

Ordinance No. 123297

4085

The City of Seattle – Legislative Department

Council Bill No. 116838

Council Bill/Ordinance sponsored by: Samy & Lanna

AN ORDINANCE relating to historic preservation, imposing controls upon the Kobe Bell, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

Committee Action:

Date	Recommendation	Vote
5/12/10	APPROVE	2-0 SC, SB

Related Legislation File: _____

Date Introduced and Referred: 4.12.10	To: (committee): Built Environment
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: 5.10.10	Date Presented to Mayor: 5.11.10
Date Signed by Mayor: May 13, 2010	Date Returned to City Clerk: May 14, 2010
Published by Title Only _____	Date Vetoed by Mayor:
Published in Full Text <input checked="" type="checkbox"/>	
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

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

Full Council Action:

Date	Decision	Vote
5.10.10	Passed	7-0 Excused TB, TR

1 All of Block 43 and all of Block 44, D.T. Denny's Home Addition to North
2 Seattle, as per plat recorded in Volume 3 of Plats, page 115, Records of King
3 County, Washington, and portions of vacated alleys and streets adjoining.
4

5 B. Specific Features and/or Characteristics Designated. Pursuant to SMC
6 25.12.660.A.2, the following specific features and/or characteristics of the Kobe Bell are
7 designated:
8

- 9 1. The bell.
- 10 2. The bell structure.
- 11 3. The granite and concrete base.

12 C. Basis of Designation. The designation was made because the Kobe Bell has
13 significant character, interest or value as a part of the development, heritage or cultural
14 characteristics of the City, state or nation, it has integrity or the ability to convey its significance,
15 and because it satisfies the following from SMC 25.12.350:
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- 17 1. It is the location of, or is associated in a significant way with, an historic event
18 with a significant effect upon the community, City, state or nation (SMC
19 25.12.350.A).
- 20 2. It is associated in a significant way with a significant aspect of the cultural,
21 political, or economic heritage of the community, City, state or nation (SMC
22 25.12.350.C).
- 23 3. It embodies the distinctive visible characteristics of an architectural style, period,
24 or of a method of construction (SMC 25.12.350.D).
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- 1 4. Because of its prominence of spatial location, contrasts of siting, age, or scale, it is
2 an easily identifiable visual feature of its neighborhood or the City and contributes
3 to the distinctive quality or identity of such neighborhood or the City (SMC
4 25.12.350.F).

5 Section 2. CONTROLS: The following controls are hereby imposed on the features and
6 characteristics of the Kobe Bell that were designated by the Board for preservation:
7

8 A. Certificate of Approval Process.

- 9 1. Except as provided in Section 2.A.2 of this ordinance, the owner must obtain a
10 Certificate of Approval issued by the Board pursuant to SMC Chapter 25.12, or
11 the time for denying a Certificate of Approval must have expired, before the
12 owner may make alterations or significant changes to the following specific
13 features or characteristics:
14 a. The bell.
15 b. The bell structure.
16 c. The granite and concrete base.
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18 2. No Certificate of Approval is required for the following: any in-kind maintenance
19 or repairs of the features listed in Section 2.A.1 of this ordinance.
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21 B. City Historic Preservation Officer (CHPO) Approval Process.

- 22 1. The CHPO may review and approve the items listed in Section 2.B.3 of this
23 ordinance according to the following procedure:
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1 a. The owner shall submit to the City Historic Preservation Officer (CHPO) a
2 written request for the alterations, including applicable drawings and/or
3 specifications.

4 b. If the CHPO, upon examination of submitted plans and specifications,
5 determines that the alterations are consistent with the purposes of SMC
6 Chapter 25.12, the alterations shall be approved without further action by the
7 Board.
8

9 c. If the CHPO does not approve the alterations, the owner may submit revised
10 materials to the CHPO, or apply to the Board for a Certificate of Approval
11 under SMC Chapter 25.12, as provided in Section 2.A of this ordinance.
12

13 2. The CHPO shall transmit a written decision on the owner's request to the owner
14 within 14 days of receipt of the request. Failure of the CHPO to approve or
15 disapprove the request shall constitute approval of the request.
16

17 3. CHPO approval for changes or alterations to the designated features or
18 characteristics of the landmark described in Section 1.B of this ordinance, is
19 available for the following: the addition or elimination of duct conduits, HVAC
20 vents, grilles, fire escapes, pipes, and other similar wiring or mechanical elements
21 necessary for the normal operation of the building.
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23 Section 3. INCENTIVES: The following incentives are hereby granted on the features
24 and characteristics of the Kobe Bell that were designated by the Board for preservation:
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1 A. Uses not otherwise permitted in a zone may be authorized in a designated
2 Landmark by means of an administrative conditional use issued pursuant to Seattle Municipal
3 Code Title 23.

