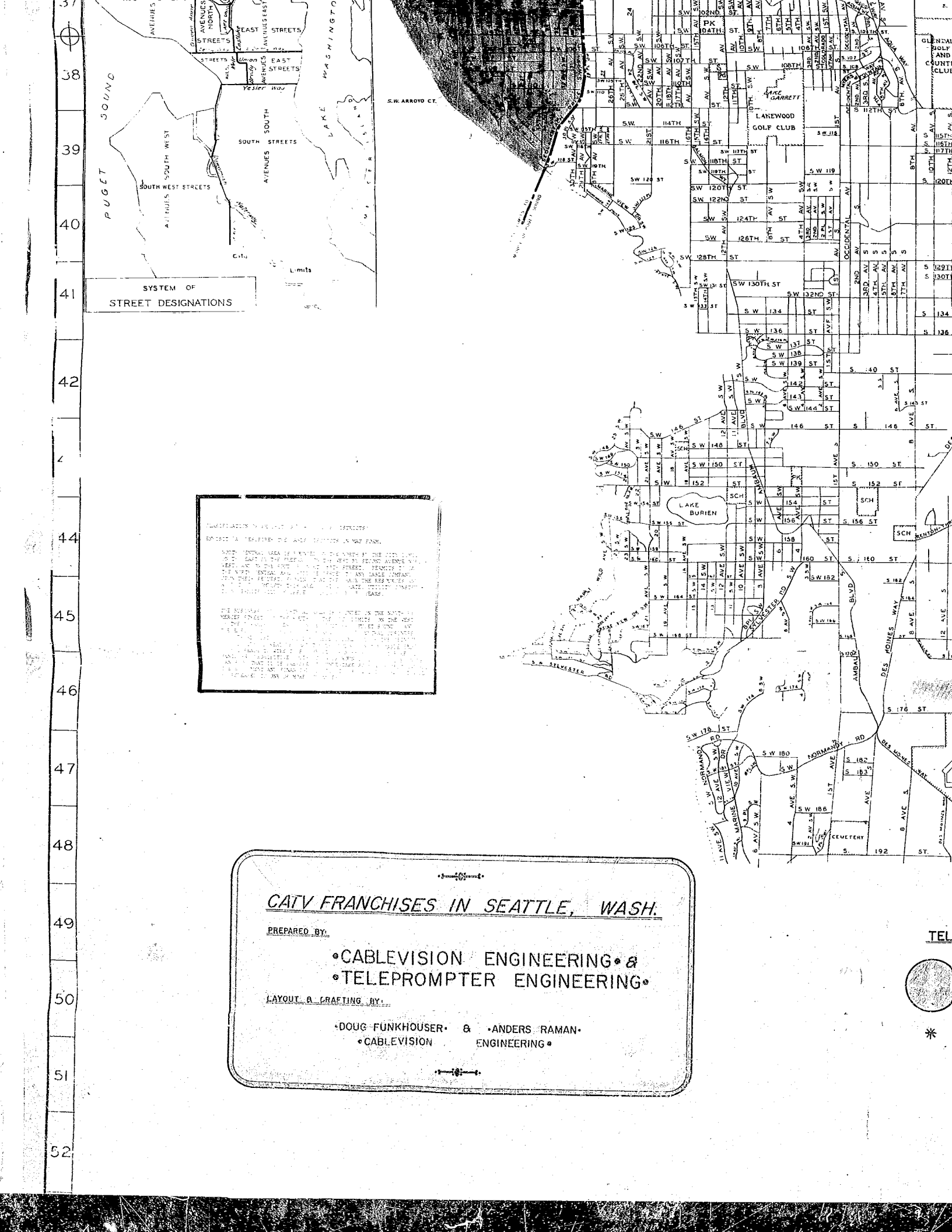


CATV FRANCHISES IN SEATTLE, WASH.

PREPARED BY:

•CABLEVISION ENGINEERING• &
•TELEPROMPTER ENGINEERING•

LAYOUT & DRAFTING BY:



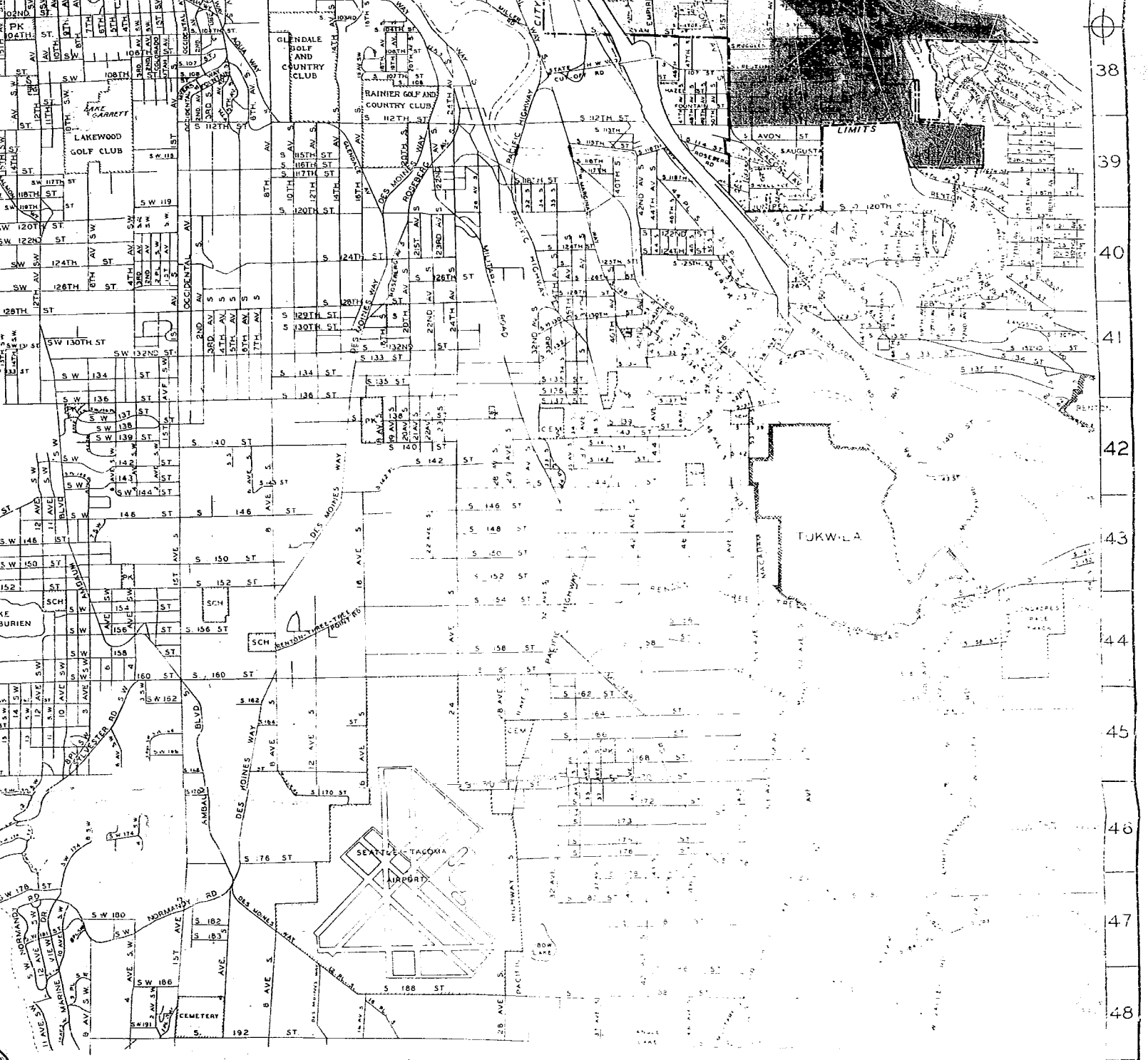
CATV FRANCHISES IN SEATTLE, WASH.

PREPARED BY:

•CABLEVISION ENGINEERING• &
•TELEPROMPTER ENGINEERING•

LAYOUT & DRAFTING BY:

•DOUG FUNKHOUSER• & •ANDERS RAMAN•
•CABLEVISION ENGINEERING•



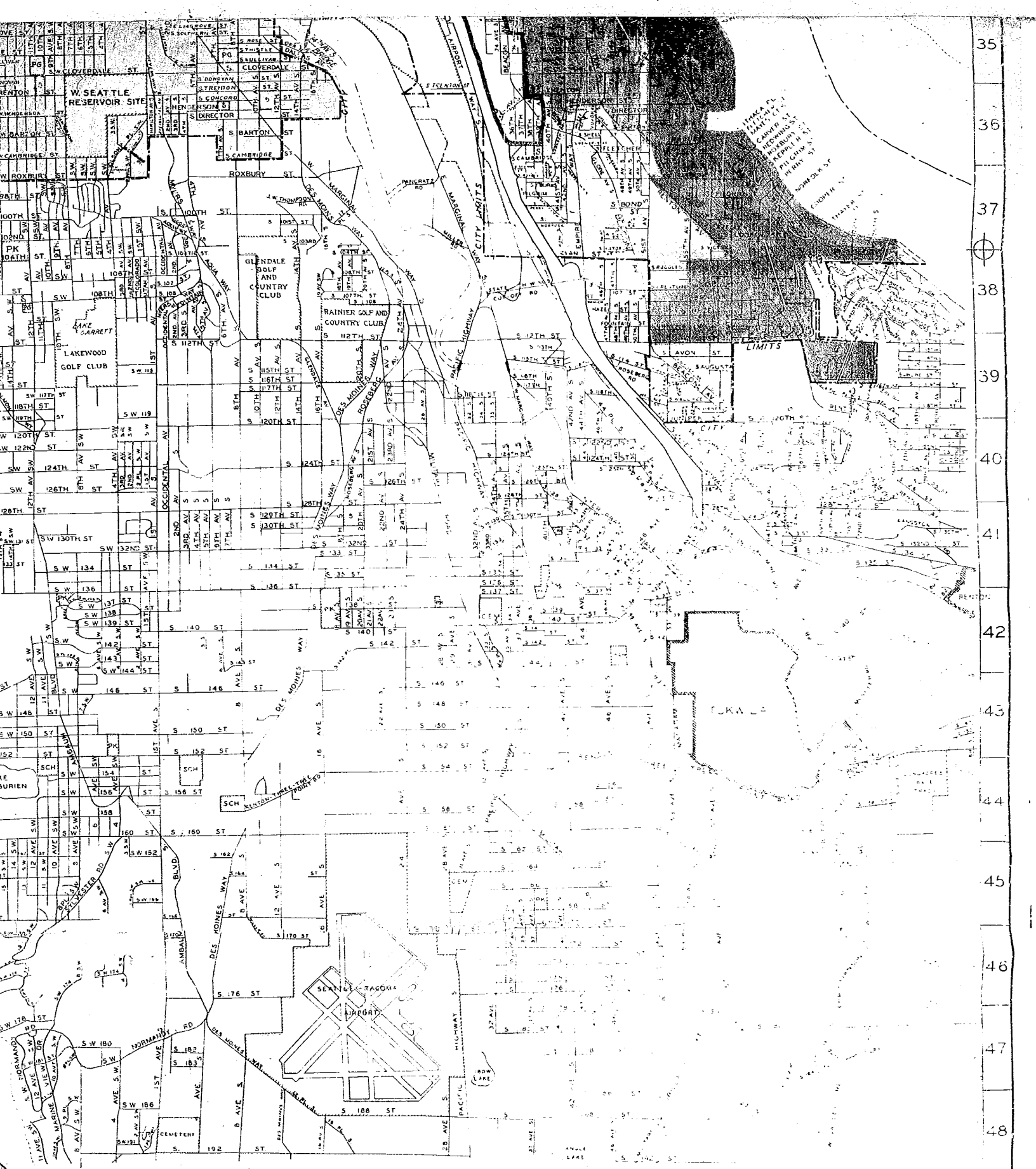
TELEPROMPTER CABLEVISION JOINT

✱ ✱ ✱ ✱ ✱

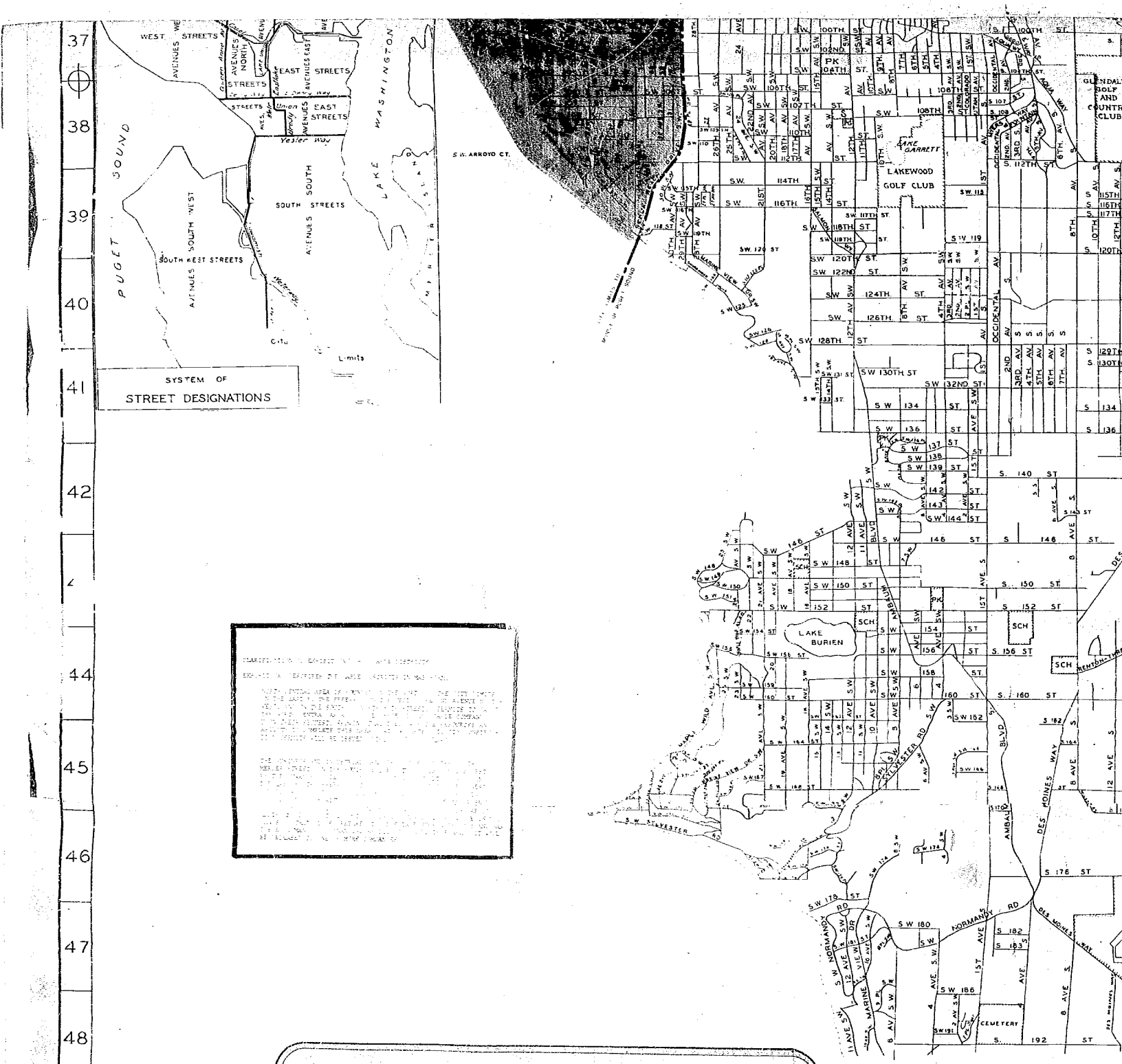
✱ .....DEVELOPED FRANCHISE AREA

✱ .....UNDEVELOPED FRANCHISE AREA

vanhu



TELEPROMPTER CABLEVISION JOINT



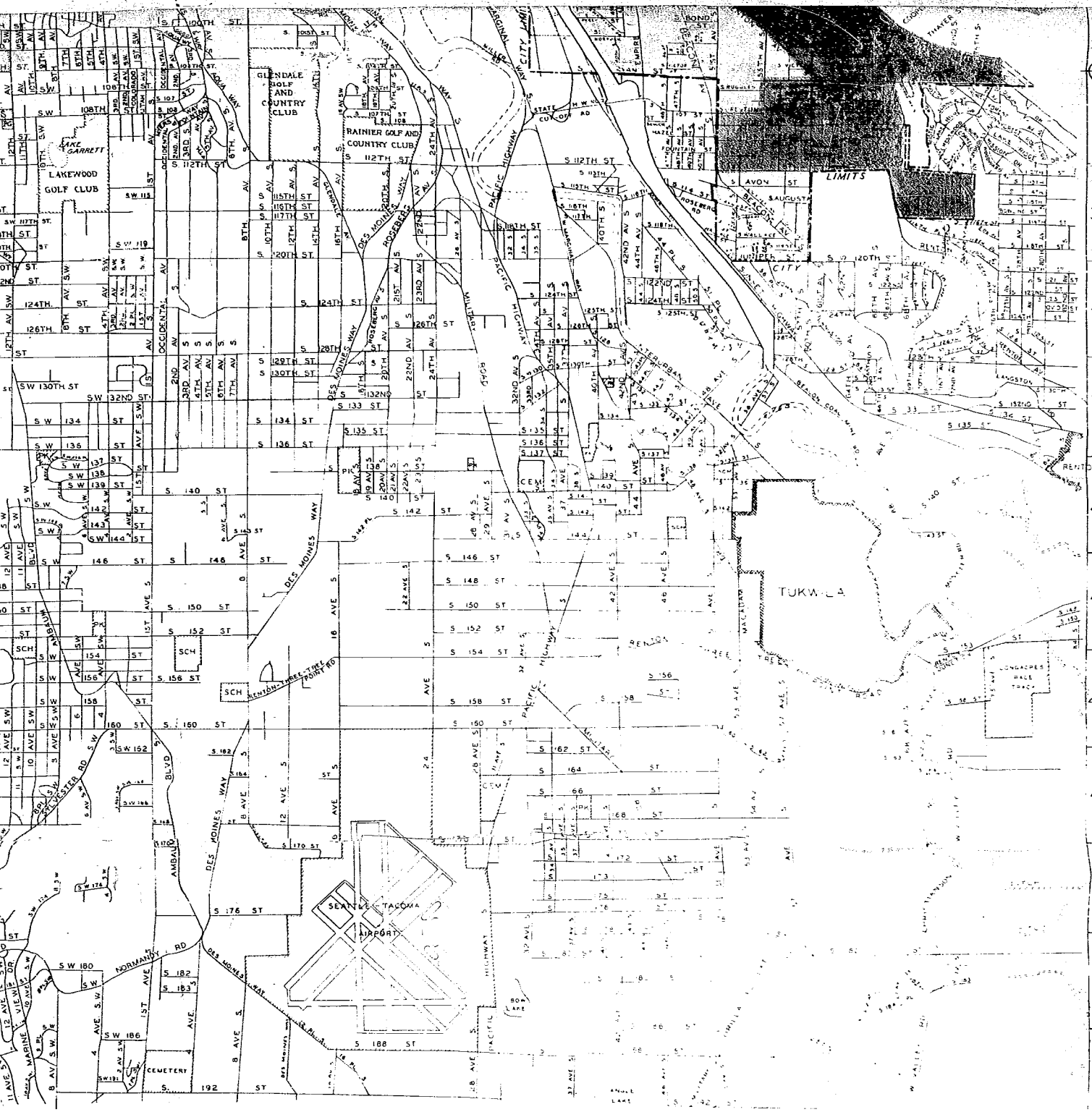
CATV FRANCHISES IN SEATTLE, WASH.

PREPARED BY:

•CABLEVISION ENGINEERING• &
•TELEPROMPTER ENGINEERING•

LAYOUT & DRAFTING BY:

•DOUG FUNKHOUSER• & •ANDERS RAMAN•
•CABLEVISION ENGINEERING•



TELEPROMPTER CABLEVISION JOINT

* .....DEVELOPED FRANCHISE AREA

* .....UNDEVELOPED FRANCHISE AREA

ORDINANCE 105427

AN ORDINANCE relating to Cable Communications; establishing the Office of Cable Communications and providing for the granting and renewal of franchises and the terms and conditions thereof.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. PURPOSE. It is the purpose of this ordinance to regulate in the public interest the operation of cable communications systems and their use of the public streets by establishing procedures for the granting and termination of franchises and the fixing of subscriber rates and charges, by prescribing rights and duties of operators and users of cable communications systems, and by providing generally for cable communications service to the citizens of Seattle.

Section 2. SHORT TITLE. This ordinance shall constitute the "Cable Communications Ordinance" of The City of Seattle and may be referred to as such.

Section 3. DEFINITIONS. For the purposes of this ordinance the following terms, phrases, words, abbreviations and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense shall include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number.

(a) "Access channels" mean those channels designated and maintained by a cable communications system for programming not originated or procured by the system, including, but not limited to, the local government, the educational, and the public access channels described in and required by Section 7 hereof.

(b) "Advisory Board" means the Citizens Advisory Board created in Section 5 of this Ordinance.

(c) "Basic Services" shall be as defined in Section 7(a).

(d) "City" means The City of Seattle, a municipal corporation of the State of Washington in its present incorporated form or in any later reorganized, consolidated, enlarged or reincorporated form.

(e) "Cable communications system" or "CATV system," which words are used interchangeably for the purpose of this ordinance, are terms describing a system employing antennae, microwave, wires, wave-guides, coaxial cables or other conductors, equipment, or facilities designed, constructed, or used for the purpose of

(1) Collecting and amplifying local and distant broadcast, television, or radio signals and distributing and transmitting them;

(1) Transmitting original cablecast programming not received through television broadcast signals;

(3) Transmitting television pictures, film and videotape programs not received through broadcast television signals, whether or not encoded or processed to permit reception by only selected receivers; and

(4) Transmitting and receiving all other signals: digital, voice, audio-visual.

(f) "Council" means the City Council of the City of Seattle or any future body constituting the legislative body of the City.

(g) "Franchise" means and includes any authorization granted hereunder in terms of a franchise, privilege, permit, license or otherwise to construct, operate and maintain a cable communication system within all or a specified area in the City. Any such authorization, in whatever form granted, shall not mean and include any license or permit required for the privilege of transacting and carrying on a business within the City as required by other ordinances and laws of this City.

(h) "Grantee" means any person, firm or corporation granted a franchise by the City under this ordinance and the lawful successor, transferee or assignee of such person, firm or corporation.

(i) Reserved.

(j) "Mayor" means the Mayor of The City of Seattle or any other person however designated who shall be the chief executive officer of the City.

(k) "Non-basic Services" shall be as defined in Section 7(b).

(l) Reserved.

(m) "Person" means any natural person and all domestic and foreign corporations, associations, syndicates, joint stock corporations, partnerships of every kind, clubs, business and common law trusts and societies.

(n) "Property of Grantee" means all property owned, installed and used within the City by a Grantee in the conduct of a cable communications system business under the authority of a franchise grant pursuant to this ordinance.

(o) "Street" for the purpose of this ordinance means the surface, the air space above the surface, and the area below the surface of any public street under the jurisdiction of the City.

(p) "Subscriber" or "User" means any person or entity receiving for a consideration, direct or indirect, any service of a Grantee's cable communications system.

Section 4. OFFICE OF CABLE COMMUNICATIONS.

(a) There is hereby created an Office of Cable Communications for the administration and enforcement of this and any other City ordinances relating to cable communications.

There shall be a Director of said office who shall be appointed by the Mayor, subject to confirmation by a majority vote of all members of the City Council, and such director, whose office shall not be included in the Classified Civil Service, may be removed by the Mayor upon filing a statement of his reasons therefor with the City Council; provided that no appointment shall be made under the authority of this section except upon the filing by the Civil Service Commission as a permanent record in the office of the City Comptroller, of its recommendation that such office, as a professional or administrative office or position similar to offices and positions designated in Article XVI, Section 11 of the City Charter, should not be included in the Classified Civil Service.

(b) The duties of the Office of Cable Communications shall be carried out under the direction of the Board of Public Works and are as follows:

(1) To process applications for the granting or renewal of franchises;

(2) To furnish the Council information, recommendations and technical assistance in connection with granting and renewing franchises;

(3) To process applications for approval of initial or increased subscriber rates and to participate in rate hearings;

(4) To investigate subscriber complaints and to resolve them by conciliation where possible;

(5) To review generally the adherence by Grantees to the terms of their respective franchises and to regulations of the Federal Communications Commission;

(6) To serve as liaison for the distribution of information among public agencies, private firms and individual property owners with respect to (1) the undergrounding of utility wires, (2) leasing of poles and pole space, and (3) the scheduling of construction whenever such undergrounding, leasing or construction affects existing or potential CATV facilities, whether or not the public improvement involved is limited in scope to the undergrounding of overhead wiring;

(7) To promote the use of cable communications, the use of local government, education and public access channels, the procurement of grant funds to satisfy such uses, and community involvement in the formulation of City policy with respect to cable communications; and

(8) To furnish to the Advisory Board such information and such staff, secretarial and other assistance as the Advisory Board may require to carry out its duties.

