

Ordinance No. 124313

Council Bill No. 117900

AN ORDINANCE relating to Seattle Public Utilities; prohibiting certain recyclable materials from disposal in commercial garbage; and amending subsections A and B of Section 21.36.082 of the Seattle Municipal Code.

Related Legislation File: _____

Date Introduced and Referred: <u>9.9.13</u>	To: (committee): <u>Libraries, Utilities and Center</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: 9/10/13 <u>9/30/13</u>	Date Presented to Mayor: <u>10/1/13</u>
Date Signed by Mayor: <u>10.8.13</u>	Date Returned to City Clerk: <u>10.8.13</u>
Published by Title Only <input checked="" type="checkbox"/>	Date Vetoed by Mayor:
Published in Full Text _____	
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: *[Signature]*

Committee Action:

Date	Recommendation	Vote
<u>Sept. 17, 2013</u>	<u>Pass as Amended</u>	<u>2 (Godden, Bagshaw) - 0</u>

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

Full Council Action:

Date	Decision	Vote
<u>Sept. 30, 2013</u>	<u>Passed</u>	<u>9-0</u>

CITY OF SEATTLE

ORDINANCE 124313

COUNCIL BILL 117906

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4 AN ORDINANCE relating to Seattle Public Utilities; prohibiting certain recyclable materials
5 from disposal in commercial garbage; and amending subsections A and B of Section
6 21.36.082 of the Seattle Municipal Code.

7 WHEREAS, the City of Seattle began curbside recycling in 1987 and adopted a recycling goal of
8 60% in 1989; and

9 WHEREAS, 2013 marks the 25th anniversary of curbside recycling in the City of Seattle; and

10 WHEREAS, the City of Seattle did not build a third transfer station and instead developed a Zero
11 Waste Strategy to dramatically reduce waste and increase recycling; and

12 WHEREAS, the City's recycling goal has not yet been achieved, reaching 55.7% of the total
13 municipal waste stream in 2012; and

14 WHEREAS, Seattle Public Utilities (SPU) offers convenient recycling services and conducts
15 educational programs to encourage customers to recycle voluntarily; and

16 WHEREAS, to help achieve the recycling goal, SPU residential customers have been prohibited
17 since 2005 from disposing in the garbage recyclable paper, cardboard, glass and plastic
18 bottles and jars, and aluminum and tin cans; and

19 WHEREAS, SPU's commercial customers continue to discard as garbage significant quantities
20 of recyclable glass bottles and jars, plastic cups, bottles and jars, and aluminum and tin
21 cans; and

22 WHEREAS, by 2015, a ban on disposal of commercial recyclables as garbage is expected to
23 increase Seattle's recycling rate by 0.3% and reduce recyclables that go to the landfill by
24 1,655 tons, or 58 shipping containers per year, and by 2019 this will increase Seattle's
25 recycling rate by 1.1% and reduce recyclables that go to the landfill by 5,938 tons, or 207
26 shipping containers per year; and

WHEREAS, the Seattle City Council expects SPU to implement an educational outreach effort
to businesses for at least one year leading up to enforcement of the new requirement; and



1 WHEREAS, this outreach will include information about how businesses might achieve cost
2 savings by expanding recycling and reducing the size of garbage receptacles; and

3 WHEREAS, to further promote recycling and establish more consistent requirements among
4 household and commercial customers, the City has decided to prohibit commercial
5 customers from disposing as garbage recyclable glass bottles and jars, plastic cups,
6 bottles and jars, and aluminum or tin cans; NOW, THEREFORE,

7 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

8 **Section 1.** Subsections A and B of Section 21.36.082 of the Seattle Municipal Code,
9 which was enacted by Ordinance 121372, are amended as follows:

10 21.36.082 Commercial Recycling Required.

11 A. Required Recycling ((Required)) of Paper, Cardboard and Yard Waste.

12 1. As of January 1, 2005, all commercial establishments, including those entities
13 authorized to haul their own waste pursuant to ((SMC))Section 21.36.060, shall
14 separate paper (including paper cups), cardboard and yard waste for recycling, and no
15 paper, cardboard or yard waste shall be deposited in garbage cans, detachable
16 containers, or drop boxes or ((in the)) disposed as garbage ((disposal pit)) at the City's
17 Recycling and Disposal Stations after that date.

18 2. ~~((B-))~~ Enforcement.

