

ORDINANCE No. 115441

*Law Department*

COUNCIL BILL No. 108263

The City of

AN ORDINANCE relating to health code fees; amending Seattle Municipal Code Chapter 10.03.056 to add a fee for a swimming or spa pool variance request; and amending Seattle Municipal Code 10.03.110 to add a fee for a food-service establishment waiver request.

Honorable President:

Your Committee on Bu

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

5-0

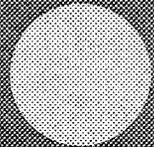
Full Council vote

COMPTROLLER FILE No. \_\_\_\_\_

Introduced: SEP 24 1990	By: SIBONGA
Referred: SEP 24 1990	To: Budget
Referred:	To:
Referred:	To:
Reported: NOV 26 1990	Second Reading: NOV 26 1990
Third Reading: NOV 26 1990	Signed: NOV 26 1990
Presented to Mayor: NOV 27 1990	Approved: DEC 6 1990
Returned to City Clerk: DEC 6 1990	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

OK

Department



# The City of Seattle--Legislative Department

## REPORT OF COMMITTEE

Date Reported  
and Adopted

President:

Committee on

BUDGET

was referred the within Council Bill No.

108263

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

5-0

DO PASS

of Council vote 8-0

Committee Chair

ORDINANCE

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33

AN ORDINANCE relating to health code fees; amending Seattle Municipal Code 10.03.056 to add a fee for a swimming or spa pool variance request; and amending Seattle Municipal Code 10.03.110 to add a fee for a food-service establishment waiver request.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Effective January 1, 1991, Seattle Municipal Code 10.03.056 is amended as follows:

Section 10.03.056 Fees Implementing Chapter 10.56 - Swimming and Spa Pools

A. Permit Fees.

- 1. Annual permits for one pool ..... \$200.00
- 2. Annual permit for each of the second through the fifth pool on same premises as first pool ..... 100.00

B. Plan Review Fees.

- 1. New pool ..... 100.00
- 2. Renovation (including extensive changes in equipment, piping or pool structure, costing in excess of \$3,000.00) ..... 50.00
- 3. Alteration (including change of filtration equipment, pumps or other mechanical equipment) ..... 15.00

C. Variance Review Fee ..... 150.00

Section 2. Effective January 1, 1991, Seattle Municipal Code 10.03.110 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:

1	Type of Food-Service Establishment	Fee
2	Restaurants	
3	Seating capacity 1-75.....	\$125.00
4	Seating capacity 76-150.....	195.00
5	Seating capacity 151-250.....	275.00
6	Seating capacity over 250.....	365.00
7	Caterers (if not part of another	
8	food-service establishment), Food	
9	Processing Establishments, Snack	
10	Bars in which food preparation	
11	occurs, and Retail Bakeries.....	125.00
12	Mobile Food-Service Units	
13	Low hazard mobile food carts, base fee.....	75.00
14	Additional locations, each.....	25.00
15	Restricted mobile caterers, base fee.....	145.00
16	Additional vehicles, each.....	50.00
17	Unrestricted mobile caterers, base fee.....	180.00
18	Additional vehicles, each.....	50.00
19	Restricted mobile carts, base fee.....	125.00
20	Additional locations, each.....	30.00
21	Temporary Food-Service Establishments,	
22	Low hazard operation.....	50.00
23	High hazard operation.....	75.00
24	"Saturday Market".....	122.00
25	Snack Bars in which no food preparation	
26	occurs, and Limited Grocery Stores.....	50.00
27	Food Demonstrators.....	65.00
28	Food Promoters.....	180.00
29	Taverns (no food preparation).....	75.00
30	Grocery Stores	
31	Less than 4 checkout devices.....	50.00
32	4-8 checkout devices.....	110.00
33		

1 Over 8 checkout devices..... 180.00  
2 Produce Stands..... 75.00

3 Provided, that if the application pertains to a seasonal food-service  
4 establishment or a food-service establishment that is to be operated only  
5 after October 1st, in any year, the applicable permit fee shall be one-half  
6 (½) the annual fee specified above.

