



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 118694

Record No.: CB 118694

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125056

In Control: City Clerk

File Created: 05/03/2016

Final Action: 06/17/2016

**Title:** AN ORDINANCE relating to Hearing Examiner filing fees; amending Section 3.02.125 of the Seattle Municipal Code to add exceptions for cases brought to enforce Chapter 14.07 (All Gender Single Occupant Restroom Requirements), Chapter 6.500 (Marijuana Business Regulations), Chapter 14.19 (Minimum Wage Ordinance), and Chapter 14.20 (Wage Theft Ordinance).

<b>Notes:</b>	<b>Filed with City Clerk:</b> 6/17/2016
	<b>Mayor's Signature:</b> 6/17/2016
<b>Sponsors:</b> Harrell	<b>Vetoed by Mayor:</b>
	<b>Veto Overridden:</b>
	<b>Veto Sustained:</b>

**Attachments:**

Drafter: patrick.wigren@seattle.gov

**Filing Requirements/Dept Action:**

**History of Legislative File**

Legal Notice Published:  Yes  No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Clerk	05/10/2016	sent for review	Council President's Office			
	<b>Action Text:</b> The Council Bill (CB) was sent for review. to the Council President's Office						
	<b>Notes:</b>						
1	Council President's Office	05/18/2016	sent for review	Education, Equity, and Governance Committee			
	<b>Action Text:</b> The Council Bill (CB) was sent for review. to the Education, Equity, and Governance Committee						
	<b>Notes:</b>						
1	Full Council	05/23/2016	referred	Education, Equity, and Governance Committee			
	<b>Action Text:</b> The Council Bill (CB) was referred. to the Education, Equity, and Governance Committee						
	<b>Notes:</b>						



**CITY OF SEATTLE**  
**ORDINANCE** 125056  
**COUNCIL BILL** 118694

AN ORDINANCE relating to Hearing Examiner filing fees; amending Section 3.02.125 of the Seattle Municipal Code to add exceptions for cases brought to enforce Chapter 14.07 (All Gender Single Occupant Restroom Requirements), Chapter 6.500 (Marijuana Business Regulations), Chapter 14.19 (Minimum Wage Ordinance), and Chapter 14.20 (Wage Theft Ordinance).

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

Section 1. Subsection 3.02.125.A of the Seattle Municipal Code, which section was last amended by Ordinance 124736, 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
<del>((Revocation of))</del> Admission Tax Exemption <u>Revocation</u> (Section 5.40.085)	No fee
<u>All Gender Restroom Notice of Violation</u> (Section 14.07.040)	<u>No fee</u>
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 <u>Ordinance</u> (Chapter 14.10)	No fee
Fair Employment Practices Ordinance (Chapter 14.04)	No fee

	<b>Basis for Case</b>	<b>Fee in dollars</b>
1		
2	Floating Home Moorages (Chapter 7.20)	85 per petitioner 255 maximum
3		
4	Land Use Code Citation (Chapter 23.91)	No fee
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6	Landmark Preservation Controls and Incentives (Section 25.12.530)	No fee
7	<u>Marijuana Business Citation (Section 6.500.170)</u>	<u>No fee</u>
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9	<u>Minimum Wage Ordinance (Chapter 14.19)</u>	<u>No fee</u>
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11	Noise Code Citation (Chapter 25.08)	No fee
12		
13	Open Housing Ordinance (Chapter 14.08)	No fee
14		
15	Paid Sick/Safe Leave <u>Ordinance</u> (Chapter 14.16)	No fee
16		
17	Public Accommodations Ordinance (Chapter 14.06)	No fee
18		
19	Refund Anticipation Loan (Chapter 7.26)	5
20		
21	Relocation Assistance (Chapter 20.84)	No fee
22		
23	SDOT Citation (Chapter 15.91)	No fee
24		
25	Tenant Relocation Assistance (Chapter 22.210)	No fee
26		
27	Third Party Utility Billing (Chapter 7.25)	5
28		
	Type III or Type IV Land Use Application (Chapter 23.76)	No fee
	Use of Criminal History in Employment Decisions (Chapter 14.17)	No fee
	<u>Wage Theft Ordinance (Chapter</u>	<u>No fee</u>