19 1. ~~As of March 31, 2004, the Director of Seattle Public Utilities shall begin a program of~~
20 ~~educational outreach regarding these new recycling requirements.~~

21 2. ~~As of January 1, 2005, the Director of Seattle Public Utilities shall establish a program~~
22 ~~of placing educational notice tags on garbage cans, detachable containers and drop~~
23 ~~boxes with significant amounts of paper, cardboard or yard waste.~~



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Legislative	Meg Moorehead 4-8929	

Legislation Title:

AN ORDINANCE relating to Seattle Public Utilities; prohibiting certain recyclable materials from disposal in commercial garbage; and amending the Seattle Municipal Code 21.36.082.

Summary of the Legislation:

Starting June 1, 2014, this ordinance would prohibit businesses from disposing as garbage recyclable glass bottles and jars, plastic cups, bottles and jars, and aluminum and tin cans. Six months of educational outreach to businesses would precede implementation of the new requirement and education would be used to achieve compliance during the first year. The ordinance also clarifies that the existing prohibition on disposal of paper as garbage includes paper cups.

Background:

Each year, businesses in Seattle discard as garbage over 15,000 tons each year of recyclable glass bottles and jars, plastic cups, bottles and jars, and aluminum and tin cans. The recently updated Seattle Solid Waste Comprehensive Plan recommends that practice be prohibited to help meet Seattle's recycling goals of 60% by 2015 and 70% by 2024. By 2015, the prohibition is expected to divert 1,655 tons from the landfill and increase the recycling rate by 0.3 % compared to 2012. By 2019, tons diverted are expected to increase to 5,938 tons, adding 1.1% to the 2012 recycling rate. The prohibition also will make commercial recycling requirements more consistent with requirements for households.

 This legislation does not have any financial implications.

 X This legislation has financial implications.

Appropriations:

Fund Name and Number	Department	Budget Control Level*	2013 Appropriation	2014 Anticipated Appropriation
TOTAL				

**See budget book to obtain the appropriate Budget Control Level for your department.*

Appropriations Notes:



No additional appropriation is needed for 2013 or 2014. Resources in the endorsed 2014 Solid Waste Fund budget would be reallocated from lower priority activities to increase business outreach for this new requirement.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Department	Revenue Source	2013 Revenue	2014 Revenue
TOTAL				

Revenue/Reimbursement Notes:

No new revenues are needed.

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact:

Position Title and Department	Position # for Existing Positions	Fund Name & #	PT/FT	2013 Positions	2013 FTE	2014 Positions*	2014 FTE*
TOTAL							

* 2014 positions and FTE are total 2014 position changes resulting from this legislation, not incremental changes. Therefore, under 2014, please be sure to include any continuing positions from 2013.

Position Notes:

No new positions are needed. Seattle Public Utilities would reallocate funds in the endorsed 2014 budget to expand commercial outreach efforts performed by a contractor.

Do positions sunset in the future?

N/A

Other Implications:

a) Does the legislation have indirect financial implications, or long-term implications?

The legislation would have implications for businesses that will be required to follow the new requirements. While additional space, solid waste service changes, and education of business employees and customers may be required, businesses could save money by diverting more recyclable materials from the garbage. For example, a small restaurant that currently has a 95-gallon garbage cart picked up twice a week and a 95-gallon recycling cart picked up every 2 weeks might decrease their monthly solid waste bill by about 30% by recycling the additional materials.



- b) What is the financial cost of not implementing the legislation?**
Tons of recyclables from businesses would be not be recycled and instead be sent to the landfill, at greater cost to the City.
- c) Does this legislation affect any departments besides the originating department?**
No
- d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?**
No
- e) Is a public hearing required for this legislation?**
No
- f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No
- g) Does this legislation affect a piece of property?**
No
- h) Other Issues:**

List attachments to the fiscal note below:

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL 117906

AN ORDINANCE relating to Seattle Public Utilities; prohibiting certain recyclable materials from disposal in commercial garbage; and amending subsections A and B of Section 21.36.082 of the Seattle Municipal Code.

WHEREAS, the City of Seattle began curbside recycling in 1987 and adopted a recycling goal of 60% in 1989; and

WHEREAS, 2013 marks the 25th anniversary of curbside recycling in the City of Seattle; and

WHEREAS, the City of Seattle did not build a third transfer station and instead developed a Zero Waste Strategy to dramatically reduce waste and increase recycling; and

WHEREAS, the City's recycling goal has not yet been achieved, reaching 55.7% of the total municipal waste stream in 2012; and

WHEREAS, Seattle Public Utilities (SPU) offers convenient recycling services and conducts educational programs to encourage customers to recycle voluntarily; and

WHEREAS, to help achieve the recycling goal, SPU residential customers have been prohibited since 2005 from disposing in the garbage recyclable paper, cardboard, glass and plastic bottles and jars, and aluminum and tin cans; and

