

ORDINANCE No. 117169

COUNCIL BILL No. 110189

109

AN ORDINANCE abolishing the Department of Licenses and Consumer Affairs and transferring its powers, duties and resources; amending numerous Municipal Code sections in Titles 3, 4, 5, 6, 7, 9, 10, 11, 12A, 15, 21, 22, and 23, recodifying or repealing various sections of the Municipal Code in those Titles, amending Ordinances 115958, 116814, and creating certain personnel positions in connection therewith, all by a two-thirds vote of the City Council.

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Honorable President:

Your Committee on FINANCE, BUDGET, MANAGEMENT & PERSONNEL

to which was referred the within Council Bill No. CB 110189 report that we have considered the same and respectfully recommend that the

PASS 3-0 (TW, CG, JN)

Full Council vote 8-0

Committee Chair

COMPTROLLER FILE No.

Introduced: <u>MAY 7 1994</u>	By: <u>WEEKS</u>
Referred: <u>MAY 7 1994</u>	To: <u>FINANCE, BUDGET, MANAGEMENT & PERSONNEL COMMITTEE</u>
Referred:	To:
Referred:	To:
Reported: <u>JUN 6 1994</u>	Second Reading: <u>JUN 6 1994</u>
Third Reading: <u>JUN 6 1994</u>	Signed: <u>JUN 6 1994</u>
Presented to Mayor: <u>JUN 7 1994</u>	Approved: <u>JUN 9 1994</u>
Returned to City Clerk: <u>JUN 9 1994</u>	Published:
Voted by Mayor:	Veto Published:
Passed Over Veto:	Veto Sustained:

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The City of Seattle--Legislative Department

Date Reported
and Adopted

REPORT OF COMMITTEE

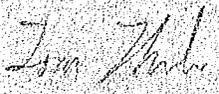
Honorable President:

Your Committee on FINANCE BUDGET MANAGEMENT & PERSONNEL

to which was referred the within Council Bill No. CB 110189
report that we have considered the same and respectfully recommend that the same:

Pass 3-0 (TW, CC, TN)

Full Council vote 8-0



Committee Chair

WEEKS
FINANCE BUDGET MANAGEMENT & PERSONNEL COMMITTEE
ending: JUN 6 1994
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ORDINANCE NO. 117169, AN ORDINANCE abolishing the Department of Licenses and Consumer Affairs and transferring its powers, duties and resource; amending numerous Municipal Code sections in Titles 3, 4, 5, 6, 7, 9, 10, 11, 12A, 15, 21, 22, and 23, recodifying or repealing various sections of the Municipal Code in those Titles, amending ordinances 115958, 116021, and 116814, and abrogating and creating certain personnel positions in connection therewith, all by a two-thirds vote of the City Council.

AMENDMENTS TO CODE SECTIONS:

- 3.38.010 Department established -- Functions. (Ord. 116368)
- 3.38.030 Finance Director -- Powers and authority. (New Subsection Ord. 116368)
- 3.38.020 Appointments; removal; staffing. (Ord. 113613)
- 3.90.010 Officer's bonds. (Ord. 93603 Ord. 116368)
- 5.32.030 Definitions. (Ord. 116368)
- 5.40.028 Tax exemption -- Human Services Agencies. (Ord. 114708)
- 5.40.060 Ticket numbering and information (Ord. 72495 and 106751)
- 5.40.070 Remittance of Tax (Ord. 74295 and 114517)
- 5.40.080 Certificate of registration -- Required -- Application (Ord. 72495 and 111449)
- 5.40.085 Certificate of exemption -- Application, issuance -- Cancellation. (Ord. 72495 and 112813)
- 5.40.090 Certificate of registration -- Owner of building to be named. (Ord. 72495 and 102622)
- 5.40.100 Rules and regulations (Ord. 72495 and 116368)
- 5.44.022 Definitions, A - I. (Ord. 72630 and 116368)
- 5.44.024 Definitions, J - R. (Ord. 72630 and 113690)
- 5.44.028 Definitions, S - Z. (Ord. 72630 and 116368)
- 5.44.060 Determination of value of products. (Ord. 72630 and 102623)
- 5.44.070 Persons in extracting/manufacturing both within and without the City. (Ord. 72630 and 110476)
- 5.44.070 Allocation principles -- Property maintenance services. (Ord. 111427)
- 5.44.076 Persons rendering services both within and without the City. (Ord. 72630 and 112029)
- 5.44.078 Ancillary location authority of Director. (Ord. 110476)
- 5.44.080 Sales by consignee, bailee, factor or auctioneer. (Ord. 72630 and 102623)
- 5.44.130 Business license required. (Ord. 72630 and 117002)
- 5.44.140 When tax due -- Returns. (Ord. 72630 and 116945)
- 5.44.150 Payment of license fee. (Ord. 72630 and 116368)
- 5.44.160 Books and records to be kept five years (Ord. 72630 and 102623)
- 5.44.180 Payments -- Extension -- Late penalty. (Ord. 72630 and 116471)
- 5.44.200 Returns confidential -- Exceptions. (Ord. 72630 and 116368)
- 5.44.205 Fees for copies and research. (Ord. 72630 and 111430)
- 5.44.210 Over or under payment of tax. (Ord. 72630 and 116368)
- 5.44.220 Failure to make return. (Ord. 72630 and 102623)
- 5.44.230 Appeals. (Ord. 72630 and 108355)

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- 5.44.240 Director to make rules. (Ord.72630 and 102623)
- 5.44.250 Miling of notices. (Ord.72630 and 102623)
- 5.44.300 Revocation of license. (Ord.72630 and 102623)
- 5.44.310 Violation -- Penalty. (Ord.72630 and 102523)
- 5.48.020 Definitions. (Ord. 62662 and 115908)
- 5.48.080 Application for license . (Ord. 62662 and 107158)
- 5.48.090 Monthly and quarterly payment of tax -- Returns. . (Ord. 62662 and 116368)
- 5.48.120 Taxpayer to keep books and records -- Returns confidential. . (Ord. 62662 and 116368)
- 5.48.130 Director of investigate returns. . (Ord. 62662 and 102620)
- 5.48.140 Extension of time for filing returns -- Late payment of tax -- Penalties. . (Ord. 62662 and 116368)
- 5.48.150 Over or under payment of tax. . (Ord. 62662 and 116368)
- 5.48.160 Remedy for nonpayment of tax. . (Ord. 62662 and 102620)
- 5.48.170 Appeals. . (Ord. 62662 and 114595)
- 5.48.180 Director to make rules. . (Ord. 62662 and 102620)
- 5.48.210 Violation -- Penalty . (Ord. 62662 and 102620)
- 5.52.020 Filing of intent to conduct activity -- Payments -- Late fees. (Ord. 102459 and 115916)
- 5.52.030 Enforcement -- Over or under payment of tax. (Ord. 102459 and 116368)
- 5.52.040 Keeping of books and records -- Inspection. . (Ord. 102459 and 107278)
- 5.52.060 Rule-Making authority. (Ord. 115916)
- 5.78.150 Expenditures -- Finance Director. (Ord. 114260 and 116368)
- 6.02.030 Definitions. (Ord. 48022 and 105430)
- 6.02.040 Administration and enforcement. (Ord. 48022 and 102636)
- 6.02.050 Establishment of rules and regulations. (Ord. 48022 and 107350)
- 6.02.060 Assistance in enforcement. (Ord. 48022 and 102636)
- 6.02.080 Hearing -- Procedure. (Ord. 48022 and 104202)
- 6.02.090 Filing of findings of hearing. (Ord. 48022 and 116368)
- 6.02.120 Records to be filed with City Clerk and Director. (Ord. 48022 and 102636)
- 6.02.150 Change of Ownership -- Panoram location businesses. (Ord. 48022 and 102636)
- 6.02.170 Business at location other than stated in license. (Ord. 48022 and 114245)
- 6.02.190 License application -- Form for certain businesses. (Ord. 48022 and 116368)
- 6.02.200 Police Department relieved of duty to investigate applications. (Ord. 48022 and 102636)
- 6.02.210 Application procedure -- Grounds for denial of license. (Ord. 48022 and 116368)
- 6.02.290 Suspension or revocation procedure. (Ord. 48022 and 108648)
- 6.14.020 License required -- Certain persons prohibited. (Ord. 48022 and 102636)
- 6.14.090 Surety bond. (Ord. 48022 and 116368)
- 6.14.100 Private guard license -- Fee. (Ord. 48022 and 113185)
- 6.36.020 Massage premises, public bathhouse, and reducing salon licenses. (Ord. 48022 and 116464)
- 6.36.030 Massage Practitioner's license. (Ord. 48022 and 116368)
- 6.36.040 Athletic massage operator's license. (Ord. 48022 and 113185)
- 6.38.040 Surety bond. (Ord. 48022 and 116368)
- 6.42.010 Panoram location license. (Ord. 48022 and 114895)
- 6.42.020 Panoram device license. (Ord. 48022 and 114895)
- 6.42.050 Inspection of panoram premises. (Ord. 112900)
- 6.48.040 Signs -- Posting of rates. (Ord. 48022 and 106967)
- 6.48.050 Immobilization of vehicle for delinquent parking fee. (Ord. 48022 and 104297)
- 6.48.080 Revocation, suspension or refusal to issue license. (Ord. 48022 and 104297)
- 6.82.020 Definitions. (Ord. 84297 and 113702)
- 6.82.030 Mechanics or engineers -- License required -- Issuance by Examining Board. (Ord. 84297 and 107158)
- 6.82.060 Supervisory and Examining Board. (Ord. 84297 and 112964)
- 6.82.100 Contractor's or service shop license -- Application and issuance. (Ord. 84297 and 107158)
- 6.82.110 Applications by corporation, copartnership. (Ord. 84297 and 102628)
- 6.82.150 Late renewal fee. (Ord. 84297 and 112964)

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- 6.82.180 License exemption for certain air-conditioning contractors. (Ord. 84297)
- 6.82.190 Revocation of license. (Ord. 84297 and 112964)
- 6.102.020 License required -- Posting. (Ord. 84297 and 107158)
- 6.102.070 Recordkeeping. (Ord. 80818 and 105007)
- 6.102.090 Revocation or suspension of license. (Ord. 80818 and 105007)
- 6.202.060 Definitions. (Ord. 108934)
- 6.202.460 Liability insurance. (Ord. 108934 and 105007)
- 6.212.042 Regulation of fares -- Limiting license outstanding. (Ord. 115495 and 116368)
- 6.212.150 Notice to passengers. (Ord. 108934 and 109348)
- 6.212.160 Equipment. (Ord. 108934 and 115495)
- 6.222.010 Definitions. (Ord. 108934 and 109763)
- 6.222.010 Definitions. (New subsection)
- 6.230.030 Definitions. (Ord. 111301)
- 6.230.040 License required -- Expiration. (Ord. 111303)
- 6.230.070 Issuance of licenses. (Ord. 111301 and 116368)
- 6.230.080 Special license. (Ord. 111301)
- 6.230.100 Departmental Authority. (Ord. 111301)
- 6.230.130 Reporting of defective boilers. (Ord. 111301)
- 6.230.170 Steam License Advisory Board. (Ord. 111301)
- 6.230.180 Enforcement -- Filing of charges. (Ord. 111301)
- 6.230.180 Enforcement -- Filing of charges. (Ord. 111301)
- 6.270.030 Definitions. (Ord. 114225 and 116541)
- 6.270.040 Adult entertainment premises license. (Ord. 114225)
- 6.270.050 License for managers and entertainers. (Ord. 114225)
- 6.270.070 License applications. (Ord. 114225 and 116541)
- 6.294.040 Definitions. (Ord. 112373 and 113826)
- 6.294.140 Indemnification. (Ord. 112373)
- 7.04.130 Finance Director designated as City Sealer. (Ord. 98820 and 102635)
- 7.04.570 Weighmaster license -- Application, issuance and fee. (Ord. 98820 and 116450)
- 7.08.010 Purpose of chapter -- Enforcement. (Ord. 43475 and 102618)
- 9.22.020 Waiver of City Liability. (Ord. 109020)
- 9.22.030 Return date establishment. (Ord. 109020)
- 9.25.020 Definitions -- A-E. (Ord. 112335)
- 9.25.046 Waiver of City Liability. (Ord. 112335)
- 10.08.165 Alarm system monitoring companies -- Verification process. (Ord. 116702)
- 11.30.220 Contract for towing and storage. (Ord. 116368)
- 11.30.240 Contract for towing and storage -- Financial responsibility. (Ord. 108200)
- 11.30.280 Contractor to file monthly claim for services. (Ord. 108200 and 116368)
- 11.30.320 Rules and regulations. (Ord. 108200)

- 12A.14.130 Premises to maintain signs banning firearms. (Ord. 112203)
- 12A.14.155 Dealer's licenses -- By whom granted, conditions thereof. (Ord. 112705)

- 15.52.020 Committee membership. (Ord. 115982)

- 21.101.070 Collection and billing procedures. (Ord. 116455)
- 22.904.060 License applications. (Ord. 89715 and 109125)
- 22.904.070 License revocation. (Ord. 109125)

- 23.44.050 Bed and breakfasts. (Ord. 113800)

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4 ORDINANCE 117169

5 AN ORDINANCE abolishing the Department of Licenses and Consumer
6 Affairs and transferring its powers, duties and resources;
7 amending numerous Municipal Code sections in Titles 3, 4, 5, 6,
8 7, 9, 10, 11, 12A, 15, 21, 22, and 23, recodifying or repealing
9 various sections of the Municipal Code in those Titles, amend-
10 ing Ordinances 115958, 116021, and 116814, and abrogating and
11 creating certain personnel positions in connection therewith,
12 all by a two-thirds vote of the City Council.

13 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

14 ABOLITION AND TRANSFER OF FUNCTIONS

15 Section 1. Abolition of Department of Licenses and Consumer
16 Affairs and Transfer of Powers, Duties, and Resources. On the
17 effective date of this ordinance, the Department of Licenses and
18 Consumer Affairs is abolished. From and after that same date,
19 except as provided elsewhere in this or another ordinance, all the
20 functions, responsibilities, agreements, obligations, authoriza-
21 tions, powers, appropriations, positions, personnel, and assets of
22 the Department of Licenses and Consumer Affairs shall belong to the
23 Finance Department and the Finance Director is hereby authorized to
24 perform all responsibilities, duties and obligations and exercise
25 all powers heretofore belonging to the Director of the Department of
26 Licenses and Consumer Affairs.

27 Section 2. Continuation of Authority. All rules, regulations,
28 notices and proceedings in effect on the effective date of this
29 ordinance with respect to activities carried on by the Department of
30 Licenses and Consumer Affairs shall continue in effect unless and
31 until they expire of their own terms or are superseded, but the
32 powers and responsibilities of the Director of the Department of
33 Licenses and Consumer Affairs thereunder shall be performed by the
34 Finance Director or, with respect to regulation and licensing of
35 steam engineers and boiler firemen, by the Director of the Depart-
36 ment of Construction and Land Use from and after September 1, 1994.

37 Section 3. Steam Engineers and Boiler Firemen. Effective

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1 22.0B;
2 1 position (No. 015663), Accounting Technician II-BU, salary range
3 22.0B;
4 1 position (No. 010780), Accounting Technician I-BU, salary range
5 20.5B;
6 1 position (No. 010768), Accounting Technician I-BU, salary range
7 20.5B;
8 1 position (No. 018565), Data Entry Operator, salary range 17.0C;
9 1 position (No. 022550), Administrative Support Assistant-BU, salary
10 range 18.0B.

11 Section 5. On the effective date of this ordinance, the
12 following Civil Service (nonexempt) positions are created in the
13 Finance Department, and are added to the 1994 position list;

14 1 position of Manager VI (Report No. 42-94);
15 1 position of Management Systems Analyst, Senior (Report No. 41-
16 94);
17 1 position of Administrative Support Assistant (Report No. 43-94);
18 1 position of Administrative Specialist III (Report No. 44-94);
19 1 position of Accountant (Report No. 32-94);
20 1 position of Personnel Specialist, Assistant (Report No. 33-94);
21 1 position of Data Assistant (Report No. 35-94).

22 Section 6. On the effective date of this ordinance, the
23 following exempt position is created in the Finance Department, and
24 added to the 1994 position list;

25 1 position of Director VIII (Identified in Request for Certification
26 No. 94006, Payroll Title No. 0149.0).

27 AMENDMENTS TO CODE SECTIONS

28 Section 7. Seattle Municipal Code Section 3.24.040 (Ordinance
29 102252, Section 4), is recodified as Section 3.02.115 and is amended
30 as follows:

31 3.((24.040)) 02.115 Hearing Examiner duties.

32 A. For the conduct of hearings as prescribed by ordinance in
33 connection with ((the functions contemplated in Section 3.24.010))

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1 September 1, 1994, the function of regulating and licensing of steam
2 engineers and boiler firemen as stated in Chapter 6.230 of the
3 Municipal Code shall transfer from the Finance Department to the
4 Department of Construction and Land Use. From and after that same
5 date, all responsibilities, agreements, obligations, authorizations,
6 powers, appropriations, positions, personnel, and assets used for or
7 pertaining to the function of regulating and licensing of steam
8 engineers and boiler firemen shall belong to the Department of
9 Construction and Land Use, and the Director of the Department of
10 Construction and Land Use is hereby authorized to perform all
11 responsibilities, duties and obligations and exercise all powers
12 heretofore belonging to the Director of the Department of Licenses
13 and Consumer Affairs with respect to that function. The Department
14 of Construction and Land Use may, by agreement with the Finance
15 Department, use the services of the Finance Department to assist in
16 carrying out the licensing of steam engineers and boiler firemen.

17 ABROGATION AND CREATION OF POSITIONS

18 Section 4. On the effective date of this ordinance, the
19 following positions, identified by the listed pocket numbers, are
20 abrogated:

- 21 1 position (No. 010784), Licenses Director, Assistant, salary range
22 42.5A;
23 1 position (No. 019850), Manager IV, salary range 38.0A;
24 1 position (No. 018564), Manager I, salary range 36.5A;
25 1 position (No. 010756), Auditor, Supervisor, salary range 34.0B;
26 1 position (No. 011189), Data Technician supervisor, salary
27 range 25.5A;
28 1 position (No. 018247), Accountant, Senior, salary range 31.0B;
29 1 position (No. 010791), Licenses & Standards Inspector, salary
30 range 30.5A;
31 1 position (No. 021457), Development Finance Specialist I, salary
32 range 33.0A;
33 1 position (No. 024231), Accounting Technician II, salary range

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1 weights and measures, consumer protection, and licenses issued for
2 regulatory and/or revenue purposes, there is created in the Office
3 of Hearing Examiner the position of Hearing Examiner and such
4 Hearing Examiner, whose position shall not be included in the
5 classified civil service, shall be appointed by the City Council in
6 accordance with the Administrative Code of the City (~~(; provided,~~
7 ~~that no appointment shall be made under the authority of this~~
8 ~~section except upon the filing by the Civil Service Commission as a~~
9 ~~permanent record in the office of the City Comptroller, of its~~
10 ~~recommendation that such position, as a professional or administra-~~
11 ~~tive office or position similar to offices and positions designated~~
12 ~~in Article XVI, Section 11 of the City Charter should not be~~
13 ~~included in the classified civil service)).~~

14 B. It shall be the duty of such Hearing Examiner to conduct
15 hearings on appeals concerning the granting, denial, revocation,
16 suspension or amendment of licenses, and to make investigations and
17 hear appeals, protests and other matters relating to licenses, all
18 as prescribed by and in accordance with ((the provisions of this
19 ordinance, the License Code, and the)) ordinances providing for such
20 appeals, protests, or other matters and this Administrative Code of
21 the City. Written decisions of the Hearing Examiner made pursuant
22 to such hearings shall be final, and the (~~Director of the Depart-~~
23 ~~ment of Licenses and Consumer Affairs)) affected departments shall
24 implement such decisions in accordance with the provisions of (~~this~~
25 ~~ordinance, the License Code, and)~~ the Administrative Code and other
26 applicable ordinances of the City.~~

27 Section 8. Seattle Municipal Code Section 3.38.010 (Ordinance
28 116368, Section 5 (part)) is amended and a new subsection is added
29 thereto as follows:

30 **3.38.010 Department established -- Functions.**

31 There is established a Finance Department to exercise general
32 supervision over the financial affairs of the City and to administer
33 laws and ordinances relating to licensing for regulation and/or

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1 revenue unless law or ordinance vests such power elsewhere. The
2 Finance Department is the Department of Finance referred to in the
3 City Charter. Its functions include the following:

4 ***

5 J. Overseeing the City's risk management, advising on the
6 City's insurance needs, and securing official and fidelity bonds for
7 City purposes; ~~((and))~~

8 K. Administering and enforcing City ordinances relating to
9 weights and measures, consumer protection, and licenses issued for
10 regulatory and/or revenue purposes unless such power is vested
11 elsewhere by ordinance; and

12 ~~((K-))~~ L. Performing such other activities as may be assigned
13 by ordinance from time to time.

14 Section 9. A new subsection H is added to Seattle Municipal
15 Code Section 3.38.030 (Ordinance 116368, Section 5 (part)) as
16 follows, and former subsection H shall be renumbered as subsection
17 I:

18 **3.38.030 Finance Director -- Powers and authority.**

19 H. Issue, deny, suspend, and revoke licenses for regulatory
20 and/or revenue purposes according to law;

21 Section 10. Seattle Municipal Code Section 3.63.020 (Ordinance
22 113613, Section 2 (part)) is amended as follows:

23 **3.63.020 Appointments; removal; staffing.**

24 A. The Mayor shall appoint the three (3) City members of the
25 Taxicab Commission subject to confirmation by the City Council. The
26 Mayor may remove a member appointed by the City for cause.

27 B. The Finance Director (~~((of Licenses and Consumer Affairs))~~)
28 shall provide staff and facilities for the Taxi Commission as
29 authorized in the interlocal agreement.

30 Section 11. Seattle Municipal Code Section 3.90.010 (Ordinance
31 93603, Section 1, as last amended by Ordinance 116368, Section 52)
32 is further amended as follows:

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3.90.010 Officer's bonds.

The following officers of the City shall, before entering upon the duties of their respective offices, give approved bonds, the premiums for which shall be paid by the City. The bonds shall contain the conditions required by the City Charter for official bonds, and be in the following amounts:

Mayor	\$ 1,000.00
Each City Council member	1,000.00
City Finance Director	150,000.00
Treasury Division Director	150,000.00
City Attorney	1,000.00
Chief of Police	15,000.00
((Director of Licenses	
and Consumer Affairs	25,000.00))

The bond for the Finance Director and the Treasury Division Director may include a deductible in the amount of Ten Thousand Dollars (\$10,000.00).

Section 12. Subsection J of Section 4.13.010 of the Seattle Municipal Code (Ordinance 113579, Section as amended by Ordinance 116933, Section 1) is further amended as follows:

Employing Unit	Titles of Exempt Positions
J. Finance	Accounting Services Director
	Economist - Department of Finance
	Investment Officer
	Investment Officer, Assistant
	<u>Revenue and Consumer Affairs Director</u>
	Risk Manager
	Systems Services Director
	Treasury Director

Section 13. Subsection A of Seattle Municipal Code Section 5.32.030 (Ordinance 106024, Section 1.030, as last amended by Ordinance 116368, Section 154) is further amended as follows:

5.32.030 Definitions

A. Except as otherwise specifically provided in this chapter, the following words and terms shall have the meaning specified in this section:

1. "Administrative Code" means Ordinance 102228, as now

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1 or hereafter amended, of The City of Seattle;

2 2. "Criminal Code" means the Seattle Criminal Code,
3 Ordinance 102843, as now or hereafter amended;

4 3. "Department" means the Finance Department of (~~of~~
5 ~~Licenses and Consumer Affairs~~) of The City of Seattle;

6 4. "Director" means the Finance Director (~~of Licenses~~
7 ~~and Consumer Affairs~~) of The City of Seattle and shall include the
8 Director's authorized representatives;

9 5. "General provisions" means Subchapter I of this
10 chapter, as now or hereafter amended;

11 6. "Person" means any individual, partnership, corpora-
12 tion, trust, incorporated or unincorporated association, marital
13 community, joint venture, or other legal entity or group of persons
14 however organized.