Section 5. CITIZENS CABLE COMMUNICATIONS ADVISORY BOARD.

(a) There is hereby created a citizens' cable communications advisory board consisting of seven (7) members, each of whom shall be appointed by the Mayor subject to approval by the Council to serve without compensation for a term of three (3) years without eligibility for reappointment to consecutive terms. Of the members appointed initially three shall be appointed for terms of three years each, two for terms of two years each, and two for terms of one year each. Thereafter the term of each member shall be three years. The Advisory Board shall at all times include two (2) members representing public access; one (1) member representing the industry; one (1) member representing education; three (3) members at large and the Director of the Office of Cable Communications shall serve as secretary to the board.

(b) The duties of the Advisory Board are as follows:

(1) To make recommendations to the Council on standards and guidelines for the granting of CATV franchises, and from time to time to recommend amendments to this ordinance;

(2) To make written recommendations to the Council concerning the disposition of specific applications for the granting or renewal of a franchise. The Advisory Board shall include with its recommendations a summary of the papers, documents and other evidence which it considered and of the reasons for its recommendation;

(3) To make recommendations to the Office of Cable Communications on the disposition of applications for approval of initial subscriber rates and charges or for approval of changes in such rates and charges;

(4) To conduct informal hearings upon and to make written recommendations regarding resolution of subscriber complaints which the office of Cable Communications is unable to resolve through conciliation.

(5) To make recommendations to the Office of Cable Communications concerning use of any access channel;

(6) Generally to advise the government of the City in the formulation and implementation of policy on cable communications and to promote citizen participation in that process by means of public information programs and otherwise; and

(7) To assist the Office of Cable Communications and the Council in the formulation of policy concerning appropriation of funds for (i) the production of materials for use on access channels, (ii) the construction and maintenance of facilities for such production, and (iii) the education of the public in the use of such facilities; and to make written recommendations to the Council and the Mayor regarding the making of applications for financial assistance and the use of grant funds received pursuant to such applications.

Section 6. FRANCHISE TO INSTALL AND OPERATE.

(a) The Council may grant to any person a nonexclusive franchise to install, construct, operate and maintain a cable communications system on streets within one or more cable districts as defined herein. The award of such franchises shall be made pursuant to the procedures, terms and conditions set forth herein, and only to such persons who offer to provide a cable communications system under and pursuant to the terms and conditions of this ordinance. No provision of this ordinance shall be deemed or construed to required the granting of a franchise with respect to any cable district when, in the opinion of the Council, it is in the public interest to restrict to one or more the number of Grantees holding franchises with respect to a particular cable district or districts.

(b) It shall be unlawful for any person to install, construct, operate or maintain a cable communications system on streets within all or any part of the City without first obtaining a franchise under and pursuant to the terms and provisions of this ordinance, except as provided in Sections 11(g) and 23(a) hereof.

Section 7. CABLE SERVICE.

(a) Basic services. Any cable communications system permitted to be installed and operated hereunder shall:

(1) Be operationally capable of relaying to subscriber drops (i. e., terminals) if technically practicable those television or radio broadcast signals for the carriage of which the Grantee is now or hereafter authorized by the Federal Communications Commission;

(2) If technically and economically practicable be constructed with technical capacity for nonvoice return communication such that: (i) return communications are capable of being received and processed both at the head-end for the cable district in which the communication originates and at a main head-end for all cable districts served by the Grantee; (ii) return communications will be transmitted on a band width below the lowest band width used by the Grantee to transmit television broadcast signals; (iii) at the option of the subscriber, no return signals will be communicated; and (iv) the system will include technical safeguards calculated to deter interception of return communications by third parties;

(3) Distribute color television signals which it receives in color;

(4) Provide in each cable district at least one (1) access channel each for local government, educational, and public access uses such that: (i) all access channels will be made available without charge; (ii) access channel assignments shall be made by the Office of Cable Communications in consultation with the Grantees and shall be uniform throughout the City; (iii) the requirement of this ordinance that there be such access channels shall be reviewed at the end of each five (5) year period by the Office of Cable Communications to verify the need for such channels, (iv) programs on any access channel shall be available to all subscribers within a single access district; (v) to the extent technically practicable cable district head-ends shall be interconnected to permit transmission to all cable districts signals transmitted on all access channels; (vi) For each access district there shall be provided, without charge, facilities sufficient to originate a live or videotaped television program on the public access channel, which shall be available during the system's broadcast day on a first-come, first-serve, non-discriminatory basis; and

(5) Have a minimum capacity of twenty (20) channels.

(b) Nonbasic services. Any cable communication system permitted to be installed and operated hereunder may also if technically practicable engage in the business of:

(1) Transmitting original cablecast programming not received through television broadcast signals;

(2) Transmitting television pictures, film and videotaped programs not received through broadcast television signals, whether or not encoded or processed to permit reception by only selected receivers or subscribers; and

(3) Transmitting and receiving all other signals: digital, voice, audio-visual.

(c) Subscriber complaints. In providing the foregoing services, and excepting circumstances beyond Grantee's control such as riots, civil disturbances and acts of God, the Grantee shall:

(1) Limit system failures to a minimum time duration by locating and commencing correction of malfunctioning equipment promptly, but in no event longer than twenty-four (24) hours after occurrence irrespective of holidays or other nonbusiness hours;

(2) Upon complaint by a subscriber and at the request of the Office of Cable Communications, demonstrate to the satisfaction of the Office of Cable Communications that a signal being delivered meets the technical and performance standards of strength and quality set forth in the rules and regulations of the Federal Communications Commission;

(3) Render efficient service, making system repairs promptly and interrupting service only for good cause and for the shortest time possible. Planned interruptions, insofar as possible, shall be preceded by notice given to subscribers twenty-four (24) hours in advance and shall occur during periods of minimum use of the system.

(4) Maintain an office in or near the City which shall be so operated that complaints and requests for repairs or adjustments may be received at any time. The current local telephone number(s) for the office and complaint service shall be listed in telephone directories distributed in Grantee's area of service.

(5) Maintain a written record or "log" listing date of system failures and specific customer complaints other than those concerning system failures, and describing the nature of the complaint and when and what action was taken by Grantee in response thereto. Records relating to each complaint shall be kept at Grantee's local office for a period of three (3) years and shall be available for public inspection during regular business hours by the Office of Cable Communications.

(d) Educational and Municipal Service.

(1) With respect to the local government and educational access channels, (i) on condition of reimbursement of Grantee's actual cost for installation and periodic maintenance, the Grantee shall provide a cable return length if technically practicable permitting transmission of originated program material between the head-end of the Grantee and (a) each building designated by the Office of Cable Communications and located within a cable district for which the Grantee holds a franchise and which is owned and controlled by the City and used for public purposes and not for residential use (fire and police stations excepted) and (b) each state-accredited public or private educational institution located within a cable district for which the Grantee holds the franchise and which requests such installation; and (ii) if the Grantee elects to provide facilities for production of program materials for use on the local government or educational access channels, the Grantee shall charge no more than reasonable production costs, a schedule of which charges shall be filed with the Office of Cable Communications on January 2 of each year.

(2) With respect to basic cable services, (i) the Grantee shall provide if technically practicable all subscriber services and a tie-in connection without cost (except for actual cost of installation in the case of an underground connection), to each state-accredited public or private educational institution and each building designated by the Office of Cable Communications which is owned and controlled by the City and used for public purposes and not residential use (fire and police stations excepted), when the cable system passes any such institution or building.

(e) Compatibility and Interconnection.

(1) It is the desire of the City in enacting this ordinance that all cable communication systems franchised hereunder shall, insofar as financially and technically feasible, be compatible one with another and with systems adjacent to the City;

(2) Whenever it is financially and technically feasible, the Grantee shall so construct, operate, and modify the System as to be able to tie the same into all other systems within and adjacent to the City.

(f) Uses Permitted. Any franchise granted pursuant to the provisions of this ordinance shall authorize and permit the Grantee to engage in the business of operating and providing a cable communications system in the City, and for that purpose to erect, install, construct, prepare, replace, reconstruct, maintain and retain in, on, over, under, upon, across and along any street such poles, wire, cable, conductors, ducts, conduit, vaults, manholes, amplifiers, appliances, attachments and other property as may be necessary and appurtenant to the cable communications system and in addition, so to use, operate, and provide similar facilities by means of properties (i. e., systems or components thereof) rented or leased from other persons, including but not limited to, any public utility or other Grantee franchised or permitted to do business in the City; Provided, however, that nothing herein contained shall relieve the Grantee from the requirements of Ordinance 90047 relating to the use of public streets or from the requirements of any other ordinance, rule or regulation enacted or promulgated by or on behalf of the City in connection with the exercise of the City's police powers.

Section 8. FRANCHISE TERM: DURATION AND TERMINATION.

(a) Each franchise granted by the City under this ordinance shall be for a term of fifteen years (15) from the date of its acceptance by the grantee.

(b) The City may terminate by ordinance enacted for such purpose any franchise granted pursuant to the provisions of this ordinance in the event of the willful failure, refusal, or neglect by Grantee to do or comply with any material and substantial requirement contained in this ordinance or rule or regulation of the Office of Cable Communications validly adopted pursuant to this ordinance. System failure in all or a major part of any cable district shall constitute noncompliance with a material requirement of this ordinance if such failure continues for a period of ten (10) consecutive days or for a period of twenty-four (24) consecutive hours on thirty (30) or more occasions during any period of twelve (12) consecutive calendar months.

(c) The Office of Cable Communications shall initiate a proceeding before a hearing examiner pursuant to the Administrative Code of the City for the purpose of having said examiner make the determinations contemplated by Section 8 (d) hereof if (i) the Office of Cable Communications determines that by reason of system failure not resulting from circumstances beyond its control the Grantee has failed to comply with any material or substantial requirement of this ordinance; or (ii) the Office of Cable Communications determines that the Grantee has failed or refused or neglected to do or comply with any material or substantial requirement or limitation contained in this or other ordinance (other than system failure) or any rule or regulation of the Office of Cable Communications validly adopted pursuant to this ordinance; and such failure, refusal, or neglect has continued for a period of thirty (30) days following written demand by the Office of Cable Communications to do or comply with such requirement, limitation, term, condition, rule or regulation; or (iii) the Office of Cable Communications has received a petition requesting institution of such proceedings and signed by at least twenty-five (25) per cent of the subscribers within the cable district served by the Grantee; provided however, that this subsection shall not be so interpreted as to preclude consideration by the Office of Cable Communications of complaints by non-subscribers concerning matters in which such non-subscriber(s) have a material interest.

(d) In any such proceeding, it shall be the duty of the hearing examiner after receiving testimony and evidence from all interested parties (i) to determine whether any such failure, refusal or neglect by Grantee to do or comply with any such material requirement, limitation, term, condition, rule or regulation has occurred, and (ii) if so, to determine whether such failure refusal or neglect by Grantee was with just cause; and (iii) if such failure, refusal or neglect by the Grantee was with just cause, to direct compliance within such time and upon such terms and conditions as are reasonable; provided, however, if the issue before the hearing examiner involves noncompliance with Section 15(a) he shall make a recommendation to the Council regarding a time certain for compliance by Grantee.

(e) If the hearing examiner shall determine that such failure, refusal or neglect by the Grantee was without just cause, he shall report such determination to the City Council whereupon the City may by ordinance declare that the franchise of such Grantee shall be terminated and forfeited as of a date to be specified in such ordinance unless there be compliance by the Grantee within such period as the City may also fix in such ordinance. Such ordinance shall be published once in the City official newspaper within three days after the same shall have become a law.

(f) The termination and forfeiture of any franchise shall in no way affect any other rights of the City under the franchise or any provision of law.

Section 9. CABLE DISTRICTS AND ACCESS AREAS.

(a) Cable Districts shall be as depicted on Exhibit "A"—"CABLE DISTRICTS," hereto attached.

(b) Access Districts shall be as depicted on Exhibit "B"—"ACCESS AREAS" hereto attached.

Section 10. APPLICATIONS FOR FRANCHISE. Each application for the granting or renewal of a franchise to construct, operate or maintain any cable communications system in this City shall be filed with the Office of Cable Communications, be accompanied by a processing fee in the amount of Two Hundred Fifty Dollars and shall also contain or be accompanied by the following:

(a) The name, address and telephone number of the applicant;

(b) A detailed statement of the corporate or other business entity organization of the applicant, including but not limited to, the following and to whatever extent may reasonably be required by the Office of Cable Communications:

(1) The names, residence and business addresses of all officers and directors of the applicant;

(2) The names and addresses of all persons having, controlling, or being entitled to have or control, five per cent or more of the ownership of the applicant, either directly or indirectly, and the respective ownership share of each such person;

(3) A detailed description of all previous experience of the applicant or the owners of the applicant in providing cable communications and in related or similar fields.

(4) A detailed and complete recent financial statement prepared by or under the supervision of certified public accountants, and of any corporation owning a majority or more of the voting stock of the applicant;

(5) A detailed financial plan showing the financial resources required to construct and operate the proposed system together with satisfactory evidence of the availability to applicant of funding requirements in excess of applicant's own cash resources not otherwise committed;

(c) A detailed statement of the proposed plan of operation of the applicant, which shall include:

(1) A statement of the cable district proposed to be served and a proposed time schedule, not in conflict with this ordinance, for installation in each neighborhood or portion of the district of all equipment necessary to complete energization throughout the entire area to be served.

(2) A statement or schedule setting forth all proposed classifications of rates and charges to be made against subscribers and all rates and charges as to each of said classifications including installation charges and service charges and which shall remain in effect for not less than 12 months following the grant of the franchise; provided Grantee by this requirement shall not be precluded from initiating an application for a rate revision prior to the twelfth month, to be effective thereafter if allowed;

(3) A detailed, informative and referenced statement describing the actual equipment and operational standards proposed by the applicant, including where applicable administrative and technical procedures for interconnection of access channels and for safeguarding the privacy of return signals. In no event shall said operational and performance standards be less than those contained in Title 47, Subpart K (Section 76.601 ET SEQ.) Rules and Regulations, Federal Communications Commission adopted February 2, 1972, and as amended.

(4) A copy of any agreement proposed to be entered into between the applicant and any subscriber;

(5) A statement setting forth the substance of, and names of persons party to, all agreements existing or proposed between the applicant and any other person which materially relate to or depend upon the granting of the franchise.

(d) A copy of any agreement with respect to the franchise area existing between the applicant and any public utility providing for the use of any facilities of the public utility; and

(e) Any other reasonable information requested by the Office of Cable Communications or the Council, or required by any provision of any other ordinance of the City or its charter, or deemed pertinent by the applicant.

Section 11. PROCEDURE FOR GRANTING FRANCHISES.

(a) For a period of One Hundred Eighty (180) days immediately preceding the expiration date of a franchise for any given cable district the Office of Cable Communications will accept for filing applications for franchises for such cable district. At least ten (10) days but not more than thirty (30) days in advance of the aforementioned date on which applications will first be accepted, the Office of Cable Communications shall give written notice thereof to each person who is then the holder of an existing CATV cable franchise from the City and to any person who has requested such notice in writing and by publication of notice for one day in a newspaper of general circulation throughout the City, which published notice shall include a copy of the table of contents of this ordinance.

In the event that the Office of Cable Communications, upon the advice and recommendation of the Advisory Board, determines that an area not a part of a cable district is to be designated a cable district and is to be served, the Director of the Office of Cable Communications shall publish notice in a newspaper of general circulation throughout the City that applications for a franchise to serve such area will be received until a designated date which date shall be not less than One Hundred Eighty (180) days nor more than Two Hundred Ten (210) days after publication of such notice. Such published notice shall contain a copy of the table of contents of this ordinance.

(b) Upon receipt of any application for franchise, the Office of Cable Communications shall prepare a written analysis or report upon such application and thereafter in consultation with the Advisory Board make recommendations respecting such application. Any such analysis or reports and recommendations shall be completed and filed with the Council within ninety (90) days following the close of the period for filing of the application.

(c) Upon receipt of the reports or analysis and recommendations of the Office of Cable Communications, the Council shall promptly schedule a public hearing upon the application reported, and shall cause the City Clerk to publish notice thereof in at least two newspapers of general circulation within the City at least once a week for each of the two weeks preceding such hearing; provided, however, that no two or more applications shall be considered at any one hearing except by consent of the applicants and no applications shall be considered at any one hearing which do not relate to the same cable district. The notice shall state the name of each proposed Grantee for each cable district and the place where applications and relevant material are available to the public, and shall set forth the day, hour and place when and where any interested persons may file written comments pertaining thereto and or appear before the Council and be heard.

(d) At the hearing so scheduled, or any adjournments thereof, all citizens and other interested parties shall have an opportunity to express their views orally or in writing to the Council, and the Council shall consider all the views expressed at the public hearing in determining its action upon each franchise application. Written comments if responsive to written or oral statements or any [illegible] filed or made at the hearing, [illegible] otherwise, shall be received [illegible] to the conclusion of the fifth (5th) business day following the conclusion of the hearing, and be considered by the Council. The Council shall also give due consideration to the quality of the service proposed; the experience, character, background, and financial responsibility of each applicant and its management and owners; the technical and performance quality of equipment, the program proposed for construction, and the applicant's ability to meet construction and physical requirements and to abide by the terms and requirements of the franchise generally. The Council shall also give weight to local ownership and to ownership representing minorities within the larger public.

(e) If the Council should determine to reject any application such determination shall be final and the application shall be deemed rejected. If the Council shall determine further to consider an application, then:

(1) The Council shall determine on the basis of economic feasibility whether the applicant should be excused for the time being from constructing cable facilities in any part of the cable district where cable facilities have not already been installed and where the applicant does not propose such installation, provided that such determination shall be made only after a public hearing pursuant to notice thereof and of the time, place and specific proposal to be considered, in a newspaper of general circulation in the cable district at least once a week for two weeks; and

(2) The reasonableness of the subscriber rates and charges proposed by the applicant shall be inquired into at a hearing before a hearing examiner pursuant to the Administrative Code of the City (Ordinance 102228) and Section 12 of this ordinance. The hearing examiner shall make a determination concerning the reasonableness of said proposed rates and charges and forward such determination to the City Council. In the event that the hearing examiner determines that an independent audit of applicant's accounts and records by certified public accountants is essential to a determination of the fairness of applicant's proposed rates and charges he may direct applicants to cooperate in such respect. If an applicant is already operating under an existing franchise and does not propose to increase its rates and charges, no such hearing shall be required:

(3) If the Council shall determine that a franchise be granted to the applicant upon the terms proposed by the applicant with respect to the applicant's construction program and subscriber rates and charges or upon different terms, such determination shall be expressed in the ordinance granting a franchise to the applicant.

(4) No bill granting a franchise shall be finally passed within thirty (30) days after its introduction, nor until it has been published in the official newspaper of the City at the expense of the applicant for ten (10) consecutive press days. Any ordinance granting a franchise shall be published once in the official newspaper of the City at the expense of the applicant therefor within three (3) days after the same shall have become law.

(f) The procedure for granting any franchise other than those contemplated by subsection (a) of this Section 11 and for renewing any franchise granted pursuant to this ordinance shall be as follows:

(1) Upon receipt of any application for the granting or renewal of a franchise, the Office of Cable Communications shall prepare a written analysis or report upon such application and thereafter in consultation with the Advisory Board, make recommendations respecting such application and cause the same to be completed and, together with the application, filed with the Council within 90 days.

(2) On receipt of such report or analysis and recommendation, the Council shall schedule a public hearing and cause notice thereof to be published at least once a week for each of two (2) weeks preceding the hearing in each of the two newspapers of general circulation within the City, which notice shall contain the same information described in Subsection (c) of this Section 11. In addition, if the application is for renewal of a franchise for a cable district then served by a local access channel, the applicant shall broadcast notice of the hearing over all such channels at least once each working day between the hours of 9 a. m. and 11 p. m. during the two weeks immediately preceding the hearing.

(3) The procedures followed at and subsequent to the hearing shall be the same as those described in Subsections (d) and (e) of this Section 11.

(g) Unless a cable district is already partially served pursuant to an existing franchise no Grantee shall be awarded a franchise for less than an entire cable district, provided, however, that any person operating a cable system within the City pursuant to a franchise outstanding on the effective date of this ordinance shall be entitled to continue to operate in the area served on the effective date of this ordinance, for which such outstanding franchise was granted, until the expiration of such outstanding franchise, notwithstanding the designation of a different Grantee under this ordinance for a cable district encompassing all or part of the area in which the existing system operates. When, as a result of this subsection a cable district is served by more than one system, the system shall be interconnected at the expense of the Grantee operating under a franchise initially granted pursuant to this ordinance in such a way as to provide common access channels throughout the cable district.

Section 12. SUBSCRIBER RATES AND CHARGES

(a) No Grantee shall impose or be permitted to impose upon subscribers or users rates or charges for installation or for basic services, approved by the Federal Communications Commission and the City, until it has first been determined in the manner hereinafter provided that such rates are not in excess of a reasonable amount. The determination of the hearing examiner in such respect shall be made in accordance with the Administrative Code of the City (Ordinance 102228) and shall constitute a final order or decision: provided, however, that in connection with the original grant of a franchise pursuant hereto the reasonableness of rates or charges shall be determined according to Section 11 hereof.

Any applicant for the granting or renewal of a franchise (except an applicant who already provides cable service to all or part of the cable district for which the franchise or renewal is sought and who proposes no increase in rates and charges for installation and basic services) and any Grantee proposing any increase in rates and charges for installation or basic services shall first file with the Office of Cable Communications a schedule of the proposed increased rates and charges together with supporting financial data presented in a manner susceptible of meaningful comparison among all Grantees, as prescribed by rules adopted pursuant to Section 19 hereof. Such supporting data shall include a statement covering the period since the last previous rate adjustment showing clearly what total proceeds were derived from the system in terms of ratepayers payments and users charges and the proportion of those proceeds devoted to operation and maintenance of the system and construction of capital plant in the cable district. The Office of Cable Communications shall examine and investigate the material submitted by the applicant or Grantee and, in consultation with the Advisory Board, make a recommendation to the Council with respect thereto within thirty (30) days after receipt.

(b) The application of the applicant or Grantee and the report of the Office of Cable Communications and recommendations of the Advisory Board and the Office of Cable Communications shall be submitted to a hearing examiner, and the reasonableness of the proposed rates and charges shall be determined after notice and a hearing by a hearing examiner pursuant to the Administrative Code of the City. Notice of the hearing shall briefly describe the proposed rates and charges and the recommendation of the Office of Cable Communications with respect thereto and shall state the place where the application and relevant facts are available to the public, the time and place of the hearing, and the date by which written comments must be submitted. Notice of the hearing will be sufficient if published at least once a week during each of the two weeks preceding the hearing in a newspaper of general circulation within the City and in one or as many more community newspapers within the cable district or franchise areas, as may be necessary to cover the entire district and if broadcast over the local access channels of the applicant or Grantee (if any) in the cable district or districts affected at least once each working day between the hours of 9 a. m. and 11 p. m. during the two weeks immediately preceding the hearing.

(c) The purpose of the hearing before a hearing examiner shall be to determine whether the rates and charges proposed by the applicant or Grantee are in excess of a reasonable amount. In the event that the hearing examiner determines that an independent audit of applicant's accounts and records by certified public accountants is essential to a determination of the fairness of applicant's proposed rates and charges he may direct applicants to cooperate in such respect, and failure to consent to such audit without just cause shall be a ground for rejection of the applicant's application. The applicant or Grantee shall have the burden of persuasion.

Section 13. BONDS, INDEMNITY AND INSURANCE.

(a) BOND. Upon being granted a franchise and upon the filing of the acceptance required under Section 14 hereof, a Grantee shall deliver to the Board of Public Works for filing with the City Clerk and thereafter maintain continuously in effect a good and sufficient bond in the penal sum of One Hundred Thousand Dollars ($100,000), executed by a surety company authorized and qualified to do business in the State of Washington as a surety or by other sureties acceptable to the Board of Public Works and in a form approved by the Corporation Counsel, which bond shall stipulate that Grantee shall strictly comply with each and every condition and covenant of its franchise; provided, that whenever in the judgment of the Board of Public Works of the City any bond or bonds filed by a Grantee pursuant to the provisions hereof shall be deemed insufficient to satisfy the conditions of the bond, the Grantee shall upon demand furnish a new or additional bond in such amount as may be specified by the Board of Public Works and with such sureties as are acceptable to the Board of Public Works, and maintain such new or additional bond continuously in effect; and provided further that said bond shall include the obligation of the surety to guarantee payment to the City of the penalty provided for in Section 13 (a) (1) should such penalty become applicable.

13 (a) (1) It is the intent of this ordinance that the citizens of Seattle who have contracted with a cable television franchise Grantee for basic cable services be provided uninterrupted service and should any Grantee abandon or willfully cease to serve any cable district or portion thereof, said Grantee shall be subject to a penalty to be fixed by the Board of Public Works of not less than Fifty Dollars ($50) nor more than One Hundred Dollars ($100), in the discretion of said Board, for each day such willful cessation of service or abandonment continues, but not to exceed a total sum of Fifty Thousand Dollars ($50,000). Operation by a temporary substitute operator by permission of the Grantee and the City shall stay the penalty provision aforesaid for so long as the system is thereby maintained in operation.