WHEREAS, SPU's commercial customers continue to discard as garbage significant quantities of recyclable glass and plastic bottles and jars, and aluminum and tin cans; and

WHEREAS, by 2015, a ban on disposal of commercial recyclables as garbage is expected to increase Seattle's recycling rate by 0.3% and reduce recyclables that go to the landfill by 1,655 tons, or 58 shipping containers per year, and by 2019 this will increase Seattle's recycling rate by 1.1% and reduce recyclables that go to the landfill by 5,938 tons, or 207 shipping containers per year; and

THIS VERSION IS NOT ADOPTED



1 WHEREAS, the Seattle City Council expects SPU to implement an educational outreach effort
to businesses for at least one year leading up to enforcement of the new requirement; and

2 WHEREAS, this outreach will include information about how businesses might achieve cost
3 savings by expanding recycling and reducing the size of garbage receptacles; and

4 WHEREAS, to further promote recycling and establish more consistent requirements among
5 household and commercial customers, the City has decided to prohibit commercial
6 customers from disposing as garbage recyclable glass or plastic bottles and jars, and
aluminum or tin cans; NOW, THEREFORE,

7 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

8 **Section 1.** Subsections A and B of Section 21.36.082 of the Seattle Municipal Code,
9 which was enacted by Ordinance 121372, are amended as follows:

10 21.36.082 Commercial Recycling Required.

11 A. Required Recycling ((Required)) of Paper, Cardboard and Yard Waste.

12 1. As of January 1, 2005, all commercial establishments, including those entities
13 authorized to haul their own waste pursuant to ~~((SMC))~~ Section 21.36.060, shall
14 separate paper, cardboard and yard waste for recycling, and no paper, cardboard or yard
15 waste shall be deposited in garbage cans, detachable containers, or drop boxes or ~~((in~~
16 ~~the))~~ disposed as garbage ((disposal pit)) at the City's Recycling and Disposal Stations
17 after that date.

18 2. ~~((B-))~~ Enforcement.

19 1. ~~As of March 31, 2004, the Director of Seattle Public Utilities shall begin a program of~~
20 ~~educational outreach regarding these new recycling requirements.~~

1 2. ~~As of January 1, 2005, the Director of Seattle Public Utilities shall establish a program~~
2 of placing educational notice tags on garbage cans, detachable containers and drop
3 boxes with significant amounts of paper, cardboard or yard waste.

4 3.))As of January 1, 2006, civil infractions shall apply to any violation of this subsection
5 pursuant to ((SMC))Section 21.36.922.

6 B. Required Recycling of Glass, Plastic, Aluminum and Tin.

7 1. As of July 1, 2014, all commercial establishments, including those entities authorized
8 to haul their own waste pursuant to Section 21.36.060, shall separate glass and plastic
9 bottles and jars, and aluminum and tin cans for recycling, and no glass or plastic bottles
10 and jars, nor aluminum or tin cans shall be deposited in garbage cans, detachable
11 containers, drop boxes or disposed as garbage at the City's Recycling and Disposal
12 Stations after that date.

13 2. Enforcement.

14 a. As of January 1, 2014, the Director of Seattle Public Utilities shall begin a program
15 of educational outreach regarding these new recycling requirements and shall report
16 to Council by June 1, 2014 on the outreach efforts, implementation readiness and
17 status of markets for recyclable materials.

18 b. As of July 1, 2014, the Director of Seattle Public Utilities shall monitor commercial
19 containers and provide educational notices or tags for commercial garbage cans,
20 detachable containers and drop boxes with significant amounts of glass or plastic
21 bottles and jars, and aluminum or tin cans.

THIS VERSION IS NOT ADOPTED



c. As of July 1, 2015, civil infractions shall apply to any violation of this subsection pursuant to Section 21.36.922.

* * *

Section 2. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of _____, 2013, and signed by me in open session in authentication of its passage this ____ day of _____, 2013.

President _____ of the City Council

Approved by me this ____ day of _____, 2013.

Michael McGinn, Mayor

Filed by me this ____ day of _____, 2013.

Monica Martinez Simmons, City Clerk

THIS VERSION IS NOT ADOPTED



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Meg Moorehead
LEG Commercial Recyclables ORD
August 28, 2013
Version #1

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Form Last Revised: January 16, 2013

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THIS VERSION IS NOT ADOPTED



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Legislative	Meg Moorehead 4-8929	

Legislation Title:

AN ORDINANCE relating to Seattle Public Utilities; prohibiting certain recyclable materials from disposal in commercial garbage; and amending the Seattle Municipal Code 21.36.082.