15 Section 14. Subsection B of Seattle Municipal Code Section
16 5.40.028 (Ordinance 111449, Section 2 (part), as last amended by
17 Ordinance 114708, Section 1 (part)) is further amended as follows:

18 **5.40.028 Tax exemption -- Human services agencies.**

19 B. To qualify, a nonprofit human services agency must meet
20 these criteria:

21 1. The agency must be organized and operated exclusively
22 for religious or charitable purposes to provide food, clothing,
23 shelter, acute/emergent medical care for those in need; to provide
24 employment and training programs approved by the Washington State
25 Department of Labor and Industries; to provide crisis counseling or
26 intervention; to prevent child or spousal abuse; to furnish travel-
27 ers aid; to provide disaster relief; or provide similar services;

28 2. The agency must be recognized by the United States as
29 exempt from federal income taxation pursuant to Section 501(c)(3) of
30 the Internal Revenue Code of 1954, 26 U.S.C. Section 501(c)(3), as
31 now existing or hereafter amended; or a division, department or
32 instrumentality of state or local government devoted to human
33 services;

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1 3. The agency must be registered with the Finance
2 Director (~~((of Licenses and Consumer Affairs))~~) pursuant to Sections
3 5.40.080 and 5.40.085 at least thirty (30) days prior to the event.

4 4. The agency must be fiscally responsible for the event
5 and receive the full benefit and use of the proceeds from the event.
6 If the agency contracts with a non-exempt person to conduct the
7 event on its behalf, the exemption applies only if the exempt agency
8 receives payment of its expenses and charges a net sum equal to at
9 least twenty percent (20%) of the anticipated gross of admission
10 charges.

11 Section 15. Subsection A of Seattle Municipal Code Section
12 5.40.060 (Ordinance 72495, Section 6, as last amended by Ordinance
13 106751, Section 1) is further amended as follows:

14 **5.40.060 Ticket numbering and information.**

15 A. Whenever a charge is made for admission to any place, a
16 serially numbered or reserve seat ticket shall be furnished the
17 person paying such charge unless written approval has been obtained
18 from the Finance Director (~~((of Licenses and Consumer Affairs))~~) to
19 use a turnstile or other counting device which will accurately count
20 the number of paid admissions. The established price, service
21 charge, City tax and total price at which every such admission
22 ticket or card is sold shall be separately, conspicuously and
23 indelibly printed or written on the face or back of that part of the
24 ticket which is to be taken up by the management of the place to
25 which admission is gained. It shall be unlawful for anyone to sell
26 an admission ticket or card on which the name of the person conduct-
27 ing the event and the price is not so printed, stamped or written,
28 or to sell or offer to sell an admission ticket or card at a price
29 in excess of the price printed, stamped or written thereon. The
30 admission tax due shall be based on the total sum of the established
31 price plus any service charge printed on the ticket. When a charge
32 is made for admission, a sign must be posted in a conspicuous place
33 on the entrance or ticket office which breaks down the admission

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1 charge as follows:

2 Established Price
3 Service Charge (if any)
4 City Tax
5 Total Price

6 It is unlawful to charge a service charge on admission tickets
7 unless the purchaser is fully informed of the purpose of such charge
8 by published or posted notice in advance of the ticket sale.

9 Section 16. Seattle Municipal Code Section 5.40.070 (Ordinance
10 74295, Section 7, as last amended by Ordinance 114517, Section 1) is
11 further amended as follows:

12 **5.40.070 Remittance of tax.**

13 Anyone, including any municipal or quasi-municipal corporation
14 who receives any payment for any admission charge on which a tax is
15 levied under this chapter shall collect the amount of the tax from
16 the person making the admission payment and shall remit the same to
17 the Finance Director (~~((of Licenses and Consumer Affairs))~~) as pro-
18 vided in this section. The tax required to be collected under this
19 chapter shall be deemed held in trust by the person required to
20 collect the same until remitted to the Director (~~((of Licenses and
21 Consumer Affairs))~~) as provided in this section. Anyone required to
22 collect the tax imposed under this chapter who fails to collect the
23 same, or who collects the same but fails to remit the same to the
24 Director (~~((of Licenses and Consumer Affairs))~~) in the manner pre-
25 scribed by this chapter shall be liable to the City for the amount
26 of such tax, and shall, unless the remittance be made as required in
27 this section, be guilty of a violation of this chapter whether such
28 failure be the result of his or its own act or the result of acts or
29 conditions beyond his or its control. The tax imposed under this
30 chapter shall be collected from the person paying the admission
31 charge at the time the admission charge is paid and such taxes shall
32 be remitted by the person collecting the tax to the Director (~~((of
33 Licenses and Consumer Affairs))~~) in monthly remittances on or before
the fifteenth day of the month next succeeding the end of the month-
ly period in which the tax is collected or received and accompanied

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1 by such reports as the Director (~~(of Licenses and Consumer Affairs)~~)
2 shall require: Provided, that the Director (~~(of Licenses and Con-~~
3 ~~sumer Affairs)~~) for good cause shown, may extend the time for making
4 and filing the return and remittance of the tax due. Payment or
5 remittance of the tax collected may be made by check unless payment
6 or remittance is otherwise required by the Director (~~(of Licenses~~
7 ~~and Consumer Affairs)~~), but payment by check shall not relieve the
8 one collecting the tax from liability for payment and remittance of
9 the tax to the Director (~~(of Licenses and Consumer Affairs)~~) unless
10 the check is in the full and correct amount and until the check is
11 honored. Anyone receiving any payment for admissions shall make out
12 a return upon such forms and setting forth such information as the
13 Director (~~(of Licenses and Consumer Affairs)~~) may require, showing
14 the amount of the tax upon admissions for which he is liable for the
15 preceding monthly period, and shall sign and transmit the same to
16 the Director (~~(of Licenses and Consumer Affairs)~~) with a remittance
17 for said amount: Provided, that the Director (~~(of Licenses and~~
18 ~~Consumer Affairs)~~) may in his or her discretion require verified
19 annual returns from anyone receiving admission payments setting
20 forth such additional information as he or she may deem necessary to
21 determine correctly the amount of tax collected and payable. If the
22 return provided for in this section is not made and the tax is not
23 collected and paid within twenty-five (25) days after the end of the
24 month in which the tax was collected, the Director (~~(of Licenses and~~
25 ~~Consumer Affairs)~~) shall add a penalty of ten percent (10%) of the
26 tax per month or fraction thereof for each month overdue which shall
27 be added to the amount of the tax due, and remitted in the same
28 manner. Whenever any theater, circus, show, exhibition, entertain-
29 ment or amusement makes an admission charge which is subject to the
30 tax levied in this chapter, and the same is of a temporary or
31 transitory nature or there exists a reasonable question of financial
32 responsibility, of which the Director (~~(of Licenses and Consumer~~
33 ~~Affairs)~~) shall be the judge, the Director (~~(of Licenses and Cen-~~

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1 ~~sumer Affairs~~) may require the report and remittance of the
2 admission tax immediately upon the collection of the same, at the
3 conclusion of the performance or exhibition, or at the conclusion of
4 the series of performances or exhibitions or at such other times as
5 he or she (~~the Director of Licenses and Consumer Affairs~~) shall
6 determine; and failure to comply with any requirement of the
7 Director (~~of Licenses and Consumer Affairs~~) as to report and
8 remittance of the tax as required shall be a violation of this
9 chapter. Everyone liable for the collection and payment of the tax
10 imposed by this chapter shall keep and preserve for a period of five
11 (5) years all unused tickets, ticket manifests, books and all other
12 records from which can be determined the amount of admission tax
13 which he was liable to remit under the provisions of this chapter,
14 and all such tickets, books and records shall be open for examina-
15 tion and audit at all reasonable times by the Finance Director (~~of
16 Licenses and Consumer Affairs~~) or his or her duly authorized agent.
17 Written permission may be granted by the Director (~~of Licenses and
18 Consumer Affairs~~) to destroy unused tickets prior to the expiration
19 of the five (5) year period.

20 Section 17. Seattle Municipal Code Section 5.40.080 (Ordinance
21 72495, Section 8 (part), as last amended by Ordinance 111449,
22 Section 3) is further amended as follows:

23 **5.40.080 Certificate of registration -- Required --
24 Application.**

25 ~~((A-))~~ Any person conducting or operating any place for
26 entrance to which an admission charge is made shall, on a form
27 prescribed by the Finance Director (~~of Licenses and Consumer
28 Affairs~~), make application to the Director (~~of Licenses and
29 Consumer Affairs~~) for issuance of a certificate of registration,
30 the fee for which shall be One Dollar (\$1.00), which certificate
31 shall continue valid until December 31st of the year in which the
32 same is issued. Such certificate of registration, or duplicate
33 original copies thereof to be issued without additional charge,
shall be posted in a conspicuous place in each ticket or box office

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1 where tickets of admission are sold.

2 Section 18. Subsections A and B of Seattle Municipal Code
3 Section 5.40.085 (Ordinance 72495, Section 8 (part), as last amended
4 by Ordinance 112813, Section 2) is further amended as follows:

5 **5.40.085 Certificate of exemption -- Application,
6 issuance -- Cancellation.**

7 A. Any person seeking to secure an exemption from the
8 admission tax pursuant to Section 5.40.025 A3 shall, for each
9 activity or series of activities as prescribed by the Finance
10 Director (~~(of Licenses and Consumer Affairs)~~):

11 1. Identify the activity or set of activities at which
12 persons paying an admission charge are not to be taxed;

13 2. Supply sufficient information as well as enable the
14 Director (~~(of Licenses and Consumer Affairs)~~) both:

15 a. To determine the applicability of the tax to the
16 activity or set of activities so identified, and

17 b. To distinguish the same from other occasions, if
18 any, when taxes are to be collected; and

19 3. Provide evidence as necessary to show the status of
20 the party performing the activity or set of activities as a college,
21 university, or nonprofit tax-exempt organization as defined in
22 Section 5.40.010. The applicant may be required to notify the
23 Director (~~(of Licenses and Consumer Affairs)~~) of any subsequent
24 change in condition from the facts stated or information supplied.
25 If the Director (~~(of Licenses and Consumer Affairs)~~) determines that
26 persons paying such admission charge are not subject to the admis-
27 sion tax, the applicant shall receive a certification of such
28 determination for the activity or series of activities, as the case
29 may be.

30 B. The Director (~~(of Licenses and Consumer Affairs)~~) may
31 cancel the certificate of exemption of any college, university, or
32 nonprofit tax-exempt organization which (1) secures an exemption
33 from the tax pursuant to Section 5.40.025 A3 by making a false
representation in its application, or fails to adhere to its

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1 criteria or (2) otherwise violates Section 5.40.025 A3 or a rule or
2 regulation of the Director implementing it. The order of cancel-
3 lation may bar such an organization from registering again for a
4 period of two (2) years.

5 Section 19. Seattle Municipal Code Section 5.40.090 (Ordinance
6 72495, Section 9, as last amended by Ordinance 102622, Section 4) is
7 further amended as follows:

8 **5.40.090 Certificate of registration -- Owner of building to
9 be named.**

10 Whenever the applicant for a certificate of registration,
11 obtained for the purpose of operating or conducting a temporary or
12 transitory amusement, entertainment or exhibition, is not the owner,
13 lessee, or custodian of the buildings, lots or place where the
14 amusement is to be conducted, the tax imposed by this chapter shall
15 be reported and remitted as provided in Section 5.40.070 by the
16 person who is the owner, lessee or custodian, if not paid by the
17 person conducting the amusement, entertainment or exhibition. The
18 applicant for a certificate of registration in any such case shall
19 furnish the Finance Director (~~(of Licenses and Consumer Affairs)~~)
20 with the application, with the name and address of the owner, lessee
21 or custodian of the premises upon which the amusement is to be con-
22 ducted, and such owner, lessee or custodian shall be notified by the
23 Director (~~(of Licenses and Consumer Affairs)~~) of the issuance of
24 such certificate and of his joint liability for collection and
25 remittance of such tax.

26 Section 20. Seattle Municipal Code Section 5.40.100 (Ordinance
27 72495, Section 10, as last amended by Ordinance 116368, Section 155)
28 is further amended as follows:

29 **5.40.100 Rules and regulations.**

30 The Finance Director (~~(of Licenses and Consumer Affairs)~~) shall
31 have the power to adopt rules and regulations not inconsistent with
32 the terms of this chapter for carrying out and enforcing the pay-
33 ment, collection and remittance of the tax levied in this chapter;
and for administering the exclusion from taxation upon persons

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1 paying an admission charge to activities enumerated in Sections
2 5.40.026 and 5.40.028, and a copy of the rules and regulations shall
3 be on file and available for public examination in the City Clerk's
4 office. Failure or refusal to comply with any such rules and regu-
5 lations shall be deemed a violation of this chapter.

6 Section 21. Subsection 5 of Seattle Municipal Code Section
7 5.44.022 (Ordinance 72630, Sections 2 (part), 2.1 (part), 2.2
8 (part), as last amended by Ordinance 116368, Sections 156, 315
9 (part)) is further amended as follows:

10 **5.44.022 Definitions, A - I.**

11 5. "Commercial use" means the following uses of products by
12 the extractor or manufacturer thereof:

13 a. Manufacturing of articles, substances or commodities
14 from extracted products;

15 b. Leasing or renting of extracted or manufactured
16 products;

17 c. Consigning, shipping or transferring extracted or
18 manufactured products to another either without consideration or in
19 the performance of contracts;

20 d. Any other use of products extracted or manufactured
21 on a commercial scale under such rules and regulations as the
22 Finance Director (~~(of Licenses and Consumer Affairs)~~) shall
23 prescribe.

24 Section 22. Subsection 1 of Seattle Municipal Code Section
25 5.44.024 (Ordinance 72630, Sections 2 (part), 2.1 (part), 2.2
26 (part), as last amended by Ordinance 113690, Section 1 (part)) is
27 further amended as follows:

28 **5.44.024 Definitions, J - R.**

29 1. "Manufacturer" means every person who, either directly or
30 by contracting with others for the necessary labor or mechanical
31 services, manufactures for sale or commercial use from his own
32 materials or ingredients any articles, substance or commodities.
33 When the owner of equipment or facilities furnishes, or sells to the

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1 customer prior to manufacture, all or a portion of the materials
2 that become a part of whole of the manufactured article, the Finance
3 Director (~~(of Licenses and Consumer Affairs)~~) shall prescribe
4 equitable rules for determining tax liability.

5 Section 23. Subsections 3 and 7 of Seattle Municipal Code
6 Section 5.44.028 (Ordinance 72630, Sections 2 (part), 2.1 (part),
7 2.2 (part), as last amended by Ordinance 116368, Section 315 (part))
8 are further amended as follows:

9 **5.44.028 Definitions, 8 - 2.**

10 3. "Tax year" or "taxable year" shall mean either the
11 calendar year or the taxpayer's fiscal year when permission is
12 obtained from the Finance Director (~~(of Licenses and Consumer~~
13 ~~Affairs)~~) to use a fiscal year in lieu of the calendar year.

14 7. "Value proceeding or accruing" means the consideration,
15 whether money, credits, rights or other property expressed in terms
16 of money, actually received or accrued. The term shall be applied,
17 in each case, on a cash receipts or accrual basis according to which
18 method of accounting is regularly employed in keeping the books of
19 the taxpayer. The Finance Director (~~(of Licenses and Consumer~~
20 ~~Affairs)~~) may provide by regulation that the value proceeding or
21 accruing from sales on the installment plan under conditional
22 contracts of sale may be reported as of the dates when the payments
23 become due.

24 Section 24. Subsection B of Seattle Municipal Code Section
25 5.44.060 (Ordinance 72630, Section 5, as last amended by Ordinance
26 102623, Section 2) is further amended as follows:

27 **5.44.060 Determination of value of products.**

28 B. Where such products, including byproducts, are shipped,
29 transported or transferred out of the City, or to another person,
30 without prior sale or are sold under circumstances such that the
31 gross proceeds from the sales are not indicative of the true value
32 of the subject matter of the sale.

33 In the above cases, the value shall correspond as nearly as

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1 possible to the gross proceeds from sales in this City of similar
2 products of like quality and character, and in similar quantities by
3 the taxpayer or others, plus the amount of subsidies or bonuses
4 ordinarily payable by the purchaser or by any third person with
5 respect to the extraction, manufacture, or sale of such products.
6 The Finance Director (~~((of Licenses and Consumer Affairs))~~) shall
7 prescribe uniform and equitable rules for the purpose of ascertain-
8 ing such values.

9 Section 25. Seattle Municipal Code Section 5.44.070 (Ordinance
10 72630, Section 6, as last amended by Ordinance 110476, Sections 1
11 (part) and 4(part)) is further amended as follows:

12 **5.44.070 Persons in extracting/manufacturing both within and**
13 **without the City.**

14 A person who is subject to tax under subsections 5.44.030 A or
15 B and maintains an office, plant, warehouse or other business
16 establishment which is partly within and partly outside of the City,
17 shall be taxable on the value of products, gross proceeds of sales,
18 or gross income of the business attributable to business activity
19 within the City, ascertained either: (1) by a fair and equitable
20 formula agreed upon by the Finance Director (~~((of Licenses and~~
21 ~~Consumer Affairs))~~) and the taxpayer after a consideration of the
22 facts; (2) by a segregation of business within and business outside
23 the City, shown and supported by accounting records satisfactory to
24 the Director; or, (3) in the absence thereof, by an apportionment to
25 the City of that part of the total value of products, gross proceeds
26 of sales, or gross income of the business derived from business both
27 within and outside the City in the proportion that the cost of doing
28 business within the City bears to the cost of doing business both
29 within and outside of the City.

30 Section 26. Subsection C of Seattle Municipal Code Section
31 5.44.075 (Ordinance 111427, Section 1) is amended as follows:

32 **5.44.075 Allocation principles -- Property maintenance**
33 **services.**

C. If the taxpayer maintains an office or place of busin ss

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1 within Seattle and another office or place of business elsewhere in
2 the State of Washington, the tax shall be measured by that portion
3 of the taxpayer's gross income which reflects services rendered from
4 or through the taxpayer's business location(s) within Seattle (in-
5 cluding business activity performed on premises within Seattle) less
6 the deduction authorized in subsection B for services performed from
7 the taxpayer's office or place of business in Seattle on property
8 outside the City. Where such an allocation cannot be made by
9 accounting methods satisfactory to the Finance Director (~~of~~
10 ~~Licenses and Consumer Affairs~~)), the taxpayer shall apportion to
11 Seattle that portion of his or her total income which the cost of
12 doing business within Seattle bears to the total cost of doing
13 business both within and without Seattle.

14 Section 27. Seattle Municipal Code Section 5.44.076 (Ordinance
15 72630, Section 6, as last amended by Ordinance 112029, Section 3) is
16 further amended as follows:

17 **5.44.076 Persons rendering services both within and without**
18 **the City.**

19 Unless Section 5.44.074 or Section 5.44.075 applies, a person
20 who is subject to tax under subsection 5.44.030 F and engages in the
21 business of rendering services both within and without the City, and
22 maintains an office or place of business within the City and not
23 elsewhere, shall be taxable on the gross income from the business
24 without regard to the place where the services are rendered; and
25 such a person who has an office or place of business within the City
26 and also elsewhere shall, for the purpose of computing tax liability
27 under this chapter, allocate to the City that portion of the tax-
28 payer's gross income which is derived from services rendered and/or
29 business activity within the City. Where such allocation cannot be
30 made by accounting methods satisfactory to the Finance Director (~~of~~
31 ~~Licenses and Consumer Affairs~~)), the taxpayer shall apportion to the
32 City that portion of his total income which the cost of doing busi-
33 ness within the City bears to the total cost of doing business both
within and without the City.

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1 Section 28. Seattle Municipal Code Section 5.44.078 (Ordinance
2 110476, Section 5) is further amended as follows:

3 **5.44.078 Ancillary location authority of Director.**

4 To prevent or reduce overlapping municipal taxation, the
5 Finance Director (~~(of Licenses and Consumer Affairs)~~) in his or her
6 discretion is authorized to:

7 A. Agree with one (1) or more Washington cities for a joint
8 audit of a taxpayer, and for the reciprocal application of common
9 principles or policies, consistent with Sections 5.44.070 through
10 5.44.076 for the allocation or apportionment of the gross proceeds
11 of sales, gross receipts, or gross income with respect to any tax-
12 payer or any line of commerce; and

13 B. As part of an intercity agreement, or in concert with
14 other Washington cities, include or implement reciprocal policies
15 and procedures, consistent with this chapter, to ensure that this
16 City, and the other cities, receive the tax payments each city is
17 due when a taxpayer, who owes tax to this City, has in good faith
18 overpaid municipal taxes measured by the taxpayer's gross proceeds
19 of sales, gross receipts, or gross income, to either city when such
20 overpayments are due to The City of Seattle or the other cities.

21 Section 29. Subsection B of Seattle Municipal Code Section
22 5.44.080 (Ordinance 72630, Section 8, as last amended by Ordinance
23 102623, Section 4) is further amended as follows:

24 **5.44.080 Sales by consignee, bailee, factor or auctioneer.**

25 B. The burden shall be upon the taxpayer in every case to
26 establish the fact that such taxpayer is not engaged in the business
27 of selling tangible personal property but is acting merely as broker
28 or agent in promoting sales for a principal; such claim will be
29 allowed only when the taxpayer's account records are kept in such
30 manner as the Finance Director (~~(of Licenses and Consumer Affairs)~~)
31 shall by general regulation provide.

32 Section 30. Subsections A and B of Seattle Municipal Code
33 Section 5.44.130 (Ordinance 72630, Section 12, as last amended by

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1 Ordinance 117002, Section 3) are further amended as follows:

2 **5.44.130 Business license required.**

3 A. No person, whether subject to the payment of tax or not,
4 shall engage in any business or activity in the City for which a
5 license fee or tax is imposed by this chapter without having first
6 obtained and being the holder of a valid and subsisting license to
7 do so, to be known as a "business license," issued under the provi-
8 sions of this chapter, as provided in this chapter, and without
9 paying the license fee or tax imposed by this chapter. The fee or
10 tax for the business license shall be the license fee or tax imposed
11 by this chapter, and in addition the sum of Sixty-five Dollars
12 (\$65.00) as a license fee which shall accompany the application for
13 the license. Such license shall expire at the end of the year in
14 which it is issued, and a new license shall be required for each
15 calendar year; provided, that any such business license may be
16 renewed from year to year upon application with the payment of such
17 Sixty-five Dollar (\$65.00) license fee.

18 Applications for the business license shall be made to the
19 Finance Director (~~(of Licenses and Consumer Affairs)~~) on forms pro-
20 vided by the Director. Any person whose gross proceeds of sale,
21 value of products, or gross income of business, as the case may be
22 after all allowable deductions, does not exceed Twenty-five Thousand
23 Dollars (\$25,000.00) in the tax year shall be exempt from the tax
24 imposed by Section 5.44.030 subject to the requirements of Section
25 5.44.140.