(b) INDEMNITY. By acceptance of a franchise granted pursuant hereto and the rights and privileges thereby granted, Grantee does covenant and agree with the City for itself, its successors and assigns, to at all times protect and save harmless the City from all claims, actions, suits, liability, loss, cost, expenses or damages of every kind or description which may accrue to or be suffered by any person or persons or property, and to appear and defend at its own cost and expense any action instituted or begun against the City for damages by reason of the construction, reconstruction, readjustment, repair, maintenance, operation or use of the streets of the City, or any act(s) or omission(s) of Grantee, its successors or assigns, exercising any privilege conferred by this ordinance or by such franchise, and in case judgment shall be rendered against the City in any such suit or action, said Grantee shall fully satisfy such judgment within ninety (90) days after such action or suit shall have been finally determined if determined adversely to the City. Such indemnity shall include, but not be limited to, any liability as may arise or occur, or be alleged to arise or occur, from concurrent, contributing or joint acts or omissions of Grantee and the City, but not attributable to the sole negligence of the City.

(c) INSURANCE. So long as Grantee shall possess any right or privilege granted pursuant to this ordinance or franchise, and before the commencement of any work under this agreement, the Grantee shall deliver to the Board of Public Works for filing with the City Comptroller a policy of insurance (or a copy thereof) showing that it has procured and is maintaining at all times a policy of public liability insurance, in a form approved by the Corporation Counsel, naming the City as an insured, protecting and holding the City harmless from any and all damages of any kind whatsoever which may arise in connection with the services or work to be performed hereunder, whether or not such damages are alleged to arise or result from acts or omissions which are the sole negligence of the City, its officers, employees and/or agents or the combined negligence of the City and others, in at least the principal amount of One Million Dollars ($1,000,000) for bodily injury or death to any one person or for bodily injury or death to any number of persons in any one incident, and/or One Million Dollars ($1,000,000) for all property damage occurring during any one incident, and/or One Million Dollars ($1,000,000) for deprivation of civil rights and civil liberties, defamation of character, libel, slander, invasion of contractual rights, inverse condemnation, or similar or other causes of action; provided the Board of Public Works may increase the minimum policy limits and coverage from time to time as it deems appropriate to adequately protect the City and the public. The policy shall provide for at least thirty (30) days notice to the Board of Public Works of any change, cancellation or lapse thereof, and that "This policy is issued and intended to comply with the conditions and requirements of Section 13 (c) of this ordinance."

Section 14. ACCEPTANCE OF FRANCHISE.

(a) No franchise granted under this ordinance shall become effective for any purpose unless and until an acceptance in writing thereof shall have been filed with the City Clerk. Such written acceptance, which shall be in form and substance approved by the Corporation Counsel of the City, shall also be and operate as an acceptance of each and every term and condition and limitation contained in this ordinance or in such franchise, or otherwise specified as herein provided.

(b) The written acceptance shall be filed by the Grantee not later than thirty (30) days following the effective date of the ordinance granting such franchise.

(c) In default of the filing of such written acceptance as herein required, the Grantee shall be deemed to have rejected and repudiated the franchise and the City may invite and thereafter receive applications from persons desiring to serve the subject cable district.

(d) In any case, all rights, remedies and redress which may or shall be available to the City under this ordinance, shall at all times be available to the City and shall be preserved and maintained and shall continuously exist in and to the City and shall not be in any manner or means modified or abridged, altered, restricted or impaired by reason of his ordinance or otherwise.

(e) By acceptance of a franchise granted pursuant to this ordinance any and all grantees specifically acknowledge that nothing in this ordinance contained or in any franchise granted pursuant thereto constitutes an abrogation by the City of its police powers in any respect whatsoever.

(f) If for the purpose of documenting his compliance with federal regulations for federal authorities, any person operating a CATV system within any cable district or districts pursuant to a franchise outstanding on the effective date of this ordinance desires to accomplish such documentation by electing to accept the terms and conditions of this ordinance he may do so by filing with the Office of Cable Communications a written acceptance of the terms and conditions of such ordinance which shall be in form of the substance approved by the Corporation Counsel of the City and shall specify the cable district or districts to which the acceptance relates. Such an acceptance shall have the effect of conforming such outstanding franchise to this ordinance for the district or districts specified except that such outstanding franchise shall terminate on its original expiration date.

Section 15. PERMITS AND CONSTRUCTION.

(a) The construction of new cable facilities or the extension of existing cable facilities by a Grantee shall be done in accordance with a plan or design first submitted to and approved by the Board of Public Works and pursuant to a permit issued by said Board, and the Grantee shall at all times comply with Ordinance 90047 (commonly called the "Street Use Ordinance"), as the same now reads or is hereafter amended and Section 15 of this ordinance, except that if this ordinance and Ordinance 90047 be in any respect inconsistent the provisions of the latter shall control. To the end that an entire cable district, except for the portion thereof on which pursuant to the terms of this franchise no construction is required, be served within five (5) years from the date this franchise is granted construction schedules shall be negotiated between the Grantee and the Office of Cable Communications so that cable service will be extended at a rate of not less than twenty (20) per cent per year (following receipt by the Grantee of a Certificate of Compliance from the Federal Communications Commission) in all areas of the cable district other than areas where such facilities have already been installed or in which, pursuant to the terms of the franchise, no construction is required; provided, however, that the legislative authority may by ordinance and pursuant to a specific application by the Grantee, extend the time for a Grantee's performance to a date certain.

(b) All poles, cables, wires, antennae, conduits or appurtenances shall be constructed and erected in a neat, workmanlike manner and shall be of such height and occupy such position as the Board of Public Works shall direct. Whenever it is practicable to make use of poles already in the streets of the City, the Grantee shall make use of such poles as provided in Ordinance 29347, provided that in any district in which telephone, telegraph and electric power wires and cables have been placed underground, the Grantee shall not be permitted to erect poles or to [illegible] or suspend wires, cables or other conductors thereon but shall lay such wires, cables or conductors underground in such manner as is required by the City, and if, prior to the passage of any ordinance creating a local improvement district or utility local improvement district which involves placing overhead utilities underground Grantee shall have erected poles and suspended wires, cables and other conductors thereon, Grantee shall participate in such underground project and shall remove poles, cables and wires from the surface of the streets within such district and shall place the same underground in conformity with the requirements of the Board of Public Works.

(c) If, in any part of the cable district for which the Grantee has been awarded a franchise and where no cable facilities have been installed, the City or a local improvement district proposes to place telephone, telegraph and electric power wires and cables underground, or to require the same, Grantee may place facilities in the underground project, but if Grantee does not do so and subsequently enters the area to serve the same, Grantee shall place its facilities underground. In areas where all other utilities have their facilities underground the Grantee shall underground its facilities within a reasonable period of time, as directed by the Board of Public Works.

(d) Nothing in this ordinance shall be construed to prevent the City or any Local Improvement District or Utility Local Improvement District from sewering, paving, grading, altering or otherwise improving or reimproving any of the streets of the City, including the installation of City-owned utilities, and the City shall not be liable for any damages resulting to the Grantee by reason of the performance of such work or by exercise of such rights of the City. This ordinance shall not be so construed so as to deprive the City of any rights or privileges which it now has, or which may hereafter be conferred upon it to regulate and control the use of the streets. Whenever and to whatever extent any street shall be improved or the grade thereof changed, modified, raised or lowered, or the size, position or location of any City-owned public utilities changed, modified or altered, any of the installations belonging to the Grantee which may be affected by or shall conflict with any such changes, alterations or modifications shall be promptly adjusted, removed, altered, raised, lowered or otherwise modified to conform to the improvements or changes made, by and at the cost and expense of Grantee and in conformity with the requirements of the Board of Public Works. The City shall at all times have the right to make use of any or all of the poles of said Grantee for wires, cables and conductors to carry any City-owned systems or facilities requiring such use.

(e) Whenever it shall be necessary, in the erection of poles or in the construction of underground pipes or conduits to excavate in any portion of any street, the Grantee shall file with the Board of Public Works an application for permission to do such work, together with plans, designs and drawings on a reasonable scale setting forth the streets to be disturbed, and obtain a permit from or approval of the Board of Public Works for so doing before beginning such work, all as contemplated by Ordinance 90047, as it now exists and may hereafter be amended. After any poles are erected or such pipes or conduits constructed, Grantee shall promptly replace any portion of the street disturbed by such work in a neat and workmanlike manner to its original condition and as required and approved by the Board of Public Works. The Grantee at the discretion of the Board of Public Works shall keep a deposit in the City Treasury to the credit of the Board of Public Works the sum of One Thousand Dollars ($1,000) in cash to be used by said Board as necessary for the purpose of restoring streets in the manner prescribed by said Board, to pay the reasonable costs of any City inspection necessitated by Grantee's actions pursuant to this franchise, and to pay the cost of raising or removing of any wires, cables or conductors as provided in subsection (f) of this Section 15.

(f) Whenever permission is obtained from the Board of Public Works for use of any streets of the City for the purpose of moving any building or structure, Grantee, upon forty-eight (48) hours notice from the Board of Public Works, shall raise or remove any wires, cables or conductors which may obstruct the removal of such building or structure, and in the case of Grantee's refusal or failure to comply with such notice, the Board of Public Works may raise or cause to be raised or remove or cause to be removed such wires, cables or conductors at the expense of Grantee for the purpose aforesaid.

(g) Construction, maintenance and operation of Grantee's System, including house connections, shall be in accordance with the provisions of this ordinance and in accordance with the provisions of all other applicable codes and ordinances, including the Electrical Code (Ordinance 103501), and Grantee shall comply with all applicable state and federal laws and the rules and regulations of the Federal Communications Commission relating to CATV systems.

(h) Except in areas of the cable district in which, by the terms of the Grantee's franchise, no construction is required, the Grantee shall, on payment of the installation charge prescribed in accordance with Section 12 hereof, provide a connection, overhead or underground in the discretion of the Board of Public Works, to any point located not more than three hundred (300) feet from Grantee's nearest distribution cable, and shall not accept payment for an installation charge unless there is a distribution cable within three hundred (300) feet of the subscriber's property or a specific written agreement has been entered into with the subscriber regarding the cost of a connection over a distance greater than 300 feet.

(i) Notwithstanding any limitation to the contrary contained in Grantee's franchise, the Council by ordinance may require Grantee to construct cable facilities in any part of the cable district where by the terms of the franchise no such construction was originally required, if the Council determines on recommendation of the Office of Cable Communications or on petition by residents of the excluded area that because of changed economic circumstances since the granting of the franchise it has become feasible to require construction in such area.

(j) It shall be Grantee's sole responsibility when cable passes over or under private or publicly owned property to obtain all necessary permission from the owner thereof.

Section 16. CONSUMER PROTECTION. Subscribers and users in each cable district shall have the protection described in this Section 16 in addition to all other rights conferred in this ordinance. A copy of this Section 16 shall be furnished by the

Grantee, at Grantee's expense, to each new subscriber.

(a) The Office of Cable Communications shall, in addition to receiving and investigating subscriber complaints, furnish timely information to the public regarding proceedings with respect to proposals to change the terms of this ordinance or other City ordinances relating to cable communications, the terms of any franchise, subscriber rates and charges in any cable district, or relating to renewal or termination of any franchise or the transfer of control of any Grantee.

(b) Each Grantee shall furnish to the Office of Cable Communications, and the Office of Cable Communications shall compile and maintain for public inspection during regular business hours, copies of:

(1) All applications and other communications submitted by franchise applicants or Grantees to the City, the Federal Communications System or any other federal, state, or local regulatory body having jurisdiction in respect of cable communications within this City;

(2) Current information on ownership and management of the Grantee;

(3) Current information on forms of subscriber agreements used by the Grantee; complaint procedures followed by the Grantee; and nonbasic services offered by the Grantee and the rates and charges therefor; and

(4) Records of all requests for use of public access channels and leased channel time and the disposition of such requests, and records of all signals and programs carried (other than radio and television broadcast signals).

(c) The Office of Cable Communications shall also compile and maintain for public inspection during regular business hours copies of:

(1) All federal, state, and local laws and regulations applicable to cable communications within this City;

(2) Records of all complaints filed with the Office of Cable Communications and the disposition thereof; and

(3) Policy statements and administrative and staff operating procedures of the Office of Cable Communications and the Advisory Board;

(4) All reports and recommendations to the Council by the Office of Cable Communications or the Advisory Board, or both.

(d) Each Grantee shall make available to the public, at such hours of the day and at such places and in such manner as the Grantee shall determine with the approval of the Advisory Board, current information pertaining to schedules of rates and charges for basic and non-basic services, the address and telephone number of the Grantee's local office, instructions for operating subscriber terminal equipment, an emergency service telephone number, a description of complaint procedures, a description of subscriber rights, and schedules for programs on the local government, educational, and public access channels (to the extent such program content is known to the Grantee).

(e) In the operation of a CATV system under a franchise granted pursuant to this ordinance, no Grantee shall make or grant any undue preference or advantage to any subscriber or user or other person, nor discriminate against any person or group; provided that this subsection shall not be construed to prohibit trade promotions customary in the industry, provided such trade promotions are not otherwise prohibited by law.

(f) If a Grantee should for any reason cancel service to a subscriber without cause within a period of thirty-six (36) months from the commencement of furnishing service to that subscriber and prior to the termination or expiration of the Grantee's franchise, the Grantee shall refund to that subscriber a fraction of the installation charge paid by that subscriber, the numerator of which shall be the number of months remaining until completion of the 36-month period, and the denominator of which shall be 36.

(g) No Grantee shall cause or permit the viewing habits of any subscriber to be monitored without the subscriber's express consent.

(h) Whenever a Grantee shall offer a new service or facility, or changes in channel allocation or assignment, the Grantee shall give notice thereof to the general public, to the Office of Cable Communications and, through the Office of Cable Communications to each educational institution and to the person in charge of each City-owned building in the cable district to which the Grantee provides basic service without charge pursuant to Section 7 of this ordinance, whereupon such new service or facility shall be made available to all subscribers if technically practicable, and without discrimination.

(i) A Grantee shall give to subscribers advance written notice of any hearing concerning Grantee's franchise or any proposed change in subscriber rates and charges, such notice to contain all information contained in the published notice of hearing, and shall prior to such hearing file an affidavit by one of its officers attesting to the fact that such written notice to subscribers has in fact been given.

Section 17. LIMITATIONS OF FRANCHISE.

(a) Every franchise granted pursuant to this ordinance shall be nonexclusive.

(b) No privilege shall be granted or conferred by any franchise granted under this ordinance except those specifically prescribed herein.

(c) Any privilege claimed under any such franchise by the Grantee in any street or other public property shall be subordinate to the City's police powers and to any prior lawful occupancy of the streets or other public property.

(d) Any such franchise shall be a privilege to be held in personal trust by the original Grantee. It cannot in any event be sold, transferred, leased, assigned or disposed of in whole or in part either by forced or involuntary sale or by voluntary sale, merger, consolidation or otherwise, without prior approval of the City expressed by ordinance, and then only under such conditions as may therein be prescribed. An application for any approval required by this subsection shall be filed with the Office of Cable Communications and a hearing thereon shall be conducted by the Council in the same manner as an application for granting or renewal of a franchise as provided in Section 11(f) of this ordinance. A recommendation by the City Council for such approval may not be unreasonably refused; provided, however, the proposed assignee must show financial responsibility as determined by the Council, must demonstrate to the Council's satisfaction its ability to comply with the provisions of this ordinance and must agree to comply with all provisions of this ordinance; and provided further that in case of a transfer or assignment as security by mortgage or other hypothecation in whole or in part to secure indebtedness, such consent shall not be required unless and until the secured party elects to realize upon the collateral. In the event Grantee is a corporation

(Continued on Page 8, Column 1)

(b) Nonbasic services. Any cable communication system permitted to be installed and operated hereunder may also if technically practicable engage in the business of:

(1) Transmitting original cablecast programming not received through television broadcast signals;

(2) Transmitting television pictures, film and videotaped programs not received through broadcast television signals, whether or not encoded or processed to permit reception by only selected receivers or subscribers; and

(3) Transmitting and receiving all other signals: digital, voice, audio-visual.

(c) Subscriber complaints. In providing the foregoing services, and excepting circumstances beyond Grantee's control such as riots, civil disturbances and acts of God, the Grantee shall:

(1) Limit system failures to a minimum time duration by locating and commencing correction of malfunctioning equipment promptly, but in no event longer than twenty-four (24) hours after occurrence irrespective of holidays or other nonbusiness hours;

(2) Upon complaint by a subscriber and at the request of the Office of Cable Communications, demonstrate to the satisfaction of the Office of Cable Communications that a signal being delivered meets the technical and performance standards of strength and quality set forth in the rules and regulations of the Federal Communications Commission;

(3) Render efficient service, making system repairs promptly and interrupting service only for good cause and for the shortest time possible. Planned interruptions, insofar as possible, shall be preceded by notice given to subscribers twenty-four (24) hours in advance and shall occur during periods of minimum use of the system.

(4) Maintain an office in or near the City which shall be so operated that complaints and requests for repairs or adjustments may be received at any time. The current local telephone number(s) for the office and complaint service shall be listed in telephone directories distributed in Grantee's area of service.

(5) Maintain a written record or "log" listing date of system failures and specific customer complaints other than those concerning system failures, and describing the nature of the complaint and when and what action was taken by Grantee in response thereto. Records relating to each complaint shall be kept at Grantee's local office for a period of three (3) years and shall be available for public inspection during regular business hours by the Office of Cable Communications.

(d) Educational and Municipal service.

(1) With respect to the local government and educational access channels, (i) on condition of reimbursement of Grantee's actual cost for installation and periodic maintenance, the Grantee shall provide a cable return length if technically practicable permitting transmission of originated program material between the head-end of the Grantee and (a) each building designated by the Office of Cable Communications and located within a cable district for which the Grantee holds a franchise and which is owned and controlled by the City and used for public purposes and not for residential use (fire and police stations excepted) and (b) each state-accredited public or private educational institution located within a cable district for which the Grantee holds the franchise and which requests such installation; and (ii) if the Grantee elects to provide facilities for production of program materials for use on the local government or educational access channels, the Grantee shall charge no more than reasonable production costs, a schedule of which charges shall be filed with the Office of Cable Communications on January 2 of each year.

(2) With respect to basic cable services, (i) the Grantee shall provide if technically practicable all subscriber services and a tie-in connection without cost (except for actual cost of installation in the case of an underground connection), to each state-accredited public or private educational institution and each building designated by the Office of Cable Communications which is owned and controlled by the City and used for public purposes and not residential use (fire and police stations excepted), when the cable system passes any such institution or building.

(e) Compatibility and Interconnection.

(1) It is the desire of the City in enacting this ordinance that all cable communication systems franchised hereunder shall, insofar as financially and technically feasible, be compatible one with another and with systems adjacent to the City;

(2) Whenever it is financially and technically feasible, the Grantee shall so construct, operate, and modify the System as to be able to tie the same into all other systems within and adjacent to the City.

(f) Uses Permitted. Any franchise granted pursuant to the provisions of this ordinance shall authorize and permit the Grantee to engage in the business of operating and providing a cable communications system in the City, and for that purpose to erect, install, construct, prepare, replace, reconstruct, maintain and retain in, on, over, under, upon, across and along any street such poles, wire, cable, conductors, ducts, conduit, vaults, manholes, amplifiers, appliances, attachments and other property as may be necessary and appurtenant to the cable communications system and in addition, so to use, operate, and provide similar facilities by means of properties (i. e., systems or components thereof) rented or leased from other persons, including but not limited to, any public utility or other Grantee franchised or permitted to do business in the City; Provided, however, that nothing herein contained shall relieve the Grantee from the requirements of Ordinance 90047 relating to the use of public streets or from the requirements of any other ordinance, rule or regulation enacted or promulgated by or on behalf of the City in connection with the exercise of the City's police powers.

Section 8. FRANCHISE TERM; DURATION AND TERMINATION.

(a) Each franchise granted by the City under this ordinance shall be for a term of fifteen years (15) from the date of its acceptance by the grantee.

(b) The City may terminate by ordinance enacted for such purpose any franchise granted pursuant to the provisions of this ordinance in the event of the willful failure, refusal, or neglect by Grantee to do or comply with any material and substantial requirement contained in this ordinance or rule or regulation of the Office of Cable Communications validly adopted pursuant to this ordinance. System failure in all or a major part of any cable district shall constitute noncompliance with a material requirement of this ordinance if such failure continues for a period of ten (10) consecutive days or for a period of twenty-four (24) consecutive hours on thirty (30) or more occasions during any period of twelve (12) consecutive calendar months.

(c) The Office of Cable Communications shall initiate a proceeding before a hearing examiner pursuant to the Administrative Code of the City for the purpose of having said examiner make the determinations contemplated by Section 8 (d) hereof if (i) the Office of Cable Communications determines that by reason of system failure not resulting from circumstances beyond its control the Grantee has failed to comply with any material or substantial requirement of this ordinance; or (ii) the Office of Cable Communications determines that the Grantee has failed or refused or neglected to do or comply with any material or substantial requirement or limitation contained in this or other ordinance (other than system failure) or any rule or regulation of the Office of Cable Communications validly adopted pursuant to this ordinance; and such failure, refusal, or neglect has continued for a period of thirty (30) days following written demand by the Office of Cable Communications to do or comply with such requirement, limitation, term, condition, rule or regulation; or (iii) the Office of Cable Communications has received a petition requesting institution of such proceedings and signed by at least twenty-five (25) per cent of the subscribers within the cable district served by the Grantee; provided however, that this subsection shall not be so interpreted as to preclude consideration by the Office of Cable Communications of complaints by non-subscribers concerning matters in which such non-subscriber(s) have a material interest.

(d) In any such proceeding, it shall be the duty of the hearing examiner, after receiving testimony and evidence from all interested parties (i) to determine whether any such failure, refusal or neglect by Grantee to do or comply with any such material requirement, limitation, term, condition, rule or regulation has occurred, and (ii) if so, to determine whether such failure, refusal or neglect by Grantee was with just cause; and (iii) if such failure, refusal or neglect by the Grantee was with just cause, to direct compliance within such time and upon such terms and conditions as are reasonable; provided, however, if the issue before the hearing examiner involves noncompliance with Section 15(a) he shall make a recommendation to the Council regarding a time certain for compliance by Grantee.

(e) If the hearing examiner shall determine that such failure, refusal or neglect by the Grantee was without just cause, he shall report such determination to the City Council whereupon the City may by ordinance declare that the franchise of such Grantee shall be terminated and forfeited as of a date to be specified in such ordinance unless there be compliance by the Grantee within such period as the City may also fix in such ordinance. Such ordinance shall be published once in the City official newspaper within three days after the same shall have become a law.

(f) The termination and forfeiture of any franchise shall in no way affect any other rights of the City under the franchise or any provision of law.

Section 9. CABLE DISTRICTS AND ACCESS AREAS.

(a) Cable Districts shall be as depicted on Exhibit "A"—"CABLE DISTRICTS" hereto attached.

(b) Access Districts shall be as depicted on Exhibit "B"—"ACCESS AREAS" hereto attached.

Section 10. APPLICATIONS FOR FRANCHISE. Each application for the granting or renewal of a franchise to construct, operate or maintain any cable communications system in this City shall be filed with the Office of Cable Communications, be accompanied by a processing fee in the amount of Two Hundred Fifty Dollars and shall also contain or be accompanied by the following:

(a) The name, address and telephone number of the applicant;

(b) A detailed statement of the corporate or other business entity organization of the applicant, including but not limited to, the following and to whatever extent may reasonably be required by the Office of Cable Communications:

(1) The names, residence and business addresses of all officers and directors of the applicant;

(2) The names and addresses of all persons having, controlling, or being entitled to have or control, five per cent or more of the ownership of the applicant, either directly or indirectly, and the respective ownership share of each such person;

(3) A detailed description of all previous experience of the applicant or the owners of the applicant in providing cable communications and in related or similar fields.

(4) A detailed and complete recent financial statement prepared by or under the supervision of certified public accountants, and of any corporation owning a majority, or more of the voting stock of the applicant;

(5) A detailed financial plan showing the financial resources required to construct and operate the proposed system together with satisfactory evidence of the availability to applicant of funding requirements in excess of applicant's own cash resources not otherwise committed;

(c) A detailed statement of the proposed plan of operation of the applicant, which shall include:

(1) A statement of the cable district proposed to be served and a proposed time schedule, not in conflict with this ordinance, for installation in each neighborhood or portion of the district of all equipment necessary to complete energization throughout the entire area to be served.

(2) A statement or schedule setting forth all proposed classifications of rates and charges to be made against subscribers and all rates and charges as to each of said classifications including installation charges and service charges and which shall remain in effect for not less than 12 months following the grant of the franchise; provided Grantee by this requirement shall not be precluded from initiating an application for a rate revision prior to the twelfth month, to be effective thereafter if allowed;

(3) A detailed, informative and referenced statement describing the actual equipment and operational standards proposed by the applicant, including when applicable administrative and technical procedures for interconnection of access channels and for safeguarding the privacy of return signals. In no event shall said operational and performance standards be less than those contained in Title 47, Subpart K (Section 76.601 ET SEQ.) Rules and Regulations, Federal Communications Commission adopted February 2, 1972, and as amended.