Summary of the Legislation:

Starting June 1, 2014, this ordinance would prohibit businesses from disposing as garbage recyclable glass and plastic bottles and jars, and aluminum and tin cans. Six months of educational outreach to businesses would precede implementation of the new requirement and education would be used to achieve compliance during the first year.

Background:

Each year, businesses in Seattle discard as garbage over 15,000 tons each year of recyclable plastic and glass bottles and jars, and aluminum and tin cans. The recently updated Seattle Solid Waste Comprehensive Plan recommends that practice be prohibited to help meet Seattle's recycling goals of 60% by 2015 and 70% by 2024. By 2015, the prohibition is expected to divert 1,655 tons from the landfill and increase the recycling rate by 0.3 % compared to 2012. By 2019, tons diverted are expected to increase to 5,938 tons, adding 1.1% to the 2012 recycling rate. The prohibition also will make commercial recycling requirements more consistent with requirements for households.

This legislation does not have any financial implications.

This legislation has financial implications.

Appropriations:

Fund Name and Number	Department	Budget Control Level*	2013 Appropriation	2014 Anticipated Appropriation
TOTAL				

*See budget book to obtain the appropriate Budget Control Level for your department.

Appropriations Notes:

No additional appropriation is needed for 2013 or 2014. Resources in the endorsed 2014 Solid Waste Fund budget would be reallocated from lower priority activities to increase business

THIS VERSION IS NOT APPROVED



outreach for this new requirement.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Department	Revenue Source	2013 Revenue	2014 Revenue
TOTAL				

Revenue/Reimbursement Notes:

No new revenues are needed.

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact:

Position Title and Department	Position # for Existing Positions	Fund Name & #	PT/FT	2013 Positions	2013 FTE	2014 Positions*	2014 FTE*
TOTAL							

* 2014 positions and FTE are total 2014 position changes resulting from this legislation, not incremental changes. Therefore, under 2014, please be sure to include any continuing positions from 2013.

Position Notes:

No new positions are needed. Seattle Public Utilities would reallocate funds in the endorsed 2014 budget to expand commercial outreach efforts performed by a contractor.

Do positions sunset in the future?

N/A

Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**
 The legislation would have implications for businesses that will be required to follow the new requirements. While additional space, solid waste service changes, and education of business employees and customers may be required, businesses could save money by diverting more recyclable materials from the garbage. For example, a small restaurant that currently has a 95-gallon garbage cart picked up twice a week and a 95-gallon recycling cart picked up every 2 weeks might decrease their monthly solid waste bill by about 30% by recycling the additional materials.
- b) **What is the financial cost of not implementing the legislation?**

THIS VERSION IS NOT ADOPTED



Tons of recyclables from businesses would be not be recycled and instead be sent to the landfill, at greater cost to the City.

c) **Does this legislation affect any departments besides the originating department?**

No

d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**

No

e) **Is a public hearing required for this legislation?**

No

f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

No

g) **Does this legislation affect a piece of property?**

No

h) **Other Issues:**

List attachments to the fiscal note below:

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STATE OF WASHINGTON -- KING COUNTY

--SS.

303586

No.

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.

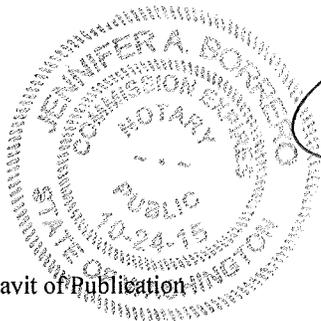
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:124304-320 TITLE ONLY

was published on

10/17/13

The amount of the fee charged for the foregoing publication is the sum of \$272.25 which amount has been paid in full.



Affidavit of Publication

[Signature]
Subscribed and sworn to before me on

[Signature]
10/17/2013

[Signature]
Notary public for the State of Washington,
residing in Seattle

City of Seattle

The full text of the following legislation, passed by the City Council on September 30, 2013, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>. Contact: Office of the City Clerk at (206) 684-8344.

ORDINANCE NO. 124304

AN ORDINANCE repealing Chapter 6.255, relating to the distribution of yellow pages phone books, and amending Section 6.202.280 of the Seattle Municipal Code.

ORDINANCE NO. 124305

AN ORDINANCE relating to land use and zoning; amending Sections 23.49.178 and 23.66.140 of the Seattle Municipal Code to allow development in Pioneer Square meeting certain requirements to attain a maximum height of 130 feet if a freestanding manufactured public restroom structure is acquired and installed and amending provisions for green building performance and rooftop features.