4 B. Exceptions to certain requirements of the Seattle Building Code, SMC Chapter
5 22.100, and the Energy Code of the City, SMC Chapter 22.700, may be authorized pursuant to
6 the applicable provisions thereof.

7 C. Special tax valuation for historic preservation may be available under Chapter
8 84.26 RCW upon application and compliance with the requirements of that statute.

9 Section 4. Enforcement of this ordinance and penalties for its violation are as provided in
10 SMC 25.12.910.

11 Section 5. The Kobe Bell is hereby added to the Table of Historical Landmarks contained
12 in SMC Chapter 25.32.

13 Section 6. The City Clerk is directed to record a certified copy of the ordinance with the
14 King County Director of Records and Elections, deliver two certified copies to the City Historic
15 Preservation Officer (CHPO), and deliver one copy to the Director of the Department of Planning
16 and Development. The CHPO is directed to provide a certified copy of the ordinance to the
17 owner of the landmark.
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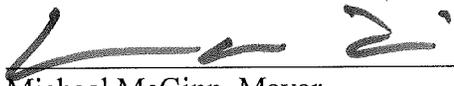


1 Section 7. This ordinance shall take effect and be in force thirty (30) days from and after
2 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
3 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

4 Passed by the City Council the 10th day of May, 2010, and
5 signed by me in open session in authentication of its passage this
6 10th day of May, 2010.

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9
10 
President _____ of the City Council

11 Approved by me this 13th day of May, 2010.

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14 
15 Michael McGinn, Mayor

16 Filed by me this 14th day of May, 2010.

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19 
20 City Clerk

21 (Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Department of Neighborhoods	Elizabeth Chave/206-684-0380	Amy Williams/206-233-2651

Legislation Title:

AN ORDINANCE relating to historic preservation, imposing controls upon the Kobe Bell, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

• **Summary of the Legislation:**

The attached legislation acknowledges the designation of the Kobe Bell as a historic landmark by the Landmarks Preservation Board, imposes controls, grants incentives, and adds the Kobe Bell to the Table of Historical Landmarks contained in SMC Chapter 25.32. The legislation does not have a financial impact.

• **Background:**

The Kobe Bell was built in 1962 and is located in on the Seattle Center campus in the lower Queen Anne neighborhood. A Controls and Incentives Agreement (Agreement) has been signed by the owner and has been approved by the Landmarks Preservation Board. The controls in the Agreement apply to the bell, the bell structure, and the granite and concrete base, but do not apply to the following: and any in-kind maintenance or repairs of the designated features.

• *Please check one of the following:*

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

Attachments:

Exhibit A – Vicinity Map of the Kobe Bell







City of Seattle

Michael McGinn, Mayor

Office of the Mayor

March 30, 2010

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill that designates the Kobe Bell as a historic landmark, imposes controls, grants incentives and adds the Kobe Bell to the Table of Historical Landmarks in the Seattle Municipal Code.

A Controls and Incentives Agreement has been signed by the owner and has been approved by the Landmarks Preservation Board. The agreement includes landmark controls for the bell, the bell structure, and the granite and concrete base. The following are excluded from the controls: any in-kind maintenance or repairs of the designated features.

Thank you for your consideration of this legislation. Should you have questions, please contact Elizabeth Chave, Department of Neighborhoods at 206-684-0380.

Sincerely,

A handwritten signature in black ink, appearing to be "M" followed by a long horizontal line.

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



Return Address:

Seattle City Clerk's Office

600 4th Avenue, Floor 3

P O Box 94728

Seattle, WA 98124 - 4728



20100525001157

SEATTLE CITY C ORD 68.00
PAGE-001 OF 007
05/25/2010 15:29
KING COUNTY, WA

WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

Document Title(s) and corresponding number (or transaction contained therein)

1. Ordinance 123297

2.

Reference Number(s) of Documents assigned or released:

1.