(4) A copy of any agreement proposed to be entered into between the applicant and any subscriber;

(5) A statement setting forth the substance of, and names of persons party to, all agreements existing or proposed between the applicant and any other person which materially relate to or depend upon the granting of the franchise.

(d) A copy of any agreement with respect to the franchise area existing between the applicant and any public utility providing for the use of any facilities of the public utility; and

(e) Any other reasonable information requested by the Office of Cable Communications or the Council, or required by any provision of any other ordinance of the City or its charter, or deemed pertinent by the applicant.

Section 11. PROCEDURE FOR GRANTING FRANCHISES.

(a) For a period of One Hundred Eighty (180) days immediately preceding the expiration date of a franchise for any given cable district the Office of Cable Communications will accept for filing applications for franchises for such cable district. At least ten (10) days but not more than thirty (30) days in advance of the aforementioned date on which applications will first be accepted, the Office of Cable Communications shall give written notice thereof to each person who is then the holder of an existing CATV cable franchise from the City and to any person who has requested such notice in writing, and by publication of notice for one day in a newspaper of general circulation throughout the City, which published notice shall include a copy of the table of contents of this ordinance.

In the event that the Office of Cable Communications, upon the advice and recommendation of the Advisory Board, determines that an area not a part of a cable district is to be designated a cable district and is to be served, the Director of the Office of Cable Communications shall publish notice in a newspaper of general circulation throughout the City that applications for a franchise to serve such area will be received until a designated date which date shall be not less than One Hundred Eighty (180) days nor more than Two Hundred Ten (210) days after publication of such notice. Such published notice shall contain a copy of the table of contents of this ordinance.

(b) Upon receipt of any application for franchise, the Office of Cable Communications shall prepare a written analysis or report upon such application and thereafter in consultation with the Advisory Board make recommendations respecting such application. Any such analysis or reports and recommendations shall be completed and filed with the Council within ninety (90) days following the close of the period for filing of the application.

(c) Upon receipt of the reports or analysis and recommendations of the Office of Cable Communications, the Council shall promptly schedule a public hearing upon the application reported, and shall cause the City Clerk to publish notice thereof in at least two newspapers of general circulation within the City at least once a week for each of the two weeks preceding such hearing; provided, however, that no two or more applications shall be considered at any one hearing except by consent of the applicants and no applications shall be considered at any one hearing which do not relate to the same cable district. The notice shall state the name of each proposed Grantee for each cable district and the place where applications and relevant material are available to the public, and shall set forth the day, hour and place when and where any interested persons may file written comments pertaining thereto and/or appear before the Council and be heard.

(d) At the hearing so scheduled or any adjournments thereof, all citizens and other interested parties shall have an opportunity to express their views orally or in writing to the Council, and the Council shall consider all the views expressed at the public hearing in determining its action upon each franchise application. Written comments if responsive to written or oral statements of any person filed or made at the hearing, but not otherwise, shall be received up to the conclusion of the fifth (5th) business day following the conclusion of the hearing, and be considered by the Council. The Council shall also give due consideration to the quality of the service proposed; the experience, character, background, and financial responsibility of each applicant and its management and owners; the technical and performance quality of equipment, the program proposed for construction, and the applicant's ability to meet construction and physical requirements and to abide by the terms and requirements of the franchise generally. The Council shall also give weight to local ownership and to ownership representing minorities within the larger public.

(e) If the Council should determine to reject any application, such determination shall be final and the application shall be deemed rejected. If the Council shall determine further to consider an application, then:

(1) The Council shall determine on the basis of economic feasibility whether the applicant should be excused for the time being from constructing cable facilities in any part of the cable district where cable facilities have not already been installed and where the applicant does not propose such installation, provided that such determination shall be made only after a public hearing pursuant to notice thereof and of the time, place and specific proposal to be considered, in a newspaper of general circulation in the cable district at least once a week for two weeks; and

(2) The reasonableness of the subscriber rates and charges proposed by the applicant shall be inquired into at a hearing before a hearing examiner pursuant to the Administrative Code of the City (Ordinance 102228) and Section 12 of this ordinance. The hearing examiner shall make a determination concerning the reasonableness of said proposed rates and charges and forward such determination to the City Council. In the event that the hearing examiner determines that an independent audit of applicant's accounts and records by certified public accountants is essential to a determination of the fairness of applicant's proposed rates and charges he may direct applicants to cooperate in such respect. If an applicant is already operating under an existing franchise and does not propose to increase its rates and charges, no such hearing shall be required;

(3) If the Council shall determine that a franchise be granted to the applicant upon the terms proposed by the applicant with respect to the applicant's construction program and subscriber rates and charges or upon different terms, such determination shall be expressed in the ordinance granting a franchise to the applicant.

(4) No bill granting a franchise shall be finally passed within thirty (30) days after its introduction, nor until it has been published in the official newspaper of the City at the expense of the applicant for ten (10) consecutive press days. Any ordinance granting a franchise shall be published once in the official newspaper of the City at the expense of the applicant therefor within three (3) days after the same shall have become law.

(f) The procedure for granting any franchise other than those contemplated by subsection (a) of this Section 11 and for renewing any franchise granted pursuant to this ordinance shall be as follows:

(1) Upon receipt of any application for the granting or renewal of a franchise, the Office of Cable Communications shall prepare a written analysis or report upon such application and thereafter in consultation with the Advisory Board, make recommendations respecting such application and cause the same to be completed and, together with the application, filed with the Council within 90 days.

(2) On receipt of such report or analysis and recommendation, the Council shall schedule a public hearing and cause notice thereof to be published at least once a week for each of two (2) weeks preceding the hearing in each of the two newspapers of general circulation within the City, which notice shall contain the same information described in Subsection (c) of this Section 11. In addition, if the application is for renewal of a franchise for a cable district then served by a local access channel, the applicant shall broadcast notice of the hearing over all such channels at least once each working day between the hours of 9 a. m. and 11 p. m. during the two weeks immediately preceding the hearing.

(3) The procedures followed at and subsequent to the hearing shall be the same as those described in Subsections (d) and (e) of this Section 11.

(g) Unless a cable district is already partially served pursuant to an existing franchise no Grantee shall be awarded a franchise for less than an entire cable district, provided, however, that any person operating a cable system within the City pursuant to a franchise outstanding on the effective date of this ordinance shall be entitled to continue to operate in the area served on the effective date of this ordinance, for which such outstanding franchise was granted, until the expiration of such outstanding franchise, notwithstanding the designation of a different Grantee under this ordinance for a cable district encompassing all or part of the area in which the existing system operates. When, as a result of this subsection a cable district is served by more than one system, the system shall be interconnected at the expense of the Grantee operating under a franchise initially granted pursuant to this ordinance in such a way as to provide common access channels throughout the cable district.

Section 12. SUBSCRIBER RATES AND CHARGES

(a) No Grantee shall impose or be permitted to impose upon subscribers or users rates or charges for installation or for basic services, approved by the Federal Communications Commission and the City, until it has first been determined in the manner hereinafter provided that such rates are not in excess of a reasonable amount. The determination of the hearing examiner in such respect shall be made in accordance with the Administrative Code of the City (Ordinance 102228) and shall constitute a final order or decision; provided, however, that in connection with the original grant of a franchise pursuant hereto the reasonableness of rates or charges shall be determined according to Section 11 hereof.

Any applicant for the granting or renewal of a franchise (except an applicant who already provides cable service to all or part of the cable district for which the franchise or renewal is sought and who proposes no increase in rates and charges for installation and basic services) and any Grantee proposing any increase in rates and charges for installation or basic services shall first file with the Office of Cable Communications a schedule of the proposed increased rates and charges together with supporting financial data presented in a manner susceptible of meaningful comparison among all Grantees, as prescribed by rules adopted pursuant to Section 19 hereof. Such supporting data shall include a statement covering the period since the last previous rate adjustment showing clearly what total proceeds were derived from the system in terms of ratepayers payments and user charges and the proportion of those proceeds devoted to operation and maintenance of the system and construction of capital plant in the cable district. The Office of Cable Communications shall examine and investigate the material submitted by the applicant or Grantee and, in consultation with the Advisory Board, make a recommendation to the Council with respect thereto within thirty (30) days after receipt.

(b) The application of the applicant or Grantee and the report of the Office of Cable Communications and recommendations of the Advisory Board and the Office of Cable Communications shall be submitted to a hearing examiner, and the reasonableness of the proposed rates and charges shall be determined after notice and a hearing by a hearing examiner pursuant to the Administrative Code of the City. Notice of the hearing shall briefly describe the proposed rates and charges and the recommendation of the Office of Cable Communications with respect thereto and shall state the place where the application and relevant facts are available to the public, the time and place of the hearing, and the date by which written comments must be submitted. Notice of the hearing will be sufficient if published at least once a week during each of the two weeks preceding the hearing in a newspaper of general circulation within the City and in one or as many more community newspapers within the cable district or franchise areas, as may be necessary to cover the entire district and if broadcast over the local access channels of the applicant or Grantee (if any) in the cable district or districts affected at least once each working day between the hours of 9 a. m. and 11 p. m. during the two weeks immediately preceding the hearing.

(c) The purpose of the hearing before a hearing examiner shall be to determine whether the rates and charges proposed by the applicant or Grantee are in excess of a reasonable amount. In the event that the hearing examiner determines that an independent audit of applicant's accounts and records by certified public accountants is essential to a determination of the fairness of applicant's proposed rates and charges he may direct applicants to cooperate in such respect, and failure to consent to such audit without just cause shall be a ground for rejection of the applicant's application. The applicant or Grantee shall have the burden of persuasion.

Section 13. BONDS, INDEMNITY AND INSURANCE.

(a) BOND. Upon being granted a franchise and upon the filing of the acceptance required under Section 14 hereof, a Grantee shall deliver to the Board of Public Works for filing with the City Clerk and thereafter maintain continuously in effect a good and sufficient bond in the penal sum of One Hundred Thousand Dollars ($100,000), executed by a surety company authorized and qualified to do business in the State of Washington as a surety or by other sureties acceptable to the Board of Public Works and in a form approved by the Corporation Counsel, which bond shall stipulate that Grantee shall strictly comply with each and every condition and covenant of its franchise; provided, that whenever in the judgment of the Board of Public Works of the City any bond or bonds filed by a Grantee pursuant to the provisions hereof shall be deemed insufficient to satisfy the conditions of the bond, the Grantee shall upon demand furnish a new or additional bond in such amount as may be specified by the Board of Public Works and with such sureties as are acceptable to the Board of Public Works, and maintain such new or additional bond continuously in effect; and provided further that said bond shall include the obligation of the surety to guarantee payment to the City of the penalty provided for in Section 13 (a) (1) should such penalty become applicable.

13 (a) (1) It is the intent of this ordinance that the citizens of Seattle who have contracted with a cable television franchise Grantee for basic cable services be provided uninterrupted service and should any Grantee abandon or willfully cease to serve any cable district or portion thereof, said Grantee shall be subject to a penalty to be fixed by the Board of Public Works of not less than Fifty Dollars ($50) nor more than One Hundred Dollars ($100), in the discretion of said Board, for each day such willful cessation of service or abandonment continues, but not to exceed a total sum of Fifty Thousand Dollars ($50,000). Operation by a temporary substitute operator by permission of the Grantee and the City shall stay the penalty provision aforesaid for so long as the system is thereby maintained in operation.

(b) INDEMNITY. By acceptance of a franchise granted pursuant hereto and the rights and privileges thereby granted, Grantee does covenant and agree with the City for itself, its successors and assigns, to at all times protect and save harmless the City from all claims, actions, suits, liability, loss, cost, expenses or damages of every kind or description which may accrue to or be suffered by any person or persons or property, and to appear and defend at its own cost and expense any action instituted or begun against the City for damages by reason of the construction, reconstruction, readjustment, repair, maintenance, operation or use of the streets of the City, or any act(s) or omission(s) of Grantee, its successors or assigns, exercising any privilege conferred by this ordinance or by such franchise, and in case judgment shall be rendered against the City in any such suit or action, said Grantee shall fully satisfy such judgment within ninety (90) days after such action or suit shall have been finally determined if determined adversely to the City. Such indemnity shall include, but not be limited to, any liability as may arise or occur, or be alleged to arise or occur, from concurrent, contributing or joint acts or omissions of Grantee and the City, but not attributable to the sole negligence of the City.

(c) INSURANCE. So long as Grantee shall possess any right or privilege granted pursuant to this ordinance or franchise, and before the commencement of any work under this agreement, the Grantee shall deliver to the Board of Public Works for filing with the City Comptroller a policy of insurance (or a copy thereof) showing that it has procured and is maintaining at all times a policy of public liability insurance, in a form approved by the Corporation Counsel, naming the City as an insured, protecting and holding the City harmless from any and all damages of any kind whatsoever which may arise in connection with the services or work to be performed hereunder, whether or not such damages are alleged to arise or result from acts or omissions which are the sole negligence of the City, its officers, employees and/or agents, or the combined negligence of the City and others, in at least the principal amount of One Million Dollars ($1,000,000) for bodily injury or death to any one person or for bodily injury or death to any number of persons in any one incident, and/or One Million Dollars ($1,000,000) for all property damage occurring during any one incident, and/or One Million Dollars ($1,000,000) for deprivation of civil rights and civil liberties, defamation of character, libel, slander, invasion of contractual rights, inverse condemnation, or similar or other causes of action; provided the Board of Public Works may increase the minimum policy limits and coverage from time to time as it deems appropriate to adequately protect the City and the public. The policy shall provide for at least thirty (30) days notice to the Board of Public Works of any change, cancellation or lapse thereof, and that "This policy is issued and intended to comply with the conditions and requirements of Section 13 (c) of this ordinance."

Section 14. ACCEPTANCE OF FRANCHISE.

(a) No franchise granted under this ordinance shall become effective for any purpose unless and until an acceptance in writing thereof shall have been filed with the City Clerk. Such written acceptance, which shall be in form and substance approved by the Corporation Counsel of the City, shall also be and operate as an acceptance of each and every term and condition and limitation contained in this ordinance or in such franchise, or otherwise specified as herein provided.

(b) The written acceptance shall be filed by the Grantee not later than thirty (30) days following the effective date of the ordinance granting such franchise.

(c) In default of the filing of such written acceptance as herein required, the Grantee shall be deemed to have rejected and repudiated the franchise and the City may invite and thereafter receive applications from persons desiring to serve the subject cable district.

(d) In any case, all rights, remedies and redress which may or shall be available to the City under this ordinance, shall at all times be available to the City and shall be preserved and maintained and shall continuously exist in and to the City and shall not be in any manner or means modified or abridged, altered, restricted or impaired by reason of this ordinance or otherwise.

(e) By acceptance of a franchise granted pursuant to this ordinance any and all grantees specifically acknowledge that nothing in this ordinance contained or in any franchise granted pursuant thereto constitutes an abrogation by the City of its police powers in any respect whatsoever.

(f) If for the purpose of documenting his compliance with federal regulations for federal authorities, any person operating a CATV system within any cable district or districts pursuant to a franchise outstanding on the effective date of this ordinance desires to accomplish such documentation by electing to accept the terms and conditions of this ordinance he may do so by filing with the Office of Cable Communications a written acceptance of the terms and conditions of such ordinance which shall be in form of the substance approved by the Corporation Counsel of the City and shall specify the cable district or districts to which the acceptance relates. Such an acceptance shall have the effect of conforming such outstanding franchise to this ordinance for the district or districts specified except that such outstanding franchise shall terminate on its original expiration date.

Section 15. PERMITS AND CONSTRUCTION.

(a) The construction of new cable facilities or the extension of existing cable facilities by a Grantee shall be done in accordance with a plan or design first submitted to and approved by the Board of Public Works and pursuant to a permit issued by said Board, and the Grantee shall at all times comply with Ordinance 90047 (commonly called the "Street Use Ordinance"), as the same now reads or is hereafter amended and Section 15 of this ordinance, except that if this ordinance and Ordinance 90047 be in any respect inconsistent the provisions of the latter shall control. To the end that an entire cable district, except for the portion thereof on which pursuant to the terms of this franchise no construction is required, be served within five (5) years from the date this franchise is granted construction schedules shall be negotiated between the Grantee and the Office of Cable Communications so that cable service will be extended at a rate of not less than twenty (20) per cent per year (following receipt by the Grantee of a Certificate of Compliance from the Federal Communications Commission) in all areas of the cable district other than areas where such facilities have already been installed or in which, pursuant to the terms of the franchise, no construction is required: provided, however, that the legislative authority may by ordinance and pursuant to a specific application by the Grantee, extend the time for a Grantee's performance to a date certain.

(b) All poles, cables, wires, antennae, conduits or appurtenances shall be constructed and erected in a neat workmanlike manner and shall be of such height and occupy such position as the Board of Public Works shall direct. Whenever it is practicable to make use of poles already in the streets of the City, the Grantee shall make use of such poles as provided in Ordinance 90047, provided that in any district in which telephone, telegraph and electric power wires and cables have been placed underground, the Grantee shall not be permitted to erect poles or to run or suspend wires, cables or other conductors thereon but shall lay such wires, cables or conductors underground in such manner as is required by the City, and if, prior to the passage of any ordinance creating a local improvement district or utility local improvement district which involves placing overhead utilities underground Grantee shall have erected poles and suspended wires, cables and other conductors thereon, Grantee shall participate in such underground project and shall remove poles, cables and wires from the surface of the streets within such district and shall place the same underground in conformity with the requirements of the Board of Public Works.

(c) If, in any part of the cable district for which the Grantee has been awarded a franchise and where no cable facilities have been installed, the City or a local improvement district proposes to place telephone, telegraph and electric power wires and cables underground, or to require the same, Grantee may place facilities in the underground project, but if Grantee does not do so and subsequently enters the area to serve the same, Grantee shall place its facilities underground. In areas where all other utilities have their facilities underground the Grantee shall underground its facilities within a reasonable period of time, as directed by the Board of Public Works.

(d) Nothing in this ordinance shall be construed to prevent the City or any Local Improvement District or Utility Local Improvement District from sewering, paving, grading, altering or otherwise improving or reimproving any of the streets of the City, including the installation of City-owned utilities, and the City shall not be liable for any damages resulting to the Grantee by reason of the performance of such work or by exercise of such rights of the City. This ordinance shall not be so construed so as to deprive the City of any rights or privileges which it now has, or which may hereafter be conferred upon it to regulate and control the use of the streets. Whenever and to whatever extent any street shall be improved or the grade thereof changed, modified, raised or lowered, or the size, position or location of any City-owned public utilities changed, modified or altered, any of the installations belonging to the Grantee which may be affected by or shall conflict with any such changes, alterations or modifications shall be promptly adjusted, removed, altered, raised, lowered or otherwise modified to conform to the improvements or changes made, by and at the cost and expense of Grantee and in conformity with the requirements of the Board of Public Works. The City shall at all times have the right to make use of any or all of the poles of said Grantee for wires, cables and conductors to carry any City-owned systems or facilities requiring such use.

(e) Whenever it shall be necessary, in the erection of poles or in the construction of underground pipes or conduits to excavate in any portion of any street, the Grantee shall file with the Board of Public Works an application for permission to do such work, together with plans, designs and drawings on a reasonable scale setting forth the streets to be disturbed, and obtain a permit from or approval of the Board of Public Works for so doing before beginning such work, all as contemplated by Ordinance 90047, as it now exists and may hereafter be amended. After any poles are erected or such pipes or conduits constructed, Grantee shall promptly replace any portion of the street disturbed by such work in a neat and workmanlike manner to its original condition and as required and approved by the Board of Public Works. The Grantee at the discretion of the Board of Public Works shall keep on deposit in the City Treasury to the credit of the Board of Public Works the sum of One Thousand Dollars ($1,000) in cash to be used by said Board as necessary for the purpose of restoring streets in the manner prescribed by said Board, to pay the reasonable costs of any City inspection necessitated by Grantee's actions pursuant to this franchise, and to pay the cost of raising or removing of any wires, cables or conductors as provided in subsection (f) of this Section 15.

(f) Whenever permission is obtained from the Board of Public Works for use of any streets of the City for the purpose of moving any building or structure, Grantee, upon forty-eight (48) hours notice from the Board of Public Works, shall raise or remove any wires, cables or conductors which may obstruct the removal of such building or structure, and in the case of Grantee's refusal or failure to comply with such notice, the Board of Public Works may raise or cause to be raised or remove or cause to be removed such wires, cables or conductors at the expense of Grantee for the purpose aforesaid.

(g) Construction, maintenance and operation of Grantee's System, including house connections, shall be in accordance with the provisions of this ordinance and in accordance with the provisions of all other applicable codes and ordinances, including the Electrical Code (Ordinance 103501), and Grantee shall comply with all applicable state and federal laws and the rules and regulations of the Federal Communications Commission relating to CATV systems.

(h) Except in areas of the cable district in which, by the terms of the Grantee's franchise no construction is required, the Grantee shall, on payment of the installation charge prescribed in accordance with Section 12 hereof, provide a connection, overhead or underground in the discretion of the Board of Public Works, to any point located not more than three hundred (300) feet from Grantee's nearest distribution cable, and shall not accept payment for an installation charge unless there is a distribution cable within three hundred (300) feet of the subscriber's property or a specific written agreement has been entered into with the subscriber regarding the cost of a connection over a distance greater than 300 feet.

(i) Notwithstanding any limitation to the contrary contained in Grantee's franchise, the Council by ordinance may require Grantee to construct cable facilities in any part of the cable district where by the terms of the franchise no such construction was originally required, if the Council determines on recommendation of the Office of Cable Communications or on petition by residents of the excluded area that because of changed economic circumstances since the granting of the franchise it has become feasible to require construction in such area.

(j) It shall be Grantee's sole responsibility when cable passes over or under private or publicly owned property to obtain all necessary permission from the owner thereof.

Section 16. CONSUMER PROTECTION. Subscribers and users in each cable district shall have the protection described in this Section 16 in addition to all other rights conferred by this ordinance. A copy of this Section 16 shall be furnished by the Grantee, at Grantee's expense, to each new subscriber.

(a) The Office of Cable Communications shall, in addition to receiving and investigating subscriber complaints, furnish timely information to the public regarding proceedings with respect to proposals to change the terms of this ordinance or other City ordinances relating to cable communications, the terms of any franchise, subscriber rates and charges in any cable district, or relating to renewal or termination of any franchise or the transfer of control of any Grantee.

(b) Each Grantee shall furnish to the Office of Cable Communications, and the Office of Cable Communications shall compile and maintain for public inspection during regular business hours, copies of:

(1) All applications and other communications submitted by franchise applicants or Grantees to the City, the Federal Communications System or any other federal, state, or local regulatory body having jurisdiction in respect of cable communications within this City;

(2) Current information on ownership and management of the Grantee;

(3) Current information on forms of subscriber agreements used by the Grantee; complaint procedures followed by the Grantee; and nonbasic services offered by the Grantee and the rates and charges therefor; and

(4) Records of all requests for use of public access channels and leased channel time and the disposition of such requests, and records of all signals and programs carried (other than radio and television broadcast signals).

(c) The Office of Cable Communications shall also compile and maintain for public inspection during regular business hours copies of:

(1) All federal, state, and local laws and regulations applicable to cable communications within this City;

(2) Records of all complaints filed with the Office of Cable Communications and the disposition thereof; and

(3) Policy statements and administrative and staff operating procedures of the Office of Cable Communications and the Advisory Board;

(4) All reports and recommendations to the Council by the Office of Cable Communications or the Advisory Board, or both.

(d) Each Grantee shall make available to the public, at such hours of the day and at such places and in such manner as the Grantee shall determine with the approval of the Advisory Board, current information pertaining to schedules of rates and charges for basic and nonbasic services, the address and telephone number of the Grantee's local office, instructions for operating subscriber terminal equipment, an emergency service telephone number, a description of complaint procedures, a description of subscriber rights, and schedules for programs on the local government, educational, and public access channels (to the extent such program content is known to the Grantee).

(e) In the operation of a CATV system under a franchise granted pursuant to this ordinance, no Grantee shall make or grant any undue preference or advantage to any subscriber or user or other person, nor discriminate against any person or group; provided that this subsection shall not be construed to prohibit trade promotions customary in the industry, provided such trade promotions are not otherwise prohibited by law.

(f) If a Grantee should for any reason cancel service to a subscriber without cause within a period of thirty-six (36) months from the commencement of furnishing service to that subscriber and prior to the termination or expiration of the Grantee's franchise, the Grantee shall refund to that subscriber a fraction of the installation charge paid by that subscriber, the numerator of which shall be the number of months remaining until completion of the 36-month period, and the denominator of which shall be 36.

(g) No Grantee shall cause or permit the viewing habits of any subscriber to be monitored without the subscriber's express consent.

