

ORDINANCE No. 114837

COUNCIL BILL No. 107694

AN ORDINANCE relating to health code fees; amending SMC 10.03.020 to eliminate certain permit and examination fees and to increase fumigation inspection fees; amending SMC 10.03.110 to increase annual permit fees for 1-25 seating capacity restaurants and to eliminate permit fee exemptions from certain temporary food service establishments and from certain community service organizations operating a food service establishment; and amending SMC 10.03.120 to increase school inspection and plan review fees.

Law Department

The City

Honorable President:

Your Committee on _____

to which was referred the within report that we have considered the

COMPROLLER FILE No. _____

Introduced: NOV 21 '08	By: Galle
Referred: NOV 21 '08	To: Full Council
Referred:	To:
Referred:	To:
Reported: NOV 27 1909	Second Reading: NOV 27 1909
Third Reading: NOV 27 1909	Signed: NOV 27 1909
Presented to Mayor: NOV 27 1909	Approved:
Returned to City Clerk:	Published:
Vetoes by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

Vote

OK

Department

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Date Reported
and Adopted

by President:

Committee on

was referred the within Council Bill No.

that we have considered the same and respectfully recommend that the same:

VOTE 5-0

Committee Chair

#2
C.B.107694

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ORDINANCE 114837

AN ORDINANCE relating to health code fees; amending SMC 10.03.020 to eliminate certain permit and examination fees and to increase fumigation inspection fees; amending SMC 10.03.110 to increase annual permit fees for 1-25 seating capacity restaurants and to eliminate permit fee exemptions from certain temporary food service establishments and from certain community service organizations operating a food service establishment; and amending SMC 10.03.120 to increase school inspection and plan review fees.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Effective January 1, 1990, Seattle Municipal Code 10.03.020 (Part of Section 1 of Ordinance 109951, as last amended by Section 1 of Ordinance 112566) is amended as follows:

Section 10.03.020 Fumigator and exterminator permit and examination fees. Fees for permits, examinations and inspections under this chapter shall be paid prior to permit issuance, examination or inspection as follows:

- A. Master fumigator \$150.00
- B. Master exterminator 150.00
- C. Master fumigator and master exterminator permit (if held by the same individual) . . 150.00
- ~~((D. Fumigator 20.00~~
- ~~E. Exterminator 20.00~~
- ~~F. Fumigator and exterminator permit (if held by the same individual) 20.00))~~
- ((G))D. Master fumigator exam (each time administered) 150.00
- ((H))E. Master exterminator exam (each time administered) 150.00

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((I))F. Master fumigator and master exterminator
(if administered concurrently) 200.00
~~((J.) Fumigator exam 25.00~~
~~K. Exterminator exam 25.00))~~
((L))G. Fumigation inspection fee per
fumigation. ((75.00)) 200.00

Section 2. Effective January 1, 1990, Seattle Municipal Code 10.03.110 (Section 2 of Ordinance 110268, as last amended by Section 1 of Ordinance 113908) is amended as follows:

Section 10.03.110. Food-service establishment permit fees.

A. The permit fees for the food service establishments subject to regulation by Chapter 10.11 Seattle Municipal Code shall be the annual fees set forth below, and with respect to temporary food service establishments, the periodic fee set forth below:

TYPE OF FOOD-SERVICE ESTABLISHMENT	FEE
Restaurants	
((Seating Capacity 1-25	\$ 65.00))
Seating Capacity ((26)) 1-75	\$125.00
Seating Capacity 76-150	\$195.00
Seating Capacity 151-250	\$275.00
Seating Capacity Over 250	\$365.00
Caterers (if not part of another food service establishment), Food Processing Establishments, Snack Bars in which food preparation occurs, and Retail Bakeries	
	\$125.00
Mobile Food-Service Units	
Low hazard mobile food carts, base fee	\$ 75.00
Additional locations, each	\$ 25.00

1	Restricted mobile caterers, base fee	\$145.00
2	Additional vehicles, each	\$ 50.00
3	Unrestricted mobile caterers, base fee	\$180.00
4	Additional vehicles, each	\$ 50.00
5	Restricted mobile food carts, base fee	\$125.00
6	Additional locations, each	\$ 30.00
7	Temporary Food Service Establishment	
8	Low hazard operation	\$ 50.00
9	High hazard operation	\$ 75.00
10	"Saturday Market"	\$122.00
11	Snack Bars in which no preparation occurs, and	
12	Limited Grocery Stores	\$ 50.00
13	Food Demonstrators	\$ 65.00
14	Food Promoters	\$180.00
15	Taverns (no food preparation)	\$ 75.00
16	Grocery Stores	
17	Less than 4 checkout devices	\$ 50.00
18	4-8 checkout devices	\$110.00
19	Over 8 checkout devices	\$180.00
20	Produce Stands	\$ 75.00

21 Provided, that if the application pertains to a seasonal
22 food-service establishment or a food-service establishment
23 that is to be operated only after October 1, in any year, the
24 applicable permit fee shall be one-half the annual fee
25 specified above.

26 B. The fee for any permit to be issued under Chapter
27 10.11 Seattle Municipal Code shall be due and payable on or
28 before the commencement date of the operation subject to such
permit.

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

1 shall be used:

2 1. Only the number of seats used for serving
3 customers shall be counted; seating used solely for customer
4 waiting shall not be counted.