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

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

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

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

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

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

24 1. Every person who operates a public, private, or parochial school  
25 lunchroom;

26 2. Every religious, charitable, or educational organization or  
27 institution with an Internal Revenue Service 501(C)(3) nonprofit tax-exempt  
28 status operating a food-service establishment;

29 3. Any blind person who operates a vending facility under the  
30 supervision of the Washington State Commission for the Blind. The term  
31 "vending facility" as used in this subsection means any vending stand,  
32 facility, cafeteria, or snack bar at which food, tobacco or sundries are  
33

1 offered for sale. The term "blind person" as used in this subsection shall  
2 have the meaning set forth in RCW 74.17.010.

3 E. The fee for reviewing a waiver request shall be \$150.00.

4 Section 4. Any act consistent with the authority and prior to the  
5 effective date of this ordinance is hereby ratified and confirmed.

6 Section 5. This ordinance shall take effect and be in force thirty days  
7 from and after its passage and approval, if approved by the Mayor; otherwise  
8 it shall take effect at the time it shall become a law under the provisions of  
9 the city charter.

10 Passed by the City Council the 26th day of November, 1990,  
11 and signed by me in open session in authentication of its passage this  
12 26th day of November, 1990.

13  
14 President [Signature] of the City Council.

15 Approved by me this 6th day of December, 1990.

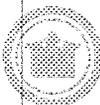
16  
17 [Signature]  
18 Mayor.

19 Filed by me this 6th day of December, 1990.

20  
21 Attest: [Signature]  
22 City Comptroller and City Clerk.

23  
24 Published \_\_\_\_\_

25 By [Signature]  
26 Deputy Clerk.



City of Seattle  
Norman B. Rice, Mayor

King County  
Tim Hill, Executive

**Seattle-King County Department of Public Health**

Bud Nicola, M.D., M.H.S.A., Director

MEMORANDUM

August 23, 1990

RECEIVED OMB

AUG 24 1990

846204

TO: Paul Kraabel, President  
Seattle City Council

VIA: Andrew Lofton, Director  
Office of Management and Budget  
ATTN: Sherry Johnson, Analyst

FROM: Bud Nicola, M.D.  
Director of Public Health

*BN*

RE: Request for Legislative Action and Proposed Ordinance

Please find attached SOP 100-014 Request for Legislative Action and proposed ordinance to add fees to Chapter 10.03 of the Seattle Municipal Code. This request is part of and consistent with the Health Department's 1991 Budget Request.

Food Waiver Request Fee

The proposal to add a fee for food waiver requests is intended to recover the costs of this activity. The fee is expected to generate \$7,500 in revenue.

Swimming and Spa Pool Variance Request Fee

The proposal to add a fee for spa pool waiver requests is intended to recover the costs of this activity. The fee is expected to generate \$7,500 in revenue.

The same fees will be proposed to the King County Board of Health for adoption.

BN:sgc  
Enclosures

cc: Chuck Kleeberg, Environmental Health Director  
Jack Thompson, Seattle Division Director

/hd/living

SOP 100-014 Request for Legislative Action

AN ORDINANCE relating to health code fees; amending SMC 10.03.110 to add a fee for waiver requests, and amending SMC 10.03.056 to add a fee for variance requests.

1. The objective of this proposal is to increase revenues in support of program operating costs.
2. New fees are as follows:

Food waiver request	\$150.00
Swimming and spa pool variance request	\$150.00
3. Revenue are deposited in the Public Health Pooling Fund.
4. Programs supported by these revenues are on-going regulatory programs. Regulations are contained in Title 10 of the Seattle Municipal Code.
5. The revenue changes do not result in any new positions. They are intended to increase the revenue support level for existing positions.
6. There is no requirement for new facilities or equipment.
7. Programs are evaluated under the Environmental Health Services data system and the King County fiscal monitoring system (ARMS). It has been the policy of the Environmental Health Services Division to match revenue collections with service costs on an annual basis.
8. Local tax funds have been used to support service costs not covered by fee reimbursements.

# City of Seattle

Executive Department-Office of Management and Budget

Andrew J. Lofton, Director  
Norman B. Rice, Mayor

COPY RECEIVED

90 SEP -5 AM 11: 26

SEATTLE CITY ATTORNEY



September 4, 1990

The Honorable Mark Sidran  
City Attorney  
City of Seattle

Dear Mr. Sidran:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING  
DEPARTMENT HEALTH

SUBJECT: AN ORDINANCE relating to health code fees;  
amending Seattle Municipal Code Chapter  
10.03.056 to add a fee for a swimming or spa  
pool variance request.

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and drafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMB. Any specific questions regarding the legislation can be directed to Mona Goode at 684-8053.