26 B. The license shall be personal and nontransferable. In
27 case business is transacted at two (2) or more separate places by
28 one (1) taxpayer, a separate license for each place at which busi-
29 ness is transacted with the public shall be required. A Ten-Dollar
30 (\$10.00) license fee shall be imposed and accompany each application
31 for the license required for each additional business location.
32 Each license shall be numbered, shall show the name, place and
33 character of the business of the taxpayer, and such other informa-

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1 tion as the Finance Director (~~(of Licenses and Consumer Affairs)~~)
2 deems necessary, and shall at all times be conspicuously posted in
3 the place of business for which it is issued.

4 Where a place of business of the taxpayer is changed, the
5 taxpayer shall return the license to the Finance Director (~~(of~~
6 ~~Licenses and Consumer Affairs)~~) and a new license shall be issued
7 for the new place of business free of charge.

8 Section 31. Subsections A and C of Seattle Municipal Code
9 Section 5.44.140 (Ordinance 72630, Section 13, as last amended by
10 Ordinance 116945, Section 1) are further amended as follows:

11 **5.44.140 When tax due -- Returns.**

12 A. The tax imposed by this chapter except the Sixty-five
13 Dollars (\$65.00) required to accompany the application for the
14 license, and except the Ten Dollars (\$10.00) required to accompany
15 the application for an additional business location, shall be due
16 and payable in quarterly installments. Payment shall be made on or
17 before the last day of the month after the end of the quarterly
18 period in which the tax accrued. The payment shall be made as
19 provided in Section 5.44.150 and shall be accompanied by a return,
20 which consists of a form provided by the Finance Director (~~(of~~
21 ~~Licenses and Consumer Affairs)~~) and completed by the taxpayer.

22 C. Any person who reasonably estimates that the value of
23 products, gross proceeds of sales, or gross income of the business,
24 as the case may be, subject to tax after all allowable deductions,
25 will not exceed Fifty Thousand Dollars (\$50,000.00) in the current
26 tax year may file an annual return with the written approval of the
27 Director (~~(of Licenses and Consumer Affairs)~~), as long as this
28 amount is not exceeded.

29 Section 32. Seattle Municipal Code Section 5.44.150 (Ordinance
30 72630, Section 14, as last amended by Ordinance 116368, Section 157)
31 is further amended as follows:

32 **5.44.150 Payment of license fee.**

33 ~~((A-))~~ The license fee or tax payable under this chapter

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1 shall at the time the return is required to be filed under this
2 chapter be paid to the City Finance Director by bank draft, certi-
3 fied check, cashier's check, personal check or money order, or in
4 cash. If payment is made by draft or check, the tax or fee shall
5 not be deemed paid unless the check or draft is honored in the usual
6 course of business; nor shall the acceptance of any sum by the
7 Finance Director be an acquittance or discharge of the tax or fee
8 due unless the amount of the payment is in the full and actual
9 amount due. (~~The return shall first be presented to the City~~
10 ~~Finance Director, who shall endorse thereon the date and amount of~~
11 ~~the payment received by him or her and return the same to the~~
12 ~~taxpayer, who shall thereupon forthwith file the return with the~~
13 ~~Director of Licenses and Consumer Affairs.~~

14 B.) The Director (~~of Licenses and Consumer Affairs~~) is
15 authorized, but not required to mail to taxpayers forms for
16 applications for license and forms for returns, but failure of the
17 taxpayer to receive any such forms shall not excuse the taxpayer
18 from making application for and securing the license required,
19 making returns, and payment of the license fee or tax, when and as
20 due under this chapter.

21 Section 33. Seattle Municipal Code Section 5.44.160 (Ordinance
22 72630, Section 15, as last amended by Ordinance 102623, Section 8)
23 is further amended as follows:

24 **5.44.160 Books and records to be kept five years.**

25 A. It shall be the duty of every person liable for the pay-
26 ment of any fee or tax imposed by this chapter to keep and preserve
27 for the period of five (5) years such books and records as will
28 accurately reflect the amount of his gross income, gross proceeds of
29 sale or value of products, as the case may be, and from which can be
30 determined the amount of any fee or tax or which he may be liable
31 under the provisions of this chapter; and all such books and
32 records, and also invoices, inventories and stocks of goods, wares
33 and merchandise shall be open for examination at all reasonable

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1 times by the Finance Director (~~(of Licenses and Consumer Affairs)~~)
2 or his or her duly authorized agent.

3 B. In the case of any such person who does not keep the
4 necessary books and records within the City for examination it shall
5 be sufficient if such person produces within the City such books and
6 records as may be required by the Director (~~(of Licenses and Con-
7 sumer Affairs)~~) or bears the cost of examination by the Director's
8 agent at the place where such books and records are kept; provided
9 that the person electing to bear such cost shall pay to the Director
10 (~~(of Licenses and Consumer Affairs)~~) the estimated amount thereof
11 including round-trip fare, lodging, meals and incidental expenses,
12 subject to adjustment upon completion of the examination.

13 Section 34. Seattle Municipal Code Section 5.44.180 (Ordinance
14 72630, Section 17, as last amended by Ordinance 116471, Section 2)
15 is further amended as follows:

16 **5.44.180 Payments -- Extension -- Late penalty.**

17 The Finance Director (~~(of Licenses and Consumer Affairs)~~) for
18 good cause shown may extend the time for filing any return as
19 required under this chapter and may grant such reasonable additional
20 time within which to file such returns as he or she may deem proper.
21 If any tax return, or payment of any tax, is not received by the
22 City Finance Director on the first day of the month following the
23 month in which such return and/or tax becomes due, there shall be
24 assessed a penalty of five percent (5%) of the amount due with a
25 minimum penalty of Five Dollars (\$5.00); and if the return and/or
26 tax is not received by the fifteenth day of the month following the
27 month in which the due date falls, there shall be assessed a total
28 penalty of ten percent (10%) of the amount due with a minimum
29 penalty of Fifteen Dollars (\$15.00); and if the return and/or tax is
30 not received by the first day of the second month next succeeding
31 the month in which the due date falls, there shall be assessed a
32 total penalty of twenty percent (20%) of the amount due, with a
33 minimum penalty of Twenty-five Dollars (\$25.00).

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1 Section 35. Seattle Municipal Code Section 5.44.200 (Ordinance
2 72630, Section 19, as last amended by Ordinance 116368, Section 160)
3 is further amended as follows:

4 **5.44.200 Returns confidential -- Exceptions.**

5 A. As required by the Public Disclosure Act, in RCW 42.17.260
6 and RCW 42.17.310, the returns made to the Finance Director (~~of~~
7 ~~Licenses and Consumer Affairs~~) pursuant to this chapter and any
8 facts or information disclosed in any examination of books and
9 records made pursuant to Section 5.44.160, shall be subject to the
10 inspection of any person but only to the extent that such disclosure
11 does not violate the personal privacy of any taxpayer or give unfair
12 competitive disadvantage to the taxpayer in his or her business or
13 occupation or is not used for commercial purposes.

14 B. Authority provided in this chapter to disclose information
15 shall not be construed as authority to give, sell or provide access
16 to lists of individuals for commercial purposes, provided that lists
17 of applicants for professional licenses and of professional
18 licensees shall be made available to professional organizations
19 recognized by their professional examining board upon payment of a
20 reasonable fee therefor. Provided, such returns and information may
21 be subject to inspection, for official purposes only, by the Mayor,
22 City Attorney, Finance Director or his or her authorized agent, the
23 City Auditor or his/her authorized agent, (~~Director of Licenses and~~
24 ~~Consumer Affairs or his or her authorized agent,~~) Chief of Police
25 or his or her authorized agent, members of the City Council, or
26 their authorized agents, the Director of the Office of Management
27 and Budget or his or her authorized agent; and the Executive
28 Director of the Seattle Ethics and Elections Commission or his or
29 her authorized agent, and when in the course of City duties pre-
30 sented to the Commission, to its members; provided that nothing in
31 this section shall prohibit the Executive Director of the Seattle
32 Ethics and Elections Commission from giving such facts or informa-
33 tion in evidence in any hearing conducted by the Commission; and

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1 provided further that nothing in this section shall prohibit the
2 Finance Director (~~((of Licenses and Consumer Affairs))~~) or any member
3 or employee of the Finance Department (~~((of Licenses and Consumer
4 Affairs))~~) from:

5 1. Giving such facts or information in evidence in any
6 court action involving the tax or license fee imposed by this
7 chapter or a violation of the provisions hereof or involving another
8 City or state department and the taxpayer;

9 2. Giving such facts and information to the taxpayer or
10 his or her duly authorized agent;

11 3. Publishing statistics so classified as to prevent the
12 identification of individual returns or reports of items thereof;

13 4. Giving such facts or information, for official
14 purposes only, to the Governor of the state, State Attorney General,
15 or to any state department or any committee or subcommittee of the
16 Washington State Legislature dealing with matters of taxation, reve-
17 nue, trade, commerce, the control of industry or the professions, or
18 to the Prosecuting Attorney of any county in the state, proper
19 officer of the Federal Trade Commission, proper officer of the
20 Internal Revenue Service of the United States, or to the proper
21 officer of the tax department of any state or city or town or
22 county, or to any other authorized representatives of any state or
23 federal law enforcement agencies, but only if the statutes of the
24 United States, or of the state, or of such other state or city or
25 county, as the case may be, grant substantially similar privileges
26 to the tax or law enforcement agencies of The City of Seattle.

27 Section 36. Seattle Municipal Code Section 5.44.205 (Ordinance
28 111430, Section 3) is amended as follows:

29 **5.44.205 Fees for copies and research.**

30 The Finance Director (~~((of Licenses and Consumer Affairs))~~) may
31 charge a fee:

32 A. For making copies of books and records as authorized by
33 Ordinance 100501, as now existing or hereafter amended or supple-

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1 mented;

2 B. For compiling statistics and conducting special research
3 as authorized in a fee schedule approved by the City Council by
4 resolution from time-to-time to reimburse the City's cost therefor;
5 and

6 C. For the bulk sale of City forms and printed brochures and
7 other publications in an amount equal to the cost of preparing,
8 reproducing and distributing them as determined by the Director by
9 rule adopted pursuant to the Administrative Code, Sections 3.02.030
10 through 3.02.070.

11 Section 37. Seattle Municipal Code Section 5.44.210 (Ordinance
12 72630, Section 20, as amended by Ordinance 116368, Section 161) is
13 further amended as follows:

14 **5.44.210 Over or under payment of tax.**

15 A. In the event of overpayment of any tax due under this
16 chapter, the Finance Director (~~((of Licenses and Consumer Affairs))~~)
17 or his or her authorized agent upon written application by the tax-
18 payer for a refund or credit within two (2) years after the date of
19 such overpayment, may offset the amount of such overpayment against
20 the taxpayer's existing tax liability under this chapter and
21 ~~((certify to the City Finance Director for))~~ refund ~~((of))~~ any
22 balance to such taxpayer or credit such balance to taxes which may
23 accrue under this chapter. Refund of overpayments as authorized in
24 this section shall be ~~((approved by the Director of Licenses and
25 Consumer Affairs or his or her authorized agent and))~~ paid from the
26 Refund Account of the General Fund. No refund or credit may be
27 allowed with respect to any payments made to the City more than two
28 (2) years before the date of such application; provided, that where
29 a taxpayer makes application for a refund or credit of an overpay-
30 ment made more than two (2) years before the date of such applica-
31 tion, the amount of the refund or credit otherwise allowable for the
32 portion of the assessment period preceding the two (2) year period
33 may be offset against any existing tax deficiency which accrued

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1 under this chapter within such assessment period.

2 B. Notwithstanding the foregoing limitations there shall be
3 refunded or credited to taxpayers engaged in the performance of
4 United States government contracts or subcontracts the amount of any
5 tax paid, measured by that portion of the amounts received from the
6 United States, which taxpayer is required by contract or applicable
7 federal statute to refund or credit to the United States, if claim
8 for such refund is filed by the taxpayer with the Finance Director
9 (~~of Licenses and Consumer Affairs~~) within one (1) year of the date
10 that the amount of the refund or credit due to the United States is
11 finally determined and filed within four (4) years of the date on
12 which tax was paid.

13 C. If the Finance Director (~~of Licenses and Consumer~~
14 ~~Affairs~~) finds that the fee or tax or penalty paid is less than the
15 amount due, the Director (~~of Licenses and Consumer Affairs~~) shall
16 mail the taxpayer a statement showing the balance due and shall add
17 thereto interest on such balance at the rate of ten percent (10%)
18 per year from the date of underpayment until paid and the taxpayer
19 shall within ten (10) days from the date of mailing statement pay
20 the amount shown thereon as the balance due plus such interest. No
21 demand for an additional fee or tax or penalty shall be made by the
22 Director (~~of Licenses and Consumer Affairs~~) more than four (4)
23 years after the close of the year in which the same accrued except:

24 1. Against a taxpayer who is not registered as required
25 by this chapter;

26 2. As against a taxpayer who has been guilty of fraud or
27 misrepresentation of a material fact; or

28 3. Where a taxpayer has executed a written waiver of
29 such limitations.

30 Section 38. Seattle Municipal Code Section 5.44.220 (Ordinance
31 72630, Section 12, as amended by Ordinance 102623, Section 12) is
32 further amended as follows:
33

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1 **5.44.220 Failure to make return.**

2 If any taxpayer fails, neglects or refuses to make his return
3 as and when required in this chapter, the Finance Director ((~~of~~
4 ~~Licenses and Consumer Affairs~~)) is authorized to determine the
5 amount of the tax payable, and by mail to notify such taxpayer of
6 the amount so determined. The amount so fixed shall thereupon
7 become the tax and be immediately due and payable.

8 Section 39. Seattle Municipal Code Section 5.44.230 (Ordinance
9 72630, Section 22, as amended by Ordinance 108355, Section 1) is
10 further amended as follows:

11 **5.44.230 Appeals.**

12 Any taxpayer aggrieved by the amount of the fee or tax found by
13 the Finance Director ((~~of Licenses and Consumer Affairs~~)) to be
14 required under the provisions of this chapter, may file a written
15 appeal with the Office of the Hearing Examiner within twenty (20)
16 days from the time such taxpayer was given notice of such amount and
17 providing a copy of the notice of appeal to the Director and the
18 City Attorney. The hearing shall be conducted in accordance with
19 the procedures for hearing contested cases in the Seattle Adminis-
20 trative Code (Ordinance 102228). The determination appealed from
21 shall be regarded as prima facie correct. The Hearing Examiner may
22 reverse or modify an action of the Director and ascertain the
23 correct amount of the fee or tax due if the Director's determination
24 violates the terms of this chapter or is contrary to law. The deci-
25 sion of the Hearing Examiner shall be final.

26 Section 40. Seattle Municipal Code Section 5.44.240 (Ordinance
27 72630, Section 23, as amended by Ordinance 102623, Section 14) is
28 further amended as follows:

29 **5.44.240 Director to make rules.**

30 The Finance Director ((~~of Licenses and Consumer Affairs~~)) shall
31 have the power and it shall be his duty, from time to time, to
32 adopt, publish and enforce rules and regulations not inconsistent
33 with this chapter or with law for the purpose of carrying out the

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1 provisions of this chapter and it shall be unlawful to violate or
2 fail to comply with, any such rule or regulation.

3 Section 41. Seattle Municipal Code Section 5.44.250 (Ordinance
4 72630, Section 24, as amended by Ordinance 102623, Section 15) is
5 further amended as follows:

6 **5.44.250 Mailing of notices.**

7 Any notice required by this chapter to be mailed to any
8 taxpayer shall be sent by ordinary mail, addressed to the address of
9 the taxpayer as shown by the records of the Finance Director (~~(of~~
10 ~~Licenses and Consumer Affairs)~~), or if no such address is shown, to
11 such address as the Director (~~(of Licenses and Consumer Affairs)~~) is
12 able to ascertain by reasonable effort. Failure of the taxpayer to
13 receive any such mailed notice shall not release the taxpayer from
14 any tax or any penalties thereon, nor shall such failure operate to
15 extend any time limit set by the provisions of this chapter.

16 Section 42. Seattle Municipal Code Section 5.44.300 (Ordinance
17 72630, Section 29, as amended by Ordinance 102623, Section 16) is
18 further amended as follows:

19 **5.44.300 Revocation of license.**

20 The Finance Director (~~(of Licenses and Consumer Affairs)~~) may
21 revoke the license issued to any taxpayer who is in default in any
22 payment of any license fee or tax under this chapter, or who fails
23 to comply with any of the provisions of this chapter. Notice of
24 such revocation shall be mailed to the taxpayer by the Director (~~(of~~
25 ~~Licenses and Consumer Affairs)~~), and on and after the date thereof
26 any such taxpayer who continues to engage in business shall be
27 deemed to be operating without a license and shall be subject to any
28 or all penalties provided in this chapter.

29 Section 43. Subsection A of Seattle Municipal Code Section
30 5.44.310 (Ordinance 72630, Section 30, as amended by Ordinance
31 102623, Section 17) is further amended as follows:

32 **5.44.310 Violation -- Penalty.**

33 A. Any person violating or failing to comply with any of the

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1 provisions of this chapter or any lawful rule or regulation adopted
2 by the Finance Director (~~((of Licenses and Consumer Affairs))~~)
3 pursuant thereto, upon conviction thereof, shall be punished by a
4 fine in any sum not to exceed Three Hundred Dollars (\$300.00) or by
5 imprisonment in the City Jail for a term not exceeding ninety (90)
6 days, or by both such fine and imprisonment.

7 Section 44. Subsection D of Seattle Municipal Code Section
8 5.48.020 (Ordinance 62662, Section 2, as amended by Ordinance
9 115908, Section 2) is further amended as follows:

10 **5.48.020 Definitions.**

11 D. "Tax year" or "taxable year" means the year commencing
12 March 1st and ending on the last day of February of the following
13 year, or, in lieu thereof, the taxpayer's fiscal year when per-
14 mission is obtained from the Finance Director (~~((of Licenses and
15 Consumer Affairs))~~) to use the same as the tax period.

16 Section 45. Seattle Municipal Code Section 5.48.080 (Ordinance
17 62662, Section 10, as amended by Ordinance 107158, Section 9) is
18 further amended as follows:

19 **5.48.080 Application for license.**

20 On or before the first day of each tax year, every taxpayer
21 shall apply to the Finance Director (~~((of Licenses and Consumer
22 Affairs))~~) for an occupation license, upon forms provided by the
23 Director. Every such application shall be accompanied by the speci-
24 fied minimum fee or tax, which amount shall be credited against
25 future installments; provided Section 7A occupation license applica-
26 tions shall be accompanied by the specified annual fee or quarterly
27 installment thereof.

28 Section 46. Subsection B of Seattle Municipal Code Section
29 5.48.090 (Ordinance 62662, Section 11, as amended by Ordinance
30 116368, Section 162) is further amended as follows:

31 **5.48.090 Monthly and quarterly payment of tax -- Returns.**

32 B. Each such remittance shall be by bank draft, certified
33 check, cashier's check or money order, payable to the City Finance

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1 Director or in cash, in the amount of the tax or fee or installment
2 thereof required by the provisions of this chapter, and shall be
3 accompanied by a return on blanks or forms prepared and provided by
4 the Director (~~(of Licenses and Consumer Affairs)~~) requesting such
5 information as may be necessary to enable the Director (~~(of Licenses
6 and Consumer Affairs)~~) to determine the lawful amount of the fee or
7 tax. The taxpayer shall, in a legible manner, write in such blank
8 or form or return the information required and shall sign the same
9 and by affidavit at the foot thereof shall swear or affirm that the
10 information given is full and true and that he or she knows the same
11 to be so.

12 Section 47. Seattle Municipal Code Section 5.48.120 (Ordinance
13 62662, Section 15, as amended by Ordinance 116368, Section 163) is
14 further amended as follows:

15 **5.48.120 Taxpayer to keep books and records -- Returns
16 confidential.**

17 A. It shall be the duty of each taxpayer taxed upon his gross
18 income to keep and enter in a proper book or set of books or records
19 an account which shall accurately reflect the amount of his or her
20 gross income, which account shall always be open to the inspection
21 of the Finance Director (~~(of Licenses and Consumer Affairs)~~), or his
22 or her duly authorized agent, and from which the officer or his or
23 her agent may verify the return made by the taxpayer.

24 B. The applications, statements or returns made to the
25 Director (~~(of Licenses and Consumer Affairs)~~) pursuant to this
26 chapter shall not be made public, nor shall they be subject to the
27 inspection of any person except the Mayor, the City Attorney, the
28 City Finance Director or his or her authorized agent, (~~(the Director
29 of Licenses and Consumer Affairs or his or her authorized agents,)~~)
30 members of the City Council or their authorized agents, and the
31 Director of the Office of Management and Budget or his or her
32 authorized agent. Returns are also subject to disclosure when the
33 Public Disclosure Act, RCW 42.17.160, et seq., requires disclosure.

Section 48. Seattle Municipal Code Section 5.48.130 (Ordinance

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1 62662, Section 16, as amended by Ordinance 102620, Section 5) is
2 further amended as follows:

3 **5.48.130 Director to investigate returns.**

4 If any taxpayer fails to apply for license or make his return,
5 or if the Finance Director (~~((of Licenses and Consumer Affairs))~~) is
6 dissatisfied as to the correctness of the statements made in the
7 application or return of any taxpayer, the officer, or his or her
8 authorized agent, may enter the premises of such taxpayer at any
9 reasonable time for the purpose of inspecting his or her books or
10 records of account to ascertain the amount of the fee or tax or to
11 determine the correctness of such statements, as the case may be,
12 and may examine any person under oath administered by the offi-
13 cer((7)) or his or her agent((7)) touching the matters inquired
14 into, or the officer((7)) or his or her authorized agent((7)) may
15 fix a time and place for an investigation of the correctness of the
16 return and may issue a subpoena to the taxpayer, or any other
17 person, to attend upon such investigation and there testify, under
18 oath administered by the officer((7)) or his or her agent((7)) in
19 regard to the matters inquired into and may, by subpoena, require
20 ((~~him~~)) the taxpayer, or any person, to bring with him/her such
21 books, records and papers as may be necessary.

22 Section 49. Subsection A of Seattle Municipal Code Section
23 5.48.140 (Ordinance 62662, Section 16.A, as amended by Ordinance
24 116368, Section 164) is further amended as follows:

25 **5.48.140 Extension of time for filing returns -- Late
26 payment of tax -- Penalties.**

27 A. The Finance Director (~~((of Licenses and Consumer Affairs))~~)
28 for good cause shown may extend the time for making and filing any
29 return required under this chapter and may grant such reasonable
30 additional time within which to make and file such return as he/she
31 may deem proper.

32 Section 50. Seattle Municipal Code Section 5.48.150 (Ordinance
33 62662, Section 17, as amended by Ordinance 116368, Section 165) is
further amended as follows:

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1 **5.48.150 Over or under payment of tax.**

2 If the Finance Director (~~(of Licenses and Consumer Affairs)~~)
3 upon investigation or upon reviewing returns finds that the total
4 tax paid is more than the amount due within the preceding three (3)
5 year period, he or she shall allow the overpayment as a credit upon
6 future taxes due and/or certify the amount overpaid (~~(to the City~~
7 ~~Finance Director)~~) for refund by a warrant upon the General Fund.

