Ordinance No. 121441

Council Bill No. 114847

The City of Seattle - Legislative Departmen

Council Bill/Ordinance sponsored by:

AN ORDINANCE relating to the assignment or transfer of business licenses and amusement device licenses as provided in Seattle Municipal Code Subsection 5.55.030G.

Committee Action:

pass 3 0 NL, DD, TR 4/6/04

as amended

4-12-04 Passed 9-0

This file is complete and ready for presentation to Full Council. Comm

CF No.

Date Introduced: MAR 2 2 2004	
Date 1st Referred: MAR 2 2 2004	To: (committee) Public Safety, Civil Rights & Arts
Date Re - Referred:	To: (committee)
Date Re - Referred:	To: (committee)
Date of Final Passage: 4-12-04	Full Council Vote: 9-0
Date Presented to Mayor: 4-13-04	Date Approved: 4/20/04
Date Returned to City Clerk: 4/20/04	Date Published: 2pg T.O. ___ F.T. ✓
Date Vetoed by Mayor:	Date Veto Published: DJC 4/27/04
Date Passed Over Veto:	Veto Sustained:

Law Dept. Review | OMP Review | City Clerk Review | C

The City of Seattle - Legislative Department RASMUSSEN

Council Bill/Ordinance sponsored by: LICATA
Councilmember

Committee Action:

pass 3 0 NL, DD, TR 4/6/04 (LA)

as amended

4-12-04 Passed 9-0

This file is complete and ready for presentation to Full Council. Committee: _____ (initial/date)

Law Dept. Review	OMP Review	City Clerk Review	Electronic Copy Loaded	Indexed

Fiscal note attached
Formatted
Full Text Indexed
No attachments
No tables
no revision marks
check Bill B

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

assignment or
amusement
Seattle Municipal

Public Safety, Civil Rights & Arts
2/04
T.O. ___ F.T. ✓
d: DSC 4/27/04

PEB:peb/td
04/06/04
Business License Transfer ORD
(Ver. 2)

ORDINANCE 121441

AN ORDINANCE relating to the assignment or transfer of business licenses and amusement device licenses as provided in Seattle Municipal Code Subsection 5.55.030G.

WHEREAS, the City of Seattle recognizes that committed relationships, whether between members of the same or opposite gender, foster strong families, strong communities and economic stability; and,

WHEREAS, many people who live and work in Seattle have demonstrated their commitment to each other by entering into a marriage with a person of the same gender in another jurisdiction; and

WHEREAS, the City of Seattle has long been a leader in efforts to expand civil rights; and,

WHEREAS, nothing in federal or state constitutional or statutory law prohibits the City of Seattle from establishing nondiscriminatory provisions regarding the assignment or transfer of licenses issued by the City,

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. It is consistent with the language and intent of Seattle Municipal Code Subsection 5.55.030G for the City to provide for the assignment or transfer of business licenses and amusement device licenses without regard to whether the assignee or transferee was married to a person of the same or opposite gender.

Section 2. The Department of Executive Administration shall approve or not approve the assignment or transfer of a business license or amusement device license as provided in SMC 5.55.030G in a manner consistent with Section 1.

Section 3. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

CITY CLERK

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

PEB:peb/td
04/06/04
Business License Transfer ORD
(Ver. 2)

Passed by the City Council the 12th day of April, 2004 and signed by me in open session in authentication of its passage this 12th day of April, 2004.

President of the City Council

Approved by me this 20 day of April, 2004

Gregory J. Nickels, Mayor

Filed by me this 20 day of April, 2004

City Clerk

(Seal)
t

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

GaryKeese/ecs
March 12, 2004
Business License Transfer FISC
Version #:1

Form revised February 12, 2004

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Law	Gary Keese/386-0075	Ellen Schroer/733-9841

Legislation Title:
AN ORDINANCE relating to the assignment or transfer of business licenses and amusement device licenses as provided in Seattle Municipal Code Subsection 5.55.030G.

- **Summary of the Legislation:**

This legislation provides that a business or amusement device license can be assigned or transferred to married persons of the same gender on the same basis that the City authorizes the assignment or transfer of such licenses to married persons of the opposite gender.

- **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):*

In accordance with the Executive Order 02-04, City Recognition of Valid Marriage Licenses, issued March 8, 2004 which directs City Departments to recognize the validity of same-sex marriages. The order allows all City employees who have been married to receive the benefits a straight married couple would get, including the transfer of business and amusement device licenses.

- *Please check one of the following:*

__X__ **This legislation does not have any financial implications.** (*Stop here and delete the remainder of this document prior to saving and printing.)*

____ **This legislation has financial implications.** *(Please complete all relevant sections that follow.)*

ACTING CITY CLERK

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

Gregory J. Nickels
Mayor of Seattle

March 12, 2004

The Honorable Jan Drago
City Hall, 2nd Floor
600 4th Ave
Seattle, WA 98104

Dear Council President Drago:

Our nation was founded on the principle that life, liberty and the pursuit of happiness are unalienable rights guaranteed for all. I am pleased to transmit to the Seattle City Council three Council Bills that confirm Seattle's commitment to provide equal benefits to our married employees and volunteers and equal privileges to our business licensees. Passage of this legislation, along with the Executive Order signed on Monday, marks a step forward in fulfilling our nation's promise. Additional legislation protecting all City residents who are married, regardless of sexual orientation, will be sent to Council separately.