(h) Whenever a Grantee shall offer a new service or facility, or changes in channel allocation or assignment, the Grantee shall give notice thereof to the general public, to the Office of Cable Communications and, through the Office of Cable Communications to each educational institution and to the person in charge of each City-owned building in the cable district to which the Grantee provides basic service without charge pursuant to Section 7 of this ordinance, whereupon such new service or facility shall be made available to all subscribers if technically practicable, and without discrimination.

(i) A Grantee shall give to subscribers advance written notice of any hearing concerning Grantee's franchise or any proposed change in subscriber rates and charges, such notice to contain all information contained in the published notice of hearing, and shall prior to such hearing file an affidavit by one of its officers attesting to the fact that such written notice to subscribers has in fact been given.

Section 17. LIMITATIONS OF FRANCHISE.

(a) Every franchise granted pursuant to this ordinance shall be nonexclusive.

(b) No privilege shall be granted or conferred by any franchise granted under this ordinance except those specifically prescribed herein.

(c) Any privilege claimed under any such franchise by the Grantee in any street or other public property shall be subordinate to the City's police powers and to any prior lawful occupancy of the streets or other public property.

(d) Any such franchise shall be a privilege to be held in personal trust by the original Grantee. It cannot in any event be sold, transferred, leased, assigned or disposed of in whole or in part either by forced or involuntary sale or by voluntary sale, merger, consolidation or otherwise, without prior approval of the City expressed by ordinance, and then only under such conditions as may therein be prescribed. An application for any approval required by this subsection shall be filed with the Office of Cable Communications and a hearing thereon shall be conducted by the Council in the same manner as an application for granting or renewal of a franchise as provided in Section 11(f) of this ordinance. A recommendation by the City Council for such approval may not be unreasonably refused; provided, however, the proposed assignee must show financial responsibility as determined by the Council, must demonstrate to the Council's satisfaction its ability to comply with the provisions of this ordinance and must agree to comply with all provisions of this ordinance; and provided further that in case of a transfer or assignment as security by mortgage or other hypothecation in whole or in part to secure indebtedness, such consent shall not be required unless and until the secured party elects to realize upon the collateral. In the event Grantee is a corpora-

(Continued on Page 8, Column 1)

ORDINANCE 105127

(Continued from Page Seven)

tion, an assignment of the franchise shall be deemed to occur if there is an actual change in control or where ownership of more than fifty per cent (50%) of the voting stock of Grantee is acquired by a person or group of persons acting in concert, none of whom already own 50 per cent or more of the voting stock singly or collectively. Any such transfer or assignment shall be made only by an instrument in writing, such as a bill of sale or similar document, a duly executed copy of which shall be filed in the Office of Cable Communications within thirty (30) days after such transfer or assignment.

(e) Time shall be of the essence of any franchise granted hereunder. The Grantee shall not be relieved of its obligation to comply promptly with any of the provisions of this ordinance by any failure of the City to enforce prompt compliance.

(f) For purposes of the administration of this ordinance any right or power conferred or imposed upon any officer, employee, department or board of the City shall be subject to transfer by the City to any other officer, employee, department or board of the City.

(g) Grantees shall have no recourse whatsoever against the City for any loss, cost, expense or damage arising out of any provision or requirement of this ordinance or of any franchise issued hereunder or because of its enforcement.

(h) Grantees shall be subject to all requirements of City laws, rules, regulations and specifications heretofore or hereafter enacted or established.

(i) Any franchise granted hereunder shall be in lieu of any and all other rights, privileges, powers, immunities and authorities owned, possessed, controlled, or exercisable by Grantee, or any successor to any interest of Grantee, of or pertaining to the construction, operation or maintenance of any cable communications system in the cable district to which the franchise relates; and the acceptance of any franchise hereunder shall, as of the effective date of such franchise, operate between Grantee and the City as an abandonment of any and all of such rights, privileges, powers, immunities and authorities within the said cable district, to the effect that, as between Grantee and the City, all construction, operation and maintenance by the Grantee of any cable communication system in such district or districts shall be, and shall be deemed and construed in all instances and respects to be, under and pursuant to said franchise and not under or pursuant to any other right, privilege, power immunity or authority whatsoever.

(j) No Grantee nor any major stockholder of a Grantee shall directly or indirectly engage within the City in the business of selling, leasing, renting, servicing or repairing radio or television sets or other receivers or parts thereof which make use of standard broadcast entertainment signals, provided that nothing therein shall prevent Grantee from making modifications to the tuner input circuit of the subscribers television receivers and the fine tuning of the customers operating controls only, to insure proper operation under conditions of cable connection at the time of installation or in response to subscriber complaints, or from the selling, servicing or repairing receivers and other equipment belonging to other CATV system operators for use in the conduct of their businesses.

(k) No Grantee may exercise any control over program content on any access channel, except to the extent necessary to prevent the presentation of program material prohibited by rules and regulations of the Federal Communications Commission.

Section 18. RIGHTS RESERVED TO THE CITY AND THE PEOPLE.

(a) Every franchise, right or privilege granted pursuant to this ordinance shall be subject to the right of the Council, or the People of the City acting for themselves by the initiative and referendum, at any time, subsequent to the grant, to repeal, amend or modify the said grant with due regard to the rights of the Grantee and the interest of the public, and to cancel, forfeit and abrogate any such grant if the franchise granted thereby is not operated in full accordance with its provisions, or at all; and at any time during the life of the franchise grant to the right of the people, at its option by purchase or condemnation, for the use of the City itself, all the property of the Grantee within the limits of the public streets, at a fair and just value, which shall not include any valuation of the franchise itself, which shall thereupon terminate; and every ordinance making such grant shall contain a reservation of these rights of the Council, and of the people of the City acting for themselves by the initiative and referendum, to so repeal, amend or modify said ordinance, and to so cancel, forfeit and abrogate the grant, and to so acquire the property of the grantee in the public streets, as herein above set forth.

(b) Notwithstanding any other provision of this ordinance, as long as the City charter shall so provide the Council shall not consider or grant any application for extension of the period of any franchise, nor any new franchise covering all or any substantial part of the rights or privileges of any existing franchise, until within three years of the expiration of the existing grant, and then only after submission to and approval by a majority vote of the qualified electors; but this subsection shall not be construed to prohibit the consideration and granting of a new franchise which does not extend the period of the existing franchise.

(c) There is hereby reserved in the City every right and power which is required to be herein reserved or provided by any law, and a Grantee by its acceptance of a franchise agrees to be bound thereby and to comply with any action or requirements of the City in its exercise of such rights or powers heretofore or hereafter enacted or established.

(d) There is hereby reserved in the City the power to amend at intervals of five (5) years or at any time any section of this ordinance so as to require additions or improved specifications pertaining to construction, operation, maintenance or otherwise on the part of the Grantee, to reflect technical and economic changes occurring during the franchise term and to enable the City and the Grantee to take advantage of new developments in the cable communications industry so as to serve the public more effectively, efficiently and economically, without the consent of the Grantee, provided such amendments do not materially alter the contents of any franchise and provided further that this provision shall not be interpreted as a limitation in any manner whatsoever or at any time whatsoever upon the exercise by the City of its police powers.

(e) A Grantee shall upon request of the Mayor make its facilities immediately available to the City for emergency use during the period of any emergency or disaster declared by the Mayor or the Council.

Section 19. RULES AND REGULATIONS.

(a) Prior to receiving any applications for franchises, the Office of Cable Communications shall adopt rules, regulations and standards governing the operation of cable communication systems in the City which rules, regulations and standards shall be consistent with this ordinance and all other applicable ordinances of The City of Seattle. Such rules, regulations and standards shall apply to and govern the operations of the Grantee of any franchise hereunder and are expressly declared to be a part of any franchise granted pursuant to this ordinance.

(b) Provided the same do not materially alter the contents of any franchise, the Office of Cable Communications may at any time adopt new rules or regulations or standards and may amend, modify, delete or otherwise change rules, regulations or standards previously adopted, provided, however, this section shall not be interpreted as a limitation upon the exercise by the City of its police powers.

(c) Any rules, regulations or standards proposed to be adopted pursuant to this Section 19 shall be adopted in accordance with the procedures prescribed by the Administrative Code of the City.

Section 20. EQUAL OPPORTUNITY EMPLOYMENT AND AFFIRMATIVE ACTION PLAN.

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

(b) Grantee also agrees that it will, prior to commencement of operations pursuant to its franchise and during the term of the franchise, furnish to the Director of the Department of Human Rights of the City, upon his request and on such form as may be provided by said director therefor, a report of the affirmative action taken by the Grantee in implementing the terms of this provision, and will permit access to its records of employment, employment advertisements, application forms, other pertinent data and records by the Director of the Department of Human Rights for the purpose of investigation to determine compliance with this provision.

(c) If upon investigation the Director of the Human Rights Department finds probable cause to believe that the Grantee has failed to comply with any of the terms of this section, the Grantee and the Council shall be so notified in writing. The Council shall give the Grantee an opportunity to be heard, after ten days notice. If the Council concurs in the findings of the Director, it may suspend the franchise, pending compliance by the Grantee with the terms of this provision.

(d) Failure to comply with any of the terms of this section shall be a material breach of the franchise.

(e) Comparable provisions shall be inserted in all subcontracts for work covered by any franchise.

Section 21. INTERPRETATION.

This ordinance and any franchise granted pursuant to it shall at all times be so interpreted as to require the Grantee to comply with all pertinent rules, regulations and requirements of the Federal Communications Commission or any other federal or state body or agency having jurisdiction. In regard to CATV systems, such interpretation of this ordinance shall not be deemed to diminish, impair, alter or affect any contractual benefit, the City or Grantee, nor any contractual obligation of the Grantee under any franchise issued hereunder.

Section 22. SEVERABILITY.

(a) If any portion of this ordinance should be held illegal, invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

(b) If any portion of this ordinance should be [illegible] any rule or regulation [illegible] hereafter adopted by the Federal Communications Commission [illegible] to the extent of the inconsistency, the rule or regulation of the Federal Communications Commission shall control but only for so long as such rule or regulation shall remain in effect, but the remaining portions of this ordinance shall [illegible] hereby be affected.

Section 23. EFFECTIVE DATE.

This ordinance shall become effective thirty (30) days from and after its passage and approval by the Mayor except as follows:

(a) Nothing contained in this ordinance shall abridge, impair, alter, modify or in any way affect any right, privilege or immunity of either any Grantee or the City conferred by or arising [illegible] franchise granted prior [illegible] effective date of this ordinance. Provided, that [illegible] of a franchise [illegible] this ordinance for any cable district shall [illegible] constitute the surrender by the Grantee of the right to operate a CATV system in that cable district [illegible] franchise.

(b) Section 7(a)(2), Section 7(a)(4) and Section 7(a)(5) shall become effective when (i) C. F. R. 76.251, as now in effect or as hereafter amended, becomes applicable to systems that commenced operations before March 31, 1972.

Section 24. This Cable Communications Ordinance shall be incorporated in its entirety by reference into and become a part of each and every CABLE Television franchise granted by The City of Seattle.

Section 25. 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 22nd day of March, 1976, and signed by me in open session in authentication of its passage this 22nd day of March, 1976.

SAM SMITH,
President of the City Council.

Approved by me this 25th day of March, 1976.

WES UHLMAN,
Mayor.

Filed by me this 26th day of March, 1976.

Attest: E. L. KIDD,
City Comptroller and City Clerk.

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

Publication ordered by E. L. KIDD, Comptroller and City Clerk.

Date of Official Publication in the Daily Journal of Commerce, Seattle, March 30, 1976. (C-5427)

for a Grantee's performance to a late certain.

(b) All poles, cables, wires, antennae, conduits or appurtenances shall be constructed and erected in a neat, workmanlike manner and shall be of such height and occupy such position as the Board of Public Works shall direct. Whenever it is practicable to make use of poles already in the streets of the City, the Grantee shall make use of such poles as provided in Ordinance 90047, provided that in any district in which telephone, telegraph and electric power wires and cables have been placed underground, the Grantee shall not be permitted to erect poles or to run or suspend wires, cables or other conductors thereon but shall lay such wires, cables or conductors underground in such manner as is required by the City, and if, prior to the passage of any ordinance creating a local improvement district or utility local improvement district which involves placing overhead utilities underground Grantee shall have erected poles and suspended wires, cables and other conductors thereon, Grantee shall participate in such underground project and shall remove poles, cables and wires from the surface of the streets within such district and shall place the same underground in conformity with the requirements of the Board of Public Works.

(c) If in any part of the cable district for which the Grantee has been awarded a franchise and where no cable facilities have been installed, the City or a local improvement district proposes to place telephone, telegraph and electric power wires and cables underground, or to require the same, Grantee may place facilities in the underground project, but if Grantee does not do so and subsequently enters the area to serve the same, Grantee shall place its facilities underground. In areas where all other utilities have their facilities underground the Grantee shall underground its facilities within a reasonable period of time, as directed by the Board of Public Works.

(d) Nothing in this ordinance shall be construed to prevent the City or any Local Improvement District or Utility Local Improvement District from sewering, paving, grading, altering or otherwise improving or reimproving any of the streets of the City, including the installation of City-owned utilities, and the City shall not be liable for any damages resulting to the Grantee by reason of the performance of such work or by exercise of such rights of the City. This ordinance shall not be so construed so as to deprive the City of any rights or privileges which it now has, or which may hereafter be conferred upon it to regulate and control the use of the streets. Whenever and to whatever extent any street shall be improved or the grade thereof changed, modified, raised or lowered, or the size, position or location of any City-owned public utilities changed, modified or altered, any of the installations belonging to the Grantee which may be affected by or shall conflict with any such changes, alterations or modifications shall be promptly adjusted, removed, altered, raised, lowered or otherwise modified to conform to the improvements or changes made, by and at the cost and expense of Grantee and in conformity with the requirements of the Board of Public Works. The City shall at all times have the right to make use of any or all of the poles of said Grantee for wires, cables and conductors to carry any City-owned systems or facilities requiring such use.

(e) Whenever it shall be necessary, in the erection of poles or in the construction of underground pipes or conduits, to excavate in any portion of any street, the Grantee shall file with the Board of Public Works an application for permission to do such work, together with plans, designs and drawings on a reasonable scale setting forth the streets to be disturbed, and obtain a permit from or approval of the Board of Public Works for so doing before beginning such work, all as contemplated by Ordinance 90047, as it now exists and may hereafter be amended. After any poles are erected or such pipes or conduits constructed, Grantee shall promptly replace any portion of the street disturbed by such work in a neat and workmanlike manner to its original condition and as required and approved by the Board of Public Works. The Grantee at the discretion of the Board of Public Works shall keep on deposit in the City Treasury to the credit of the Board of Public Works the sum of One Thousand Dollars ($1,000) in cash to be used by said Board as necessary for the purpose of restoring streets in the manner prescribed by said Board, to pay the reasonable costs of any City inspection necessitated by Grantee's actions pursuant to this franchise, and to pay the cost of raising or removing of any wires, cables or conductors as provided in subsection (f) of this Section 15.

(f) Whenever permission is obtained from the Board of Public Works for use of any streets of the City for the purpose of moving any building or structure, Grantee, upon forty-eight (48) hours notice from the Board of Public Works, shall raise or remove any wires, cables or conductors which may obstruct the removal of such building or structure, and in the case of Grantee's refusal or failure to comply with such notice, the Board of Public Works may raise or cause to be raised or remove or cause to be removed such wires, cables or conductors at the expense of Grantee for the purpose aforesaid.

(g) Construction, maintenance and operation of Grantee's System, including house connections, shall be in accordance with the provisions of this ordinance and in accordance with the provisions of all other applicable codes and ordinances, including the Electrical Code (Ordinance 102501), and Grantee shall comply with all applicable state and federal laws and the rules and regulations of the Federal Communications Commission relating to CATV systems.

(h) Except in areas of the cable district in which, by the terms of the Grantee's franchise, no construction is required, the Grantee shall, on payment of the installation charge prescribed in accordance with Section 12 hereof, provide a connection, overhead or underground in the discretion of the Board of Public Works, to any point located not more than three hundred (300) feet from Grantee's nearest distribution cable, and shall not accept payment for an installation charge unless there is a distribution cable within three hundred (300) feet of the subscriber's property, or a specific written agreement has been entered into with the subscriber regarding the cost of a connection over a distance greater than 300 feet.

(i) Notwithstanding any limitation to the contrary contained in Grantee's franchise, the Council by ordinance may require Grantee to construct cable facilities in any part of the cable district where by the terms of the franchise no such construction was originally required, if the Council determines on recommendation of the Office of Cable Communications or on petition by residents of the excluded area that because of changed economic circumstances since the granting of the franchise it has become feasible to require construction in such area.

(j) It shall be Grantee's sole responsibility when cable passes over or under private or publicly owned property to obtain all necessary permission from

CITY NOTIC

Grantee at Grantee's exp each new subscriber.

(a) The Office of Cabl munications shall, in add receiving and investigati scriber complaints, furnis ly information to the pu garding proceedings wit to proposals to change th of this ordinance or oth ordinances relating to cab munications, the terms franchise, subscriber rat charges in any cable dist relating to renewal or t tion of any franchise transfer of control Grantee.

(b) Each Grantee sh nish to the Office of Cab munications, and the Of Cable Communications sh pile and maintain for pu spection during regular b hours, copies of:

(1) All applications a er communications su by franchise applica Grantees to the City, t eral Communications or any other federal, s local regulatory body jurisdiction in respect communications with City:

(2) Current inform ownership and manage the Grantee;

(3) Current informa forms of subscriber agr used by the Grantee; co procedures followed Grantee; and nonbasic offered by the Grant the rates and charges for; and

(4) Records of all for use of public acces nels and leased chann and the disposition of quests, and records of nals and programs (other than radio an vision broadcast signal

(c) The Office of Cab munications shall also and maintain for public tion during regular hours copies of:

(1) All federal, sta local laws and regulat plicable to cable com tions within this City;

(2) Records of all co filed with the Office Communications and position thereof; and

(3) Policy statements ministrative and staff ing procedures of th of Cable Communicati the Advisory Board;

(4) All reports and mendations to the Co the Office of Cable Co cations or the Advisor or both.

(d) Each Grantee sh available to the public, hours of the day, and places and in such ma the Grantee shall determ the approval of the Board, current informat taining to schedules and charges for basic a basic services, the addi telephone number Grantee's local office, tions for operating st terminal equipment, an e cy service telephone nu description of complai cedures, a description scriber rights, and sche programs on the local ment, educational, and p cess channels (to the ext program content is kn the Grantee).

(e) In the operatio CATV system under a f granted pursuant to t nance, no Grantee shall grant any undue prefe advantage to any subs user or other person, criminate against any p group; provided that section shall not be to prohibit trade promot tomary in the industry, such trade promotions otherwise prohibited by

(f) If a Grantee sh any reason cancel serv subscriber without cau in a period of thirty- months from the comme of furnishing service to scriber and prior to the tion or expiration Grantee's franchise, the shall refund to that s a fraction of the ini charge paid by that su the numerator of which the number of months r until completion of the period, and the denomi which shall be 36.

(g) No Grantee shall permit the viewing habi subscriber to be monitor out the subscriber's exp sent.

(h) Whenever a Gran offer a new service or or changes in channe tion or assignment, the shall give notice thereo general public, to the Cable Communicati through the Office of Ca munications to each ed institution and to the charge of each City-own ing in the cable district the Grantee provides b vice without charge pur Section 7 of this o whereupon such new s facility shall be made to all subscribers t te practicable, and without ination.

(i) A Grantee shall subscribers advance wr tice of any hearing co Grantee's franchise or posed change in subscri and charges, such notice tain all information con the published notice ing, and shall prior hearing file an affidavi of its officers attestin fact that such written subscribers has in fact en.

Section 17. LIMITATI FRANCHISE.

(a) Every franchise pursuant to this ordina be nonexclusive.

(b) No privilege shall ed or conferred by a chise granted under th nance except those sp prescribed herein.

(c) Any privilege cla der any such franchis Grantee in any street public property shall ordinate to the City powers and to any pri occupancy of the streets public property.

(d) Any such franch be a privilege to be hel sonal trust by the Grantee. It cannot in a be sold, transferred, le signed or disposed of or in part, either by involuntary sale or by sale, merger, consolid otherwise, without prior of the City expressed nance, and then only un conditions as may th prescribed. An applica any approval required subsection shall be fi the Office of Cable Co tions and a hearing ther be conducted by the the same manner as an tion for granting or re a franchise as provided tion 11(f) of this ordi recommendation by Council for such appr not be unreasonably provided, however, the assignee must show fin sponsibility as determin Council, must demonstr Council's satisfaction t to comply with the of this ordinance and m to comply with all prov this ordinance; and prov ther that in case of a or assignment as sec mortgage or other h tion in whole or in pa cure indebtedness, such shall not be required u until the secured par to realize upon the coll the event Grantee is n

(Continued on Page 8, C

CITY NOTICES

ORDINANCE 105427

(Continued from Page Seven)

tion, an assignment of the franchise shall be deemed to occur if there is an actual change in control or where ownership of more than fifty per cent (50%) of the voting stock of Grantee is acquired by a person or group of persons acting in concert, none of whom already own 50 per cent or more of the voting stock singly or collectively. Any such transfer or assignment shall be made only by an instrument in writing, such as a bill of sale or similar document, a duly executed copy of which shall be filed in the Office of Cable Communications within thirty (30) days after such transfer or assignment.

(e) Time shall be of the essence of any franchise granted hereunder. The Grantee shall not be relieved of its obligation to comply promptly with any of the provisions of this ordinance by any failure of the City to enforce prompt compliance.

(f) For purposes of the administration of this ordinance any right or power conferred or impressed upon any officer, employee, department or board of the City shall be subject to transfer by the City to any other officer, employee, department or board of the City.

(g) Grantees shall have no recourse whatsoever against the City for any loss, cost, expense or damage arising out of any provision or requirement of this ordinance or for any franchise issued hereunder or because of its enforcement.

(h) Grantees shall be subject to all requirements of City laws, rules, regulations and specifications heretofore or hereafter enacted or established.

(i) Any franchise granted hereunder shall be in lieu of any and all other rights, privileges, powers, immunities and authorities owned, possessed, controlled, or exercisable by Grantee, or any successor to any interest of Grantee, of or pertaining to the construction, operation or maintenance of any cable communications system in the cable district to which the franchise relates: and the acceptance of any franchise hereunder shall, as of the effective date of such franchise, operate between Grantee and the City as an abandonment of any and all of such rights, privileges, powers, immunities and authorities within the said cable district, to the effect that, as between Grantee and the City, all construction, operation and maintenance by the Grantee of any cable communication system in such district or districts shall be, and shall be deemed and construed in all instances and respects to be, under and pursuant to said franchise and not under or pursuant to any other right, privilege, power immunity or authority whatsoever.

(j) No Grantee nor any major stockholder of a Grantee shall directly or indirectly engage within the City in the business of selling, leasing, renting, servicing or repairing radio or television sets or other receivers or parts thereof which make use of standard broadcast entertainment signals, provided that nothing therein shall prevent Grantee from making modifications to the tuner input circuit of the subscribers television receivers and the fine tuning of the customers operating controls only, to insure proper operation under conditions of cable connection at the time of installation or in response to subscriber complaints, or from the selling, servicing or repairing receivers and other equipment belonging to other CATV system operators for use in the conduct of their businesses.

(k) No Grantee may exercise any control over program content on any access channel, except to the extent necessary to prevent the presentation of program material prohibited by rules and regulations of the Federal Communications Commission.

Section 18. RIGHTS RESERVED TO THE CITY AND THE PEOPLE.

(a) Every franchise, right or privilege granted pursuant to this ordinance shall be subject to the right of the Council, or the People of the City acting for themselves by the initiative and referendum, at any time, subsequent to the grant, to repeal, amend or modify the said grant with due regard to the rights of the Grantee and the interest of the public; and to cancel, forfeit and abrogate any such grant if the franchise granted thereby is not operated in full accordance with its provisions, or at all; and at any time during the life of the franchise grant to the right of the people acquire, by purchase or condemnation, for the use of the City itself, all the property of the Grantee within the limits of the public streets, at a fair and just value, which shall not include any valuation of the franchise itself, which shall thereupon terminate; and every ordinance making such grant shall contain a reservation of these rights of the Council, and of the people of the City acting for themselves by the initiative and referendum, to so repeal, amend or modify said ordinance, and to so cancel, forfeit and abrogate the grant, and to so acquire the property of the grantee in the public streets, as herein above set forth.

(b) Notwithstanding any other provision of this ordinance, as long as the City charter shall so provide the Council shall not consider or grant any application for extension of the period of any franchise, nor any new franchise covering all or any substantial part of the rights or privileges of any existing franchise, until within three years of the expiration of the existing grant, and then only after submission to and approval by a majority vote of the electors; but this subsection shall not be construed to prohibit the consideration and granting of a new franchise which does not extend the period of the existing franchise.

(c) There is hereby reserved in the City every right and power which is required to be herein reserved or provided by any law, and a Grantee by its acceptance of a franchise agrees to be bound thereby and to comply with any action or requirements of the City in its exercise of such rights or powers heretofore or hereafter enacted or established.