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

9 3. Seating count for "take-out" and "drive-in"
10 type food-service establishments shall either include the
11 total number of inside and outside seats or two seats for each
12 defined parking stall provided by the food-service
13 establishment, whichever is greater.

14 D. Notwithstanding any other provision herein, the
15 following shall be exempt from the fees established by this
16 section:

17 1. Every person who operates a public, private, or
18 parochial school lunchroom.

19 2. Every religious, charitable, ((community
20 service)) or educational organization or institution with an
21 Internal Revenue Service 501(C)(3) non-profit tax-exempt
22 status operating a food-service establishment ((~~unless such~~
~~food service establishment, more than five times per years,~~
~~provides food to nonmembers of such organization or~~
~~institution for a charge~~));

23 3. Any blind person who operates a vending
24 facility under the supervision of the Washington State
25 Commission for the Blind. The term "vending facility" as used
26 in this subsection means any vending stand, facility,
27 cafeteria, or snack bar at which food, tobacco or sundries are
28 offered for sale. The term "blind person" as used in this

1 subsection shall have the meaning set forth in RCW 74.17.010.

2
3 Section 3. Effective January 1, 1990, Seattle Municipal
4 Code 10.03.120 (Section 2 of Ordinance 110265, as last amended
5 by Section 1 of Ordinance 112562) is amended as follows:

6 Section 10.03.120 School inspection, review, and
7 investigation fees.

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

- 11 1. For reviewing plans . . . \$((40.00))75.00 base
12 and specifications, fees plus \$20.00 per
13 in implementation of hour for actual time
14 SMC 10.58.010.A spent performing such
15 review work.
- 16 2. For any pre-occupancy . \$40.00
17 inspection conducted
18 subsequent to the
19 initial inspection
20 conducted pursuant to
WAC 248-64-250(2)(a)
and SMC 10.58.010 B.
- 21 3. For any certification . \$((60.00))75.00
22 inspection conducted
23 pursuant to
24 SMC 10.58.010 C.
- 25 4. For any exemption . . . \$((60.00))75.00
26 investigation conducted
27 pursuant to
28 SMC 10.58.010 D.

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

1 Section 4. Any act consistent with the authority and
2 prior to the effective date of this ordinance is hereby
3 ratified and confirmed.
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(To be used for all Ordinances except Emergency.)

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 27th day of November, 1989, and signed by me in open session in authentication of its passage this 27th day of November, 1989.

[Signature]
President of the City Council.

Approved by me this 12th day of December, 1989.

[Signature]
Mayor.

Filed by me this 12th day of December, 1989.

Howard J. Brooks
Attest: City Comptroller and City Clerk.

(SEAL)

Published

By *Theresa Dunbar*
Deputy Clerk.

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STATE OF WASHINGTON - KING COUNTY

21650
City of Seattle

—ss.

No.

Affidavit of Publication

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

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

Ord 114837

was published on

12/07/89

The amount of the fee charged for the foregoing publication is the sum of \$ _____, which amount has been paid in full.

Bethany Morris

Subscribed and sworn to before me on

Lori Kay DEC 7 1989

Notary Public for the State of Washington,
residing in Seattle

City of Seattle

ORDINANCE 114637

AN ORDINANCE relating to health code fees; amending SMC 10.03.020 to eliminate certain permit and examination fees and to increase fumigation inspection fees; amending SMC 10.03.110 to increase annual permit fees for 1-25 seating capacity restaurants and to eliminate permit fee exemptions from certain temporary food service establishments and from certain community service organizations operating a food service establishment; and amending SMC 10.03.120 to increase school inspection and plan review fees.

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E. Exterminator	20.00
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((G) D. Master fumigator exam (each time administered)	150.00
((H) E. Master exterminator exam (each time administered)	150.00
((I) F. Master fumigator and master exterminator (if administered concurrently)	200.00
((J. Fumigator exam	35.00
K. Exterminator exam	35.00
((L) G. Fumigation inspection fee per fumigation.	((75.00)) 200.00

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Section 10.03.110. Food-service establishment permit fees.

A. The permit fees for the food service establishments

2. Every religious, charitable, ((community service)) or educational organization or institution with an Internal Revenue Service 501(C)(3) non-profit tax-exempt status operating a food-service establishment ((unless such food-service establishment, more than five times per year, provides food to nonmembers of such organization or institution for a charge));

3. Any blind person who operates a vending facility under the supervision of the Washington State Commission for the Blind. The term "vending facility" as used in this subsection means any vending stand, facility, cafeteria, or snack bar at which food, tobacco or sundries are offered for sale. The term "blind person" as used in this subsection shall have the meaning set forth in RCW 74.17.010.

Section 3. Effective January 1, 1990, Seattle Municipal Code 10.03.120 (Section 2 of Ordinance 110265, as last amended by Section 1 of Ordinance 112562) is amended as follows:

Section 10.03.120 School inspection, review, and investigation fees.

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

1. For reviewing plans and specifications, in implementation of SMC 10.58.010.A . . . \$((40-00))75.00 base fees plus \$20.00 per hour for actual time spent performing such review work.
2. For any pre-occupancy inspection conducted subsequent to the initial inspection conducted pursuant to WAC 245-64-250(2)(a) and SMC 10.58.010 B. \$40.00
3. For any certification inspection conducted pursuant to SMC 10.58.010 C. . . \$((40-00))75.00
4. For any exemption investigation conducted pursuant to SMC 10.58.010 D. \$((40-00))75.00

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