- The first Council Bill confirms that all married City of Seattle employees shall receive equal sick leave, family leave, medical leave and funeral leave benefits, regardless of whether their marriage partner is of the same or opposite gender.

- The second Council Bill confirms that the City will make decisions regarding the assignment or transfer of business licenses and amusement device licenses to a spouse without regard to whether the marital community is comprised of marriage partners of the same or opposite gender.

- The third Council Bill confirms that the City will defend claims against its volunteers and their marital communities on the same terms whether the marital community is comprised of marriage partners of the same or opposite gender.

As I stated on Monday when signing the Executive Order, I firmly believe that treating same sex marriages the same as heterosexual marriages is a matter of fairness. We take an oath to use our public offices to protect the constitutional rights of all Seattle's residents. This marks a great opportunity for the City of Seattle to take a stand in support of civil rights and building strong families in our City.

Sincerely,

GREG NICKELS
Mayor of Seattle

Seattle City Hall, 7th Floor, 600 Fourth Avenue, P.O. Box 94749, Seattle, WA 98124-4749
Tel (206) 684-4000 • TDD (206) 615-0476 • Fax (206) 684-5360 • www.seattle.gov/mayor
An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon request.

ACTING CITY CLERK

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

ACTING CITY CLERK

PEB:peb
03/10/04
Business License Transfer ORD
(Ver. 1)

ORDINANCE _____

AN ORDINANCE relating to the assignment or transfer of business licenses and amusement device licenses as provided in Seattle Municipal Code Subsection 5.55.030G.

WHEREAS, the City of Seattle recognizes that committed relationships, whether between members of the same or opposite gender, foster strong families, strong communities and economic stability; and,

WHEREAS, many people who live and work in Seattle have demonstrated their commitment to each other by entering into a marriage with a person of the same gender in another jurisdiction; and

WHEREAS, the City of Seattle has long been a leader in efforts to expand civil rights; and,

WHEREAS, nothing in federal or state constitutional or statutory law prohibits the City of Seattle from establishing nondiscriminatory provisions regarding the assignment or transfer of licenses issued by the City,

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. It is consistent with the language and intent of Seattle Municipal Code Subsection 5.55.030G for the City to provide for the assignment or transfer of business licenses and amusement device licenses without regard to whether the assignee or transferee was married to a person of the same or opposite gender.

Section 2. The Department of Finance shall approve or not approve the assignment or transfer of a business license or amusement device license as provided in SMC 5.55.030G in a manner consistent with Section 1.

Section 3. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of _____, 20__, and signed by me in open session in authentication of its passage this _____ day of _____, 20__.

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

ACTING CITY CLERK

PEB:peb
03/10/04
Business License Transfer ORD
(Ver. 1)

_____
President _____of the City Council

Approved by me this ____ day of _____, 20__.

_____
Gregory J. Nickels, Mayor

Filed by me this ____ day of _____, 20__.

_____
City Clerk

(Seal)

ACTING CITY CLERK

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

STATE OF WASHINGTON – KING COUNTY

--ss.

171489 No. ORDINANCE IN FULL
CITY OF SEATTLE,CLERKS OFFICE

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

CT:121441 ORD IN FULL

was published on

4/29/2004

Mel Dond

Subscribed and sworn to before me on

4/29/2004 Jennifer Patzer

Notary public for the State of Washington,
residing in Seattle

JENNIFER A. PATZER
COMMISSION EXPIRES
NOTARY
PUBLIC
OCT 2 2007
STATE OF WASHINGTON

Affidavit of Publication

State of Washington, King County

City of Seattle

ORDINANCE 121441

AN ORDINANCE relating to the assignment or transfer of business licenses and amusement device licenses as provided in Seattle Municipal Code Subsection 5.55.030G.

WHEREAS, the City of Seattle recognizes that committed relationships, whether between members of the same or opposite gender, foster strong families, strong communities and economic stability; and,

WHEREAS, many people who live and work in Seattle have demonstrated their commitment to each other by entering into a marriage with a person of the same gender in another jurisdiction; and

WHEREAS, the City of Seattle has long been a leader in efforts to expand civil rights; and,

WHEREAS, nothing in federal or state constitutional or statutory law prohibits the City of Seattle from establishing nondiscriminatory provisions regarding the assignment or transfer of licenses issued by the City,

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. It is consistent with the language and intent of Seattle Municipal Code Subsection 5.55.030G for the City to provide for the assignment or transfer of business licenses and amusement device licenses without regard to whether the assignee or transferee was married to a person of the same or opposite gender.

Section 2. The Department of Executive Administration shall approve or not approve the assignment or transfer of a business license or amusement device license as provided in SMC 5.55.030G in a manner consistent with Section 1.

Section 3. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 12th day of April, 2004, and signed by me in open session in authentication of its passage this 12th day of April, 2004.

Jan Drago

President of the City Council

Approved by me this 20th day of April, 2004.

Gregory J. Nickels, Mayor

Filed by me this 20th day of April, 2004.

(Seal) Judith Pippin, City Clerk

Publication ordered by JUDITH PIPPIN, City Clerk.

Date of publication in the Seattle Daily Journal of Commerce, April 29, 2004.

4/29(171489)

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.