(d) There is hereby reserved in the City the power to amend at intervals of five (5) years or more each and any section of this ordinance so as to require additions or improved specifications pertaining to construction, operation, maintenance or otherwise on the part of the Grantee, to reflect technical and economic changes occurring during the franchise term and to enable the City and the Grantee to take advantage of new developments in the cable communications industry so as to serve the public more effectively, efficiently and economically, without the consent of the Grantee, provided such amendments do not materially alter the contents of any franchise and provided further that this provision shall not be interpreted as a limitation in any manner whatsoever or at any time whatsoever upon the exercise by the City of its police powers.

(e) A Grantee shall upon request of the Mayor make its facilities immediately available to the City for emergency use during the period of any emergency or disaster declared by the Mayor or the Council.

Section 19. RULES AND REGULATIONS.

(a) Prior to receiving any applications for franchises, the Office of Cable Communications shall adopt rules, regulations and standards governing the operation of cable communication systems in the City which rules, regulations and standards shall be consistent with this ordinance and all other applicable ordinances of The City of Seattle. Such rules, regulations and standards shall apply to and govern the operations of the Grantee of any franchise hereunder and are expressly declared to be a part of any franchise granted pursuant to this ordinance.

(b) Provided the same do not materially alter the contents of any franchise, the Office of Cable Communications may at any time adopt new rules or regulations or standards and may amend, modify, delete or otherwise change rules, regulations or standards previously adopted, provided, however, this section shall not be interpreted as a limitation upon the exercise by the City of its police powers.

(c) Any rules, regulations or standards proposed to be adopted pursuant to this Section 19 shall be adopted in accordance with the procedures prescribed by the Administrative Code of the City.

Section 20. EQUAL OPPORTUNITY EMPLOYMENT AND AFFIRMATIVE ACTION PLAN.

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

(b) Grantee also agrees that it will, prior to commencement of operations pursuant to its franchise and during the term of the franchise, furnish to the Director of the Department of Human Rights of the City, upon his request and on such form as may be provided by said director, therefor, a report of the affirmative action taken by the Grantee in implementing the terms of this provision, and will permit access to his records of employment, employment advertisements, application forms, other pertinent data and records by the Director of the Department of Human Rights for the purpose of investigation to determine compliance with this provision.

(c) If upon investigation the Director of the Human Rights Department finds probable cause to believe that the Grantee has failed to comply with any of the terms of this section, the Grantee and the Council shall be so notified in writing. The Council shall give the Grantee an opportunity to be heard, after ten days notice. If the Council concurs in the findings of the Director, it may suspend the franchise, pending compliance by the Grantee with the terms of this provision.

(d) Failure to comply with any of the terms of this section shall be a material breach of the franchise.

(e) Comparable provisions shall be inserted in all subcontracts for work covered by any franchise.

Section 21. INTERPRETATION.

This ordinance and any franchise granted pursuant to it shall at all times be so interpreted as to require the Grantee to comply with all pertinent rules, regulations and requirements of the Federal Communications Commission, or of any other federal or state body or agency having jurisdiction in regard to CATV systems. Such interpretation of this ordinance shall not be deemed to diminish, impair, alter or affect any contractual benefit to the City or Grantee, nor any contractual obligation of the Grantee under any franchise issued hereunder.

Section 22. SEVERABILITY

(a) If any portion of this ordinance shall be held ... invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

(b) If any portion of this ordinance should be ... any rule or regulation hereafter adopted by the Federal Communications Commission ... to the extent of ... the Federal Communications Commission shall control ... but only for so long as such rule or regulation shall remain in effect, but the remaining portions of this ordinance shall not hereby be affected.

Section 23. EFFECTIVE DATE

This ordinance shall become effective thirty (30) days from and after its passage and approval by the Mayor except as follows:

(a) Nothing contained in this ordinance shall abridge, impair, alter, modify or in any way affect any right, privilege or immunity of either the Grantee or the City conferred by or arising under ... franchise granted prior ... effective date of this ordinance. Provided, that the acceptance ... of a franchise ... this ordinance for any cable district shall ... stitute the surrender by the Grantee of the right to operate a CATV system in that cable district under any prior franchise.

(b) Section 7(a)(2), Section ... and Section 7(a)(5) shall become effective when ... C. F. R. §76.251, as now in effect or as hereafter amended, becomes applicable to systems that commence operations before March 31, 1977.

Section 24. This Cable Communications Ordinance shall be incorporated in its entirety by reference into and become a part of each and every CABLE Television franchise granted by The City of Seattle.

Section 25. 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 22nd day of March, 1976, and signed by me in open session in authentication of its passage this 22nd day of March, 1976.

SAM SMITH,
President of the City Council.

Approved by me this 26th day of March, 1976.

WES UHLMAN,
Mayor.

Filed by me this 26th day of March, 1976.

Attest: E. L. KIDD,
City Comptroller and City Clerk.

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

Publication ordered by E. L. KIDD, Comptroller and City Clerk.

Date of Official Publication in the Daily Journal of Commerce, Seattle, March 30, 1976. (C 542)

Our readers look to this daily newspaper for official advertisements for bids on all types of contracts. As a public official, do your notices appear in the Journal of Commerce?

CITY NOTICES

ORDINANCE 105430

AN ORDINANCE licensing the making of solicitations for charitable purposes; amending Section 3 and adding new Sections 347.1 through 358.1 to the License Code (Ordinance 48022) and repealing Sections 347 through 359.7 of said License Code and Ordinance 101838.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 3 of Ordinance 48022 (License Code) as last amended by Ordinance 102636 is further amended to read as follows:

Section 3. For the purpose of this ordinance certain words shall have the meaning specified in this section. Words used in the singular include the plural, and words used in the plural include the singular. Words used in the masculine gender include the feminine and words used in the feminine gender include the masculine.

(1) "Person" means any individual, partnership, company, society, association, or other group or organization, whether acting by themselves or by a servant, agent or employee.

(2) "Published" means published in a daily newspaper of general circulation published in the City of Seattle.

(3) "Complainant" means any person who files a complaint in writing with the Department of Licenses and Consumer Affairs.

(4) "Licensee" means the holder of any license issued in accordance with the provisions of this ordinance.

(5) "Confidential" means not available for public inspection.

(6) "DIRECTOR" OR "DIRECTOR OF LICENSES AND CONSUMER AFFAIRS" MEANS THE DIRECTOR OF THE DEPARTMENT OF LICENSES AND CONSUMER AFFAIRS OF THE CITY OF SEATTLE AND SHALL INCLUDE SAID DIRECTOR'S AUTHORIZED REPRESENTATIVES.

Section 2. That Ordinance 48022 (License Code) is amended by adding thereto new Sections designated Sections 347.1 through 358.1 to read as follows:

Section 347.1 PURPOSE

The purpose of the charitable solicitation provisions of the License Code is to protect the general public and public charity in the City by: (1) requiring full public disclosure of facts relating to persons and organizations soliciting funds from the public for charitable purposes, the purposes for which such funds are solicited, and the actual use of such funds; and by (2) prohibiting deceptive and dishonest statements and conduct in the solicitation of funds for or in the name of charity.

Section 347.2 DEFINITIONS

The following words and terms as used in Sections 347.1 through 358.1 of this ordinance shall have the definitions provided below unless a different meaning clearly appears from the context.

(A) "Charitable" means and includes any activity or pursuit which has as its object, or which purports to have as its object the benefit or improvement of any person economically, educationally, morally, physically, or socially, and for which full and fair consideration, financial or otherwise, is neither requested nor received from the benefiting person.

(B) "Charitable organization" means any benevolent, philanthropic, patriotic, civic, educational, social, recreational or fraternal organization, or any other person having or purporting to have a charitable purpose.

(C) "Compensation" means salaries, wages, fees, commissions, bonuses or any other remuneration or valuable consideration.

(D) "Contribution" means the donation, promise, or grant, for consideration or otherwise of any money, rights or property of any kind or value which is wholly or in part induced by solicitation. Reference to the dollar amount of a "contribution" or a "solicitation," in the case of a payment or promise to pay for merchandise or rights of any description, shall refer to the value of the total amount paid or promised to be paid for such merchandise or rights, and not merely that portion of the purchase price to be applied to a charitable purpose.

(E) "Cost of Solicitation" means and includes all costs, expenditures, debts, obligations, compensation or other money or thing of value paid or incurred in making a solicitation for a direct gift or conducting a sale and benefit affair.

(F) "Direct gift" means an outright contribution of food, clothing, money, credit, property, financial assistance or other thing of value to be used for a charitable purpose and for which the donor receives no consideration or thing of value in return.

(G) "Membership means a status of relationship in which for the payment of fees, dues, or assessments, an organization provides services and confers rights or privileges, standing, honor or benefit, in addition to the right to vote, elect officers, or hold office in such organization; provided, that no person shall be deemed to be included within the membership of any organization where such membership is conferred for the making of a contribution pursuant to a solicitation.

(H) "Parent Organization" means that part of a charitable organization which coordinates, supervises, or exercises control of policy, fund raising, or expenditures or assists or advises one or more chapters, branches or affiliates of such organization in the City.

(I) "Professional Fund Raiser" means any person who, for compensation, plans, conducts, or manages any drive or campaign in the City for the purpose of soliciting contributions for or on behalf of any charitable organization or charitable purpose, or who engages in the business or holds himself or herself out to persons in the City as independently engaged in the business of soliciting contributions for such purposes or the business of planning, conducting, managing, or carrying on any drive or campaign in the City for such solicitations; provided that the following persons shall not be deemed professional fund raisers or professional solicitors: (a) any bona fide officer or employee of a charitable organization which maintains a permanent establishment in the State of Washington who is employed or engaged as such officer or employee principally in connection with activities other than soliciting contributions or managing the solicitation of contributions, and whose salary or other compensation is not computed on funds raised or to be raised; (b) any bona fide officer or employee of any radio station, television station, or newspaper acting within the scope of his or her employment.

(J) "Professional Solicitor" means any person other than a professional fund raiser and not specifically excluded under paragraph (I) above, who is employed for compensation by any person or charitable organization to solicit contributions for charitable purposes from persons in the City.

(K) "Sale and Benefit Affair" means and includes but is not limited to, an athletic or sports event, a bazaar, benefit, campaign, circus, contest, dance, drive, entertainment, exhibition, exposition, party, performance, picnic, sale, social gathering, theatre, or variety show which the public is requested to patronize or attend or to which the public is requested to make a contribution for any charitable purpose connected therewith.

(L) "Solicitation" means any oral or written request, either direct or indirect, for a contribution, including any offer or attempt to sell property, rights, services, or other thing, in connection with which:

(1) An appeal is made for a charitable purpose, or

(2) The name of any charitable organization is used as an inducement for consummating the sale, or

(3) Any statement is made which implies that the whole or any part of the proceeds from the sale will be applied toward any charitable purpose or donated to any charitable organization.

A solicitation shall be deemed completed when made, whether or not the person making it receives any contribution or makes any sale.

(M) "Subsidiary organization" means any chapter, branch or affiliate of a charitable organization.

(N) "Street musician" means anyone who engages in the playing of any musical instrument, or singing, or vocalizing with or without musical accompaniment in or upon any public street or public place within the City.

Section 348.1 LICENSE REQUIREMENTS

It is unlawful for any person to solicit contributions within the City on behalf of any charitable organization or for any charitable purpose without having a charitable solicitation license issued in accordance with this ordinance.

Section 348.2 GENERAL EXEMPTIONS TO LICENSE REQUIREMENTS AND TO THE PROVISIONS OF THIS ORDINANCE

The provisions of Sections 347.1 through 358.1 of this Ordinance shall not apply to:

A. Solicitations for any religious purpose.

B. Solicitations by an organization when the solicitation of contributions is confined to the membership of the organization and when the solicitation is managed and conducted solely by officers and members of the organization who are not paid for such services.

C. Solicitations by persons requesting any contribution for the relief of named individuals other than the solicitor:

(1) When the solicitation is managed and conducted solely by persons who are not paid for such services; and

(2) When the contributions collected do not exceed five thousand dollars ($5,000) in any twelve month period; and

(3) When all of the contributions collected, without any deductions except for the actual cost of a banquet, dance, or similar social gathering, are delivered to the named beneficiary or beneficiaries.

D. Solicitations by government subdivisions which solicit funds for governmental purposes and which funds are subject to control, examination, or review by governmental agents or agencies.

E. Solicitations by any charitable organization which:

(1) Does not contract with professional fund raisers or professional solicitors; and

(2) Does not solicit door to door, or in any public street, or any place of business open to the public, or any public park, provided that for the purpose of this subparagraph (2), written announcements of sales benefits, or other activities which have a charitable purpose, are not solicitations; and

(3) Solicits and collects contributions in any amount less than five thousand dollars ($5,000) in any twelve month period.

F. The conduct of any bingo game, raffle, amusement game or other gambling activity regulated and licensed by the Washington State Gambling Commission pursuant to RCW Chapter 9.46 as now or hereafter amended.

G. Solicitations by radio stations, television stations or newspapers.

Section 348.3 SPECIAL EXEMPTION FOR SUBSIDIARIES OF PARENT ORGANIZATIONS WHICH ARE LICENSED BY THE CITY

No subsidiary organization shall be required to obtain a separate charitable solicitation license if the parent organization files an application for and is issued a charitable solicitation license.

Section 349. LICENSE APPLICATIONS

(A) LONG FORM

Any charitable organization which solicits and collects in excess of five thousand dollars ($5,000) in any twelve month period, or which employs professional fund raisers or professional solicitors, shall make application for a charitable solicitation license to the Director upon a form provided by the Director. The application shall be executed under oath by an officer of the charitable organization, and shall contain, but not be limited to, the following information, or in lieu thereof a detailed statement of the reason or reasons why such information cannot be furnished:

(1) The name of the charitable organization and the name under which it intends to solicit contributions;

(2) The addresses of all offices maintained by the charitable organization within the City or if none, the local address and name of the person executing the application;

(3) The names and addresses of all of the organization's chapters, branches, and affiliates within the City;

(4) The names, addresses and dates of birth of the organization's directors, trustees, officers and key personnel. The term key personnel means:

(a) Officers, employees or other personnel who are directly in charge of the fund raising activities of a charitable organization,

(b) Officers or individual maintaining custody of charitable organization's financial records,

(c) Officers or individuals who will have custody of contributions to a charitable organization.

(5) The location of the organization's financial records relating to the solicitation conducted within the City;

(6) A general statement of the methods by which solicitations will be made, including a statement as to whether solicitations will be conducted by voluntary unpaid solicitors, by paid solicitors, or both, and a brief narrative description of the promotional plan, and the location of any telephone solicitation facilities;

(7) The names, addresses, and dates of birth of any professional fund raisers and professional solicitors who are acting or who have agreed to act on behalf of the charitable organization, together with a statement setting forth the terms of the arrangements for compensation of the professional fund raisers and professional solicitors.

(8) The general purpose for which the charitable organization is organized;

(9) Where and when the organization was legally established, the form of its organization, and its federal tax exempt status;

(10) The purposes for which the contributions to be solicited will be used, the total amount of funds proposed to be raised, and the use to be made of any receipts therefrom;

(11) The period of time during which the solicitation will be made:

(12) Unless previously filed with the Director, a financial statement of any funds collected for charitable purposes by the applicant during the preceding fiscal year, which statement shall give the amount of money raised together with the cost of solicitation and final distribution of the balance; and

(13) Such other information as may be reasonably required by the Director in the public interest or for the protection of contributors.

If, while such application is pending or prior to the conclusion of the charitable solicitation within the City, there is any change in fact, policy, or method which would alter the information given in the application, the applicant shall notify the Director in writing thereof within five days of such change excluding Saturdays, Sundays and legal holidays.

(B) SHORT FORM

Any charitable organization which solicits and collects five thousand dollars ($5,000) or less within any twelve month period, and which does not employ professional fund raisers or professional solicitors may, in lieu of the form of application provided for in Section 349 (A) above, make application for a charitable solicitation license by filing with the Director a short form application upon a form to be provided by the Director.

If, while such application is pending or prior to the conclusion of the charitable solicitation within the City, there is any change in fact, policy, or method which would alter the information given in the application, the applicant shall notify the Director in writing thereof within five days of such change excluding Saturdays, Sundays and legal holidays.

It is unlawful for a charitable organization which executes a "short form application" to solicit and collect in excess of five thousand dollars ($5000) during the period for which the charitable solicitation license is issued or during its fiscal year or to employ any professional fund raiser or solicitor during said period.

(C) STATE REGISTRATION IN LIEU OF CITY APPLICATION

Any charitable organization, which is currently registered as a charitable organization with the State of Washington under the provisions of RCW Chapter 19.09, as now or hereafter amended, may, in lieu of filing the completed application required by Section 349 (A) or (B), make application for a charitable solicitation license by filing with the Director duplicate copies of all information, registration and financial statements, amendments, correspondence, instruments, documents and papers filed with the Charities Section of the Division of Professional Licenses of the State of Washington in connection with such registration.

(D) RENEWAL OF LICENSES

Any applicant previously granted a charitable solicitation license pursuant to this Ordinance may in an application for a new charitable solicitation license incorporate by specific reference information which was submitted in the previous year's application and which remains accurate.

Section 350.1 INVESTIGATION OF APPLICATIONS

The Director shall examine all charitable solicitation license applications filed under Section 349 of this Ordinance and shall make, or cause to be made, such further investigation of the application and applicant as the Director shall deem necessary. Upon request by the Director, the applicant shall make available for inspection by the Director all the applicant's books, records, and papers at any reasonable time before the license is granted, during the time the license is in effect, and within three (3) years after a license has expired.

Section 350.2 STANDARDS FOR DIRECTOR'S ACTION IN GRANTING OR DENYING CHARITABLE SOLICITATION LICENSE

A charitable solicitation license shall be granted by the Director and issued in accordance with the provisions of this Ordinance if and only if the Director finds that the following facts exist:

(A) That the application is complete, and that all of the statements made in the application are true:

(B) That the charitable organization is not connected in any way, either directly or indirectly, with a professional fund raiser or a professional solicitor who has within the past ten (10) years:

(1) Been convicted of a crime involving solicitations for or on behalf of any charitable organization or charitable purpose, or

(2) Been convicted of any crime involving misrepresentation, deceit, or fraud, or

(3) Been found in any civil or administrative proceedings to have committed any act of misrepresentation, deceit, or fraud.

(C) That neither the charitable organization nor any of its officers, trustees, directors, or principals have within the past ten (10) years:

(1) Been convicted of any crime involving solicitation for or on behalf of a charitable organization or charitable purpose, or

(2) Been convicted of any crime involving misrepresentation, deceit, or fraud, or

(3) Been found in any civil or administrative proceeding to have committed any act of misrepresentation, deceit, or fraud.

(D) That the total cost of the solicitation for direct gifts will not exceed twenty per cent (20%) of the gross amount to be raised, or for sale and benefit affairs will not exceed fifty-five per cent (55%) of the gross amount to be raised, and in any case not more than twenty per cent (20%) of the gross amount to be raised shall be paid for the compensation of professional solicitors and professional fund raisers; provided, that if the total cost of the solicitation will exceed twenty per cent (20%) in the case of solicitation for direct gifts, or fifty-five per cent (55%) in the case of sale and benefit affairs, the Director may grant a charitable solicitation license upon a showing that:

(1) Not more than twenty per cent (20%) of the gross amount to be raised will be paid for compensation of professional solicitors and professional fund raisers; and

(2) A method of solicitation will be used that affords full and fair disclosure to each person solicited, at the time of solicitation, of the portion of each contribution which will be given to a charitable organization or purpose.

And provided further that no such method of affording disclosure shall be used except upon the prior written approval of the Director and it shall be unlawful for a charitable organization after receiving such written approval to fail to adhere to the method of disclosure approved by the Director.

(E) That the solicitation material and the general promotional plan are neither false, misleading, nor deceptive, that they afford full and fair disclosure, and that they comply with any rules and regulations for charitable solicitation established by the Director pursuant to this Ordinance.

(F) That the method or methods for solicitation outlined in the application do not include any of the following methods of solicitation:

(1) Charitable solicitation by children under fourteen years of age where the children will be paid for such solicitation or retain a portion of the solicited funds. This prohibition shall not apply where both of the following exist:

(a) The children are members of the organization for whose benefit the solicitation is made, and

(b) All funds so solicited, less permissible costs, will be expended locally and solely for the direct benefit of children in the organization.

(2) Delivery by mail or otherwise of any unordered merchandise:

(3) Solicitation by means of coin or currency boxes or receptacles except:

(a) When each box or receptacle is the responsibility of a person located within the State of Washington who is a bona fide member, agent, or solicitor of the soliciting organization, and

(b) When the responsible person is required to pick up each box or receptacle at the end of the solicitation period, and

(c) When the use of the boxes and receptacles in the solicitation is expressly authorized by the Director, and

(d) When approval is obtained from the owner or occupant of the premises before any such box or receptacle is mailed or delivered to such premises for placement or display.

A charitable solicitation license shall be valid only for the solicitations for which application is made and for the certain time period stated on its face which shall not extend past the solicitation date(s) given in the application, and which shall in no case exceed one year.

Section 351. ISSUANCE, DENIAL, SUSPENSION AND REVOCATION OF LICENSES.

Except as otherwise specifically provided for in Sections 347.1 through 355.1 hereof, the issuance, denial, suspension and revocation of charitable solicitation licenses and any hearings in connection therewith shall be governed by the general provisions of this License Code.

Section 352. FEES FOR CHARITABLE SOLICITATION PERMIT

There shall be paid to the City for a charitable solicitation license the fees set forth below:

For charitable organizations which solicit and collect five thousand dollars ($5,000) or less during their fiscal year, and which pay no compensation to professional fund raisers or professional solicitors $10.00

For all other charitable organizations $60.00

The above fees shall be paid regardless of the date of expiration of a license.

Section 353. FINANCIAL STATEMENTS

(A) Within one hundred twenty (120) days following the close of its fiscal year, every charitable organization which has been issued a charitable solicitation license by the City and which has solicited and collected in excess of five thousand dollars ($5,000) during its fiscal year, or which has paid any compensation to professional fund raisers or professional solicitors for their services in fund raising functions, shall file with the Director a financial statement upon such form or forms as may be prescribed by the Director and containing, but not limited to, the following information:

(1) The gross amount of the contributions collected including written pledges;

(2) The amount of the contributions distributed or to be distributed for charitable purposes with such details as to the manner of distribution as may be required by the Director;

(3) The aggregate amount paid or to be paid for the cost of solicitation;

(4) The amounts paid and to be paid to professional fund raisers and professional solicitors;

(5) Copies of any annual or periodic reports produced by the charitable organization of its activities during or for the same fiscal period.

Whenever a charitable solicitation license has been issued to a parent organization by the City the parent shall include within its financial statement the above financial information concerning each of its subsidiary organizations operating within the City: provided that a parent organization need not include in its financial statement information concerning any subsidiary which does not solicit and collect more than five thousand dollars ($5000) during its fiscal year and does not pay compensation to any professional fund raiser or professional solicitor.

(B) In addition to the financial statement required by Section 353 (A) the Director may require that any charitable organization file within thirty (30) days after the close of any period of solicitation a special report upon such form as may be prescribed by the Director and containing for said period of solicitation the information required by Section 353 (A).

(C) In lieu of filing the financial statements required by Section 353 (A) and (B) any charitable organization may file a financial statement relating to its Washington State or national solicitation campaign for the same period if the statement includes the same information relating to the state or national campaign for the period as that required by Section 353 (A) or (B) as the case may be.

(D) All financial statements and reports required pursuant to Sections 353 (A), (B) and (C) shall be certified as correct by two officers authorized to sign official correspondence or documents on behalf of the charitable organization, or in the case of an individual, by such individual.

(E) Failure to comply with any of the provisions of this Section 353 shall be sufficient cause to deny a subsequent charitable solicitation license.

Section 354. BOOKS, RECORDS AND CONTRACTS

Every charitable organization to which a charitable solicitation license has been issued shall maintain at its usual business location accurate and current books and records documenting all contributions and disbursements and true and correct copies of all contracts between such charitable organizations and professional fund raisers, which contracts shall be in writing. Such contracts, books and records shall be retained for at least three years following the period to which they relate, and shall be available for inspection by the Director at all reasonable times.

Section 355. IDENTIFICATION CARDS

All charitable organizations to whom charitable solicitation licenses have been issued shall furnish to each of their agents, solicitors, and fund raisers and to each of the agents, solicitors and fund raisers of any subsidiary, identification cards approved as to form by the Director. Such identification cards shall include the name of the charitable organization, the license number of the charitable organization, date of expiration of the license, the name of the solicitor, the signature of the solicitor, the signature of an appropriate official of the organization, a statement that the organization is licensed by the City and a statement which reads: "Issuance of this card does not constitute endorsement by The City of Seattle."

Identification cards may be obtained upon request from the Director. The first ten (10) cards shall be issued without charge; additional cards may be obtained upon payment of ten (10) cents per card.