8 If the Director (~~(of Licenses and Consumer Affairs)~~) finds that
9 the fee or tax is less than required, he or she shall mail the tax-
10 payer a statement showing the balance due and shall add thereto
11 interest on such balance at the rate of ten percent (10%) per year
12 from the date of underpayment until paid and the taxpayer shall
13 within ten (10) days from the date of mailing statement, pay the
14 balance due plus interest shown thereon. The Director (~~(of Licenses~~
15 ~~and Consumer Affairs)~~) shall not make any demand for an additional
16 tax more than four (4) years after the close of the year in which
17 the same accrued unless:

18 A. The taxpayer is not registered as required by this
19 chapter;

20 B. The taxpayer has committed a fraud or misrepresented a
21 material fact; or

22 C. The taxpayer has waived this limitation in writing.

23 Section 51. Seattle Municipal Code Section 5.48.160 (Ordinance
24 62662, Section 18, as amended by Ordinance 102620, Section 7,) is
25 further amended as follows:

26 **5.48.160 Remedy for nonpayment of tax.**

27 A. If any taxpayer fails to apply for a license, or make his
28 returns, or to pay the fee or tax therefor, or any part thereof,
29 within fifteen days after the same shall have become due, the
30 Finance Director (~~(of Licenses and Consumer Affairs)~~) shall ascer-
31 tain the amount of the fee or tax or installment thereof due and
32 shall notify such taxpayer thereof, who shall be liable therefor in
33 any suit or action by the City for the collection thereof.

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1 B. The Finance Director (~~(of Licenses and Consumer Affairs)~~)
2 shall also notify the City Attorney in writing of the name of such
3 delinquent taxpayer and the amount due from him or her, and the
4 officer shall, with the assistance of the Finance Director (~~(of~~
5 ~~Licenses and Consumer Affairs)~~), collect the same by any appropriate
6 means or by suit or action in the name of the City.

7 Section 52. Seattle Municipal Code Section 5.48.170 (Ordinance
8 62662, Section 19, as amended by Ordinance 114595, Section 1) is
9 further amended as follows:

10 **5.48.170 Appeals.**

11 Any taxpayer aggrieved by the amount of the fee or tax found by
12 the Finance Director (~~(of Licenses and Consumer Affairs)~~) to be
13 required under the provisions of this chapter, may file a written
14 appeal with the Office of the Hearing Examiner within twenty (20)
15 days from the time such taxpayer was given notice of such amount and
16 providing a copy of the notice of appeal to the Director and the
17 City Attorney. The hearing shall be conducted in accordance with
18 the procedures for hearing contested cases in the Seattle Adminis-
19 trative Code (SMC Chapter 3.02; Ordinance 102228). The determina-
20 tion appealed from shall be regarded as prima facie correct. The
21 Hearing Examiner may reverse or modify an action of the Director and
22 ascertain the correct amount of the fee or tax due if the Director's
23 determination violates the terms of this chapter or is contrary to
24 law. The decision of the Hearing Examiner shall be final.

25 Section 53. Seattle Municipal Code Section 5.48.180 (Ordinance
26 62662, Section 20, as amended by Ordinance 102620, Section 9) is
27 further amended as follows:

28 **5.48.180 Director to make rules.**

29 The Finance Director (~~(of Licenses and Consumer Affairs)~~) shall
30 have the power, and it shall be his or her duty, from time to time,
31 to adopt, publish and enforce rules and regulations not inconsistent
32 with this chapter or with law for the purpose of carrying out the
33 provisions thereof, and it is unlawful to violate or fail to comply

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1 with, any such rule or regulation.

2 Section 54. Seattle Municipal Code Section 5.48.210 (Ordinance
3 62662, Section 24, as amended by Ordinance 102620, Section 11) is
4 further amended as follows:

5 **5.48.210 Violation -- Penalty.**

6 Any person violating or failing to comply with any of the
7 provisions of this chapter or any lawful rule or regulation adopted
8 by the Finance Director (~~(of Licenses and Consumer Affairs)~~)
9 pursuant to this chapter, shall be deemed guilty of a misdemeanor
10 and, upon conviction thereof, shall be punished by a fine in any sum
11 not to exceed Three Hundred Dollars (\$300.00), or by imprisonment in
12 the City Jail for a term not exceeding ninety (90) days, or by both
13 such fine and imprisonment.

14 Section 55. Subsection A of Seattle Municipal Code Section
15 5.52.020 (Ordinance 102459, Section 2, as amended by Ordinance
16 115916, Section 3) is further amended as follows:

17 **5.52.020 Filing of intent to conduct activity --
18 Payments -- Late fees.**

19 A. Any person, corporation, association, organization, or
20 bona fide charitable or nonprofit organization intending to conduct
21 or operate in the City any such gambling activity or fundraising
22 event as authorized by or under RCW Chapter 9.46, as amended, and
23 subject to the tax imposed by Section 5.52.010 shall, prior to the
24 commencement of any such activity, file with the Finance Director
25 (~~(of Licenses and Consumer Affairs)~~) a sworn declaration of intent
26 to conduct or operate such activity together with a copy of the
27 license therefor issued in accordance with said chapter, if such is
28 required, and thereafter for any period covered by such license, or
29 any renewal thereof, or by such statement of intent, shall on or
30 before the fifteenth day of the month next succeeding the end of the
31 quarterly period in which the tax accrued, file with the Finance
32 Director (~~(of Licenses and Consumer Affairs)~~) a sworn return on a
33 form to be provided and prescribed by the Director (~~(of Licenses and
Consumer Affairs)~~), and containing such information as the Director

1 (~~of Licenses and Consumer Affairs~~) shall prescribe for the purpose
2 of ascertaining the tax due for the preceding quarterly period.

3 Section 56. Seattle Municipal Code Section 5.52.030 (Ordinance
4 102459, Section 3, as amended by Ordinance 116368, Section 166) is
5 further amended as follows:

6 **5.52.030 Enforcement -- Over or under payment of tax.**

7 A. The Finance Director (~~of Licenses and Consumer Affairs~~)
8 shall have the power, and it shall be his duty, from time to time,
9 to adopt, publish and enforce rules and regulations not inconsis-
10 tent with this chapter or with law for the purpose of carrying out
11 the provisions hereof, and he shall have the further duty and
12 authority to prescribe and issue appropriate forms for determina-
13 tion and declaration of the amount of tax to be paid.

14 B. In the event of overpayment of any tax due under this
15 chapter, the Finance Director (~~of Licenses and Consumer Affairs~~)
16 or his or her authorized agent, upon written application by the
17 taxpayer for a refund or credit within two (2) years after the date
18 of such overpayment, may offset the amount of such overpayment
19 against the taxpayer's existing tax liability under this chapter and
20 certify (~~to the City Finance Director~~) for refund (~~of~~) any
21 balance to such taxpayer or credit such balance to taxes which may
22 accrue under this chapter. To be eligible therefor, refund of
23 overpayments as authorized in this section shall be approved by the
24 Finance Director (~~of Licenses and Consumer Affairs~~) or his or her
25 authorized agent. No refund or credit may be allowed with respect
26 to any payments made to the City more than two (2) years before the
27 date of such application; provided, that where a taxpayer makes
28 application for a refund or credit of an overpayment made more than
29 two (2) years before the date of such application, the amount of the
30 refund or credit otherwise allowable for the portion of the assess-
31 ment period preceding the two (2) year period may be offset against
32 any existing tax deficiency which accrued under this chapter within
33 such assessment period.

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1 C. If the Finance Director (~~(of Licenses and Consumer~~
2 ~~Affairs)~~) finds that the fee or tax or penalty paid is less than the
3 amount due, he or she (~~(the Director of Licenses and Consumer~~
4 ~~Affairs)~~) shall mail the taxpayer a statement showing the balance
5 due and shall add thereto interest on such balance at the rate of
6 six percent (6%) per year from the date of underpayment until paid
7 and the taxpayer shall within three (3) days from the date of
8 mailing statement pay the amount shown thereon as the balance due
9 plus such interest. No demand for an additional fee or tax or
10 penalty shall be made by the Finance Director (~~(of Licenses and~~
11 ~~Consumer Affairs)~~) more than four (4) years after the close of the
12 year in which the same accrued except:

13 1. Against a taxpayer who is not registered as required
14 by this chapter;

15 2. As against a taxpayer who has been guilty of fraud or
16 misrepresentation of a material fact; or

17 3. Where a taxpayer has executed a written waiver of
18 such limitations.

19 Section 57. Seattle Municipal Code Section 5.52.040 (Ordinance
20 102459, Section 4, as amended by Ordinance 107278, Section 3) is
21 further amended as follows:

22 **5.52.040 Keeping of books and records -- Inspection.**

23 It shall be the duty of every person, corporation, association,
24 organization or bona fide charitable or nonprofit organization
25 liable for the payment of any tax imposed by this chapter to keep
26 and preserve for the period of five (5) years such books and records
27 as will accurately reflect the amount of gross revenue received from
28 any gambling activity or fund-raising event enumerated in Section
29 5.52.010 and from which can be determined the amount of tax for
30 which such person, corporation, association, organization or bona
31 fide charitable or nonprofit organization may be liable under the
32 provisions of this chapter; and all such books and records, and also
33 invoices, inventories and stocks of goods, wares and merchandise

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1 shall be open for inspection at all reasonable times by the Finance
2 Director (~~(of Licenses and Consumer Affairs)~~) or his or her duly
3 authorized agent.

4 Section 58. Seattle Municipal Code Section 5.52.060 (Ordinance
5 115916, Section 4) is amended as follows:

6 **5.52.060 Rule-Making authority.**

7 The Finance Director (~~(of Licenses and Consumer Affairs)~~) shall
8 have the power from time to time to promulgate rules and regulations
9 to implement this chapter, including the adoption by reference of
10 provisions of state law or the Washington Administrative Code relat-
11 ing to gambling; the waiver of delinquency penalties for delayed
12 reporting of the gambling tax when occurring due to causes beyond
13 the taxpayer's control or due to excusable neglect; and the alloca-
14 tion of gross revenues among taxing jurisdictions when raffles or
15 other gambling activity occur in Seattle and elsewhere.

16 Section 59. Seattle Municipal Code Section 5.78.150 (Ordinance
17 114260, section 2 (part), as amended by Ordinance 116368, Section
18 183) is further amended as follows:

19 **5.78.150 Expenditures -- Finance Director**

20 The City Finance Director is authorized to direct expenditures
21 for the donations to the Finance Department programs and to programs
22 of the former Department of Licenses and Consumer Affairs in the
23 City's ((g)) Gift Catalogue as designated by the donor; and to draw
24 and to pay warrants against said program accounts or subaccounts on
25 vouchers.

26 Section 60. Subsection D of Seattle Municipal Code Section
27 6.02.030 (Ordinance 48022, Section 3, as last amended by Ordinance
28 105430, Section 1) is further amended as follows:

29 **6.02.030 Definitions.**

30 C. "Director" or "Finance Director" (~~(of Licenses and~~
31 ~~Consumer Affairs)~~) means the Director of the Finance Department (~~(of~~
32 ~~Licenses and Consumer Affairs)~~) of The City of Seattle and shall
33 include the Director's authorized representatives.

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1 Section 61. Seattle Municipal Code Section 6.02.040 (Ordinance
2 48022, Section 19, as last amended by Ordinance 102636, Section 14)
3 is further amended as follows:

4 **6.02.040 Administration and enforcement.**

5 A. The Finance Director (~~(of Licenses and Consumer Affairs)~~)
6 shall have general charge of, and supervision over, the administra-
7 tion and enforcement of this subtitle, and he or she shall (~~(in and~~
8 ~~through the Division of Licenses of the Department of Licenses and~~
9 ~~Consumer Affairs,)~~) exercise all the powers and perform all the
10 duties imposed upon him or her by this subtitle, and all other
11 ordinances relating to licenses issued for regulatory and/or revenue
12 purposes unless administration and enforcement of such ordinance is
13 vested in another officer or department by ordinance.

14 B. The Director in the discharge of such powers and duties is
15 authorized to inspect all relevant reports, books, records and
16 premises of any licensee; provided that the results of any such
17 inspection shall be confidential unless a hearing is requested under
18 the provisions of this subtitle in connection with the license held
19 by such licensee. It shall be his or her duty to furnish monthly to
20 the Chief of Police and Chief of the Fire Department a list of
21 licensees, including the name and address, character of license and
22 date of expiration of the following classification of license
23 holders: billiard and pool tables, public dance halls, cafe dances,
24 cabarets, theaters and other places of amusement, pawnshops, second-
25 hand dealers, junk shops, junk wagons and all for-hire vehicles. It
26 shall be the duty of the Chief of Police concurrently with the
27 Director (~~(of Licenses and Consumer Affairs,)~~) to enforce this
28 subtitle.

29 Section 62. Seattle Municipal Code Section 6.02.050 (Ordinance
30 48022, Section 19.1, as last amended by Ordinance 107350, Section 1)
31 is further amended as follows:

32 **6.02.050 Establishment of rules and regulations.**

33 The Finance Director (~~(of Licenses and Consumer Affairs)~~) shall

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1 establish administrative rules and regulations consistent with this
2 subtitle for the purpose of enforcing and carrying out the provi-
3 sions thereof. Such rules and regulations shall be established
4 pursuant to the requirements of the Administrative Code (Ordinance
5 102228) as now or hereafter amended.

6 Section 63. Seattle Municipal Code Section 6.02.060 (Ordinance
7 48022, Section 20, as last amended by Ordinance 102636, Section 16)
8 is further amended as follows:

9 **6.02.060 Assistance in enforcement.**

10 The Boiler Inspector shall assist in the enforcement of the
11 provisions hereof relating to stationary engineers and firemen; the
12 Chief of the Fire Department and members of the Fire Department
13 detailed as Inspectors shall assist in the enforcement of the provi-
14 sions hereof, particularly with reference to gasoline stations; the
15 Plumbing Inspectors of the Department of Public Health shall assist
16 in the enforcement of the provisions hereof relating to master
17 plumbers and journeyman plumbers and it shall be the duty of all
18 department heads and the inspectors thereof to report in writing to
19 the Finance Director ((of Licenses and Consumer Affairs)) and to the
20 Chief of Police and, if a violation of chapter 6.230 is involved, to
21 the Director of the Department of Construction and Land Use any
22 violations of this subtitle coming to their attention.

23 Section 64. Subsection A of Seattle Municipal Code Section
24 6.02.080 (Ordinance 48022, Section 21.1, as last amended by
25 Ordinance 104202, Section 4) is further amended as follows:

26 **6.02.080 Hearing -- Procedure.**

27 A. In all cases in which a hearing is requested or otherwise
28 required in accordance with the provisions of this subtitle the
29 Finance Director ((of Licenses and Consumer Affairs)) shall set a
30 date for hearing before a Hearing Examiner in the Office of Hearing
31 Examiner which date unless otherwise provided in this subtitle shall
32 not be later than fifteen (15) days after receipt of such request.
33 Notice of the date, and summary of the issues involved shall be pub-

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1 lished and shall be sent by certified mail to the license applicant
2 or licensee and to any complainant.

3 Section 65. Seattle Municipal Code Section 6.02.090 (Ordinance
4 48022, Section 21.2, as last amended by Ordinance 116368, Section
5 185) is further amended as follows:

6 **6.02.090 Filing of findings of hearing.**

7 Within twenty (20) days after any such hearing or any continu-
8 ation thereof, the Hearing Examiner shall file with the Finance
9 Director (~~(of Licenses and Consumer Affairs,~~) and with the City
10 Clerk written findings of fact, conclusions and his or her decision.
11 Such decision shall be mailed by certified mail to the license
12 applicant or licensee and to the complainant, if any, and shall be
13 final.

14 Section 66. Seattle Municipal Code Section 6.02.120 (Ordinance
15 48022, Section 4.1, as last amended by Ordinance 102636, Section 2
16 (part)) is further amended as follows:

17 **6.02.120 Records to be filed with City Clerk and Director.**

18 Unless otherwise provided in this subtitle, all decisions,
19 orders, rules, regulations, reports and records required by this
20 subtitle to be made or kept, shall be filed with the City Clerk and
21 a copy thereof filed in the office of the Finance Director (~~(of~~
22 ~~Licenses and Consumer Affairs)~~), and shall be open to public
23 inspection in the office of the City Clerk during normal business
24 hours.

25 Section 67. Seattle Municipal Code Section 6.02.150 (Ordinance
26 48022, Section 5-A, as last amended by Ordinance 102636, Section 3)
27 is further amended as follows:

28 **6.02.150 Change of ownership -- Panoram location businesses.**

29 The Finance Director (~~(of Licenses and Consumer Affairs)~~) may
30 recognize a change of ownership of any business licensed for
31 "panoram location" upon the filing by the new or prospective owner
32 of applications in the manner and form prescribed, and payment of
33 the applicable fee required for original applications for such

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1 licenses, and may in granting any such application include the
2 condition that such new or prospective owner assume and pay any
3 lawful indebtedness of the transferor or assignor due to the City in
4 connection with such business.

5 Section 68. Seattle Municipal Code Section 6.02.170 (Ordinance
6 48022, Section 9, as last amended by Ordinance 114245, Section 2) is
7 further amended as follows:

8 **6.02.170 Business at location other than stated in license.**

9 Unless otherwise specifically provided, no license issued under
10 authority of this subtitle shall entitle the holder thereof to main-
11 tain or conduct the business, trade, occupation, calling, exhibition
12 or entertainment, for which he/she had procured such license at any
13 other place or location than that stated in such license except upon
14 the written consent of the Finance Director (~~(of Licenses and~~
15 ~~Consumer Affairs)~~).

16 Section 69. Subsections A and B of Seattle Municipal Code
17 Section 6.02.190 (Ordinance 48022, Section 11, as last amended by
18 Ordinance 116368, Section 186) are further amended as follows:

19 **6.02.190 License application -- Form for certain businesses.**

20 A. Application for the granting or renewal of:

- 21 1. Cabaret licenses;
- 22 2. Detective agency licenses;
- 23 3. Massage premises and public bathhouse license;
- 24 4. Pawnbroker licenses;
- 25 5. Merchants patrol agency licenses; shall be made in the

26 office of the Director on a form prepared by him/her substantially
27 as follows:

28 "THE CITY OF SEATTLE

29 Finance Department (~~(of Licenses and~~
30 ~~Consumer Affairs)~~)

31 Application for
Expiring..... 19.....
32 1. Name of Applicant
2. Location of Business
Telephone No.
33 3. Place of Business Known as
4. Residence Address of applicant

- 1 Telephone Number
- 2 5. State whether Individual, Partnership or Corporation.
- 3 6. If Partnership, state the names of all persons sharing in the
- 4 profits of the business; If a Corporation, give the names of
- 5 its officers, directors and shareholders, giving title, resi-
- 6 dence address and phone number of each
- 7 7. How long has the applicant (or if a corporation, its officers)
- 8 resided in the City of Seattle?
- 9 8. If individual or partnership, state whether applicant is of
- 10 legal age
- 11 9. Has the applicant or anyone owning an interest in the business,
- 12 or proposed business, ever been convicted of violating any law
- 13 or ordinance relating to the sale of intoxicating liquor,
- 14 gambling, or any law or ordinance relating to public morality
- 15 and decency, or for violating any law or ordinance involving an
- 16 intent to defraud?
- 17 10. Has the applicant or anyone owning an interest in the business,
- 18 or proposed business, ever been convicted of violating any law
- 19 or ordinance relating to the use, sale or possession of narco-
- 20 tic drugs?
- 21 11. State whether all persons sharing in the profits of the
- 22 business are citizens of the United States
- 23 12. Give name of each person sharing in the profits of the business
- 24 who is not a citizen of the United States
- 25 13. Do the premises upon which the business or proposed business is
- 26 to be conducted, comply with the requirements of the Building
- 27 Code and those relating to health and sanitation?
- 28 14. (If a Theater) Number of Seats
- 29 15. Remarks.....

18 STATE OF WASHINGTON)
 19 COUNTY OF KING) ss.
 20 CITY OF SEATTLE)

21, being
 22 first duly sworn upon oath, deposes and says: I am the above named
 23 applicant, and make this affidavit for the purpose of obtaining from
 24 the City of Seattle a
 25 in accordance with the provisions of the License Code. I have
 26 personal knowledge of the matter stated in the foregoing application
 27 and the statements contained therein are true.

24 SUBSCRIBED AND SWORN to before me Finance Director ((of
 25 thisday of, 19... Licenses and Consumer
Affairs))

26 Notary Public in and for
 27 the State of Washington,
 28 residing at Seattle

29 By"

30 B. If the applicant is a partnership, a partner must sign, if
 31 a Washington corporation, an officer thereof must sign, and if a
 32 foreign corporation authorized to do business in the state, its
 33 local manager or resident agent must sign. All applications must be
 accompanied by a receipt from the ((City)) Finance Director showing
 payment of the required fee. The Director ((of Licenses and Con-

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1 ~~sumer Affairs~~) shall, as to applications for a new license, and may
2 as to applications for a renewal license, request the Chief of
3 Police to investigate the truth of the statements in the application
4 and all other matters which might tend to aid the Director in deter-
5 mining whether to issue the license. The Chief of Police shall
6 report to the Director as to reasons he or she may have for object-
7 ing to the issuance of the license. If the Director is satisfied
8 that the statements in the application are true, that the applicant
9 and all persons connected with the business are of good character,
10 that the premises in which the activity sought to be licensed will
11 be conducted comply with the requirements of all ordinances relating
12 to buildings, fire, health and sanitation, that such premises are
13 situated in a place where such businesses are not prohibited by the
14 Zoning Ordinance or other law, and that all other requirements and
15 conditions of this subtitle and other ordinances relating to such
16 application and to the business for which such license is sought
17 have been met, the Director shall issue the license; otherwise shall
18 deny the same; provided, however, that if the applicant (or if a
19 corporation, any of its officers) has within ten (10) years of the
20 date of application been convicted of any felony, or any misdemeanor
21 involving moral turpitude or intent to defraud, or has within ten
22 (10) years of the date of application been released from a penal
23 institution or from active supervision on parole as a result of any
24 such conviction, no such license shall be issued; provided, further,
25 however, that the Director may waive not to exceed five (5) years of
26 such period upon satisfactory showing by the applicant of
27 rehabilitation.

28 Section 70. Seattle Municipal Code Section 6.02.200 (Ordinance
29 48022, Section 12-a, as last amended by Ordinance 102636, Section 7)
30 is further amended as follows:

31 **6.02.200 Police Department relieved of duty to**
32 **investigate applications.**

33 The Chief of Police and the Police Department are relieved of
the duty to investigate applications for license renewals and all

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1 parts of this subtitle (Ordinance 48022) imposing such duty are
2 superseded, provided that this provision shall not preclude the
3 Chief of Police from making such investigation of applicants for
4 license renewal as may be requested by the Finance Director (~~of~~
5 ~~Licenses and Consumer Affairs~~)).