Additional reference #'s on page ____ of document

Grantor(s)

1. City of Seattle

Additional names on page ____ of document.

Grantee(s) (Last name first, then first name and initials)

1. Public

2. Additional names on page ____ of document

Legal description (abbreviated: i.e. lot, block, plat or section, township, range)

Additional reference #'s on page ____ of document

Assessor's Property Tax Parcel/Account Number

Assessor Tax # not yet assigned.

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

I am requesting an emergency nonstandard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document.

Signature of Requesting Party

FILED
CITY OF SEATTLE
CITY CLERK
JUN 22 AM 10:24

ORDINANCE 123297

AN ORDINANCE relating to historic preservation, imposing controls upon the Kobe Bell, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of sites, improvements and objects having historical, cultural, architectural, engineering or geographic significance; and

WHEREAS, the Landmarks Preservation Board (the Board), after a public meeting on July 21, 2004, voted to approve the nomination of the improvement (the structure known as the Kobe Bell) located at 305 Harrison Street in Seattle for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on September 15, 2004, the Board voted to approve the designation of the Kobe Bell under SMC Chapter 25.12; and

WHEREAS, on July 18, 2007, the Board and the owner of the designated landmark agreed to controls and incentives; and

WHEREAS, the Board recommends that the City Council enact a designating ordinance approving the controls and incentives;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. DESIGNATION: Pursuant to SMC 25.12.660, the designation by the Landmarks Preservation Board (the Board) of the improvement (the structure) located at 305 Harrison Street in Seattle, which is referred to as the "Kobe Bell" for the purposes of this ordinance, is hereby acknowledged.

A. Legal Description. The Kobe Bell is located on the property legally described as:



1 All of Block 43 and all of Block 44, D.T. Denny's Home Addition to North
2 Seattle, as per plat recorded in Volume 3 of Plats, page 115, Records of King
3 County, Washington, and portions of vacated alleys and streets adjoining.
4

5 B. Specific Features and/or Characteristics Designated. Pursuant to SMC
6 25.12.660.A.2, the following specific features and/or characteristics of the Kobe Bell are
7 designated:

- 8 1. The bell.
- 9 2. The bell structure.
- 10 3. The granite and concrete base.

11 C. Basis of Designation. The designation was made because the Kobe Bell has
12 significant character, interest or value as a part of the development, heritage or cultural
13 characteristics of the City, state or nation, it has integrity or the ability to convey its significance,
14 and because it satisfies the following from SMC 25.12.350:
15

- 16 1. It is the location of, or is associated in a significant way with, an historic event
17 with a significant effect upon the community, City, state or nation (SMC
18 25.12.350.A).
- 19 2. It is associated in a significant way with a significant aspect of the cultural,
20 political, or economic heritage of the community, City, state or nation (SMC
21 25.12.350.C).
- 22 3. It embodies the distinctive visible characteristics of an architectural style, period,
23 or of a method of construction (SMC 25.12.350.D).
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- 1 4. Because of its prominence of spatial location, contrasts of siting, age, or scale, it is
2 an easily identifiable visual feature of its neighborhood or the City and contributes
3 to the distinctive quality or identity of such neighborhood or the City (SMC
4 25.12.350.F).

5 Section 2. CONTROLS: The following controls are hereby imposed on the features and
6 characteristics of the Kobe Bell that were designated by the Board for preservation:
7

8 A. Certificate of Approval Process.

- 9 1. Except as provided in Section 2.A.2 of this ordinance, the owner must obtain a
10 Certificate of Approval issued by the Board pursuant to SMC Chapter 25.12, or
11 the time for denying a Certificate of Approval must have expired, before the
12 owner may make alterations or significant changes to the following specific
13 features or characteristics:
14 a. The bell.
15 b. The bell structure.
16 c. The granite and concrete base.
17
18 2. No Certificate of Approval is required for the following: any in-kind maintenance
19 or repairs of the features listed in Section 2.A.1 of this ordinance.
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21 B. City Historic Preservation Officer (CHPO) Approval Process.