The Director may authorize charitable organizations which are currently registered with the State of Washington pursuant to RCW Chapter 19.09 as now or hereafter amended or whose parent organizations are currently registered with the State and have filed current registration statements on their behalf pursuant to RCW 19.09.090 as now or hereafter amended to use identification cards approved by the State provided that the City's solicitation license number and the expiration date of the City's license are included on such cards.

It is unlawful for an individual soliciting contributions for any charitable purpose to fail to have in his or her possession the identification card required herein or to refuse to display such identification card upon the demand of any police officer of the City, any person solicited, or the Director.

A list of all agents, solicitors, professional fund raisers, and professional solicitors to whom identification cards have been provided shall be maintained by the licensee and shall be available for inspection by the Director and any police officer of the City.

Section 356. ENDORSEMENT DISCLAIMER

Issuance of a charitable solicitation license does not constitute endorsement or approval by the City of any charitable organization. It is unlawful for any person or charitable organization to claim, or imply, directly or indirectly, any such endorsement or approval by reason of having obtained a charitable solicitation license from the City.

Section 357. PROHIBITED SOLICITATION METHODS

(A) USE OF FALSE, MISLEADING OR DECEPTIVE ADVERTISEMENTS

The Director shall have the power to order a charitable organization to cease and desist from using an advertisement that contains false, misleading or deceptive statements.

Whenever the Director determines that a charitable organization is using an advertisement that contains false, misleading or deceptive statements the Director shall issue a cease and desist order with respect to said advertisement and send a copy of the cease and desist order to the charitable organization by certified mail. The cease and desist order shall specify in detail the statements subject to the order and shall include notice of the hearing rights granted below.

Within ten (10) days of the mailing of a cease and desist order to a charitable organization, the organization may file with the Director a written request for a hearing or a written statement confirming that the organization will comply with the terms of the cease and desist order, in which case the organization shall inform all of its employees, agents, fund raisers and solicitors of the terms of the cease and desist order and of the organization's intention to comply. Every cease and desist order shall take permanent effect ten (10) days after the mailing of the order unless a hearing is requested; provided, that a cease and desist order may be issued summarily in which case it shall take effect forty-eight (48) hours excluding Saturdays, Sundays and legal holidays after the mailing of the order.

Upon the filing of a request for a hearing, the Department shall forthwith deliver a copy of the request to the Hearing Examiner who shall give notice and conduct such hearing in accordance with the procedures established in the License Code for the revocation and suspension of licenses to the extent said provisions are not inconsistent with the provisions of this section. The Hearing Examiner, based upon findings as to whether the advertisement contains statements that are false, misleading or deceptive, shall either withdraw, modify or sustain the cease and desist order. A cease and desist order which is modified or sustained by the hearing examiner shall take permanent force and effect from the time that the decision of the Hearing Examiner is rendered. All hearings on cease and desist orders which take effect forty-eight (48) hours after issuance of the order shall be held within five (5) days of a timely request for a hearing, unless a later date is agreed to by the organization, and the decision in such hearings shall be rendered within three (3) days of the date of the hearing.

It shall be unlawful for a charitable organization which has been notified of the issuance of a cease and desist order to publish and distribute an advertisement containing statements subject to the provisions of such an order during the period that such a cease and desist order is in effect.

(B) FRAUDULENT MISREPRESENTATION AND MISSTATEMENTS PROHIBITED

It is unlawful for any person to directly or indirectly solicit contributions for any charitable purpose by misrepresentation of his or her name, occupation, financial condition, social condition or residence, and no person shall make or perpetrate any other misstatement, misrepresentation, deception, or fraud in connection with any solicitation for any charitable purpose in the City or in any application, statement or report filed in connection therewith.

(C) USE OF A PERSON'S NAME IN SOLICITATIONS

It is unlawful for any person to use the name of any other person for the purpose of soliciting contributions for a charitable purpose from persons within the City without the written consent of such other person; provided, that such consent may be deemed to have been given by anyone who is a director, trustee, other officer, employee, agent, professional fund raiser, or professional solicitor of a person to whom a charitable solicitation license has been issued.

A person shall be deemed to have used the name of another person for the purpose of soliciting contributions if: (1) the latter person's name is listed on any stationery, advertisement, brochure, or correspondence of the charitable organization or person; or (2) the name is used in solicitation of contributions or in any attempt to gain sponsorship or endorsement of a charitable organization or its activities.

(D) USE OF A SIMILAR NAME, SYMBOL OR STATEMENT

The Director shall have the power to order a charitable organization to cease and desist from using any name, symbol or statement so closely related or similar to that known to be used by another charitable organization or governmental agency that the use thereof could confuse or mislead the public.

Whenever the Director determines that a charitable organization is using such a name, symbol or statement the Director shall issue a cease and desist order with respect to said name, symbol or statement and send a copy of the cease and desist order to the charitable organization by certified mail. The cease and desist order shall specify any name, symbol or statement subject to the order and shall include notice of the hearing rights granted below.

Within ten (10) days of the mailing of the cease and desist

CIT

order to a tion, the with the quest for a statement organizatio the terms order in w ization shal ployees, ag solicitors cease and d organizatio ply. Every shall take (10) days the order u quested pr and desist summarily take effect excluding and legal h ing of the

Upon the a hearing, forthwith request to who shall duct such with the in the Lice cation and to the exte not inconsi sions of th ing Examin ings as to symbol or ly related known to charitable ernment a thereof wo the public sustain, or desist orde order whic tained by shall take effect from cision of rendered, and desist fect forty- issuance held withi timely req less a late the organi in such h dered with the date o

It is unl organizatio tified of th and desist symbol or the provis during th cease and fect.

Secti FOR PR STREET

(A) It i to solicit self or he public stre the City; musicians graph (B) sively acce ceptacle p pose; and this sectio any activit ance with Market M provision 102826, a amended, permit iss to ordinan

(B) It street mus provisions (A) to:

(1) A donation gestures, vices, an

(2) Ta performa than two

(3) En before 10 p. m. of

(4) Us reproduc of any s

Section 3 section, clause, or nance, or th plication t or circums the validity this ordina its applica or circums

Section through 35 (Ordinance 101838 enti

"AN ORD makin charita quirin makin religio offenc alties; 347 thr cense C and re throug Code a nance 9

are hereby that charit mits issued visions of through 35 tive date o be valid fo issued.

Section 5 take effect days from and approv Mayor; oth effect at th a law unde city charter.

Passed by 22nd day o signed by authenticati 22nd day of

President

Approved of March, 1

Filed by March, 1976.

Att Ci

(Seal) B

Publicatio KIDD, Con Clerk.

Date of O the Daily J Seattle, Mar

ORDI

AN ORDINA the impro DENTAL from South to Yesler

by constru ing the s crete walk reconstruct Seattle avenue; Al

YESLER WA from Occid to approxi thereof,

by constru walk; all Resolution Council of creating a district the that payme ment be m sessments said distri mode of pa

BE IT ORDAI OF SEATTL

Section 1. T

OCCIDENTAL from South to Yesler W

be improved or reconstruc for the concre structed of re forces or by c under the dir of Public W with State L approving th such other w be necessary with, accordi specifications pared by the approved by Works; ALSO

YESLER WA from Occid

CITY NOTICES

ORDINANCE 103427

(Continued from Page Seven)

tion, an assignment of the franchise shall be deemed to occur if there is an actual change in control or where ownership of more than fifty per cent (50%) of the voting stock of Grantee is acquired by a person or group of persons acting in concert, none of whom already own 50 per cent or more of the voting stock singly or collectively. Any such transfer or assignment shall be made only by an instrument in writing, such as a bill of sale or similar document, a duly executed copy of which shall be filed in the Office of Cable Communications within thirty (30) days after such transfer or assignment.

(e) Time shall be of the essence of any franchise granted hereunder. The Grantee shall not be relieved of its obligation to comply promptly with any of the provisions of this ordinance by any failure of the City to enforce prompt compliance.

(f) For purposes of the administration of this ordinance any right or power conferred or impressed upon any officer, employee, department or board of the City shall be subject to transfer by the City to any other officer, employee, department or board of the City.

(g) Grantees shall have no recourse whatsoever against the City for any loss, cost, expense or damage arising out of any provision or requirement of this ordinance or for any franchise issued hereunder or because of its enforcement.

(h) Grantees shall be subject to all requirements of City laws, rules, regulations and specifications heretofore or hereafter enacted or established.

(i) Any franchise granted hereunder shall be in lieu of any and all other rights, privileges, powers, immunities and authorities owned, possessed, controlled or exercisable by Grantee, or any successor to any interest of Grantee, of or pertaining to the construction, operation or maintenance of any cable communications system in the cable district to which the franchise relates; and the acceptance of any franchise hereunder shall, as of the effective date of such franchise, operate between Grantee and the City as an abandonment of any and all of such rights, privileges, powers, immunities and authorities within the said cable district, to the effect that, as between Grantee and the City, all construction, operation and maintenance by the Grantee of any cable communication system in such district or districts shall be, and shall be deemed and construed in all instances and respects to be, under and pursuant to said franchise and not under or pursuant to any other right, privilege, power immunity or authority whatsoever.

(j) No Grantee nor any major stockholder of a Grantee shall directly or indirectly engage within the City in the business of selling, leasing, renting, servicing or repairing radio or television sets or other receivers or parts thereof which make use of standard broadcast entertainment signals, provided that nothing therein shall prevent Grantee from making modifications to the tuner input circuit of the subscribers television receivers and the fine tuning of the customers operating controls only, to insure proper operation under conditions of cable connection at the time of installation or in response to subscriber complaints, or from the selling, servicing or repairing receivers and other equipment belonging to other CATV system operators for use in the conduct of their businesses.

(k) No Grantee may exercise any control over program content on any access channel, except to the extent necessary to prevent the presentation of program material prohibited by rules and regulations of the Federal Communications Commission.

Section 18. RIGHTS RESERVED TO THE CITY AND THE PEOPLE.

(a) Every franchise, right or privilege granted pursuant to this ordinance shall be subject to the right of the Council, or the People of the City acting for themselves by the initiative and referendum, at any time, subsequent to the grant, to repeal, amend or modify the said grant with due regard to the rights of the Grantee and the interest of the public; and to cancel, forfeit and abrogate any such grant if the franchise granted thereby is not operated in full accordance with its provisions, or at all; and at any time during the life of the franchise grant to the right of the people acquire, by purchase or condemnation, for the use of the City itself, all the property of the Grantee within the limits of the public streets, at a fair and just value, which shall not include any valuation of the franchise itself, which shall thereupon terminate; and every ordinance making such grant shall contain a reservation of these rights of the Council, and of the people of the City acting for themselves by the initiative and referendum, to so repeal, amend or modify said ordinance, and to so cancel, forfeit and abrogate the grant, and to so acquire the property of the grantee in the public streets, as herein above set forth.

(b) Notwithstanding any other provision of this ordinance, as long as the City charter shall so provide the Council shall not consider or grant any application for extension of the period of any franchise, nor any new franchise covering all or any substantial part of the rights or privileges of any existing franchise, until within three years of the expiration of the existing grant, and then only after submission to and approval by a majority vote of the [illegible] electors; but this subsection shall not be construed to prohibit the consideration and granting of a new franchise which does not extend the period of the existing franchise.

(c) There is hereby reserved in the City every right and power which is required to be herein reserved or provided by any law, and a Grantee by its acceptance of a franchise agrees to be bound thereby and to comply with any action or requirements of the City in its exercise of such rights or powers heretofore or hereafter enacted or established.

(d) There is hereby reserved in the City the power to amend at intervals of five (5) years or more each and any section of this ordinance so as to require additions or improved specifications pertaining to construction, operation, maintenance or otherwise on the part of the Grantee, to reflect technical and economic changes occurring during the franchise term and to enable the City and the Grantee to take advantage of new developments in the cable communications industry so as to serve the public more effectively, efficiently and economically, without the consent of the Grantee, provided such amendments do not materially alter the contents of any franchise and provided further that this provision shall not be interpreted as a limitation in any manner whatsoever or at any time whatsoever upon the exercise by the City of its police powers.

(e) A Grantee shall upon request of the Mayor make its facilities immediately available to the City for emergency use during the period of any emergency or disaster declared by the Mayor or the Council.

Section 19. RULES AND REGULATIONS.

(a) Prior to receiving any applications for franchises, the Office of Cable Communications shall adopt rules, regulations and standards governing the operation of cable communication systems in the City which rules, regulations and standards shall be consistent with this ordinance and all other applicable ordinances of The City of Seattle. Such rules, regulations and standards shall apply to and govern the operations of the Grantee of any franchise hereunder and are expressly declared to be a part of any franchise granted pursuant to this ordinance.

(b) Provided the same do not materially alter the contents of any franchise, the Office of Cable Communications may at any time adopt new rules or regulations or standards and may amend, modify, delete or otherwise change rules, regulations or standards previously adopted, provided, however, this section shall not be interpreted as a limitation upon the exercise by the City of its police powers.

(c) Any rules, regulations or standards proposed to be adopted pursuant to this Section 19 shall be adopted in accordance with the procedures prescribed by the Administrative Code of the City.

Section 20. EQUAL OPPORTUNITY EMPLOYMENT AND AFFIRMATIVE ACTION PLAN.

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

(b) Grantee also agrees that it will, prior to commencement of operations pursuant to its franchise and during the term of the franchise, furnish to the Director of the Department of Human Rights of the City, upon his request and on such form as may be provided by said director therefor, a report of the affirmative action taken by the Grantee in implementing the terms of this provision, and will permit access to his records of employment, employment advertisements, application forms, other pertinent data and records by the Director of the Department of Human Rights for the purpose of investigation to determine compliance with this provision.

(c) If upon investigation the Director of the Human Rights Department finds probable cause to believe that the Grantee has failed to comply with any of the terms of this section, the Grantee and the Council shall be so notified in writing. The Council shall give the Grantee an opportunity to be heard, after ten days notice. If the Council concurs in the findings of the Director, it may suspend the franchise, pending compliance by the Grantee with the terms of this provision.

(d) Failure to comply with any of the terms of this section shall be a material breach of the franchise.

(e) Comparable provisions shall be inserted in all subcontracts for work covered by any franchise.

Section 21. INTERPRETATION.

This ordinance and any franchise granted pursuant to it shall at all times be so interpreted as to require the Grantee to comply with all pertinent rules, regulations and requirements of the Federal Communications Commission, or any other federal or state body or agency having jurisdiction in regard to CATV systems. Such interpretation of this ordinance shall not be deemed to diminish, impair, alter or affect any contractual benefit to the City or Grantee, nor any contractual obligation of the Grantee under any franchise issued hereunder.

Section 22. SEVERABILITY

(a) If any portion of this ordinance shall be held illegal, invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

(b) If any portion of this ordinance should be inconsistent with any rule or regulation now or hereafter adopted by the Federal Communications Commission to the extent of the inconsistency, the rule or regulation of the Federal Communications Commission shall control for so long, but only for so long, as such rule or regulation shall remain in effect, but the remaining portions of this ordinance shall be thereby be affected.

Section 23. EFFECTIVE DATE.

This ordinance shall become effective thirty (30) days from and after its passage and approval by the Mayor except as follows:

(a) Nothing contained in this ordinance shall abridge, impair, alter, modify or in any way affect any right, privilege or immunity of either the Grantee or the City conferred by or arising under any cable franchise granted prior to and remaining in effect on the effective date of this ordinance. Provided, that the acceptance of a franchise granted under this ordinance for any cable district shall be deemed to constitute the surrender by the Grantee of the right to operate a CATV system in that cable district under any prior franchise.

(b) Section 7(a)(2), Section 7(a)(4) and Section 7(a)(5) shall become effective when 47 C. F. R. §76.251, as now in effect or as hereafter amended, becomes applicable to systems that commenced operations before March 31, 1972.

Section 24. This Cable Communications Ordinance shall be incorporated in its entirety by reference into and become a part of each and every CABLE Television franchise granted by The City of Seattle.

Section 25. 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 22nd day of March, 1976, and signed by me in open session in authentication of its passage this 22nd day of March, 1976.

SAM SMITH,
President of the City Council.

Approved by me this 26th day of March, 1976.

WES UHLMAN,
Mayor.

Filed by me this 26th day of March, 1976.

Attest: E. L. KIDD,
City Comptroller and City Clerk.

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

Publication ordered by E. L. KIDD, Comptroller and City Clerk.

Date of Official Publication in the Daily Journal of Commerce, Seattle, March 30, 1976. (C-542)

Our readers look to this daily newspaper for official advertisements for bids on all types of contracts. As a public official, do your notices appear in the Journal of Commerce?

CITY NOTICES

ORDINANCE 103430

AN ORDINANCE licensing the making of solicitations for charitable purposes; amending Section 3 and adding new Sections 347.1 through 358.1 to the License Code (Ordinance 45022); and repealing Sections 347 through 359.7 of said License Code and Ordinance 101838.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 3 of Ordinance 45022 (License Code) as last amended by Ordinance 102636 is further amended to read as follows:

Section 3. For the purpose of this ordinance certain words shall have the meaning specified in this section. Words used in the singular include the plural, and words used in the plural include the singular. Words used in the masculine gender include the feminine and words used in the feminine gender include the masculine.

(1) "Person" means any individual, partnership, company, society, association, or other group or organization, whether acting by themselves or by a servant, agent or employee.

(2) "Published" means published in a daily newspaper of general circulation published in the City of Seattle.

(3) "Complainant" means any person who files a complaint in writing with the Department of Licenses and Consumer Affairs.

(4) "Licensee" means the holder of any license issued in accordance with the provisions of this ordinance.

(5) "Confidential" means not available for public inspection.

(6) "DIRECTOR" OR "DIRECTOR OF LICENSES AND CONSUMER AFFAIRS" MEANS THE DIRECTOR OF THE DEPARTMENT OF LICENSES AND CONSUMER AFFAIRS OF THE CITY OF SEATTLE AND SHALL INCLUDE SAID DIRECTOR'S AUTHORIZED REPRESENTATIVES.

Section 2. That Ordinance 45022 (License Code) is amended by adding thereto new Sections designated Sections 347.1 through 358.1 to read as follows:

Section 347.1 PURPOSE

The purpose of the charitable solicitation provisions of the License Code is to protect the general public and public charity in the City by: (1) requiring full public disclosure of facts relating to persons and organizations soliciting funds from the public for charitable purposes, the purposes for which such funds are solicited, and the actual use of such funds; and by (2) prohibiting deceptive and dishonest statements and conduct in the solicitation of funds for or in the name of charity.

Section 347.2 DEFINITIONS

The following words and terms as used in Sections 347.1 through 358.1 of this ordinance shall have the definitions provided below unless a different meaning clearly appears from the context.

(A) "Charitable" means and includes any activity or purpose which has as its object, or which purports to have as its object the benefit or improvement of any person economically, educationally, morally, physically, or socially, and for which full and fair consideration, financial or otherwise, is neither requested nor received from the benefiting person.

(B) "Charitable organization" means any benevolent, philanthropic, patriotic, civic, educational, social, recreational or fraternal organization, or any other person having or purporting to have a charitable purpose.

(C) "Compensation" means salaries, wages, fees, commissions, bonuses or any other remuneration or valuable consideration.

(D) "Contribution" means the donation, promise, or grant, for consideration or otherwise of any money, rights or property of any kind or value which is wholly or in part induced by solicitation. Reference to the dollar amount of a "contribution" or a "solicitation," in the case of a payment or promise to pay for merchandise or rights of any description, shall refer to the value of the total amount paid or promised to be paid for such merchandise, or rights, and not merely that portion of the purchase price to be applied to a charitable purpose.

(E) "Cost of Solicitation" means and includes all costs, expenditures, debts, obligations, compensation or other money or thing of value paid or incurred in making a solicitation for a direct gift or conducting a sale and benefit affair.

(F) "Direct gift" means an outright contribution of food, clothing, money, credit, property, financial assistance or other thing of value to be used for a charitable purpose and for which the donor receives no consideration or thing of value in return.

(G) "Membership means a status or relationship in which for the payment of fees, dues, or assessments, an organization provides services and/or confers other rights or privileges, or professional standing, honor or other direct benefit. In addition to the right to vote, elect officers, or hold office in such organization, provided, that no person shall be deemed to be included within the membership of any organization where such membership is conferred for the making of a contribution pursuant to a solicitation.

(H) "Parent Organization" means that part of a charitable organization which coordinates, supervises, or exercises control of policy, fund raising, or expenditures or assists or advises one or more chapters, branches or affiliates of such organization operating in the City.

(I) "Professional Fund Raiser" means any person who, for compensation, plans, conducts, or manages any drive or campaign in the City for the purpose of soliciting contributions for or on behalf of any charitable organization or charitable purpose, or who engages in the business of or holds himself or herself out to persons in the City as independently engaged in the business of soliciting contributions for such purposes or the business of planning, conducting, managing or carrying on any drive or campaign in the City for such solicitations; provided that the following persons shall not be deemed professional fund raisers or professional solicitors: (a) any bona fide officer or employee of a charitable organization which maintains a permanent establishment in the State of Washington who is employed or engaged as such officer or employee principally in connection with activities other than soliciting contributions or managing the solicitation of contributions, and whose salary or other compensation is not computed on funds raised or to be raised; (b) any bona fide officer or employee of any radio station, television station, or newspaper acting within the scope of his or her employment.

(J) "Professional Solicitor" means any person other than a professional fund raiser and not specifically excluded under paragraph (I) above, who is employed for compensation by any person or charitable organization to solicit contributions for charitable purposes from persons in the City.

(K) "Sale and Benefit Affair" means and includes but is not limited to, an athletic or sports event, a bazaar, benefit, campaign, circus, contest, dance, drive, entertainment, exhibition, exposition, party, performance, picnic, sale, social gathering, theatre, or variety show which the public is requested to patronize or attend or to which the public is requested to make a contribution for any charitable purpose connected therewith.

(L) "Solicitation" means any oral or written request, either direct or indirect, for a contribution, including any offer or attempt to sell property, rights, services, or other thing, in connection with which:

(1) An appeal is made for a charitable purpose, or

(2) The name of any charitable organization is used as an inducement for consummating the sale, or

(3) Any statement is made which implies that the whole or any part of the proceeds from the sale will be applied toward any charitable purpose or donated to any charitable organization.

A solicitation shall be deemed completed when made, whether or not the person making it receives any contribution or makes any sale.

(M) "Subsidiary organization" means any chapter, branch or affiliate of a charitable organization.

(N) "Street musician" means anyone who engages in the playing of any musical instrument, or singing, or vocalizing with or without musical accompaniment in or upon any public street or public place within the City.

Section 348.1 LICENSE REQUIREMENTS

It is unlawful for any person to solicit contributions within the City on behalf of any charitable organization or for any charitable purpose without having a charitable solicitation license issued in accordance with this ordinance.

Section 348.2 GENERAL EXEMPTIONS TO LICENSE REQUIREMENTS AND TO THE PROVISIONS OF THIS ORDINANCE

The provisions of Sections 347.1 through 358.1 of this Ordinance shall not apply to:

A. Solicitations for any religious purpose.

B. Solicitations by an organization when the solicitation of contributions is confined to the membership of the organization and when the solicitation is managed and conducted solely by officers and members of the organization who are not paid for such services.

C. Solicitations by persons requesting any contribution for the relief of named individuals other than the solicitor:

(1) When the solicitation is managed and conducted solely by persons who are not paid for such services; and

(2) When the contributions collected do not exceed five thousand dollars ($5,000) in any twelve month period; and

(3) When all of the contributions collected, without any deductions except for the actual cost of a banquet, dance, or similar social gathering, are delivered to the named beneficiary or beneficiaries.

D. Solicitations by government subdivisions which solicit funds for governmental purposes and which funds are subject to control, examination, or review by governmental agents or agencies.

E. Solicitations by any charitable organization which:

(1) Does not contract with professional fund raisers or professional solicitors; and

(2) Does not solicit door to door, or in any public street, or any place of business open to the public, or any public park, provided that for the purpose of this subparagraph (2), written announcements of sales, benefits, or other activities which have a charitable purpose, are not solicitations; and

(3) Solicits and collects contributions in any amount less than five thousand dollars ($5,000) in any twelve month period.

F. The conduct of any bingo game, raffle, amusement game or other gambling activity regulated and licensed by the Washington State Gambling Commission pursuant to RCW Chapter 9.46 as now or hereafter amended.

G. Solicitations by radio stations, television stations or newspapers.

Section 348.3 SPECIAL EXEMPTION FOR SUBSIDIARIES OF PARENT ORGANIZATIONS WHICH ARE LICENSED BY THE CITY

No subsidiary organization shall be required to obtain a separate charitable solicitation license if the parent organization files an application for and is issued a charitable solicitation license.

Section 349. LICENSE APPLICATIONS

(A) LONG FORM

Any charitable organization which solicits and collects in excess of five thousand dollars ($5000) in any twelve month period, or which employs professional fund raisers or professional solicitors, shall make application for a charitable solicitation license to the Director upon a form provided by the Director. The application shall be executed under oath by an officer of the charitable organization, and shall contain, but not be limited to, the following information, or in lieu thereof, a detailed statement of the reason or reasons why such information cannot be furnished:

(1) The name of the charitable organization and the name under which it intends to solicit contributions.

