

Ordinance No. 124473

Council Bill No. 118085

AN ORDINANCE relating to Hearing Examiner filing fees, amending Section 3.02.125 to add exceptions for cases brought to enforce Chapter 14.17 (Use of Criminal History in Employment Decisions) and Subchapter III of Chapter 4.20 (Whistleblower Protection Code).

Related Legislation File: _____

Date Introduced and Referred: <u>5/5/14</u>	To: (committee): <u>Education & Governance</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>5/12/14</u>	Date Presented to Mayor: <u>5/13/14</u>
Date Signed by Mayor: <u>5/16/14</u>	Date Returned to City Clerk: <u>5/16/14</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: 

Committee Action:

Date	Recommendation	Vote
<u>5/7/2014</u>	<u>Pass</u>	<u>TB SB NL 3-0-0</u>

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

Full Council Action:

Date	Decision	Vote
<u>5/12/14</u>	<u>Passed</u>	<u>9-0</u>

Law Department

CITY OF SEATTLE

ORDINANCE 124473

COUNCIL BILL 118085

AN ORDINANCE relating to Hearing Examiner filing fees, amending Section 3.02.125 to add exceptions for cases brought to enforce Chapter 14.17 (Use of Criminal History in Employment Decisions) and Subchapter III of Chapter 4.20 (Whistleblower Protection Code).

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection A of Section 3.02.125 of the Seattle Municipal Code, which section was last amended by Ordinance 123900, is amended as follows:

3.02.125 Hearing Examiner filing fees

A. The filing fee for a case before the City Hearing Examiner is \$85.00, with the following exceptions:


Basis for Case	Fee in dollars
Revocation of Admission Tax Exemption (Section 5.40.085)	No fee
Cable Communications (Chapter 21.60)	No fee
Dangerous Animals (Chapter 9.25)	No fee
Energy Benchmarking Citation (Chapter 22.920)	No fee
Fair Contracting Practices (Chapter 14.10)	No fee
Fair Employment Practices Ordinance (Chapter 14.04)	No fee
Floating Home Moorages (Chapter 7.20)	85 per petitioner 255 maximum
Land Use Code Citation (Chapter 23.91)	No fee

	Basis for Case	Fee in dollars
1		
2	Landmark Preservation Controls and Incentives (Section 25.12.530)	No fee
3	Noise Code Citation (Chapter 25.08)	No fee
4	Open Housing Ordinance (Chapter 14.08)	No fee
5		
6	Paid Sick/Safe Leave (Chapter 14.16)	No fee
7		
8	Public Accommodations Ordinance (Chapter 14.06)	No fee
9	Refund Anticipation Loan (Chapter 7.26)	5
10		
11	Relocation Assistance (Chapter 20.84)	No fee
12	SDOT Citation (Chapter 15.91)	No fee
13	Tenant Relocation Assistance (Chapter 22.210)	No fee
14		
15	Third Party Utility Billing (Chapter 7.25)	5
16		
17	Type II or Type IV Land Use Application (Chapter 23.76)	No fee
18	<u>Use of Criminal History in Employment Decisions (Chapter 14.17)</u>	<u>No fee</u>
19		
20	Weed and Vegetation Citation (Chapter 10.52)	No fee
21		
22	<u>Whistleblower Protection Code (Section 4.20.865)</u>	<u>No fee</u>
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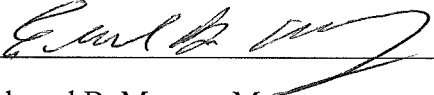
Section 2: This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 12th day of May, 2014, and signed by me in open session in authentication of its passage this 12th day of May, 2014.



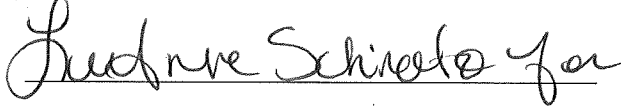
President _____ of the City Council

Approved by me this 16th day of May, 2014.