6 Section 71. Seattle Municipal Code Section 6.02.210 (Ordinance
7 48022, Section 13, as last amended by Ordinance 116368, Section 187)
8 is further amended as follows:

9 **6.02.210 Application procedure -- Grounds for denial**
10 **of license.**

11 Application for any City license required by this title, other
12 than those specified in Section 6.02.190 and Seattle Municipal Code
13 Chapter 6.42, shall be made to the Director on a form prepared by
14 him or her and shall be accompanied by a receipt from the ((City))
15 Finance Director showing payment of the required fee. If the
16 application is made within six (6) months of the date fixed for
17 expiration, the fee shall be one-half (1/2) the annual fee. Except
18 as hereinafter otherwise provided, the Director (~~of Licenses and~~
19 ~~Consumer Affairs~~)), upon receipt of proper application and compli-
20 ance by the applicant with all conditions and requirements of this
21 title and other ordinances relating to such application and to the
22 business or activity for which such license is sought, shall issue
23 the license; provided, that if after investigation the Director
24 finds good reason to believe that the applicant is dishonest or
25 immoral or desires the license applied for in order to engage in
26 dishonest, unlawful or immoral acts or enterprises or that the
27 premises in which the activity sought to be licensed will be
28 conducted does not comply with the requirements of any ordinance
29 relating to fire, buildings, health and sanitation or is in viola-
30 tion of the Zoning Ordinance, he or she shall deny the license.

31 Section 72. Seattle Municipal Code Section 6.02.290 (Ordinance
32 48022, Section 14.1, as last amended by Ordinance 108648, Section 1)
33 is further amended as follows:

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1 **6.02.290 Suspension or revocation procedure.**

2 A. Actions to suspend or revoke any license shall be com-
3 menced by filing in the office of the Finance Director (~~(of Licenses~~
4 ~~and Consumer Affairs)~~) a written complaint setting forth in specific
5 terms the basis therefor. Such complaint may be made by the Direc-
6 tor (~~(of Licenses and Consumer Affairs)~~), or by any member of the
7 (~~(License)~~) Finance Department, or by any other person. A copy of
8 such complaint shall be mailed by certified mail to the licensee at
9 his or her last address as shown by the license records of the
10 Director (~~(of Licenses and Consumer Affairs)~~), and shall be accom-
11 panied by a notice that such license may be suspended or revoked.

12 B. The licensee shall, within ten (10) days after receiving
13 any such complaint, mail by certified mail to the complainant and
14 file with the Director (~~(of Licenses and Consumer Affairs)~~) his or
15 her written answer which shall admit or deny the allegations of such
16 complaint and may set forth such defenses and/or additional matter
17 as the licensee shall deem appropriate. If such licensee desires a
18 hearing in such action, he or she shall request the same in his or
19 her answer and submit the Hearing Examiner filing fee therewith.
20 The Director shall transmit the answer and the fee to the Hearing
21 Examiner.

22 C. Upon failure of any such licensee to file an answer as
23 provided in this section, or in the event no hearing is requested,
24 the Director (~~(of Licenses and Consumer Affairs)~~) shall investigate
25 the allegations of the complaint, and if cause exists therefor may
26 suspend or revoke such license, and otherwise he or she shall dis-
27 miss the complaint; provided, that if the Director finds upon a
28 sufficient showing that the conduct complained of has been corrected
29 and is unlikely to be repeated, he or she may dismiss such com-
30 plaint; and provided further, that the complaint shall be dismissed
31 where the conduct complained of has been corrected under a written
32 agreement between the complainant and licensee approved by the
33 Director (~~(of Licenses and Consumer Affairs)~~).

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1 D. Notice of the action of the Director (~~of Licenses and~~
2 ~~Consumer Affairs~~) summarizing his or her findings and conclusions
3 shall be mailed by certified mail to the complainant and to the
4 licensee.

5 E. In all cases in which a complaint is dismissed other than
6 upon a written agreement between the complainant and licensee, the
7 complainant may within ten (10) days of the mailing of the notice of
8 the Director's action request a hearing on such dismissal, in
9 writing together with the appropriate Hearing Examiner filing fee,
10 which the Director shall transmit to the Hearing Examiner.

11 F. When a hearing has been requested by a licensee in
12 connection with the suspension or revocation of a license, the
13 license shall remain in effect pending the determination made as a
14 result of such hearing; provided, that in cases involving a sub-
15 stantial threat to the public health, safety or welfare, the license
16 may be summarily suspended and in such case the date for hearing
17 shall be set within five (5) days following such suspension.

18 Section 73. Seattle Municipal Code Section 6.14.020 (Ordinance
19 48022, Section 90, as last amended by Ordinance 102636, Section 36)
20 is further amended as follows:

21 **6.14.020 License required -- Certain persons prohibited.**

22 It is unlawful for any person, unless duly licensed so to do
23 pursuant to this chapter, to engage in, or to advertise or hold
24 himself or herself out as being engaged in((7)) the private detec-
25 tive business; provided, that no license required by Sections
26 6.14.030 or 6.14.040 shall be granted to any person who within ten
27 (10) years of the date of application for such license has been
28 convicted of any felony, or any misdemeanor involving moral turpi-
29 tude or intent to defraud, or has within ten (10) years of the date
30 of application been released from a penal institution or from active
31 supervision on parole as a result of any such conviction; provided,
32 further, however, that the Finance Director (~~of Licenses and Con-~~
33 ~~sumer Affairs~~) may waive not to exceed five (5) years of such

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1 period upon satisfactory showing by the applicant of rehabilitation.

2 Section 74. Seattle Municipal Code Section 6.14.090 (Ordinance
3 48022, Section 91, as last amended by Ordinance 116368, Section 188)
4 is further amended as follows:

5 **6.14.090 Surety bond.**

6 Every applicant for a detective agency license at the time the
7 application is made shall furnish to the Finance Director (~~of~~
8 ~~Licenses and Consumer Affairs~~) for filing with the City Clerk, a
9 surety company bond running to the City, in a penal sum of Two
10 Thousand Dollars (\$2,000.00), conditioned that the licensee will
11 faithfully comply with all the requirements of this title, insofar
12 as they relate to the business of detective or detective agency.

13 Section 75. Seattle Municipal Code Section 6.14.100 (Ordinance
14 48022, Section 91-1, as last amended by Ordinance 113185, Section 1
15 (part)) is further amended as follows:

16 **6.14.100 Private guard license -- Fee.**

17 It is unlawful to engage in the occupation of private guard to
18 prevent theft or unlawful taking of goods, wares, and merchandise or
19 to purport to engage therein without a private guard license, the
20 fee for which shall be Thirty Dollars (\$30.00) per year and which
21 shall expire October 31st of each year. No private guard shall
22 operate except as an employee under a duly licensed detective
23 agency. Application for such license shall be made to the Finance
24 Director (~~of Licenses and Consumer Affairs~~) on a similar form and
25 shall follow the same procedure as is provided in Section 6.14.060
26 hereof for a private detective license; provided, anyone holding a
27 valid merchant's patrol agency license or merchant patrolman's
28 license under Section 6.38.020 of this subtitle shall be exempt from
29 such license requirements.

30 Section 76. Subsections A and C of Seattle Municipal Code
31 Section 6.36.020 (Ordinance 48022, Section 172, as last amended by
32 Ordinance 116464, Section 2) are further amended as follows:
33

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1 **6.36.020 Massage premises, public bathhouse, and reducing**
2 **salon licenses.**

3 It is unlawful to conduct, manage, operate, or work in any
4 massage premises, public bathhouse, or reducing salon unless such
5 establishment is licensed as provided in this section.

6 A. Original application for such licenses shall be made and
7 original licenses issued in the manner provided in Sections 6.02.190
8 and 6.02.210 of this subtitle. All applications for renewal shall
9 be filed with the Director on forms furnished by him/her for such
10 purpose and he/she shall refer the same to the Chief of Police who
11 shall within five (5) days furnish a written report to the Director
12 containing the result of his/her investigation and any other matters
13 which might aid the Finance Director (~~(of Licenses and Consumer~~
14 ~~Affairs)~~) in determining whether or not to issue the license.

15 C. No such license shall be granted for any massage premises,
16 public bathhouse or reducing salon until inspection and report as to
17 the sanitary condition thereof by the Director of Health to the
18 Finance Director (~~(of Licenses and Consumer Affairs)~~). Massage
19 premises, public bathhouses, and reducing salons must be similarly
20 inspected at least once a year when renewal of a license is request-
21 ed, and must at all times be open to inspections by the City as to
22 sanitary conditions and to enforce compliance with the provisions of
23 this chapter.

24 Section 77. Seattle Municipal Code Section 6.36.030 (Ordinance
25 48022, Section 173, as last amended by Ordinance 116368, Section
26 189) is further amended as follows:

27 **6.36.030 Massage practitioner's license.**

28 It is unlawful for any person, except as provided in Section
29 6.36.060, to give a massage or other treatment of the body by rub-
30 bing, kneading, or manipulation, whether in a massage premises or
31 public bathhouse, or otherwise, without first obtaining a massage
32 practitioner's license, the fee for which is Thirty Dollars (\$30.00)
33 per year. The license application shall be made in the true name of
the applicant and shall be accompanied by evidence that the appli-

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1 cant holds a valid State Massage Practitioner's License. If the
2 Finance Director (~~(of Licenses and Consumer Affairs)~~) finds that the
3 information in the application is true and accurate, that the appli-
4 cant holds a valid State Massage Practitioner's License, and that
5 the applicant has not been convicted of a crime involving or related
6 to prostitution, lewd conduct, or narcotic drugs within the seven
7 (7) years immediately prior to the date of application, the Director
8 shall approve the application and issue the license; otherwise, the
9 Director shall deny the application.

10 Section 78. Subsections B and E of Seattle Municipal Code
11 Section 6.36.040 (Ordinance 48022, Section 173.1, as last amended by
12 Ordinance 113185, Section 1 (part)) are further amended as follows:

13 **6.36.040 Athletic massage operator's license.**

14 It is unlawful for any person to be employed or work as an
15 athletic massage operator unless such person is licensed as provided
16 in this section:

17 B. Application for an athletic massage operator's license or
18 for any renewal thereof shall be made to the Finance Director on
19 forms furnished by him/her for such purpose. It shall state the
20 true name of the applicant, who shall be not less than eighteen (18)
21 years of age, and as to an original application shall be accompanied
22 by references as to the moral character and ability of the applicant
23 from four (4) reputable citizens of the City.

24 E. If the Director of Health finds that the applicant is
25 physically competent to give athletic massages he/she shall transmit
26 the application, accompanied by all reports thereon, to the Finance
27 Director (~~(of Licenses and Consumer Affairs)~~). If from the reports
28 the Finance Director deems the applicant a fit and proper person,
29 he/she shall issue the license; otherwise he/she shall deny the
30 license.

31 Section 79. Seattle Municipal Code Section 6.38.040 (Ordinance
32 48022, Section 262-1, as last amended by Ordinance 116368, Section
33 190) is further amended as follows:

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1 **6.38.040 Surety bond.**

2 Every applicant for a merchants patrol agency license shall at
3 the time of application furnish to the Finance Director (~~of~~
4 ~~Licenses and Consumer Affairs~~) for filing with the City Clerk, a
5 surety company bond running to the City, in a penal sum of Two
6 Thousand Dollars (\$2,000.00) conditioned that the licensee will
7 faithfully comply with all the requirements of this title, insofar
8 as they relate to the business of merchant patrolman or merchants
9 patrol agency.

10 Section 80. Seattle Municipal Code Section 6.42.010 (Ordinance
11 48022, Section 330, as last amended by Ordinance 114895, Section 3)
12 is further amended as follows:

13 **6.42.010 Panoram location license.**

14 It is unlawful to display, exhibit, expose or maintain upon any
15 premises, any manually, mechanically, magnetically, electrically, or
16 electronically operated device commonly known as a "panoram" or
17 "peepshow," which exhibits, displays, projects or illuminates
18 photographed, videotaped or magnetically reproduced images, or
19 exposes live entertainment to the viewer while the viewer is in a
20 booth or stall, without a license to do so, to be designated a
21 "panoram location license"; provided that no license is required if
22 all such devices are contained in a single common area and are not
23 separated by partitions, screens, booths or any other physical
24 barrier or obstruction; provided, further, that no license is
25 required if no fee, membership fee, deposit, purchase or other
26 charge is paid for using or viewing the panoram or peepshow or for
27 entering or remaining upon the premises. Each place of business
28 shall have a separate license and the same shall at all times be
29 conspicuously posted and maintained therein. The Finance Director
30 (~~of Licenses and Consumer Affairs~~) shall prescribe the form of
31 such license, number the same and shall indicate thereon the number
32 of such devices to be operated thereunder, and the location.

33 Section 81. Seattle Municipal Code Section 6.42.020 (Ordinance

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1 48022, Section 330.1, as last amended by Ordinance 114895, Section
2 4) is further amended as follows:

3 **6.42.020 Panoram device license.**

4 It is unlawful to own and exhibit or display for use, or to
5 place by lease or otherwise for use, exhibit or display with
6 another, any device described in Section 6.42.010 without a license
7 to be designated a "panoram device license" for each device.
8 Panoram device licenses shall be issued for devices at specific
9 locations only and shall not be transferable. The Finance Director
10 (~~(of Licenses and Consumer Affairs)~~) shall prescribe the form of
11 such licenses and number the same. Panoram device licenses shall be
12 securely attached to each such device in a conspicuous place.

13 Section 82. Subsection A of Seattle Municipal Code Section
14 6.42.050 (Ordinance 112900, Section 7 (part)) is amended as follows:

15 **6.42.050 Inspection of panoram premises.**

16 A. Applicants for any license authorized to be issued under
17 this chapter shall allow the premises and devices sought to be
18 licensed to be inspected in accordance with subsection B of this
19 section by authorized inspectors from the Fire and Police Depart-
20 ments, Seattle-King County Health Department, Department of Con-
21 struction and Land Use and Finance Department (~~(of Licenses and~~
22 ~~Consumer Affairs)~~).

23 Section 83. Subsection E of Seattle Municipal Code Section
24 6.48.040 (Ordinance 48022, Sections 148-A and 148-B, as last amended
25 by Ordinance 106967, Section 1) is further amended as follows:

26 **6.48.040 Signs -- Posting of rates.**

27 E. It is unlawful to demand or collect any charge for the
28 parking, keeping or storing of any motor vehicle in a public garage
29 or parking lot unless there is posted and maintained upon the
30 premises of the public garage or parking lot at or near each place
31 of payment, a public notice approved by the Finance Director (~~(of~~
32 ~~Licenses and Consumer Affairs)~~). Such notice shall contain the
33 following public convenience information:

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1 1. The name and phone number of the licensee and the
2 street address of the garage or lot;

3 2. Parking rates posted in the same order as listed on
4 the parking sign;

5 3. The appropriate locations for making payment;

6 4. The name, address, and telephone number of the
7 person, firm or agent authorized to impound in place or remove
8 vehicles from the garage or lot; and

9 5. Any other information pertinent to the operation of
10 the public garage or parking lot as specified by administrative
11 regulations promulgated by the Director (~~of Licenses and Consumer~~
12 ~~Affairs~~)).

13 Section 84. Subsection B of Seattle Municipal Code Section
14 6.48.050 (Ordinance 48022, Section 148-C, as last amended by
15 Ordinance 104297, Section 5 (part)) is further amended as follows:

16 **6.48.050 Immobilization of vehicle for delinquent parking fee.**

17 B. For enforcement of a storage lien for parking, keeping or
18 storing such motor vehicle, any licensee, or an employee, agent or
19 contractor of such licensee may immobilize such motor vehicle only
20 by the attachment of such external device or devices, approved by
21 the Finance Director (~~of Licenses and Consumer Affairs~~) for such
22 purpose, as may be necessary to prevent removal of such vehicle and
23 only if:

24 1. The person so immobilizing the vehicle shall affix
25 conspicuously to the vehicle a written notice stating the name and
26 address of the person or firm who immobilized the vehicle and the
27 address and telephone number of a person authorized and available to
28 release the vehicle; and

29 2. The person immobilizing the vehicle, or an agent,
30 employee, or contractor authorized to release the vehicle is
31 accessible at all times at the address and telephone number indi-
32 cated on the notice; or

33 3. The licensee or an agent, employee, or contractor of

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1 such licensee is on the premises authorized and able to release the
2 vehicle within one (1) hour after the vehicle's owner, operator, or
3 person entitled to its possession shall request its release; and

4 4. The vehicle is released immediately after tender of
5 payment of posted parking charges due and unpaid at the time of the
6 request for release together with the posted impound fee.

7 Section 85. Seattle Municipal Code Section 6.48.080 (Ordinance
8 48022, Section 148-G, as last amended by Ordinance 104297, Section
9 5 (part)) is further amended as follows:

10 **6.48.080 Revocation, suspension or refusal to issue license.**

11 In addition to such other grounds as may be provided in this
12 subtitle for refusal to issue, revocation or suspension of the
13 license required by Section 6.48.020, the Finance Director (~~(of~~
14 ~~Licenses and Consumer Affairs)~~) may refuse to issue, or may revoke
15 or suspend such license upon a finding that a licensee has by
16 defraud or misrepresentation, violated any provision of this chapter
17 or any other law, ordinance, rule or regulation.

18 Section 86. Subsection E of Seattle Municipal Code Section
19 6.82.020 (Ordinance 84297, Section 2, as last amended by Ordinance
20 113702, Section 3) is further amended as follows:

21 **6.82.020 Definitions.**

22 E. "Director" means the Director of the Finance Department
23 (~~(of Construction and Land Use)~~) or his/her duly authorized repre-
24 sentative.

25 Section 87. Subsection D of Seattle Municipal Code Section
26 6.82.030 (Ordinance 84297, Section 3, as last amended by Ordinance
27 107158, Section 12) is further amended as follows:

28 **6.82.030 Mechanics or engineers -- License required --**
29 **Issuance by Examining Board.**

30 D. All applications for examinations shall be filed with the
31 Board, accompanied by the required examination fee, and the appli-
32 cant shall be examined by the Board, and if he passes, the Finance
33 Director (~~(of Licenses and Consumer Affairs)~~) shall be notified and
shall, upon payment of the required license fee, issue to the appli-

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1 cant the proper license.

2 Section 88. Seattle Municipal Code Section 6.82.060
3 (Ordinance 84297, Section 5, as last amended by Ordinance 112964,
4 Section 3) is further amended as follows:

5 **6.82.060 Supervisory and Examining Board.**

6 A. There is created a Supervisory and Examining Board for the
7 purpose of conducting examinations and certifying as to qualifica-
8 tions for issuance of licenses under this chapter. The Board shall
9 consist of:

- 10 1. Chief of Environmental Health;
- 11 2. A duly authorized representative of and appointed by
12 the Director of the Department of Construction and Land Use;
- 13 3. The Finance Director (~~(of the Department of Licenses~~
14 ~~and Consumer Affairs)~~) or his/her authorized representative.

15 B. The Finance Director (~~(of the Department of Licenses and~~
16 ~~Consumer Affairs)~~) shall act as secretary of the Board. The Board
17 shall conduct examinations and certify applicants for licenses under
18 this chapter.

19 Section 89. Seattle Municipal Code Section 6.82.100
20 (Ordinance 84297, Section 9, as last amended by Ordinance 107158,
21 Section 13) is further amended as follows:

22 **6.82.100 Contractor's or service shop license -- Application**
23 **and issuance.**

24 A. Applications for a refrigeration contractor's license, an
25 air-conditioning contractor's license, or a refrigeration service
26 shop license shall be made to the Finance Director (~~(of Licenses and~~
27 ~~Consumer Affairs)~~) on forms prescribed by him/her, and shall be
28 accompanied by the required fee and an affidavit of the applicant or
29 some qualified person in his/her employment that the applicant has
30 been actively engaged in the installation, repair, alteration and/or
31 servicing, as the case may be, of refrigeration systems, and shall
32 also set forth the refrigerants and types of refrigerating systems
33 with which the applicant is familiar by actual experience or educa-
tion. No contractor's or service shop license shall be required to

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1 install, alter, add to, repair, or service an established refrigera-
2 tion system in a building where the owner and/or operator thereof
3 employs in the regular course of business an industrial refrigera-
4 tion engineer licensed under this chapter; and no such license shall
5 be required to repair or service an established refrigeration system
6 in a building where the owner and/or operator thereof employs in the
7 regular course of business a refrigeration operating engineer
8 licensed under this chapter.

9 B. Upon approval of such application by the Finance Director
10 (~~of Licenses and Consumer Affairs~~), he/she shall issue such
11 license.

12 Section 90. Seattle Municipal Code Section 6.82.110 (Ordinance
13 84297, Section 10, as last amended by Ordinance 102628, Section 2)
14 is further amended as follows:

15 **6.82.110 Applications by corporation, copartnership
16 or association.**

17 If application for a refrigeration contractor's license, an
18 air-conditioning contractor's license, or a refrigeration service
19 shop license is by a corporation, copartnership, or association, or
20 by an individual owner or operator who does not perform actual work
21 as an artisan, the application shall designate one (1) or more
22 individuals as officers or employees, who shall take the qualifying
23 examinations as approved by the Refrigeration Examining Board. If
24 the individual or individuals designated pass the examination, the
25 license shall be issued in the name of the applicant and the indi-
26 vidual passing the examination. The individual named in the license
27 shall be in charge of all refrigeration installation, alteration,
28 repair or service done by or for the corporation, copartnership or
29 association, or by such individual owner. Whenever any such indi-
30 vidual is no longer associated with the corporation, copartnership
31 or association, or such individual owner, they shall report the fact
32 of such disassociation to the Finance Director (~~of Licenses and
33 Consumer Affairs~~) within thirty (30) days and the license shall be
suspended until a new qualified individual is designated to perform

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1 such work in behalf of the corporation, copartnership or association
2 or individual owner. Failure of a corporation, copartnership or
3 association or such individual owner to report such disassociation
4 shall be a violation of this chapter. An individual who has quali-
5 fied to render service for one (1) corporation, copartnership or
6 association, or individual owner, may on written application have
7 his authority and qualifications to act transferred to any other
8 licensed corporation, copartnership, or association, or individual
9 owner with the written consent of such other corporation, copartner-
10 ship or association, or individual owner.

11 Section 91. Subsection B of Seattle Municipal Code Section
12 6.82.150 (Ordinance 84297, Section 13-A, as last amended by
13 Ordinance 112964, Section 4) is further amended as follows:

14 **6.82.150 Late renewal fee.**

15 B. No annual license shall be issued until any late renewal
16 fee has been paid; provided, that payment of the late renewal fee
17 may be waived whenever the Finance Director (~~of Licensing and~~
18 ~~Consumer Affairs~~) or his/her duly authorized representative finds
19 that timely application was beyond the control of the licensee by
20 reason of severe circumstances; for example, serious illness of the
21 licensee, death or incapacity of an accountant or other person who
22 retains possession of the licensee's license records, loss of
23 business records due to theft, fire, flood or other similar acts.

24 Section 92. Seattle Municipal Code Section 6.82.180 (Ordinance
25 84297, Section 16) is amended as follows:

26 **6.82.180 License exemption for certain air-conditioning**
27 **contractors.**

28 No one shall perform any of the services or activities covered
29 by this chapter without a license as herein required, except that
30 anyone who has engaged in the business as an air-conditioning
31 contractor for thirty (30) days or more immediately preceding the
32 passage of the ordinance codified in this chapter may continue to
33 engage in such services or activities without a license until his
application for a license is rejected by the Board because of

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1 failure to take or pass the examinations herein required; and no
2 person shall continue to engage in such services or activities
3 without such license unless an application for such license and
4 examination is filed with the City (~~Comptroller~~) Clerk and the
5 Examining Board within thirty (30) days after the ordinance codified
6 in this chapter takes effect.