- 22 1. The CHPO may review and approve the items listed in Section 2.B.3 of this
23 ordinance according to the following procedure:
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- a. The owner shall submit to the City Historic Preservation Officer (CHPO) a written request for the alterations, including applicable drawings and/or specifications.
 - b. If the CHPO, upon examination of submitted plans and specifications, determines that the alterations are consistent with the purposes of SMC Chapter 25.12, the alterations shall be approved without further action by the Board.
 - c. If the CHPO does not approve the alterations, the owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval under SMC Chapter 25.12, as provided in Section 2.A of this ordinance.
2. The CHPO shall transmit a written decision on the owner's request to the owner within 14 days of receipt of the request. Failure of the CHPO to approve or disapprove the request shall constitute approval of the request.
 3. CHPO approval for changes or alterations to the designated features or characteristics of the landmark described in Section 1.B of this ordinance, is available for the following: the addition or elimination of duct conduits, HVAC vents, grilles, fire escapes, pipes, and other similar wiring or mechanical elements necessary for the normal operation of the building.

Section 3. INCENTIVES: The following incentives are hereby granted on the features and characteristics of the Kobe Bell that were designated by the Board for preservation:



1 A. Uses not otherwise permitted in a zone may be authorized in a designated
2 Landmark by means of an administrative conditional use issued pursuant to Seattle Municipal
3 Code Title 23.

4 B. Exceptions to certain requirements of the Seattle Building Code, SMC Chapter
5 22.100, and the Energy Code of the City, SMC Chapter 22.700, may be authorized pursuant to
6 the applicable provisions thereof.

7 C. Special tax valuation for historic preservation may be available under Chapter
8 84.26 RCW upon application and compliance with the requirements of that statute.

9 Section 4. Enforcement of this ordinance and penalties for its violation are as provided in
10 SMC 25.12.910.

11 Section 5. The Kobe Bell is hereby added to the Table of Historical Landmarks contained
12 in SMC Chapter 25.32.

13 Section 6. The City Clerk is directed to record a certified copy of the ordinance with the
14 King County Director of Records and Elections, deliver two certified copies to the City Historic
15 Preservation Officer (CHPO), and deliver one copy to the Director of the Department of Planning
16 and Development. The CHPO is directed to provide a certified copy of the ordinance to the
17 owner of the landmark.
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1 Section 7. This ordinance shall take effect and be in force thirty (30) days from and after
2 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
3 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

4 Passed by the City Council the 10th day of May, 2010, and
5 signed by me in open session in authentication of its passage this
6
7 10th day of May, 2010.

8
9 
10 President _____ of the City Council

11 Approved by me this 13th day of May, 2010.

12
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14 
15 Michael McGinn, Mayor

16 State of Washington, 14th day of May, 2010.
17 County of King

18 I, Sarac Polaty certify that this is a true and correct
19 _____
20 copy of Ordinance No. 123297 City Clerk _____, on file in the records
21 (Seal) _____
22 of the City of Seattle Office of the City Clerk



Signed by: _____
Signature _____
Title: Administrative Specialist
Date: May 19, 2010

STATE OF WASHINGTON – KING COUNTY

--SS.

No.

254998
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.

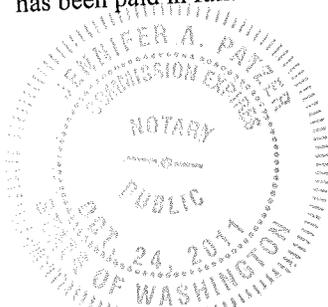
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:123297 ORDINANCE

was published on

05/20/10

The amount of the fee charged for the foregoing publication is the sum of \$ 273.00, which amount has been paid in full.



Affidavit of Publication

[Handwritten signature]

Subscribed and sworn to before me on

05/20/10

[Handwritten signature]

Notary public for the State of Washington,
residing in Seattle

City of Seattle

ORDINANCE 123297

AN ORDINANCE relating to historic preservation, imposing controls upon the Kobe Bell, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

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WHEREAS, after a public meeting on September 15, 2004, the Board voted to

approve the designation of the Kobe Bell under SMC Chapter 25.12; and

WHEREAS, on July 18, 2007, the Board and the owner of the designated landmark agreed to controls and incentives; and

WHEREAS, the Board recommends that the City Council enact a designating ordinance approving the controls and incentives;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. DESIGNATION: Pursuant to SMC 25.12.660, the designation by the Landmarks Preservation Board (the Board) of the improvement (the structure) located at 305 Harrison Street in Seattle, which is referred to as the "Kobe Bell" for the purposes of this ordinance, is hereby acknowledged.