(2) The addresses of all offices maintained by the charitable organization within the City or if none, the local address and name of the person executing the application.

(3) The names and addresses of all of the organization's chapters, branches, and affiliates within the City;

(4) The names, addresses and dates of birth of the organization's directors, trustees, officers and key personnel. The term key personnel means:

(a) Officers, employees or other personnel who are directly in charge of the fund raising activities of a charitable organization,

(b) Officers of individual maintaining custody of charitable organization's financial records,

(c) Officers or individual who will have custody of contributions to a charitable organization;

(5) The location of the organization's financial records relating to the solicitation conducted within the City;

(6) A general statement of the methods by which solicitations will be made, including a statement as to whether solicitations will be conducted by voluntary unpaid solicitors, by paid solicitors, or both, and a brief narrative description of the promotional plan, and the location of any telephone solicitation facilities;

(7) The names, addresses, and dates of birth of any professional fund raisers and professional solicitors who are acting or who have agreed to act on behalf of the charitable organization, together with a statement setting forth the terms of the arrangements for compensation of the professional fund raisers and professional solicitors.

(8) The general purpose for which the charitable organization is organized;

(9) Where and when the organization was legally established, the form of its organization, and its federal tax exempt status;

(10) The purposes for which the contributions to be solicited will be used, the total amount of funds proposed to be raised, and the use to be made of any receipts therefrom;

(11) The period of time during which the solicitation will be made;

(12) Unless previously filed with the Director, a financial statement of any funds collected for charitable purposes by the applicant during the preceding fiscal year, which statement shall give the amount of money raised together with the cost of solicitation and final distribution of the balance; and

(13) Such other information as may be reasonably required by the Director in the public interest or for the protection of contributors.

If, while such application is pending or prior to the conclusion of the charitable solicitation within the City, there is any change in fact, policy, or method which would alter the information given in the application, the applicant shall notify the Director in writing thereof within five days of such change excluding Saturdays, Sundays and legal holidays.

(B) SHORT FORM

Any charitable organization which solicits and collects five thousand dollars ($5,000) or less within any twelve month period, and which does not employ professional fund raisers or professional solicitors may, in lieu of the form of application provided for in Section 349 (A) above, make application for a charitable solicitation license by filing with the Director a short form application upon a form to be provided by the Director.

If, while such application is pending or prior to the conclusion of the charitable solicitation within the City, there is any change in fact, policy, or method which would alter the information given in the application, the applicant shall notify the Director in writing thereof within five days of such change excluding Saturdays, Sundays and legal holidays.

It is unlawful for a charitable organization which executes a "short form application" to solicit and collect in excess of five thousand dollars ($5000) during the period for which the charitable solicitation license is issued or during its fiscal year or to employ any professional fund raiser or solicitor during said period.

(C) STATE REGISTRATION IN LIEU OF CITY APPLICATION

Any charitable organization which is currently registered as a charitable organization with the State of Washington under the provisions of RCW Chapter 19.09, as now or hereafter amended, may, in lieu of filing the completed application required by Section 349 (A) or (B), make application for a charitable solicitation license by filing with the Director duplicate copies of all information, registration and financial statements, amendments, correspondence, instruments, documents, and papers filed with the Charities Section of the Division of Professional Licenses of the State of Washington in connection with such registration.

(D) RENEWAL OF LICENSES

Any applicant previously granted a charitable solicitation license pursuant to this Ordinance may in an application for a new charitable solicitation license incorporate by specific reference information which was submitted in the previous year's application, and which remains accurate.

Section 350.1 INVESTIGATION OF APPLICATIONS

The Director shall examine all charitable solicitation license applications filed under Section 349 of this Ordinance and shall make or cause to be made, such further investigation of the application and applicant as the Director shall deem necessary. Upon request by the Director, the applicant shall make available for inspection by the Director all the applicant's books, records, and papers at any reasonable time before the license is granted, during the time the license is in effect, and within three (3) years after a license has expired.

Section 350.2 STANDARDS FOR DIRECTOR'S ACTION IN GRANTING OR DENYING CHARITABLE SOLICITATION LICENSE

A charitable solicitation license shall be granted by the Director and issued in accordance with the provisions of this Ordinance if and only if the Director finds that the following facts exist:

(A) That the application is complete, and that all of the statements made in the application are true;

(B) That the charitable organization is not connected in any way, either directly or indirectly, with a professional fund raiser or a professional solicitor who has within the past ten (10) years:

(1) Been convicted of a crime involving solicitation for or on behalf of any charitable organization or charitable purpose, or

(2) Been convicted of any crime involving misrepresentation, deceit, or fraud, or

(3) Been found in any civil or administrative proceedings to have committed any act of misrepresentation, deceit, or fraud.

(C) That neither the charitable organization nor any of its officers, trustees, directors or principals have within the past ten (10) years.

(1) Been convicted of a crime involving solicitation for or on behalf of a charitable organization or charitable purpose, or

(2) Been convicted of any crime involving misrepresentation, deceit, or fraud, or

(3) Been found in any civil or administrative proceeding to have committed any act of misrepresentation, deceit, or fraud.

(D) That the total cost of the solicitation for direct gifts will not exceed twenty per cent (20%) of the gross amount to be raised, or for sale and benefit affairs will not exceed fifty-five per cent (55%) of the gross amount to be raised, and in any case not more than twenty per cent (20%) of the gross amount to be raised shall be paid for the compensation of professional solicitors and professional fund raisers; provided, that if the total cost of the solicitation will exceed twenty per cent (20%) in the case of solicitation for direct gifts, or fifty-five per cent (55%) in the case of sale and benefit affairs, the Director may grant a charitable solicitation license upon a showing that:

(1) Not more than twenty per cent (20%) of the gross amount to be raised will be paid for compensation of professional solicitors and professional fund raisers, and

(2) A method of solicitation will be used that affords full and fair disclosure to each person solicited, at the time of solicitation, of the portion of each contribution which will be given to a charitable organization or purpose.

And provided further that no such method of affording disclosure shall be used except upon the prior written approval of the Director and it shall be unlawful for a charitable organization after receiving such written approval to fail to adhere to the method of disclosure approved by the Director.

(E) That the solicitation material and the general promotional plan are neither false, misleading, nor deceptive, that they afford full and fair disclosure, and that they comply with any rules and regulations for charitable solicitation established by the Director pursuant to this Ordinance.

(F) That the method or methods for solicitation outlined in the application do not include any of the following methods of solicitation:

(1) Charitable solicitation by children under fourteen years of age where the children will be paid for such solicitation or retain a portion of the solicited funds. This prohibition shall not apply where both of the following exist:

(a) The children are members of the organization for whose benefit the solicitation is made, and

(b) All funds so solicited, less permissible costs, will be expended locally and solely for the direct benefit of children in the organization.

(2) Delivery by mail or otherwise of any unordered merchandise;

(3) Solicitation by means of coin or currency boxes or receptacles except:

(a) When each box or receptacle is the responsibility of a person located within the State of Washington who is a bona fide member, agent, or solicitor of the soliciting organization, and

(b) When the responsible person is required to pick up each box or receptacle at the end of the solicitation period, and

(c) When the use of the boxes and receptacles in the solicitation is expressly authorized by the Director, and

(d) When approval is obtained from the owner or occupant of the premises before any such box or receptacle is mailed or delivered to such premises for placement or display.

A charitable solicitation license shall be valid only for the solicitations for which application is made and for the certain time period stated on its face which shall not extend past the solicitation date(s) given in the application, and which shall in no case exceed one year.

Section 351. ISSUANCE, DENIAL, SUSPENSION AND REVOCATION OF LICENSES.

Except as otherwise specifically provided for in Sections 347.1 through 358.1 hereof, the issuance, denial, suspension and revocation of charitable solicitation licenses and any hearings in connection therewith shall be governed by the general provisions of this License Code.

Section 352. FEES FOR CHARITABLE SOLICITATION PERMIT

There shall be paid to the City for a charitable solicitation license the fees set forth below:

For charitable organizations which solicit and collect five thousand dollars ($5,000) or less during their fiscal year, and which pay no compensation to professional fund raisers or professional solicitors $10.00

For all other charitable organizations $60.00

The above fees shall be paid regardless of the date of expiration of a license.

Section 353. FINANCIAL STATEMENTS

(A) Within one hundred twenty (120) days following the close of its fiscal year, every charitable organization which has been issued a charitable solicitation license by the City and which has solicited and collected in excess of five thousand dollars ($5,000) during its fiscal year, or which has paid any compensation to professional fund raisers or professional solicitors for their services in fund raising functions, shall file with the Director a financial statement upon such form or forms as may be prescribed by the Director and containing, but not limited to, the following information:

(1) The gross amount of the contributions collected including written pledges;

(2) The amount of the contributions distributed or to be distributed for charitable purposes with such details as to the manner of distribution as may be required by the Director;

(3) The aggregate amount paid or to be paid for the cost of solicitation;

(4) The amounts paid and to be paid to professional fund raisers and professional solicitors;

(5) Copies of any annual or periodic reports produced by the charitable organization of its activities during or for the same fiscal period.

Whenever a charitable solicitation license has been issued to a parent organization by the City the parent shall include within its financial statement the above financial information concerning each of its subsidiary organizations operating within the City; provided that a parent organization need not include in its financial statement information concerning any subsidiary which does not solicit and collect more than five thousand dollars ($5000) during its fiscal year and does not pay compensation to any professional fund raiser or professional solicitor.

(B) In addition to the financial statement required by Section 353 (A) the Director may require that any charitable organization file within thirty (30) days after the close of any period of solicitation a special report upon such form as may be prescribed by the Director and containing for such period of solicitation the information required by Section 353 (A).

(C) In lieu of filing the financial statements required by Section 353 (A) and (B) any charitable organization may file a financial statement relating to its Washington State or national solicitation campaign for the same period if the statement includes the same information relating to the state or national campaign for the period as that required by Section 353 (A) or (B) as the case may be.

(D) All financial statements and reports required pursuant to Sections 353 (A), (B) and (C) shall be certified as correct by two officers authorized to sign official correspondence or documents on behalf of the charitable organization, or in the case of an individual, by such individual.

(E) Failure to comply with any of the provisions of this Section 353 shall be sufficient cause to deny a subsequent charitable solicitation license.

Section 354. BOOKS, RECORDS AND CONTRACTS

Every charitable organization to which a charitable solicitation license has been issued shall maintain at its usual business location accurate and current books and records documenting all contributions and disbursements and true and correct copies of all contracts between such charitable organizations and professional fund raisers, which contracts shall be in writing. Such contracts, books and records shall be retained for at least three years following the period to which they relate, and shall be available for inspection by the Director at all reasonable times.

Section 355. IDENTIFICATION CARDS

All charitable organizations to whom charitable solicitation licenses have been issued shall furnish to each of their agents, solicitors, and fund raisers and to each of the agents, solicitors and fund raisers of any subsidiary, identification cards approved as to form by the Director. Such identification cards shall include the name of the charitable organization, the license number of the charitable organization, date of expiration of the license, the name of the solicitor, the signature of the solicitor, the signature of an appropriate official of the organization, a statement that the organization is licensed by the City and a statement which reads: "Issuance of this card does not constitute endorsement by The City of Seattle."

Identification cards may be obtained upon request from the Director. The first ten (10) cards shall be issued without charge; additional cards may be obtained upon payment of ten (10) cents per card.

The Director may authorize charitable organizations which are currently registered with the State of Washington pursuant to RCW Chapter 19.09 as now or hereafter amended or whose parent organizations are currently registered with the State and have filed current registration statements on their behalf pursuant to RCW 19.09.090 as now or hereafter amended to use identification cards approved by the State provided that the City's solicitation license number and the expiration date of the City's license are included on such cards.

It is unlawful for an individual soliciting contributions for any charitable purpose to fail to have in his or her possession the identification card required herein or to refuse to display such identification card upon the demand of any police officer of the City, any person solicited, or the Director.

A list of all agents, solicitors, professional fund raisers, and professional solicitors to whom identification cards have been provided shall be maintained by the licensee and shall be available for inspection by the Director and any police officer of the City.

Section 356. ENDORSEMENT DISCLAIMER

Issuance of a charitable solicitation license does not constitute endorsement or approval by the City of any charitable organization. It is unlawful for any person or charitable organization to claim, or imply, directly or indirectly, any such endorsement or approval by reason of having obtained a charitable solicitation license from the City.

Section 357. PROHIBITED SOLICITATION METHODS

(A) USE OF FALSE, MISLEADING OR DECEPTIVE ADVERTISEMENTS

The Director shall have the power to order a charitable organization to cease and desist from using an advertisement that contains false, misleading or deceptive statements.

Whenever the Director determines that a charitable organization is using an advertisement that contains false, misleading or deceptive statements the Director shall issue a cease and desist order with respect to said advertisement and send a copy of the cease and desist order to the charitable organization by certified mail. The cease and desist order shall specify in detail the statements subject to the order and shall include notice of the hearing rights granted below.

Within ten (10) days of the mailing of a cease and desist order to a charitable organization, the organization may file with the Director a written request for a hearing or a written statement confirming that the organization will comply with the terms of the cease and desist order, in which case the organization shall inform all of its employees, agents, fund raisers and solicitors of the terms of the cease and desist order and of the organization's intention to comply. Every cease and desist order shall take permanent effect ten (10) days after the mailing of the order unless a hearing is requested; provided, that a cease and desist order may be issued summarily in which case it shall take effect forty-eight (48) hours excluding Saturdays, Sundays and legal holidays after the mailing of the order.

Upon the filing of a request for a hearing, the Department shall forthwith deliver a copy of the request to the Hearing Examiner who shall give notice and conduct such hearing in accordance with the procedures established in the License Code for the revocation and suspension of licenses to the extent said provisions are not inconsistent with the provisions of this section. The Hearing Examiner, based upon findings as to whether the advertisement contains statements that are false, misleading or deceptive, shall either withdraw, modify or sustain the cease and desist order. A cease and desist order which is modified or sustained by the hearing examiner shall take permanent force and effect from the time that the decision of the Hearing Examiner is rendered. All hearings on cease and desist orders which take effect forty-eight (48) hours after issuance of the order shall be held within five (5) days of a timely request for a hearing, unless a later date is agreed to by the organization, and the decision in such hearings shall be rendered within three (3) days of the date of the hearing.

It shall be unlawful for a charitable organization which has been notified of the issuance of a cease and desist order to publish and distribute an advertisement containing statements subject to the provisions of such an order during the period that such a cease and desist order is in effect.

(B) FRAUDULENT MISREPRESENTATION AND MISSTATEMENTS PROHIBITED

It is unlawful for any person to directly or indirectly solicit contributions for any charitable purpose by misrepresentation of his or her name, occupation, financial condition, social condition or residence, and no person shall make or perpetrate any other misstatement, misrepresentation, deception, or fraud in connection with any solicitation for any charitable purpose in the City or in any application, statement or report filed in connection therewith.

(C) USE OF A PERSON'S NAME IN SOLICITATIONS

It is unlawful for any person to use the name of any other person for the purpose of soliciting contributions for a charitable purpose from persons within the City without the written consent of such other person; provided, that such consent may be deemed to have been given by anyone who is a director, trustee, other officer, employee, agent, professional fund raiser, or professional solicitor of a person to whom a charitable solicitation license has been issued.

A person shall be deemed to have used the name of another person for the purpose of soliciting contributions if: (1) the latter person's name is listed on any stationery, advertisement, brochure, or correspondence of the charitable organization or person; or (2) the name is used in solicitation of contributions or in any attempt to gain sponsorship or endorsement of a charitable organization or its activities.

(D) USE OF A SIMILAR NAME, SYMBOL OR STATEMENT

The Director shall have the power to order a charitable organization to cease and desist from using any name, symbol or statement so closely related or similar to that known to be used by another charitable organization or governmental agency that the use thereof could confuse or mislead the public.

Whenever the Director determines that a charitable organization is using such a name, symbol or statement the Director shall issue a cease and desist order with respect to said name, symbol or statement and send a copy of the cease and desist order to the charitable organization by certified mail. The cease and desist order shall specify any name, symbol or statement subject to the order and shall include notice of the hearing rights granted below.

Within ten (10) days of the mailing of the cease and desist order to a charitable organization, the organization may file with the Director a written request for a hearing or a written statement confirming that the organization will comply with the terms of the cease and desist order in which case such organization shall inform all of its employees, agents, fund raisers and solicitors of the terms of the cease and desist order and of the organization's intention to comply. Every cease and desist order shall take permanent effect ten (10) days after the mailing of the order unless a hearing is requested provided, that a cease and desist order may be issued summarily in which case it shall take effect forty-eight (48) hours excluding Saturdays, Sundays and legal holidays after the mailing of the order.

Upon the filing of a request for a hearing, the Department shall forthwith deliver a copy of such request to the Hearing Examiner who shall give notice and conduct such hearing in accordance with the procedures established in the License Code for the revocation and suspension of Licenses to the extent said provisions are not inconsistent with the provisions of this section. The Hearing Examiner, based upon findings as to whether the name, symbol or statement are so closely related or similar to that known to be used by another charitable organization or governmental agency that the use thereof would confuse or mislead the public shall either withdraw, sustain, or modify a cease and desist order. A cease and desist order which is modified or sustained by the Hearing Examiner shall take permanent force and effect from the time that the decision of the hearing officer is rendered. All hearings on cease and desist orders which take effect forty-eight (48) hours after issuance of the order shall be held within five (5) days of a timely request for a hearing, unless a later date is agreed to by the organization, and the decision in such hearings shall be rendered within three (3) days of the date of the hearing.

It is unlawful for a charitable organization which has been notified of the issuance of a cease and desist order to use a name, symbol or statement subject to the provisions of such an order during the period that such a cease and desist order is in effect.

Section 358.1 SOLICITING FOR PRIVATE NEEDS — STREET MUSICIANS

(A) It is unlawful for anyone to solicit contributions for himself or herself in or upon any public street or public place in the City: provided that street musicians may, subject to paragraph (B) of this section, passively accept donations in a receptacle provided for that purpose; and provided, further that this section shall not apply to any activity conducted in accordance with a permit issued by the Market Master pursuant to the provisions of Ordinance No. 102826, as now or hereafter amended, or any other written permit issued therefor pursuant to ordinance.

(B) It is unlawful for any street musician accepting donations as provided in paragraph (A) to:

(1) Actively beg or solicit donations by word of mouth, gestures, signs or other devices, animals or second parties;

(2) Take part in any musical performance involving more than two performers;

(3) Engage in such activity before 10:00 a. m. or after 10:00 p. m. of any day;

(4) Use of any device for the reproduction or amplification of any sound.

Section 3. The invalidity of any section, subsection, provision, clause, or portion of this ordinance, or the invalidity of the application thereof to any person or circumstances, shall not affect the validity of the remainder of this ordinance or the validity of its application to other persons or circumstances.

Section 4. That Sections 347 through 359.7 of the License Code (Ordinance 45022), and Ordinance 101838 entitled:

"AN ORDINANCE licensing the making of solicitations for charitable purposes and requiring registration for the making of solicitations for religious purposes; defining offenses and providing penalties; adding new Sections 347 through 359.7 to the License Code (Ordinance 45022) and repealing Sections 347 through 359.7 of the License Code added thereto by Ordinance 92205"

are hereby repealed; provided that charitable solicitation permits issued pursuant to the provisions of said Sections 347 through 359.7 prior to the effective date of this ordinance shall be valid for the period for which issued.

Section 5. 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 22nd day of March, 1976, and signed by me in open session in authentication of its passage this 22nd day of March, 1976.

SAM SMITH,
President of the City Council.

Approved by me this 26th day of March, 1976.

WES UHLMAN,
Mayor.

Filed by me this 26th day of March, 1976.

Attest: E. L. KIDD,
City Comptroller and City Clerk.

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

Publication ordered by E. L. KIDD, Comptroller and City Clerk.

Date of Official Publication in the Daily Journal of Commerce, Seattle, March 30, 1976. (C-545)

ORDINANCE 105135

AN ORDINANCE providing for the improvement of OCCIDENTAL AVENUE SOUTH from South Washington Street to Yesler Way.

by constructing or reconstructing the support for the concrete walk to be constructed or reconstructed by the City of Seattle in the above-named avenue; ALSO,

YESLER WAY, south side only from Occidental Avenue South to approximately 111 feet east thereof.

by constructing a decorative walk; all in accordance with Resolution No. 24848 of the City Council of the City of Seattle creating a local improvement district therefor, and providing that payment for said improvement be made by special assessments upon property in said district payable by the mode of installment notes.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That,

OCCIDENTAL AVENUE SOUTH from South Washington Street to Yesler Way.

be improved by the construction or reconstruction of the support for the concrete walk to be constructed or reconstructed by City forces or by competitive contract under the direction of the Board of Public Works in compliance with State Law; and otherwise improving the same; and that such other work be done as may be necessary in connection therewith, according to plans and specifications therefor prepared by the City Engineer and approved by the Board of Public Works, ALSO,

YESLER WAY, south side only, from Occidental Avenue South to approximately 111 feet east thereof,

be improved by the construction of a concrete walk and by City forces or by competitive contract under the direction of the Board of Public Works in compliance with State Law; and otherwise improving the same; and that such other work be done as may be necessary in connection therewith, according to the plans and specifications therefor prepared by the City Engineer and approved by the Board of Public Works.

Section 2. That the cost and expense of said improvement, including all necessary and incidental expenses, estimated in the preliminary assessment roll to be approximately at $71,061 including those preliminary engineering costs contained in Ordinance No. 105275, shall be borne by and assessed against the property included in the assessment district hereinafter created in accordance with law. The City of Seattle shall not be liable in any manner for any portion of the cost and expense of said improvement, except as herein provided; provided, however, that the City of Seattle shall pay from the General Fund any sums which would have been levied against United States Government property within the assessment district herein created, if said property were assessable in the same manner as other property in said district.

Section 3. That by reason of the nature of this improvement the special benefits conferred on the property are not fairly reflected by the terminal and zone method as specified in Sections 35.43.080, 35.44.010, 35.44.040, and 35.44.050 of the Revised Code of Washington, or by the enlarged district method prescribed in Section 35.43.080 of the Revised Code of Washington; therefore, in accordance with provisions of Section 35.43.080 of the Revised Code of Washington, there is hereby established a local improvement district, to be called "Local Improvement District No. 6668," the property of which district shall be assessed in accordance with the special benefits to be derived from the improvement. The boundaries of said district are described as follows:

Beginning at the intersection of the south line of Yesler Way and the west line of the alley east of Occidental Avenue South; thence west along said south line to a line 51 feet west of and parallel with the west line of Occidental Avenue South; thence south along said parallel line to a line 60 feet south of and parallel with said south line; thence west along the last described parallel line to the east line of the alley west of said avenue; thence south along said east line to the north line of South Washington Street; thence east along said north line to the east line of Occidental Avenue South; thence north along the last described east line to a line 120 feet north of and parallel with the north line of South Washington Street; thence east along the last described parallel line to the west line of said alley lying east of Occidental Avenue South, thence north along the last described west line to the beginning.

Section 4. Local improvement installment notes, substantially in the form provided by ordinance and bearing interest at the rate of 6¼ per cent per annum, payable within seventeen years in annual installments beginning with the date of issue thereof, shall be issued to the City Employees Retirement Fund, pursuant to Chapter 165 Laws of Washington, 1961 (Ch. 35.45, R. C. W.) in lieu of local improvement bonds, to pay the cost and expense of this local improvement, which notes shall be paid from the special assessments to be levied and assessed upon the property within said district payable in fifteen equal annual installments, with interest at the rate of 6¼ per cent per annum, and it is hereby declared that the period during which said notes are payable will not exceed the life of the improvement provided for herein. These notes, and the warrants issued on the local improvement fund of said district on estimates by the City Engineer, shall be sold and delivered to the City Employee's Retirement Fund at not less than face value and accrued interest, and the funds obtained therefrom shall be used to pay the contractor in cash.

Section 5. The collection of any assessment levied by this local improvement district created by this ordinance may be deferred pursuant to the provisions of Chapter 137, Laws of 1972, First Extraordinary Session, in accordance with Ordinance No. 102560, which provides general terms and conditions for such deferral to implement the policy therefor adopted by Resolution No. 24262, and in accordance with Ordinance No. 104953 which amends Section 2 of said ordinance.

Section 6. 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 unanimous vote of all members of the City Council present, in accordance with Article VII, Section 14, as amended, of the City Charter and Section 35.45.020 R. C. W., the 22nd day of March, 1976 and signed by me in open session in authentication of its passage this 22nd day of March, 1976.

SAM SMITH,
President of the City Council.

Approved by me this 26th day of March, 1976.

WES UHLMAN,
Mayor.

Filed by me this 26th day of March, 1976.

Attest: E. L. KIDD,
City Comptroller and City Clerk.

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

Publication ordered by E. L. KIDD, Comptroller and City Clerk.

Date of Official Publication in the Daily Journal of Commerce, Seattle, March 30, 1976. (C-549)

Subscribe to the Seattle Daily Journal of Commerce — six months, $34.00.

The Journal of Commerce is the Official Bid Call Medium of the Northwest
Journal Bldg.
622-8272
Seattle