Edward B. Murray, Mayor

Filed by me this 16th day of May, 2014.



Monica Martinez Simmons, City Clerk

(Seal)

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Office of Hearing Examiner	Sue Tanner 684-0703	

Legislation Title:

AN ORDINANCE relating to Hearing Examiner filing fees, amending Section 3.02.125 to add exceptions for cases brought to enforce Chapter 14.17 (Use of Criminal History in Employment Decisions) and Subchapter III of Chapter 4.20 (Whistleblower Protection Code).

Summary of the Legislation:

The legislation would amend Section 3.02.125 to add exemptions from Hearing Examiner filing fees for complaints filed to enforce Chapter 14.17, concerning the use of criminal history in employment decisions, and Subchapter III of Chapter 4.20, concerning whistleblower protection.

Background:

Subsection 3.02.125.A sets Hearing Examiner filing fees at \$85.00 and lists the exceptions to that fee. The exceptions include actions filed by the City to enforce certain Code requirements, such as those that address fair contracting practices (Chapter 14.10) and fair employment practices (Chapter 14.04).

Ordinance 124201, adopted in 2013, places restrictions on the use of criminal history in employment decisions and requires that when a complaint is brought by the City Attorney to enforce those restrictions, it must be filed with the Hearing Examiner. Ordinance 124362, also adopted in 2013, allows the Executive Director of the Ethics and Elections Commission to enforce certain portions of the Whistleblower Protection Code by filing a complaint with the Hearing Examiner. The legislation would amend Subsection 3.02.125 to provide an exception from the standard Hearing Examiner filing fee for each of these new case types.

Please check one of the following:

This legislation does not have any financial implications.

This legislation has financial implications.

Appropriations: Not applicable

Appropriations Notes: Not applicable

Anticipated Revenue/Reimbursement Resulting from this Legislation: Not applicable

Revenue/Reimbursement Notes: Not applicable

**Total Regular Positions Created, Modified, or Abrogated through this Legislation,
Including FTE Impact:** Not applicable

Spending/Cash Flow: Not applicable

Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**
No
- b) **What is the financial cost of not implementing the legislation?**
None
- 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?** Not applicable
- 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:**
Not applicable

List attachments to the fiscal note below:

None

STATE OF WASHINGTON -- KING COUNTY

--SS.

311964

No. TITLE ONLY

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:124469-70,72-74

was published on

06/06/14

The amount of the fee charged for the foregoing publication is the sum of \$82.23 which amount has been paid in full.



06/06/2014

Paula Colebro
Subscribed and sworn to before me on

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

Affidavit of Publication

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on May 12, 2014, 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. 124469

AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at page 76 of the Official Land Use Code at page 76 of the Map to rezone property located at 1321 N. 45th Street from Lowrise 3 Residential Commercial (LR3 RC) to Neighborhood Commercial 2 Pedestrian with a 40 foot height limit (NC2P-40), and accepting a Property Use and Development Agreement as a condition of rezone approval. (Petition by Lee Wan Properties LLC, C.F. 312670, DPD Project 3014098)

ORDINANCE NO. 124470

An ORDINANCE approving an amendment of the Property Use and Development Agreement approved by Ordinance 121961 for property located at 419 N.E. 71st Street.

ORDINANCE NO. 124472

AN ORDINANCE related to indigent public defense legal services; authorizing an alternative to the method under Ordinance 122602 for selecting providers of public defense legal services; authorizing an inter-local agreement with King County for public defense legal services; and superseding the provisions of Ordinance 122602, as amended, to the extent it is inconsistent with the provisions of this ordinance.

ORDINANCE NO. 124473

AN ORDINANCE relating to Hearing Examiner filing fees, amending Section 3.02.125 to add exceptions for cases brought to enforce Chapter 14.17 (Use of Criminal History in Employment Decisions) and Subchapter III of Chapter 4.20 (Whistleblower Protection Code).

ORDINANCE NO. 124474

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

Date of publication in the Seattle Daily Journal of Commerce, June 6, 2014.

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