Sue Tanner  
Hearing Examiner Filing Fee Amendment ORD  
D1a

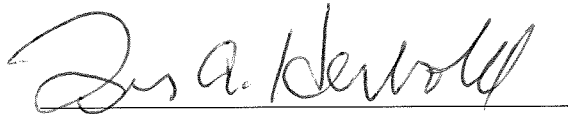
Basis for Case	Fee in dollars
14.20)	
Weed and Vegetation Citation (Chapter 10.52)	No fee
Whistleblower Protection Code (Section 4.20.865)	No fee

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

4 Passed by the City Council the 6<sup>th</sup> day of June, 2016, and  
5 signed by me in open session in authentication of its passage this  
6 6<sup>th</sup> day of June, 2016.

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10 President Pro Tem of the City Council

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12 Approved by me this 6<sup>th</sup> day of June, 2016.

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16 Edward B. Murray, Mayor

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18 Filed by me this 17<sup>th</sup> day of JUNE, 2016.

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22 Monica Martinez Simmons, City Clerk

23 (Seal)  
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**SUMMARY and FISCAL NOTE\***

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>Executive Contact/Phone:</b>
Office of Hearing Examiner	Sue Tanner 684-0703	

*\* Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

**1. BILL SUMMARY**

**Legislation Title:** AN ORDINANCE relating to Hearing Examiner filing fees; amending Section 3.02.125 of the Seattle Municipal Code to add exceptions for appeals from City action to enforce Chapter 14.07 (All Gender Single Occupant Restroom Requirements), Chapter 6.500 (Marijuana Business Regulations), Chapter 14.19 (Minimum Wage Ordinance), and Chapter 14.20 (Wage Theft Ordinance).

**Summary of the Legislation:**

The legislation would amend Section 3.02.125 to add exemptions from Hearing Examiner filing fees for appeals filed in City actions taken to enforce Chapter 14.07, concerning the requirements for all gender single occupant restrooms, Chapter 6.500, concerning marijuana business regulations, Chapter 14.19, concerning minimum wage requirements, and Chapter 14.20, concerning payment of compensation and tips owed to employees.

**Background:**

Subsection 3.02.125.A sets an \$85.00 filing fee for Hearing Examiner cases and lists the exceptions to that fee. Current exceptions include appeals from actions taken by the City to enforce certain Code requirements, such as appeals from Land Use Code citations (Chapter 23.91) and from SDOT citations (Chapter 15.91). The legislation would amend Subsection 3.02.125 to provide an exception from the standard Hearing Examiner filing fee for each of the following types of appeals:

- 1) Ordinance 124829, adopted in 2015, establishes requirements for single-occupant restrooms in places of public accommodation, and authorizes the Director of the Office for Civil Rights to enforce the ordinance through issuance of notices of violation, which may be appealed to the Hearing Examiner;
- 2) Ordinance 124807, adopted in 2015, establishes business license regulations for marijuana businesses, and authorizes the Director of Finance and Administrative Services to enforce the ordinance through issuance of citations, which may be appealed to the Hearing Examiner.
- 3) Ordinance 124490, adopted in 2014, establishes minimum wage and compensation rates for employees performing work in the City, and authorizes the Division Director of the Office of Labor Standards to enforce the ordinance through Director's Orders, which

may be appealed to the Hearing Examiner; and

4) Ordinance 124645, adopted in 2014, establishes requirements for payment of wage and tip compensation, and authorizes the Division Director of the Office of Labor Standards to enforce the ordinance through Director's Orders, which may be appealed to the Hearing Examiner.

Please check one:

- This legislation has direct financial implications.**
- This legislation does not have direct financial implications.**

**Other Implications:**

- a) **Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?**  
No
- b) **Is there financial cost or other impacts of not implementing the legislation?**  
No
- c) **Does this legislation affect any departments besides the originating department?**  
No
- d) **Is a public hearing required for this legislation?**  
No
- e) **Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?**  
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) **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?**  
None/No
- i) **If this legislation includes a new initiative or a major programmatic expansion:**



**What are the long-term and measurable goals of the program? Please describe how this legislation would help achieve the program's desired goals.**

Not applicable

**j) Other Issues:**

Not applicable

**List attachments/exhibits below:**

None

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STATE OF WASHINGTON -- KING COUNTY

--SS.