7 Section 93. Seattle Municipal Code Section 6.82.190 (Ordinance
8 84297, Section 17, as last amended by Ordinance 112964, Section 5)
9 is further amended as follows:

10 **6.82.190 Revocation of license.**

11 Any license issued pursuant to this chapter may be revoked by
12 the (~~Director of Licenses and Consumer Affairs in the manner and~~
13 ~~subject to the procedure provided in the License Code upon recom-~~
14 ~~mendation of~~) Director of Construction and Land Use for incompe-
15 tence, negligence, misrepresentation, giving fraudulent information
16 in making application for a license or permit, failure to comply
17 with the requirements of this chapter or upon cancellation or
18 revocation of the bond required herein. Before any bond is can-
19 celled the surety thereon shall give the Director of (~~Licenses and~~
20 ~~Consumer Affairs~~) Construction and Land Use and the principal
21 thirty (30) days' written notice of intention so to do. Upon
22 cancellation of the bond the license shall be suspended: Provided,
23 if a new bond of the same tenor and effect is supplied, the license
24 shall continue effective.

25 Section 94. Seattle Municipal Code Section 6.102.020
26 (Ordinance 80818, Section 8, as last amended by Ordinance 107158,
27 Section 14) is further amended as follows:

28 **6.102.020 License required -- Posting.**

29 It is unlawful to operate a tattoo shop or establishment
30 without a tattoo shop license. Applications for such license shall
31 be made to the Finance Director (~~of Licenses and Consumer Affairs~~)
32 accompanied by the required fee, and shall be referred to the Chief
33 of Police and the Director of Public Health and shall be returned to

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1 the Director (~~of Licenses and Consumer Affairs~~) within ten (10)
2 days with their report and recommendation. No tattoo shop license
3 shall be issued by the Director (~~of Licenses and Consumer Affairs~~)
4 except on recommendation of such officers. The tattoo shop license
5 shall at all times be posted in a conspicuous place in the licensed
6 shop.

7 Section 95. Seattle Municipal Code Section 6.102.070
8 (Ordinance 80818, Section 6, as last amended by Ordinance 105007,
9 Section 2) is further amended as follows:

10 **6.102.070 Recordkeeping.**

11 Permanent records for each patron shall be maintained by the
12 operator of the tattoo shop. Before any tattooing operation starts,
13 the patron shall be required personally to enter on a record form
14 provided for such shop the date, his name, age, serial number if he
15 is a serviceman, and his signature. Such records shall at all times
16 be maintained in the tattoo shop and shall be open at all reasonable
17 times to examination by the Chief of Police and Director of Public
18 Health or the Finance Director (~~of Licenses and Consumer Affairs~~).
19 The tattoo operator shall issue a receipt to each patron containing
20 the name and address of the tattoo shop, and the signature of the
21 operator. When the shop is closed by going out of business or by
22 license revocation all such records shall be turned over to the
23 Director of Public Health.

24 Section 96. Seattle Municipal Code Section 6.102.090
25 (Ordinance 80818, Section 5, as last amended by Ordinance 105007,
26 Section 1) is further amended as follows:

27 **6.102.090 Revocation or suspension of license.**

28 The Finance Director (~~of Licenses and Consumer Affairs~~) may
29 revoke or suspend for a specified period any license issued under
30 this chapter for violation of any provision thereof; and shall do so
31 upon recommendation of the Director of Public Health for such
32 reason.

33 Section 97. Subsections A.6 and A.7 of the Seattle Municipal

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1 Code Section 6.202.060 (Ordinance 108934, Section 1.020) are amended
2 as follows:

3 **6.202.060 Definitions.**

4 A. Except as specified otherwise in the new license code, the
5 following definitions apply:

6 6. "Department" means the Finance Department (~~(of~~
7 ~~Licenses and Consumer Affairs)~~) of the City.

8 7. "Director" means the Finance Director (~~(of Licenses~~
9 ~~and Consumer Affairs)~~) of the City or his/her designated representa-
10 tive.

11 Section 98. Subsection B of Seattle Municipal Code Section
12 6.202.460 (Ordinance 108934, Section 1.170, as last amended by
13 Ordinance 105007, Section 1) is further amended as follows:

14 **6.202.460 Liability insurance.**

15 B. Whenever the issuance of a license is conditioned upon an
16 applicant's obtaining liability insurance, each insurance policy:

17 1. Shall be issued by a company authorized to do
18 business as an insurer in the state pursuant to the provisions of
19 RCW Title 48 as now or hereafter amended; and

20 2. Shall contain the following recital:

21 "Should any of the above described policies be canceled
22 before the expiration date thereof, the issuing company will mail
23 twenty (20) days' prior written notice to the Finance Director (~~(of~~
24 ~~Licenses and Consumer Affairs)~~). The policies shall remain in
25 effect during this twenty (20) day cancellation period."

26 3. Shall name The City of Seattle as an additional
27 insured;

28 4. May be approved as to sufficiency and form by the
29 City Attorney at the request of the Director; and

30 5. Shall be furnished to the Director for filing with
31 the City Clerk.

32 Section 99. Subsections A and E of Seattle Municipal Code
33 Section 6.212.042 (Ordinance 115495, Section 10 (part), as last

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1 amended by Ordinance 116368, Section 193) are further amended as
2 follows:

3 **6.212.042 Regulation of fares -- Limiting license outstanding.**

4 A. Resumption of Regulation. As authorized by RCW Chapter
5 81.72, the Finance Director shall limit the maximum number of
6 taxicab licenses outstanding as contemplated by Seattle Municipal
7 Code Section 6.212.044.

8 E. Citizens' Taxicab Advisory Board. There is hereby created
9 a Citizens' Taxicab Advisory Board consisting of seven (7) members,
10 each of whom shall be appointed by the Mayor subject to approval by
11 the Council, to serve without compensation for a term of three (3)
12 years without eligibility for reappointment to consecutive terms.

13 The Advisory Board shall at all times, include two (2) members
14 representing the taxicab industry, four (4) members at-large repre-
15 senting general consumer interests and one (1) member familiar with
16 the transportation needs of senior citizens and the disabled. The
17 Director (~~(of Licenses and Consumer Affairs)~~) shall provide limited
18 staff assistance and facilities for the Board.

19 The duties of the Advisory Board are to review taxi regulations
20 in effect and make recommendations to the Director (~~(of Licenses and~~
21 ~~Consumer Affairs)~~). The Advisory Board shall review all elements of
22 the regulations including but not restricted to setting of taxi
23 fares and taxi licensing.

24 In the event of an agreement with King County for regional
25 licensing, the recommendations of the Advisory Board shall be used
26 in developing recommendations on regional taxi issues, including
27 such items as taxi fares and licensing.

28 Section 100. Seattle Municipal Code Section 6.212.150
29 (Ordinance 108934, Section 6.250, as last amended by Ordinance
30 109348, Section 2 (part)) is further amended as follows:

31 **6.212.150 Notice to passengers.**

32 Each licensee or agent shall display at all times, a notice in
33 the taxicab interior which is readily visible to and readable by

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1 passengers as follows:

2 "The driver of this taxicab is required by Seattle ordinance to
3 give a receipt for service provided to any customer who requests a
4 receipt. Any complaint about taxicab service or charges may be
5 directed to the Seattle Finance Department (~~(of Licenses and~~
6 ~~Consumer Affairs)~~), (mailing address), (telephone number)."

7 Section 101. Subsections B and E of Seattle Municipal Code
8 Section 6.212.160 (Ordinance 108934, Section 6.300, as last amended
9 by Ordinance 115495, Section 17) are further amended as follows:

10 **6.212.160 Equipment.**

11 B. At a minimum, each taxicab shall be equipped with either
12 a top light, a flag attached to the taximeter, or other equipment
13 approved by the Finance Director which indicates that the taxicab is
14 employed or unemployed and is visible from a distance of ten (10)
15 feet from the vehicle.

16 E. The Director may promulgate rules governing the collection
17 and/or reporting of data stored on taximeters and/or taximeter tapes
18 to the Finance Department (~~(of Licenses and Consumer Affairs)~~).

19 Section 102. Subsections B and C of Seattle Municipal Code
20 Section 6.222.010 (Ordinance 108934, Section 11.120 last amended by
21 Ordinance 109763, Section 2(part)) are further amended as follows:

22 **6.222.010 Definitions.**

23 For the purposes of this chapter:

24 B. "Department" means the Finance Department (~~(of Licenses~~
25 ~~and Consumer Affairs)~~) of the City.

26 C. "Director" means the Finance Director (~~(of Licenses and~~
27 ~~Consumer Affairs)~~) of the City or any authorized representative of
28 the Director.

29 Section 103. New subsections are added to Section 6.230.030 of
30 the Seattle Municipal Code, as follows:

31 **6.230.030 Definitions**

32 Words and phrases used in this chapter relating to the
33 regulation and licensing of steam engineers and boiler firemen shall

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1 have the following meanings:

2 ***

3 15. "Department" means the Finance Department.

4 16. "Director" means the Finance Director.

5 17. "City Boiler Inspector" means _____ ?

6 Section 104. Effective September 1, 1994, subsections 15 and
7 16 of Seattle Municipal Code Section 6.230.030 (Ordinance 111301,
8 Section 3 (part)) are amended as follows:

9 **6.230.030 Definitions**

10 Words and phrases used in this chapter relating to the
11 regulation and licensing of steam engineers and boiler firemen shall
12 have the following meanings:

13 15. "Department" means the ((Finance)) Department of
14 Construction and Land Use.

15 16. "Director" means the ((Finance)) Director of the
16 Department of Construction and Land Use.

17 Section 105. Seattle Municipal Code Section 6.230.040
18 (Ordinance 111301, Section 3 (part)) is amended as follows:

19 **6.230.040 License required -- Expiration.**

20 It is unlawful to have charge of, or operate or permit anyone
21 to have charge of, or operate, any boiler or steam engine without a
22 license, endorsement, or certificate to do so issued by the Director
23 or his or her functional predecessor under this chapter. All
24 licenses, endorsements, and certificates shall expire at midnight on
25 the thirtieth day of September of each year, and shall not be trans-
26 ferred or assigned. All renewals shall specify the same grade and
27 be subject to such conditions or limitations as may be provided
28 under the license to be renewed. Renewal of a license which has
29 been expired for more than one (1) year requires the holder to
30 submit a new application and to be re-examined.

31 Section 106. Seattle Municipal Code Section 6.230.070
32 (Ordinance 111301, Section 3 (part) as last amended by Ordinance
33 116368, Section 195) is further amended as follows:

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1 6.230.070 Issuance of licenses.

2 Persons desiring a license or certificate described in Section
3 6.230.060 shall make written application to the Department ((~~of~~
4 ~~Licenses and Consumer Affairs~~)) on the forms provided by the
5 Department. Such application shall include the applicant's full
6 name and address, and if the applicant is an employee, the name of
7 his/her employer. Applications shall be accompanied by a receipt
8 showing payment to the City Finance Director of the required
9 examination fee as provided under Section 6.230.090.

10 A. Applicants for a steam engineer's license, Grade I, II, or
11 III shall show by competent evidence one (1) of the following:

12 1. That he/she has been employed at least three (3)
13 years in a position directly responsible for the care and operation
14 of boilers or steam engines, or in the design or supervision of
15 boilers, boiler systems, boiler firing and automatic control and
16 safety systems, or under the direct supervision of a licensed steam
17 engineer, Grade I, II or III; or

18 2. That he/she has at least three (3) years of practical
19 experience as a machinist apprentice in a steam engine works
20 together with one (1) year of employment in the direct care and
21 operation of boilers and steam engines; or

22 3. That he/she has graduated from a recognized school of
23 technology and has had at least one (1) year of employment in the
24 direct care and operation of boilers and steam engines.

25 Completion of a boiler fireman's course approved by the
26 Department ((~~of Licenses and Consumer Affairs~~)) or its functional
27 predecessor shall be the equivalent of one (1) year of practical
28 experience under subsections 1 or 2 above, however, each applicant
29 will be entitled to only one (1) such credit.

30 B. Any licensed Grade I, II or III steam engineer may apply
31 for a boiler supervisor endorsement. Such applicant shall show by
32 competent evidence that he/she has been employed at least three (3)
33 years in one (1) of the following:

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1 1. In a position directly responsible for the care or
2 operation of boilers, or steam engines;

3 2. In the design or supervision of boilers, boiler
4 systems, boiler firing, and automatic control and safety systems;

5 3. In the direct supervision of a licensed Grade I, II
6 or III steam engineer.

7 C. Any professional engineer licensed in the state of
8 Washington pursuant to RCW Chapter 18.43 may apply for a boiler
9 supervisor certificate. A boiler supervisor certificate shall
10 permit the holder to supervise, but not operate, automatic boilers
11 without any limitation as to boiler equipment or capacity thereof.
12 Such applicant must meet the requirements of Section 6.230.070 B.

13 D. Applicants for a Grade IV boiler fireman license shall
14 show by competent evidence one (1) of the following:

15 1. One (1) year of practical experience in the care and
16 operation of a boiler; or

17 2. Completion of an in-service training course in the
18 fundamentals of boiler operation as approved by the Department (~~of~~
19 ~~Licenses and Consumer Affairs~~) or its functional predecessor which
20 shall include at least forty (40) hours of classroom work together
21 with eighty (80) hours of on-site training or instruction relating
22 to the care and operation of boilers under the direct supervision of
23 a steam engineer with a license of Grade I, II or III, without
24 limitations.

25 E. Applicants for a Grade III Steam Engineer License limited
26 to hoist and portable boilers, shall show by competent evidence, one
27 (1) of the following:

28 1. Three (3) years of practical experience in the care
29 and operation of boilers and steam engines; or

30 2. Completion of an in-service training course on the
31 fundamentals of boiler operation, as approved by the Department (~~of~~
32 ~~Licenses and Consumer Affairs~~) or its functional predecessor which
33 shall include fifty-five (55) hours of classroom work, together with

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1 one hundred twenty (120) hours of work relating to the care and
2 operation of a minimum of two (2) separately located hoist and
3 portable boilers, under the direct supervision of a steam engineer
4 with a license of Grade I, II or III.

5 F. All persons applying for a license or certificate under
6 this chapter shall be examined by the Department (~~of Licenses and~~
7 ~~Consumer Affairs~~) according to the provisions of Section 6.230.100.
8 Upon determination by the Department (~~of Licenses and Consumer~~
9 ~~Affairs~~) that the applicant has passed the applicable examination
10 and is otherwise qualified under this chapter, including payment by
11 the applicant of the license fee, the Director (~~of Licenses and~~
12 ~~Consumer Affairs~~) shall issue the license, certificate, or in the
13 case of application for a boiler supervisor endorsement, endorse the
14 words "boiler supervisor" on the applicant's steam engineer license.
15 In lieu of a qualifying examination, the Director may accept as
16 evidence of meeting the applicable ordinance requirements of Section
17 6.230.100, a valid and current license issued by the City of Tacoma
18 which maintains a licensing and testing program that, in the
19 judgment of the Director, meets or exceeds City of Seattle
20 requirements.

21 Section 107. Seattle Municipal Code Section 6.230.080
22 (Ordinance 111301, Section 3 (part)) is amended as follows:

23 **6.230.080 Special license.**

24 Any person having been employed at least two (2) years as a
25 licensed steam engineer or boiler fireman operating any boiler plant
26 the capacity of which is enlarged or changed beyond the limits of
27 his/her license may apply to the Department (~~of Licenses and~~
28 ~~Consumer Affairs~~) for a special license with the limits extended to
29 apply only to such plant. The (~~Director of Licenses and Consumer~~
30 ~~Affairs, upon receipt of such applications shall forward the appli-~~
31 ~~cation to the~~) Director of the Department of Construction and Land
32 Use (~~who~~) shall make an investigation of the changed boiler plant
33 conditions together with such examination of the applicant as may be

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1 necessary to determine whether the applicant is qualified under the
2 provisions of this chapter to operate such enlarged or changed
3 boiler plant. When such investigation and examination reveal that
4 the applicant is qualified to operate such plant in its changed
5 condition, the Director (~~(of Licenses and Consumer Affairs)~~) shall
6 certify approval of the application and issue such special license.

7 Section 108. Seattle Municipal Code Section 6.230.100
8 (Ordinance 111301, Section 3 (part)) is amended as follows:

9 **6.230.100 Departmental Authority** (~~(of Licenses and~~
10 ~~Consumer Affairs)~~).

11 A. In connection with the regulation and licensing of steam
12 engineers and boiler firemen, the Department (~~(of Licenses and~~
13 ~~Consumer Affairs)~~) is authorized to perform the following:

14 1. Provide qualifying examinations for persons applying
15 for steam engineer or boiler fireman licenses under this chapter.
16 Such examinations shall be practical in their character and shall
17 relate to those matters which will fairly test the capacity, skill,
18 experience, and habits of sobriety of each person examined to safely
19 operate and properly care for a boiler and/or steam engine, within
20 the scope of the license sought;

21 2. Provide qualifying examinations for persons applying
22 for a boiler supervisor endorsement or a boiler supervisor certi-
23 ficate as described in this chapter. Such examination shall be
24 practical in character and shall relate to those matters which will
25 fairly test the applicant's capacity, skill, experience, and habits
26 of sobriety to safely use, operate, and maintain boilers and auto-
27 matic boilers under applicable City and state regulations;

28 3. When approving any license under this chapter, the
29 Director (~~(of Licenses and Consumer Affairs)~~) may impose stated
30 conditions or limitations to such license restricting the licensee
31 to the operation and maintenance of particular equipment at a stated
32 location, or to the operation and maintenance of a certain class of
33 boilers or steam engines, or to specified permitted services in
connection with the operation and maintenance of boilers and steam

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1 engines. Such restrictions shall be based upon the applicant's
2 qualifications under this chapter and be reasonably related to the
3 protection of the public in the safe operation and maintenance of
4 boilers and steam engines.

5 B. The Department (~~(of Licenses and Consumer Affairs)~~) may
6 require affidavits regarding an applicant's character, training,
7 experience and record, and such other supporting credentials as may
8 be necessary to determine his/her fitness.

9 C. The Department (~~(of Licenses and Consumer Affairs)~~) shall
10 refuse to certify the applicant for a steam engineer's or boiler
11 fireman's license if the result of the examination is such that the
12 Department (~~(of Licenses and Consumer Affairs)~~) determines he/she
13 has not sufficient knowledge of, and experience in, the care or
14 operation of boilers or steam engines, or if the applicant is found
15 to be mentally or otherwise unfit to safely operate boilers or steam
16 engines. The action of the Department (~~(of Licenses and Consumer~~
17 ~~Affairs)~~) shall be final.

18 D. It shall be sufficient cause to refuse an original steam
19 engineer's or boiler fireman's license, or any renewal thereof, if
20 the applicant, through neglect or incompetency while in charge of a
21 boiler or steam engine, has caused serious damage to property or has
22 endangered the lives of others.

23 Section 109. Seattle Municipal Code Section 6.230.130
24 (Ordinance 111301, Section 3 (part)) is amended as follows:

25 **6.230.130 Reporting of defective boilers.**

26 A. Every licensed steam engineer or boiler fireman before
27 operating any boiler shall first examine the boiler permit issued
28 for such boiler or boilers to see that the permit is in force, and
29 if the permit has expired he/she shall notify his/her employer. If
30 the permit has been expired for more than ninety (90) days, he/she
31 shall notify his/her employer and then the City Boiler Inspector of
32 the date of expiration. He/she shall note the pressure allowed by
33 the permit and shall test the operation of the boiler and its

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1 control and safety devices for proper operation.

2 B. Whenever the steam engineer or boiler fireman believes any
3 part of a boiler or steam engine to be in defective or potentially
4 unsafe condition, he/she shall report the fact to his/her employer
5 in writing. If immediate corrective action is not taken, he/she
6 shall report such defective or potentially unsafe conditions to the
7 City Boiler Inspector.

8 C. The City Boiler Inspector shall thereupon investigate the
9 same, and report any lack of proper care on the part of any licensed
10 person to the employer and the Department (~~of Licenses and Consumer~~
11 ~~Affairs~~). The Department (~~of Licenses and Consumer Affairs~~)
12 shall record the facts on the records of the licensee.

13 D. The steam engineer or boiler fireman in charge of any
14 boiler or steam engine shall report to his/her employer and to the
15 City Boiler Inspector any damage or injury to any such boiler or
16 steam engine under his/her charge or care which affects the safe
17 operation of such boiler or steam engine. Failure to make such
18 reports to his/her employer and the City Boiler Inspector shall be
19 sufficient cause for the suspension or revocation of the license of
20 the person in charge.

21 E. It shall be the duty of every licensed steam engineer and
22 boiler fireman to report serious negligence in the care of boilers
23 and steam engines to his/her employer and the Boiler Operations
24 Inspector.

25 Section 110. Section 6.230.170 of the Seattle Municipal Code
26 (Ordinance 111301, Section 3 (part)) is amended as follows:

27 **6.230.170 Steam License Advisory Board.**

28 A. There shall be a Steam License Advisory Board consisting
29 of nine (9) members appointed for four (4) year terms by the
30 Department (~~of Licenses and Consumer Affairs~~), except that upon
31 making the first appointments the length of terms of the members
32 shall be staggered so that no more than three (3) board members'
33 terms of service expire in the same year.

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1 B. The Steam License Advisory Board shall consist of nine (9)
2 members, with each of the following groups of persons to be repre-
3 sented by three (3) from each group: persons who are, or have been,
4 licensed as a steam engineer or boiler fireman; persons owning
5 boilers or managing boilers for owners; and persons from the general
6 public.

7 C. The Steam License Advisory Board shall advise and assist
8 the Department (~~(of Licenses and Consumer Affairs)~~) in the admin-
9 istration of the steam engineer's and boiler fireman's license
10 examination program, and the Department (~~(of Licenses and Consumer~~
11 ~~Affairs)~~) is authorized to define the duties of and prescribe the
12 procedure for such Board. The Steam License Advisory Board may
13 recommend to the Department (~~(of Licenses and Consumer Affairs)~~)
14 such revisions to the Steam Engineer's and Boiler Fireman's
15 Ordinance as it may deem appropriate.

16 Section 111. From the effective date of this ordinance through
17 August 31, 1994, Seattle Municipal Code Section 6.230.180 (Ordinance
18 111301, Section 3 (part)) is amended as follows:

19 **6.230.180 Enforcement -- Filing of charges.**

20 A. The Director of the Department of Construction and Land
21 Use shall assist the Finance Director (~~(of Licenses and Consumer~~
22 ~~Affairs)~~) in the enforcement of this chapter and in such connection
23 they are authorized to jointly promulgate rules and regulations as
24 may be deemed necessary to provide the means for ensuring safe and
25 proper installation, repair, use and operation of boilers and steam
26 engines.

27 B. All charges against any person licensed under the
28 provisions of this chapter shall be filed in writing with the
29 Department (~~(of Licenses and Consumer Affairs)~~).

30 Section 112. Effective September 1, 1994, Seattle Municipal
31 Code Section 6.230.180 (Ordinance 111301, Section 3 (part), as
32 amended) is further amended as follows:

33

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1 **6.230.180 Enforcement -- Filing of charges.**

2 A. The Director of the Department of Construction and Land
3 Use shall (~~assist the Finance Director in the enforcement of~~)
4 enforce this chapter and in such connection (~~they are~~) is
5 authorized to (~~jointly~~) promulgate rules and regulations as may be
6 deemed necessary to provide the means for ensuring safe and proper
7 installation, repair, use and operation of boilers and steam
8 engines.

9 B. All charges against any person licensed under the
10 provisions of this chapter shall be filed in writing with the
11 Department.