ORDINANCE NO. 124306

AN ORDINANCE establishing a five-year SoDo (South of Downtown) Parking and Business Improvement Area; levying special assessments upon owners of property within the area; providing for the deposit of revenues in a special account and expenditures therefrom; providing for collection of and penalties for delinquencies; providing for the establishment of a Ratepayers Advisory Board; providing for an implementation agreement with a Program Manager; and ratifying and confirming certain acts related thereto.

ORDINANCE NO. 124307

AN ORDINANCE relating to land use and zoning, amending Section 23.45.516 of the Seattle Municipal Code to modify the criteria for lots eligible for additional height in Midrise zones.

ORDINANCE NO. 124308

AN ORDINANCE relating to City real property; authorizing the transfer of jurisdiction of certain property in Block 1, Wenzel Addition to the City of Seattle, commonly referred to as 1125 North 98th Street, from the Department of Information Technology to the City Light Department for electric system purposes; and authorizing the payment of true and full value by the City Light Department to the Department of Information Technology for this transfer.

ORDINANCE NO. 124309

AN ORDINANCE related to the 2013 Budget; amending Ordinance 124058, which adopted the 2013 Budget, including the 2013-2018 Capital Improvement Program (CIP); changing appropriations to various departments and budget control levels, and from various funds in the Budget; adding new projects; revising project allocations for certain projects in the 2013-2018 CIP; creating positions; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

State of Washington, King County

ORDINANCE NO. 124310

AN ORDINANCE authorizing, in 2013, acceptance of funding from non-City sources; authorizing the heads of the Executive Department, Seattle Police Department, Human Services Department, Department of Planning and Development, Department of Parks and Recreation, Department of Finance and Administrative Services, Department of Transportation, Seattle City Light, and Seattle Public Utilities to accept specified grants and private funding and to execute, deliver, and perform corresponding agreements; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124311

AN ORDINANCE authorizing acceptance of donations from public and private sources in support of University District planning efforts, and increasing appropriation authority in the 2013 Adopted Budget contingent upon receipt of said donations; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124312

AN ORDINANCE relating to rental registration and inspection; amending the title of Chapter 22.214 and Sections 22.214.010, 22.214.020, 22.214.030, 22.214.040, 22.214.045, 22.214.050, 22.214.060, 22.214.080, and 22.214.085; amending previously non-codified section 16 of Ordinance 124011; and adding new sections 22.214.086 and 22.214.087.

ORDINANCE NO. 124313

AN ORDINANCE relating to Seattle Public Utilities; prohibiting certain recyclable materials from disposal in commercial garbage; and amending subsections A and B of Section 21.36.082 of the Seattle Municipal Code.

ORDINANCE NO. 124314

AN ORDINANCE authorizing the Director of Finance and Administrative Services to enter into a lease agreement with the Port of Seattle, a Washington municipal corporation, for yard space to store jet grout spoils from the Elliott Bay Seawall Project, and ratifying and confirming certain prior acts.

ORDINANCE NO. 124315

AN ORDINANCE relating to the Department of Finance and Administrative Services; authorizing the Director of the Department of Finance and Administrative Services to execute an amendment to a lease last authorized by Ordinance 122662, extending the City's lease of office space at 220 Third Avenue South in Seattle from PTL Property LP; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124316

AN ORDINANCE authorizing the Director of Finance and Administrative Services to enter into a lease agreement with Block 24 Seattle, LTD, L.P. for office space

in the Bank of America Fifth Avenue Plaza, for office use by various City Departments.

ORDINANCE NO. 124317

AN ORDINANCE relating to City employment; authorizing the execution of a memorandum of understanding between the City of Seattle, City Light Department and the International Brotherhood of Electrical Workers, Local 77; and ratifying and confirming prior acts.

ORDINANCE NO. 124318

AN ORDINANCE relating to City employment; authorizing execution of a collective bargaining agreement between the City of Seattle and the Seattle Police Dispatchers' Guild to be effective January 1, 2012 through December 31, 2013; providing payment therefor; and ratifying and confirming prior acts.

ORDINANCE NO. 124319

AN ORDINANCE relating to City employment commonly referred to as the Second Quarter 2013 Employment Ordinance; designating positions as exempt from Civil Service status, amending Seattle Municipal Code Section 4.13.010, renaming a discretionary pay program, and ratifying and confirming prior acts; all by a 2/3 vote of the City Council.

ORDINANCE NO. 124320

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Date of publication in the Seattle Daily Journal of Commerce, October 17, 2013.
10/17(303586)