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338888

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 12<sup>th</sup> 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

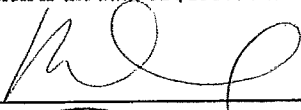
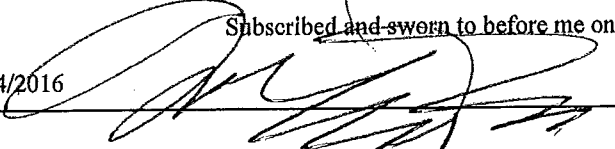
CT:125054-125061 TITLE

was published on

06/24/16

The amount of the fee charged for the foregoing publication is the sum of \$153.44 which amount has been paid in full.



  
\_\_\_\_\_  
Subscribed and sworn to before me on  
06/24/2016  
  
\_\_\_\_\_  
Notary public for the State of Washington,  
residing in Seattle

# State of Washington, King County

## City of Seattle

The full text of the following legislation, passed by the City Council on June 6, 2016, 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 125054

AN ORDINANCE relating to tenant protections; establishing regulations and enforcement provisions related to residential rent increases on properties that do not meet basic maintenance standards; transferring primary enforcement authority for all sections of Title 22, Subtitle 2 of the Seattle Municipal Code (Housing Code) to the Director of the Seattle Department of Construction and Inspections; amending the penalty structure for certain violations of the Housing Code; amending Sections 22.202.010, 22.202.050, 22.204.090, 22.206.180, 22.206.220, 22.206.280, and 22.206.305 of the Seattle Municipal Code; and adding a new Section 22.202.080.

### Ordinance 125055

AN ORDINANCE relating to Parks and Recreation; authorizing the Superintendent of Parks and Recreation Department to execute, accept and record a Restrictive Covenant, Easement and Contract Concerning Real Property on behalf of The City of Seattle; placing the property rights and interests conveyed by the easements under the jurisdiction of the Department of Parks and Recreation; and ratifying and confirming certain prior acts.

### Ordinance 125056

AN ORDINANCE relating to Hearing Examiner filing fees; amending Section 3.02.125 of the Seattle Municipal Code to add exceptions for cases brought to enforce Chapter 14.07 (All Gender Single Occupant Restroom Requirements), Chapter 6.500 (Marijuana Business Regulations), Chapter 14.19 (Minimum Wage Ordinance), and Chapter 14.20 (Wage Theft Ordinance).

### Ordinance 125057

AN ORDINANCE relating to the 2016 Budget; amending Ordinance 124927, which adopted the 2016 Budget; changing appropriations to various departments and budget control levels due to changes in City employment compensation; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

### Ordinance 125058

AN ORDINANCE relating to affordable housing; authorizing the Director of the Office of Housing to enter into and administer an Interlocal Cooperation Agreement, as revised from the form attached to Ordinance 124948, with King County, Pierce County, Snohomish County, and the cities of Bellevue, Issaquah, Kenmore, Kirkland, Mercer Island, Redmond, and Woodinville to create and operate a Regional Equitable Development Initiative Fund (REDI Fund) for the Puget Sound Region.

### Ordinance 125059

AN ORDINANCE relating to the 2008 Parks and Green Spaces Levy; authorizing the acquisition of real property commonly known as 8805 Fremont Avenue North; authorizing acceptance and recording of the deed for open space, park, and recreation purposes; increasing appropriations to the Department of Parks and Recreation in the 2016 Adopted Budget and the 2016-2021 Capital Improvement Program; revising project allocations for certain projects in the 2016-2021 Capital Improvement Program; and ratifying and confirming certain prior acts; all by 3/4 vote of the City Council.

### Ordinance 125060

AN ORDINANCE relating to the Seattle Ethics and Elections Commission, autho-

rizing the Executive Director to execute an agreement with the City of Kirkland for renewing an independent ethics program for the City of Kirkland; and ratifying and confirming certain prior acts.

### Ordinance 125061

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 24, 2016.

6/24(338888)