12 Section 113. Seattle Municipal Code Section 6.270.030
13 (Ordinance 114225, Section 1 (part) as last amended by Ordinance
14 116541, Section 2) is further amended as follows:

15 **6.270.030 Definitions.**

16 For the purposes of this chapter and unless the context plainly
17 requires otherwise, the following definitions are adopted:

18 A. "Adult entertainment" means any exhibition, performance or
19 dance of any type conducted in a premises where such exhibition,
20 performance or dance involves a person who:

21 1. Is unclothed or in such attire, costume or clothing
22 as to expose to view any portion of the breast below the top of the
23 areola or any portion of the pubic region, anus, buttocks, vulva or
24 genitals; or

25 2. Touches, caresses or fondles the breasts, buttocks,
26 anus, genitals or pubic region of another person, or permits the
27 touching, caressing or fondling of his/her own breasts, buttocks,
28 anus, genitals or pubic region by another person, with the intent to
29 sexually arouse or excite another person.

30 B. "Adult entertainment premises" means any premises to which
31 the public, patrons or members are invited or admitted and wherein
32 an entertainer provides adult entertainment to a member of the
33 public, a patron, or a member; but does not include that portion of

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1 an establishment licensed or required to be licensed as a "panoram"
2 or "peepshow" under the provisions of Seattle Municipal Code Chapter
3 6.42.

4 C. "Department" means The City of Seattle Finance Department
5 (~~(of Licenses and Consumer Affairs)~~).

6 D. "Director" or "Finance Director" means the Director of the
7 Finance Department of The City of Seattle and shall include his or
8 her authorized representatives.

9 ((D)) E. "Employee" means any and all persons, including
10 managers, entertainers and independent contractors, who work in or
11 at or render any services directly related to, the operation of an
12 adult entertainment premises.

13 ((E)) F. "Entertainer" means any person who provides adult
14 entertainment within an adult entertainment premises as defined in
15 this section, whether or not a fee is charged or accepted for
16 entertainment.

17 ((F)) G. "Entertainment" means any exhibition or dance of any
18 type, pantomime, modeling or any other performance.

19 ((G)) H. "Manager" means any person who manages, directs,
20 administers, or is in charge of, the affairs and/or conduct of any
21 portion of any activity involving adult entertainment occurring at
22 any adult entertainment premises.

23 ((H)) I. "Natural person" means any individual.

24 ((I)) J. "Operator" means any person operating, conducting or
25 maintaining an adult entertainment business.

26 ((J)) K. "Person" means any individual, partnership,
27 corporation, trust, incorporated or unincorporated association,
28 marital community, joint venture, governmental entity, or other
29 entity or group of persons however organized.

30 ((K)) L. "Public place" means any area generally visible to
31 public view and includes streets, sidewalks, bridges, alleys,
32 plazas, parks, driveways, parking lots, and automobiles whether
33 moving or not.

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1 ((±)) M. "Reckless" or "recklessly" means a person knows of
2 and disregards a substantial risk that a wrongful act may occur and
3 his or her disregard of such substantial risk is a gross deviation
4 from conduct that a reasonable person would exercise in the same
5 situation.

6 Section 114. Seattle Municipal Code Section 6.270.040
7 (Ordinance 114225, Section 1 (part) is amended as follows:

8 **6.270.040 Adult entertainment premises license.**

9 A. It is unlawful for any person to operate or maintain an
10 adult entertainment premises in The City of Seattle unless the
11 owner, operator or lessee thereof has obtained from the Finance
12 Director (~~(of Licenses and Consumer Affairs)~~) a license to do so, to
13 be designated an "adult entertainment premises license."

14 B. It is unlawful for any entertainer, employee or manager to
15 knowingly work in or about, or to knowingly perform any service or
16 entertainment directly related to the operation of, an unlicensed
17 adult entertainment premises.

18 Section 115. Seattle Municipal Code Section 6.270.050
19 (Ordinance 114225, Section 1 (part) is amended as follows:

20 **6.270.050 License for managers and entertainers.**

21 Commencing December 5, 1988, it shall be unlawful for any
22 person to work as an entertainer or manager at an adult enter-
23 tainment premises without having first obtained from the Finance
24 Director (~~(of Licenses and Consumer Affairs)~~) a license to do so, to
25 be designated as an "adult entertainer's license," or an "adult
26 entertainment manager's license," respectively.

27 Section 116. Seattle Municipal Code Section 6.270.070
28 (Ordinance 114225, Section 1 (part) last amended by Ordinance
29 116541, Section 3) is further amended as follows:

30 **6.270.070 License applications.**

31 A. Adult Entertainment Premises License. All applications
32 for an adult entertainment premises license shall be submitted in
33 the name of the person proposing to conduct such adult entertainment

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1 on the premises and shall be signed by such person and notarized or
2 certified as true under penalty of perjury. All applications shall
3 be submitted on a form supplied by the Finance Director, and shall
4 require the following information:

5 1. The name, residence address, home telephone number,
6 date and place of birth, and social security number of the appli-
7 cant;

8 2. The business name, address and telephone number of
9 the establishment;

10 3. The names, residence addresses, residence telephone
11 numbers, social security numbers and dates of births of any part-
12 ners, corporate officers and directors;

13 4. Such information as the Director, by rule, may
14 require concerning the identity of corporate shareholders;

15 5. Addresses of the applicant for the five (5) years
16 immediately prior to the date of application;

17 6. A description of the adult entertainment or similar
18 business history of the applicant; whether such person or entity, in
19 previously operating in this or another city, county or state, has
20 had a business license revoked or suspended, the reason therefor,
21 and the activity or occupation subjected to such action, suspension
22 or revocation;

23 7. A description of the business, occupation, or employ-
24 ment of the applicant for the three (3) years immediately preceding
25 the date of application;

26 8. Such license shall include the name of at least one
27 (1) natural person whose name and mailing address, which shall be an
28 address located within the State of Washington, shall appear on the
29 adult entertainment premises license and who shall receive notices
30 from the Department.

31 9. A failure to provide information required by this
32 subsection will constitute an incomplete application and will not be
33 processed.

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1 B. Manager's or Entertainer's License. All applications for
2 an adult entertainment manager's license or adult entertainer's
3 license shall be signed by the applicant and notarized or certified
4 as true under penalty of perjury. All applications shall be sub-
5 mitted on a form supplied by the Director, and shall require the
6 following information:

7 1. The applicant's name, home address, home telephone
8 number, date and place of birth, social security number, and any
9 stage names or nicknames used in entertaining;

10 2. The name and address of each business at which the
11 applicant intends to work as a manager or entertainer;

12 3. The applicant shall present documentation that he or
13 she has attained the age of eighteen (18) years. Any of the follow-
14 ing shall be accepted as documentation of age:

15 a. A motor vehicle operator's license issued by any
16 state bearing the applicant's photograph and date of birth,

17 b. A state-issued identification card bearing the
18 applicant's photograph and date of birth,

19 c. An official passport issued by the United States
20 of America,

21 d. An immigration card issued by the United States
22 of America,

23 e. Any other picture identification bearing the
24 applicant's photograph and date of birth issued by a governmental
25 agency, or

26 f. Such other form of identification as the
27 Director (~~of Licenses and Consumer Affairs~~) deems, by rule, to be
28 acceptable;

29 4. Failure to provide information required by this
30 subsection will constitute an incomplete application and will not be
31 processed.

32 Section 117. Subsections A and B of Seattle Municipal Code
33 Section 6.294.040 (Ordinance 112373, Section 1 (part) as last

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1 amended by Ordinance 113826, Section 2) are further amended as
2 follows:

3 **6.294.040 Definitions.**

4 For the purpose of this chapter and unless the context plainly
5 requires otherwise the following definitions are adopted:

6 A. "Director" means the Finance Director (~~(of Licenses and~~
7 ~~Consumer Affairs)~~) of The City of Seattle or his or her authorized
8 representative.

9 B. "Department" means the Finance Department (~~(of Licenses~~
10 ~~and Consumer Affairs)~~) of The City of Seattle.

11 Section 118. Subsections B and C of Seattle Municipal Code
12 Section 6.270.140 (Ordinance 112373, Section 1 (part)) are amended
13 as follows:

14 **6.294.140 Indemnification.**

15 B. As a condition precedent to obtaining a license, the
16 licensee shall, at no expense to the City, secure and maintain
17 during the full term of this agreement, general comprehensive
18 liability insurance issued by one (1) or more companies authorized
19 to do business in the State of Washington, which insurance shall be
20 subject to the approval of the City Attorney as to company, form,
21 coverage, and which insurance must fully protect the City from any
22 and all claims and risks in connection with any activity performed
23 by the licensee by virtue of this agreement and provide the follow-
24 ing minimum coverage:

25 a. One Million Dollars (\$1,000,000.00) per person, per
26 occurrence;

27 b. One Million Dollars (\$1,000,000.00) annual aggregate.

28 Said policy must specifically name The City of Seattle as an addi-
29 tional insured party thereunder in the following manner:

30 The City of Seattle is an additional insured for all
31 coverages provided by this policy of insurance and shall
32 be fully and completely protected by this policy and for
33 any claim, suit, injury, death, damage or loss of any sort

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1 sustained by a person, organization or corporation in
2 connection with any activity upon or use or occupancy of
3 establishments regulated by this section.

4 The coverages provided by this policy to the City or
5 any other named insured shall not be terminated, reduced,
6 or otherwise changed in any respect without providing at
7 least thirty (30) days prior written notice to The Finance
8 Director (~~((of Licensing and Consumer Affairs))~~) of The City
9 of Seattle.

10 C. The licensee shall deliver to the Director (~~((of Licenses~~
11 ~~and Consumer Affairs))~~ Finance of The City of Seattle a copy of all
12 policies required under this provision and all endorsements thereto
13 or other evidence to the reasonable satisfaction of the Finance
14 Director of (~~((of Licenses and Consumer Affairs))~~) that the Licensee
15 has secured or renewed and is maintaining insurance as required by
16 this section.

17 The "ACORD" form of Certification of Insurance shall not be
18 submitted as such evidence, and shall not be deemed to be satis-
19 factory evidence unless the following changes are made on such form:
20 The wording on the top of the form:

21 This certificate is issued as a matter of information only
22 and confers no rights upon the certificate holder.
23 shall be deleted in its entirety.

24 The wording at the bottom of the form:

25 Should any of the above described policies be canceled
26 before the expiration date thereof, the issuing company
27 will endeavor to mail thirty (30) days' written notice to
28 the below named certificate holder, but failure to mail
29 such notice shall impose no obligation of any kind upon
30 the company.

31 shall be changed to read:

32 Should any of the above described policies be canceled,
33 reduced as to coverage, or otherwise changed before the

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1 expiration date thereof, the issuing company shall provide
2 written notice of such action to the Finance Director (~~of~~
3 ~~Licensing and Consumer Affairs~~) of The City of Seattle.

4 Section 119. Seattle Municipal Code Section 7.04.130
5 (Ordinance 98820, Section 8, as amended by Ordinance 102635, Section
6 1) is further amended as follows:

7 **7.04.130 Finance Director (~~of Licenses and Consumer~~**
8 **Affairs)) designated as City Sealer.**

9 There shall be a City Sealer of Weights and Measures, referred
10 to in this code as the City Sealer. The Finance Director (~~of~~
11 ~~Licenses and Consumer Affairs~~) shall be the City Sealer. There
12 shall be such necessary Deputy Sealers and technical and clerical
13 personnel, as the City Council may from time to time authorize who
14 shall be appointed by the Finance Director (~~of Licenses and~~
15 ~~Consumer Affairs~~) subject to Civil Service laws and regulations and
16 who shall collectively comprise the Division of Weights and Measures
17 of the Finance Department (~~of Licenses and Consumer Affairs~~).

18 Section 120. Seattle Municipal Code Section 7.04.570
19 (Ordinance 98820, Section 35(B), as amended by Ordinance 116450,
20 Section 1) is further amended as follows:

21 **7.04.570 Weighmaster license -- Application, issuance**
22 **and fee.**

23 Any person, firm or corporation possessing a scale that
24 complies with the specifications, tolerances, and other technical
25 requirements for weighing devices, together with amendments thereto,
26 as recommended by the National Bureau of Standards and published in
27 National Bureau of Standards Handbook 44, may make application to
28 the City Sealer (Finance Director (~~of Licenses and Consumer~~
29 ~~Affairs~~)) to be appointed a Licensed City Weighmaster. If the
30 scale is approved by the City Sealer, he or she may in his or her
31 discretion so appoint the applicant and shall issue a City Weigh-
32 master license in accordance with such appointment. The annual fee
33 for such license shall be Thirty-five Dollars (\$35.00) which shall
accompany the application, and all such licenses shall expire at

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1 midnight April 30th of each year, but may be renewed from year to
2 year by the City Sealer upon payment of the annual fee. If the
3 original application for a City Weighmaster's license and/or a City
4 Weigher's license is made within six (6) months of the date fixed
5 for expiration of the annual license, the fee shall be one-half
6 (1/2) the annual fee.

7 Section 121. Seattle Municipal Code Section 7.08.010
8 (Ordinance 43475, Section 1, as amended by Ordinance 102618, Section
9 1) is further amended as follows:

10 **7.08.010 Purpose of chapter -- Enforcement.**

11 This entire chapter shall be deemed an exercise of the police
12 power of the state and of the City for the protection of the public
13 economic and social welfare, health, peace and morals, and all its
14 provisions shall be liberally construed for the accomplishment of
15 that purpose. It shall be the duty of the Finance Director (~~(of~~
16 ~~Licenses and Consumer Affairs)~~) concurrently with the Chief of
17 Police to enforce this chapter.

18 Section 122. Subsection B of Section 9.22.020 (Ordinance
19 109020, Section 2 (part)) is amended as follows:

20 **9.22.020 Waiver of City Liability**

21 B. Such consent shall contain a waiver of any and all lia-
22 bility of the City, its agents, (~~(the Division of Animal Control)~~)
23 and any City employee for the injury or death to an animal arising
24 out of the aforementioned operation or any service provided
25 incidental thereto.

26 Section 123. Seattle Municipal Code Section 9.22.030
27 (Ordinance 109020, Section 3 (part)) is amended as follows:

28 **9.22.030 Return date establishment.**

29 The Finance Director (~~(of the Department of Licenses and~~
30 ~~Consumer Affairs)~~) shall establish a return date by which persons
31 submitting animals for the above operations shall pick up said
32 animals or be subject to a reasonable board and care fee to commence
33 on the day after such a return date. Failure to pick up an animal

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1 within five (5) days of said return date shall be deemed abandonment
2 of such animal and the Director may dispose of it by adoption or
3 euthanasia.

4 Section 124. Subsections E and F of Seattle Municipal Code
5 Section 9.25.020 (Ordinance 112335, Section 1 (part)) are amended as
6 follows:

7 **9.25.020 Definitions -- A-E.**

8 As used in this chapter, except where a different meaning is
9 plainly apparent from the context, the following definitions apply:

10 E. "Director" means the Finance Director (~~(of Licenses and~~
11 ~~Consumer Affairs)~~) of The City of Seattle or his/her authorized
12 representative.

13 F. "Department" means the Finance Department (~~(of Licenses~~
14 ~~and Consumer Affairs)~~) of The City of Seattle.

15 Section 125. Subsection C of Seattle Municipal Code Section
16 9.25.025 (Ordinance 112335, Section 1 (part)) is amended as follows:

17 **9.25.025 Animal Control Commission.**

18 C. The Animal Control Commission shall advise the Mayor and
19 the Finance Director (~~(of the Department of Licenses and Consumer~~
20 ~~Affairs)~~) regarding animal control in the city.

21 Section 126. Subsection B of Section 9.25.046 (Ordinance
22 112335, Section 1 (part)) is amended as follows:

23 **9.25.046 Waiver of City Liability.**

24 B. Such consent shall contain a waiver of any and all
25 liability of the city, its agents, (~~(the Division of Animal~~
26 ~~Control)~~) and any City employee for the injury or death to an animal
27 arising out of the aforementioned operation or any service provided
28 incidental thereto.

29 Section 127. Subsection A of Seattle Municipal Code Section
30 10.08.165 (Ordinance 116702, Section 1 (part)) is amended as
31 follows:

32 **10.08.165 Alarm system monitoring companies --**
33 **Verification process.**

Every alarm system monitoring company engaging in business

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1 activities in Seattle shall:

2 A. Obtain a City of Seattle business license from ((Register
3 with)) the Finance Department ((of Licenses and Consumer Affairs));
4 Section 128. Seattle Municipal Code Section 11.30.220
5 (Ordinance 108299, Section 2 (11.30.220), as amended by Ordinance
6 116368, Section 214) is further amended as follows:

7 **11.30.220 Contract for towing and storage.**

8 A. The Finance Director ((of Licenses and Consumer Affairs))
9 is authorized and directed to prepare specifications for towing and
10 storage of vehicles, including instructions to bidders, containing
11 such provisions as the Director shall deem advisable and not in
12 conflict with this chapter. The specifications shall be subject to
13 the review and approval of the Budget Director and the approval of
14 the City Council by resolution passed for such purpose.

15 B. A call for bids responsive to such specifications shall
16 then be made, and the contract shall be awarded to the lowest and
17 best bidder whose proposal is deemed((7)) by the Finance Director
18 ((of Licenses and Consumer Affairs,)) to be the most advantageous
19 for the public and the City; provided that, in the event all bids
20 are deemed by the Director ((of Licenses and Consumer Affairs)) to
21 be too high or irregular, he or she ((the Director of Licenses and
22 Consumer Affairs)) may reject all such bids and make another call
23 for bids or proceed alternatively pursuant to ordinance passed for
24 such purpose. The Director shall consider, among other relevant
25 factors, the following:

- 26 1. Integrity, skill, and business judgment of the
27 bidder;
- 28 2. General experience in providing towing and storage
29 services;
- 30 3. Conduct and performance under a previous City towing
31 impound contract demonstrating honesty, promptness, skill,
32 efficiency, and a satisfactory relationship with vehicle owners;
- 33 4. Existing availability of equipment, facilities, and

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1 personnel; and

2 5. The bidder's financial ability and willingness to
3 expand or improve available equipment, facilities, and services.

4 The contract award shall be in accordance with the specifica-
5 tions so approved for towing and storage service necessary for
6 carrying out the provisions of this chapter.

7 C. Subsequent to the award of the contract, the Finance
8 Director (~~(of Licenses and Consumer Affairs)~~) shall file a written
9 statement with the City Clerk giving the name and address of the
10 contractor for towing and storage of vehicles and, if more than one
11 (1) place of storage has been provided, the name and address or
12 location of each storage place. The Director (~~(of Licenses and~~
13 ~~Consumer Affairs)~~) shall administer and enforce contracts made
14 pursuant to this section.

15 Section 129. Seattle Municipal Code Section 11.30.240
16 (Ordinance 108200, Section 1 (11.30.240)) is amended as follows:

17 **11.30.240 Contract for towing and storage --**
18 **Financial responsibility.**

19 Any contract for towing and storage under the provisions of
20 this chapter shall require the contractor to demonstrate proof of
21 financial responsibility for any liability which the City may have
22 as a result of any negligence, wilful conduct or breach of contract
23 by the contractor and for any damages which the owner of an
24 impounded vehicle may sustain as a result of damage to or loss of
25 the vehicle, or the contents of a vehicle in the custody of the
26 contractor. Proof of financial responsibility shall be furnished
27 either by proof of insurance, by filing a surety bond or by
28 depositing cash in such amounts as the Finance Director (~~(of~~
29 ~~Licenses and Consumer Affairs)~~) shall determine necessary.

30 Section 130. Section 11.30.280 of the Seattle Municipal Code
31 (Ordinance 108200, Section 2 (11.30.280), as amended by Ordinance
32 116368, Section 215) is further amended as follows:

33 **11.30.280 Contractor to file monthly claim for services.**

The contractor shall, on or before the tenth day of each month,

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1 file his or her claim with the Finance Department (~~((of Licenses and~~
2 ~~Consumer Affairs))~~) for towing and storage charges accruing to him or
3 her upon vehicles redeemed as provided in this chapter during the
4 preceding month, in accordance with this chapter and with the
5 specifications for the contract authorized in Section 11.30.220, and
6 such claim shall be sworn to by him or her under oath. The ((City))
7 Finance Director shall audit such claim and any payment thereof at
8 least once annually. A warrant or warrants for payment of such
9 claim shall be drawn and paid by the ((City)) Finance Director from
10 such expenditure allowances as may be provided therefor in the
11 annual budget or from such moneys as may otherwise be appropriated
12 for such purpose.

13 Section 131. Seattle Municipal Code Section 11.30.320
14 (Ordinance 108200, Section 1 (11.30.320)) is amended as follows:

15 **11.30.320 Rules and regulations.**

16 The Finance Director (~~((of Licenses and Consumer Affairs))~~) is
17 authorized and directed to promulgate rules and regulations
18 consistent with this chapter, the Charter of the City and the
19 Administrative Code of the City, to provide for the fair and
20 efficient administration of any contract or contracts awarded
21 pursuant to Section 11.30.220.

22 Section 132. Subsection A of Seattle Municipal Code Section
23 12A.14.130 (Ordinance 112203, Section 2) is amended as follows:

24 **12A.14.130 Premises to maintain signs banning firearms.**

25 A. Signs Required. The owner or other person in charge of
26 premises selling or offering for sale to the public any intoxicating
27 liquor for consumption on the premises in the City, except restaur-
28 ants without cocktail lounges, shall post a sign at or near each
29 entry to restricted areas, in a conspicuous place, easily readable
30 by entrants. The sign shall state that City ordinance prohibits the
31 carrying or possession of any firearm on the premises and shall
32 contain an international symbol prohibiting the carrying or posses-
33 sion of firearms. The symbol shall be determined by the Finance

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1 Director (~~of Licenses and Consumer Affairs~~) by rule.

2 Section 133. Subsection A of Seattle Municipal Code Section
3 12A.14.155 (Ordinance 112705, Section 5) is amended as follows:

4 **12A.14.155 Dealer's licenses -- By whom granted, conditions
5 thereof.**

6 A. The Finance Department (~~of Licenses and Consumer
7 Affairs~~) shall grant licenses in forms prescribed by the Director
8 of Licensing effective for not more than one (1) year from the date
9 of issue permitting the licensee to sell pistols within this City
10 subject to the following conditions:

11 1. The business shall be carried on only in the building
12 designated in the license.

13 2. The license or a copy thereof, certified by the
14 issuing authority, shall be displayed on the premises where it can
15 easily be read.

16 3. No pistol shall be sold:

17 a. In violation of any provisions of this chapter;
18 nor

19 b. Under any circumstances unless the purchaser is
20 personally known to the seller or shall present clear evidence of
21 his identity.

22 4. A true record in triplicate shall be made of every
23 pistol sold, in a book kept for the purpose, the form of which may
24 be prescribed by the Finance Director, (~~of Licensing~~) and shall be
25 personally signed by the purchaser and by the person effecting the
26 sale, each in the presence of the other, and shall contain the date
27 of sale, the caliber, make, model and manufacturer's number of the
28 weapon, the name, address, occupation, color and place of birth of
29 the purchaser and a statement signed by the purchaser that he or she
30 has never been convicted in this state or elsewhere of a crime of
31 violence. One (1) copy shall within six (6) hours be sent by
32 registered mail to the Chief of Police; the dealer shall within
33 seven (7) days send the duplicate to the Director (~~of Licensing~~);
the dealer shall retain the triplicate for six (6) years.

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1 5. The dealer's licenses authorized to be issued by this
2 section are general licenses covering all sales by the licensee
3 within the effective period of the licenses.

4 6. This section shall not apply to sales at wholesale.