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B. Specific Features and/or Characteristics Designated. Pursuant to SMC 25.12.660.A.2, the following specific features and/or characteristics of the Kobe Bell are designated:

1. The bell.
2. The bell structure.
3. The granite and concrete base.

C. Basis of Designation. The designation was made because the Kobe Bell has significant character, interest or value as a part of the development, heritage or cultural characteristics of the City, state or nation, it has integrity or the ability to convey its significance, and because it satisfies the following from SMC 25.12.350:

1. It is the location of, or is associated in a significant way with, an historic event with a significant effect upon the community, City, state or nation (SMC 25.12.350.A).
2. It is associated in a significant way with a significant aspect of the cultural, political, or economic heritage of the community, City, state or nation (SMC 25.12.350.C).
3. It embodies the distinctive visible characteristics of an architectural style, period, or of a method of construction (SMC 25.12.350.D).
4. Because of its prominence of spatial location, contrasts of siting, age, or scale, it is an easily identifiable visual feature of its neighborhood or the City and contributes to the distinctive quality or identity of such neighborhood or the City (SMC 25.12.350.F).

of Washington, King County

Section 2. CONTROLS: The following controls are hereby imposed on the features and characteristics of the Kobe Bell that were designated by the Board for preservation:

A. Certificate of Approval Process.

1. Except as provided in Section 2.A.2 of this ordinance, the owner must obtain a Certificate of Approval issued by the Board pursuant to SMC Chapter 25.12, or the time for denying a Certificate of Approval must have expired, before the owner may make alterations or significant changes to the following specific features or characteristics:

- a. The bell.
- b. The bell structure.
- c. The granite and concrete base.

No Certificate of Approval is required for the following: any in-kind maintenance or repairs of the features listed in Section 2.A.1 of this ordinance.

B. City Historic Preservation Officer (CHPO) Approval Process.

1. The CHPO may review and approve the items listed in Section 2.B.3 of this ordinance according to the following procedure:

a. The owner shall submit to the City Historic Preservation Officer (CHPO) a written request for the alterations, including applicable drawings and/or specifications.

b. If the CHPO, upon examination of submitted plans and specifications, determines that the alterations are consistent with the purposes of SMC Chapter 25.12, the alterations shall be approved without further action by the Board.

c. If the CHPO does not approve the alterations, the owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval under SMC Chapter 25.12, as provided in Section 2.A of this ordinance.

2. The CHPO shall transmit a written decision on the owner's request to the owner within 14 days of receipt of the request. Failure of the CHPO to approve or disapprove the request shall constitute approval of the request.

3. CHPO approval for changes or alterations to the designated features or characteristics of the landmark described in Section 1.B of this ordinance, is available for the following: the addition or elimination of duct conduits, HVAC vents, grilles, fire escapes, pipes, and other similar wiring or mechanical elements necessary for the normal operation of the building.

Section 3. INCENTIVES: The following incentives are hereby granted on the features and characteristics of the Kobe Bell that were designated by the Board for preservation:

A. Uses not otherwise permitted in a zone may be authorized in a designated Landmark by means of an administrative conditional use issued pursuant to Seattle Municipal Code Title 23.

B. Exceptions to certain requirements of the Seattle Building Code, SMC Chapter 22.100, and the Energy Code of the City, SMC Chapter 22.700, may be authorized pursuant to the applicable provisions thereof.

C. Special tax valuation for historic preservation may be available under Chapter 84.26 RCW upon application and compliance with the requirements of that statute.

Section 4. Enforcement of this ordinance and penalties for its violation are as provided in SMC 25.12.910.

Section 5. The Kobe Bell is hereby added to the Table of Historical Landmarks contained in SMC Chapter 25.32.

Section 6. The City Clerk is directed to record a certified copy of the ordinance with the King County Director of Records and Elections, deliver two certified copies to the City Historic Preservation Officer (CHPO), and deliver one copy to the Director of the Department of Planning and Development. The CHPO is directed to provide a certified copy of the ordinance to the owner of the landmark.

Section 7. 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 10th day of May, 2010, and signed by me in open session in authentication of its passage this 10th day of May, 2010.

Richard Conlin

President of the City Council

Approved by me this 13th day of May, 2010.

Michael McGinn, Mayor

Filed by me this 14th day of May, 2010.

Publication ordered by the City Clerk
Date of publication in the Seattle Daily Journal of Commerce, May 20, 2010.

5/20(254998)