Sincerely,

Norman B. Rice  
Mayor

by

*Andrew J. Lofton*  
ANDREW J. LOFTON  
Budget Director

AL/mg/rmo

Enclosure

cc: Director, Health

# 33 (b) "Bee"

*Davidson*

*Ally*

*ELR*

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:

*Shelva Singsa*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**FOR CITY COUNCIL PRESIDENT USE ONLY**

COMMITTEE(S) REFERRED TO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# STATE OF WASHINGTON - KING COUNTY

32766  
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: 115441

was published on  
12/17/90

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

*M. S. Repetov*

Subscribed and sworn to before me on

*Sheila P. Vander Ark* JUN 17 1990

Notary Public for the State of Washington,  
residing in Seattle

# City of Seattle

ORDINANCE 115441

AN ORDINANCE relating to health code fees; amending Seattle Municipal Code 10.03.056 to add a fee for a swimming or spa pool variance request; and amending Seattle Municipal Code 10.03.110 to add a fee for a food-service establishment waiver request.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Effective January 1, 1991, Seattle Municipal Code 10.03.056 is amended as follows:

Section 10.03.056 Fees Implementing Chapter 10.56 - Swimming and Spa Pools

**A. Permit Fees.**

1. Annual permits for one pool ..... \$200.00
2. Annual permit for each of the second through the fifth pool on same premises as first pool ..... 100.00

**B. Plan Review Fees.**

1. New pool ..... 100.00
2. Renovation (including extensive changes in equipment, piping or pool structure, costing in excess of \$3,000.00) ..... 50.00
3. Alteration (including change of filtration equipment, pumps or other mechanical equipment) ..... 15.00

**C. Variance Review Fee ..... 150.00**

Section 2. Effective January 1, 1991, Seattle Municipal Code 10.03.110 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
<b>Restaurants</b>	
Seating capacity 1-75.....	\$125.00
Seating capacity 76-150.....	195.00
Seating capacity 151-250.....	275.00
Seating capacity over 250.....	365.00
<b>Caterers (if not part of another food-service establishment), Food Processing Establishments, Snack Bars in which food preparation occurs, and Retail Bakeries.....</b>	
	125.00
<b>Mobile Food-Service Units</b>	
Low hazard mobile food carts, base fee.....	75.00
Additional locations, each.....	25.00
Restricted mobile caterers, base fee.....	145.00
Additional vehicles, each.....	50.00
Unrestricted mobile caterers, base fee.....	180.00
Additional vehicles, each.....	50.00
Restricted mobile carts, base fee.....	125.00
Additional locations, each.....	30.00
<b>Temporary Food-Service Establishments,</b>	
Low hazard operation.....	50.00

High hazard operation.....	75.00
"Saturday Market".....	122.00
Snack Bars in which no food preparation occurs, and Limited Grocery Stores.....	50.00
Food Demonstrators.....	65.00
Food Promoters.....	180.00
Taverns (no food preparation).....	75.00
<b>Grocery Stores</b>	
Less than 4 checkout devices.....	50.00
4-8 checkout devices.....	110.00
Over 8 checkout devices.....	180.00
Produce Stands.....	75.00

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

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

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

1. Only the number of seats used for serving customers shall be counted; seating used solely for customer waiting shall not be counted.
2. Any restaurant comprised of more than one (1) type of operation, such as coffee shop and cocktail lounge, may, at the option of the permittee, have its seating capacity computed as if the restaurant were only a single operation.

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

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

1. Every person who operates a public, private, or parochial school lunchroom;
2. Every religious, charitable, or educational organization or institution with an Internal Revenue Service 501(C)(3) nonprofit tax-exempt status operating a food-service establishment;
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.

E. The fee for reviewing a waiver request shall be \$150.00.

Section 4. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

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 26th day of November, 1990, and signed by me in open session in authentication of its passage this 26th day of November, 1990.

PAUL KBAABEL,

President of the City Council.

Approved by me this 6th day of December, 1990.

NORMAN B. RICE,

Mayor.

Filed by me this 6th day of December, 1990.

Attest: NORWARD J. BROOKS,

City Comptroller and City Clerk.

(Seal) By MARGARET CARTER,

Deputy Clerk.

Publication ordered by NORWARD J. BROOKS, Comptroller and City Clerk. Date of official publication in Daily Journal of Commerce, Seattle, December 17, 1990.