5 Section 134. Seattle Municipal Code Section 15.52.020
6 (Ordinance 115982, Section 1 (part)) is amended as follows:

7 **15.52.020 Committee membership.**

8 The Special Events Committee shall be comprised of the
9 following voting members:

10 A. A representative of the Mayor, the Budget Director, the
11 Fire Chief, the Police Chief, the Superintendent of Parks and
12 Recreation, and the Directors of Engineering, Construction and Land
13 Use, (~~licenses and Consumer Affairs~~) Finance, and Neighborhoods,
14 and of the Seattle-King County Health Department;

15 B. A representative of the Metropolitan Services Division of
16 King County (~~Municipality of Metropolitan Seattle~~);

17 Section 135. Subsection D of Seattle Municipal Code Section
18 21.101.070 (Ordinance 116455, Section 1 (part)) is amended as
19 follows:

20 **21.101.070 Collection and billing procedures.**

21 D. Joint Collection of Charges. The Finance Director (~~of~~
22 ~~licenses and Consumer Affairs~~) and the Director of Engineering are
23 authorized to combine collection procedures for street use charges
24 and license or business and occupation tax where possible.

25 Section 136. Seattle Municipal Code Section 22.904.060
26 (Ordinance 89715, Section 2.020, as amended by Ordinance 109125,
27 Section 2) is further amended as follows:

28 **22.904.060 License applications.**

29 Applications for mobile home park licenses and renewals thereof
30 shall be made to the Finance Director (~~of Licenses and Consumer~~
31 ~~Affairs~~) upon forms provided by him/her and shall set forth the
32 name and residence address of the applicant, the location of the
33 mobile home park, and the number of mobile home lots to which such

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1 license applies. The Finance Director (~~((of Licenses and Consumer~~
2 ~~Affairs))~~) thereupon shall request the Director of Public Health, the
3 Director of Construction and Land Use and the Fire Chief to inspect
4 the premises therein described and the fixtures and facilities to be
5 used. If the Director of Public Health, Director of Construction
6 and Land Use and Fire Chief find, upon inspection, that such
7 premises, fixtures and facilities are constructed, installed,
8 operated and maintained in compliance with this chapter and other
9 applicable ordinances, they shall approve the application and so
10 notify the Finance Director (~~((of Licenses and Consumer Affairs))~~),
11 who shall issue the license. If the Director of Public Health,
12 Director of Construction and Land Use or Fire Chief shall find that
13 the premises fixtures or facilities are not constructed, installed,
14 operated or maintained in compliance with this chapter or any other
15 applicable ordinance, he/she shall forthwith disapprove the applica-
16 tion and so notify the applicant and the Finance Director (~~((of~~
17 ~~Licenses and Consumer Affairs))~~), citing the reason therefor. If,
18 after thirty (30) days from date of application for a new license,
19 or, in the case of renewal, upon expiration of an existing license,
20 approval of the Director of Public Health, Director of Construction
21 and Land Use and Fire Chief are not forthcoming, the Finance
22 Director (~~((of Licenses and Consumer Affairs))~~) thereupon shall deny
23 the license.

24 Section 137. Seattle Municipal Code Section 22.904.070
25 (Ordinance 89715, Section 2.030, as amended by Ordinance 109125,
26 Section 3) is further amended as follows:

27 **22.904.070 License revocation.**

28 Any mobile home park license may be revoked by the Finance
29 Director (~~((of Licenses and Consumer Affairs))~~) in the manner and
30 subject to the procedure provided in the License Code upon the
31 filing with him by the Director of Public Health, the Director of
32 Construction and Land Use or the Fire Chief of a written notice
33 stating the premises licensed or any fixtures or facilities used

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1 therein have become or are unsafe or unsanitary, or that otherwise
2 they are not being operated or maintained in compliance with the
3 provisions of this chapter or any other applicable ordinance.

4 Section 138. Subsection A of Seattle Municipal Code Section
5 23.44.051 (Ordinance 113800, Section 2) is amended as follows:

6 **23.44.051 Bed and breakfasts.**

7 A. Bed and breakfasts shall be permitted provided they meet
8 the following standards:

9 1. A business license for the bed and breakfast was
10 secured from the ((City)) Finance Department ((of Licenses and
11 Consumer Affairs)) on or before April 1, 1987;

12 2. The bed and breakfast is operated by the fee owner of
13 the dwelling in which the bed and breakfast is located;

14 3. The structure in which the bed and breakfast is
15 located is owned by the same person who had ownership on April 1,
16 1987;

17 4. The fee owner resides in the structure in which the
18 bed and breakfast is located;

19 5. No more than two (2) people who reside outside the
20 dwelling are employed, with or without compensation, in the
21 operation of the bed and breakfast;

22 6. The bed and breakfast is operated within the
23 principal structure which does not require structural alterations;

24 7. There is no evidence of the bed and breakfast from
25 the exterior of the structure.

26 AMENDING UNCODIFIED ORDINANCES

27 Section 139. Administration of Parking and Business Improve-
28 ment Areas. Section 3 of Ordinance 115958 is amended as follows:

29 Section 3. ((Effective January 1, 1992)) On the
30 effective date of this amendatory ordinance, the Finance
31 Director ((of the Department of Licenses and Consumer
32 Affairs)) or designee shall administer the Parking and
33 Business Improvement Areas established by Ordinances

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1 111244, 113015, 113029, 113326, and 115110, collect the
2 special assessments authorized by said Ordinances, perform
3 all other responsibilities or functions delegated to the
4 Department of Community Development or its Director by
5 said Ordinances, and exercise all powers or authorizations
6 previously exercised by the Department of Community
7 Development with respect to the Parking and Business
8 Improvement Areas established by the aforesaid Ordinances.
9 ~~((Effective January 1, 1992))~~ On the effective date of
10 this amendatory ordinance, all responsibilities, agree-
11 ments, obligations, authorizations, powers, benefits and
12 billings of the Department of Community Development with
13 respect to the Parking and Business Improvement Areas
14 established by Ordinances 111244, 113015, 113029, 113326,
15 and 115110, shall be deemed to be responsibilities, agree-
16 ments, obligations, authorizations, powers, benefits and
17 billings of the Finance Department ~~((of Licenses and~~
18 ~~Consumer Affairs))~~.

19 Section 140. First and Second Avenue Business Improvement
20 Area. Sections 6, 8, 9, 10, and 15 of Ordinance 116021 are amended
21 as follows:

22 Section 6. Collection Schedule. Insofar as con-
23 sistent with this ordinance and RCW Chapter 35.87A,
24 special assessments shall be collected on an annual basis
25 or in such manner deemed appropriate by the Finance
26 Director ~~((of the Department of Licenses and Consumer~~
27 ~~Affairs))~~.

28 Section 8. Expenditures. Expenditures from the
29 Account shall be made upon vouchers drawn upon by the
30 Finance Director ~~((of Licenses and Consumer Affairs))~~ and
31 shall be used exclusively for the statutory purposes each
32 as more fully defined in Section 2 and the petition to
33 establish the area (C.F. _____) ~~((+))~~.

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1 Section 9. Ratepayers Advisory Group. The First
2 Avenue Association, subject to approval of the Director of
3 Licenses and Consumer Affairs shall appoint an interim
4 First and Second Avenue Business Improvement Area Rate-
5 payers Board comprised of ratepayers from the Area. The
6 interim Ratepayers Advisory Board will recommend and the
7 Department of Licenses and Consumer Affairs will implement
8 procedures to establish a permanent Ratepayers Board to
9 take office no later than December 31, 1992. Procedures
10 shall be designed to insure inclusion of members repre-
11 sentative of the classifications subject to assessment and
12 geographic zones as defined in Section 1. The interim
13 Ratepayers Advisory Board shall also develop and promul-
14 gate bylaws or rules to guide the operation of the Rate-
15 payers Board. The Finance Director (~~(of Licenses and~~
16 ~~Consumer Affairs)~~) may appoint additional members to the
17 Ratepayer Board to ensure that a broad representation of
18 ratepayers is provided.

19 The Ratepayers Advisory Board shall be responsible
20 for providing advice and consultation to the Finance
21 Department (~~(of Licenses and Consumer Affairs)~~) and to the
22 DSA, initially, and any individual or agency hired to
23 manage the day-to-day operations of the Business Improve-
24 ment Area program on all matters related to the operation
25 of the Business Improvement Area program. Specifically,
26 the Ratepayers Board will meet regularly; approve an
27 annual work program and budget; address and discuss rate-
28 payer concerns and questions regarding the BIA district
29 and program; review all reports submitted to the Finance
30 Department (~~(of Licenses and Consumer Affairs)~~) by the
31 program management; and sponsor an annual ratepayers
32 meeting.

33 Section 10. Administration. The Finance Director

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- 1 (~~of Licenses and Consumer Affairs~~) shall administer the
2 program for the City with authority to:
- 3 (a) Classify ratepayers within the types of use under
4 Section 3; and resolve ambiguities in the applica-
5 tion of rates.
- 6 (b) Collect the special assessments; refund special
7 assessments when overpaid or paid for the same area
8 by more than one ratepayer; and extend the deadline
9 for payment and/or waive delinquency charges and
10 interest whenever the delinquency is a result of a
11 failure by the City to provide a statement of the
12 amount due or non-payment results from extenuating
13 circumstances beyond the ratepayer's control, such
14 as a casualty loss causing premature closure of the
15 business or bankruptcy.
- 16 (c) Calculate and collect the interest rate for late
17 payments contemplated by Section 12.
- 18 (d) Establish a schedule of proportionate payments for
19 new ratepayers first becoming subject to the assess-
20 ment.
- 21 (e) Subject to advice and direction of the Ratepayers
22 Advisory Board, execute an annual program management
23 contract with the Downtown Seattle Association or
24 suitable substitute program management.
- 25 (f) After consultation and with the advice of the BIA
26 Ratepayers Board, take such other action as neces-
27 sary and appropriate to carry out the program with
28 special assessments; and
- 29 (g) Under the City Administrative Code (SMC Chapter
30 ((3-01)) 3.02) adopt, publish, and enforce rules,
31 consistent with this ordinance, for carrying out its
32 provisions.
- 33 Section 15. Notices. Notices of assessment,

1 installment payment, or delinquency, and all other notices
2 contemplated by this ordinance may be sent by ordinary
3 mail or delivered by the City to the address shown on the
4 records of the Finance Director (~~(of Licenses and Consumer~~
5 ~~Affairs)~~), and, if no address is shown there, to the
6 address shown on the records of the City maintained for
7 business or utility tax purposes under the Seattle
8 Municipal Code Chapters 5.44 and 5.48. Failure of the
9 ratepayer to receive any mailed notice shall not release
10 the ratepayer from the duty to pay the assessment, or
11 except as authorized by Section 10(b), from payment on the
12 due date and any delinquency charges.

13 Section 141. Denny Regrade Business Improvement Area.

14 Sections 10, 11, 12, 17, and 19 of Ordinance 116814 are amended as
15 follows:

16 Section 10. Expenditures. Expenditures from the
17 Account shall be made upon vouchers drawn upon by the
18 Finance Director (~~(of Licenses and Consumer Affairs)~~) and
19 shall be used exclusively for the statutory purposes each
20 as more fully defined in Section 1 and the petition to
21 establish the area (C.F. 299540).

22 Section 11. Ratepayers Advisory Group. The Denny
23 Regrade Business Association, subject to approval of the
24 Director of Licenses and Consumer Affairs shall appoint an
25 interim Denny Regrade Business Improvement Area Ratepayers
26 Board comprised of ratepayers from the Area. Within
27 approximately 60 days of City Council approval of the
28 establishment of the Denny Regrade BIA, the interim
29 Ratepayers Advisory Board will recommend and the Depart-
30 ment of Licenses and Consumer Affairs will implement
31 procedures to establish a permanent Ratepayers Board.
32 Procedures shall be designed to insure inclusion of
33 members representative of the entire area of the District

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1 and representative of the classifications subject to
2 assessment as defined in Section 1.

3 The interim Ratepayers Advisory Board shall also
4 develop and promulgate bylaws or rules to guide the
5 operation of the Ratepayers Board. The Ratepayers
6 Advisory Board shall consist of direct ratepayers (owners)
7 or indirect ratepayers (tenants), or their representa-
8 tives. The number of indirect ratepayers shall not exceed
9 15 per cent (15%) of the total number of members of the
10 Ratepayers Board.

11 The Finance Director (~~((of Licenses and Consumer~~
12 ~~Affairs))~~) may appoint additional members to the Ratepayer
13 Board to ensure that a broad representation of ratepayers
14 is provided. The members so appointed shall not exceed
15 one-third (1/3) of the entire membership of the Board.

16 The Ratepayers Board will take office on approxi-
17 mately December 31, 1993.

18 The Ratepayers Advisory Board shall be responsible
19 for providing advice and consultation to the Finance
20 Department (~~((of Licenses and Consumer Affairs))~~) initially,
21 and any individual or agency hired to manage the day-to-
22 day operations of the Business Improvement Area program on
23 all matters related to the operation of the Business
24 Improvement Area program.

25 The Ratepayers Board will meet regularly; approve an
26 annual work program and budget; address and discuss
27 ratepayer concerns and questions regarding the BIA
28 district and program; review all reports submitted to the
29 Finance Department (~~((of Licenses and Consumer Affairs))~~) by
30 the program management; and sponsor an annual ratepayers
31 meeting.

32 Section 12. Administration. The Finance Director
33 (~~((of Licenses and Consumer Affairs))~~) shall administer the

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program for the City with authority to:

(a) Classify ratepayers within the types of use under Section 3; and resolve ambiguities in the application of rates.

(b) Remit funds to the Denny Regrade BIA under the terms of a contractual arrangement, as provided in RCW 35.87A.060.

(c) Collect the special assessments; refund special assessments when overpaid or paid for the same area by more than one ratepayer; and extend the deadline for payment and/or waive delinquency charges and interest whenever the delinquency is a result of a failure by the City to provide a statement of the amount due or non-payment results from extenuating circumstances beyond the ratepayer's control, such as a casualty loss causing premature closure of the business or bankruptcy.

(d) Calculate and collect the interest rate for late payments contemplated by Section 14.

(e) Establish a schedule of proportionate payments for new ratepayers first becoming subject to the assessment.

(f) Subject to advice and direction of the Ratepayers Advisory Board, execute an annual program management contract with a Program Manager, to be hired by the Ratepayers Advisory Board.

(g) After consultation and with the advice of the BIA Ratepayers Board, take such other action as necessary and appropriate to carry out the program with special assessments;

(h) Provide rebates as contemplated by Section 7 for security programs within a subdistrict; and

(i) Under the City Administrative Code (SMC Chapter ((3-04)) 3.02) to adopt, publish, and enforce rules,

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1 consistent with this ordinance, for carrying out its
2 provisions.

3 Section 17. Notices. Notices of assessment,
4 installment payment, or delinquency, and all other notices
5 contemplated by this ordinance may be sent by ordinary
6 mail or delivered by the City to the address shown on the
7 records of the Finance Director (~~of Licenses and Consumer~~
8 ~~Affairs~~), and, if no address is shown there, to the
9 address shown on the records of the City maintained for
10 business or utility tax purposes under the Seattle Municipi-
11 pal Code Chapters 5.44 and 5.48. Failure of the ratepayer
12 to receive any mailed notice shall not release the rate-
13 payer from the duty to pay the assessment, or except as
14 authorized by Section 10(b), from payment on the due date
15 and any delinquency charges.

16 Section 19. Interim Appropriation. To provide for
17 start-up costs as recommended by the Mayor and the
18 Director, the sum of Thirty Thousand Dollars (\$30,000), or
19 so much thereof as may be necessary is hereby appropriated
20 from the General Fund, to be reimbursed unless the City's
21 1993 Budget provides otherwise from the Business Improve-
22 ment Area Fund with revenues from special assessments no
23 later than December 31, 1994. (~~Upon vouchers drawn by~~
24 ~~the Director of Licenses and Consumer Affairs, the City~~
25 ~~Comptroller~~) The Finance Director is authorized to draw
26 and (~~the City Treasurer~~) to pay the necessary warrants,
27 and to make the appropriate transfers.

28 REPEALER

29 Section 142. Repealer. Seattle Municipal Code Sections
30 3.24.010, 3.24.020, 3.24.030, and 5.78.050, and Subsection Q of
31 Section 4.13.010 are hereby repealed.

32 GENERAL PROVISIONS

33 Section 143. Administrative decisions. The Finance Director

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1 shall have the power to make all administrative decisions necessary
2 to carry out the intent of this ordinance.

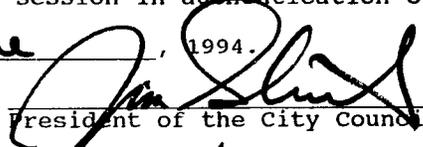
3 Section 144. Publication. The City Clerk shall publish in the
4 City's official newspaper the title and the first six (6) sections
5 of this ordinance, a numerical tabulation by Code number of the
6 Seattle Municipal Code sections that are amended under the caption
7 "Amendments to Code Sections," and a listing of the Seattle
8 Municipal Code sections repealed under the caption "Repealer" as the
9 summary of this ordinance, and state that the entire text may be
10 examined at the offices of the City Clerk, 1st floor, Seattle
11 Municipal Building, 600 - 4th Avenue, Seattle, Washington, 98104, or
12 will be mailed upon request.

13 Section 145. Severability. The several provisions of this
14 ordinance are declared to be separate and severable and the in-
15 validity of any clause, sentence, paragraph, subdivision, section,
16 or portion of this ordinance, or the invalidity of the application
17 thereof to any person or circumstance, shall not affect the validity
18 of the remainder of this ordinance or the validity of its applica-
19 tion to other persons or circumstances.

20 Section 146. Ratification. Any act consistent with the
21 authority and prior to the effective date of this Ordinance is
22 hereby ratified and confirmed.

23 Section 147. This ordinance shall take effect and be in force
24 thirty days from and after its passage and approval, if approved by
25 the Mayor; otherwise it shall take effect at the time it shall
26 become a law under the provisions of the City Charter.

27 Passed by the City Council the 6 day of June, 1994,
28 and signed by me in open session in authentication of its passage
29 this 6 day of June, 1994.

30 
President of the City Council

31 Approved by me this 9 day of June, 1994.

32 
33 Norman B. Rice, Mayor

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Filed by me this 9 day of June, 1994.

Margaret Carter
Deputy Clerk

(SEAL)

Published _____

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1 shall at the time the return is required to be filed, under this
2 chapter be paid to the City Finance Director by bank draft, certi-
3 fied check, cashier's check, personal check or money order, or in
4 cash. If payment is made by draft or check, the tax or fee shall
5 not be deemed paid unless the check or draft is honored in the usual
6 course of business; nor shall the acceptance of any sum by the
7 Finance Director be an acquittance or discharge of the tax or fee
8 due unless the amount of the payment is in the full and actual
9 amount due. ~~((The return shall first be presented to the City
10 Finance Director, who shall endorse thereon the date and amount of
11 the payment received by him or her and return the same to the
12 taxpayer, who shall thereupon forthwith file the return with the
13 Director of Licenses and Consumer Affairs.~~

14 B-)) The Director of Licenses and Consumer Affairs is
15 authorized, but not required to mail to taxpayers forms for
16 applications for license and forms for returns, but failure of the
17 taxpayer to receive any such forms shall not excuse the taxpayer
18 from making application for and securing the license required,
19 making returns, and payment of the license fee or tax, when and as
20 due under this chapter.

21 Section 33. Seattle Municipal Code Section 5.44.160 (Ordinance
22 72630, Section 15, as last amended by Ordinance 102623, Section 8)
23 is further amended as follows:

24 **5.44.160 Books and records to be kept five years.**

25 A. It shall be the duty of every person liable for the pay-
26 ment of any fee or tax imposed by this chapter to keep and preserve
27 for the period of five (5) years such books and records as will
28 accurately reflect the amount of his gross income, gross proceeds of
29 sale or value of products, as the case may be, and from which can be
30 determined the amount of any fee or tax or which he may be liable
31 under the provisions of this chapter; and all such books and
32 records, and also invoices, inventories and stocks of goods, wares
33 and merchandise shall be open for examination at all reasonable

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Office of the Mayor
City of Seattle

Norman B. Rice, Mayor



June 1, 1994

The Seattle City Council, Jim Street, Chair
Tom Weeks, Finance, Budget, Management and Personnel Committee Chair
Via Diana Gale, Budget Director
City of Seattle

Dear Council Members:

Attached is a proposed Ordinance authorizing the merger of the Department of Finance (DOF) and the Department of Licenses and Consumer Affairs (DLCA). As you know, over the past several years we have undertaken a number of steps to improve the City's financial management. We started by merging the Offices of Comptroller and Treasurer into a unified Department of Finance, saving the taxpayers over half a million dollars annually. We committed, during that process, to look for further efficiencies in the common work done by the DLCA and the DOF. We found some potential cost savings and service improvements and last fall we asked for your authorization to proceed with a merger of those two agencies. Knowing of the potential, we asked the Council to support us going forward immediately, rather than waiting for the next budget cycle. A shared Executive-Legislative work group was established, and that work group's efforts are reflected in this Ordinance.

I am very pleased with the improvements this merger will offer both internal City customers and our citizens. This merger, when finally completed, will accomplish many beneficial objectives:

- Further streamlining of the City's administrative structure, resulting in annual budgetary savings of over \$250,000;
- Improved customer service through the automation of business license renewal and Business and Occupation Tax payments;
- Consolidation or elimination of duplicative services within the departments, including administrative functions (payroll, accounts payable/receivable processing, budget preparation, personnel administration, etc.), steam and refrigeration equipment operator licensing, cashiering operations and special assessment district administration;
- Restructuring of management and supervisory levels of the former DLCA, including open competition for all management positions;
- Proposed changes to the customer service areas on the first floor of the Municipal Building, which will greatly simplify customer interactions with the City.

Accommodations for people with disabilities provided on request. An equal employment opportunity - affirmative action employer.
1200 Municipal Building, 600 Fourth Avenue, Seattle, Washington 98104-1873 (206) 684-4000 (FAX) 684-5360 (TDD) 684-8118

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As these implementation plans get underway, I believe citizens will see immediate efficiencies and improvement to customer service. I would like to thank the Council for your support of and assistance in this process. We look forward to the continued improvement of the City's financial management and to the spirit of cooperation fostered in both of these merger processes. If you have any questions regarding this Ordinance, please contact Anne Levinson at 684-8852.

Sincerely,


Norman B. Rice, Mayor

pc: City Council Members

Attachment

Eileen - If you like this title, go ahead & introduce it.
I'm sending also to Anthony - if he doesn't like
it, he'll call you to hold things up.

Sandy C
48218

ORDINANCE

AN ORDINANCE abolishing the Department of Licenses and Consumer Affairs and transferring its powers, duties and resources; amending numerous Municipal Code sections in Titles 3, 4, 5, 6, 7, 9, 10, 11, 12A, 15, 21, 22, and 23, recodifying or repealing various sections of the Municipal Code in those Titles, amending Ordinances 115958, 116021, and 116814, and abrogating and creating certain personnel positions in connection therewith, all by a two-thirds vote of the City Council.

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6
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:

Tom Thole

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO:

PRESIDENT'S SIGNATURE

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STATE OF WASHINGTON - KING COUNTY

44685
City of Seattle, City Clerk

-ss.

No. CODE SECTION

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

OT: AMENDMENTS/117169

was published on

06/23/94

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

C. D. Gardner

Subscribed and sworn to before me on

06/23/94

S. Swift

Notary Public for the State of Washington,
residing in Seattle

Affidavit of Publication

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