

Ordinance No. 106985

AN ORDINANCE providing for fees for Certificates of Approval for construction and alteration in historical or special review districts or landmark sites, and on landmarks; amending Section 301 of the Permit Fee Ordinance (106106), adding new Sections 303-A, 303-B and 303-C thereto, and amending Section 6 of Ordinance 98852 (Pioneer Square Historic District), Section 6 of Ordinance 100475 (Pike Place Market Historic District), Section 12.02 of Ordinance 106348 (Landmarks Preservation Ordinance) and Section 24.85 of the Zoning Ordinance (86300), to impose such fees.

11/28/77 Price as amended

COMPTROLLER
FILE NUMBER

ENGROSSED

Council Bill No. 78926

INTRODUCED BY EXECUTIVE REQUEST
OCT. 31, 1977 TO PLANNING & Urban
Development BUDGET
REFERRED:

REPORTED: NOV 30 1977	SECOND READING: NOV 30 1977
THIRD READING: NOV 30 1977	SIGNED: NOV 30 1977
PRESENTED TO MAYOR: DEC 1 1977	APPROVED: DEC 9 1977
RECD. TO CITY CLERK: DEC 9 1977	PUBLISHED:
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

SEE BACK COVER

Ord. 107379 - Repeals Sec's 1, 2, 3, & 4 of Ordinance 106985.

Ord. 110058 -Repeals Sec 8, et al.

ORDINANCE 106985

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3 AN ORDINANCE providing for fees for Certificates of Approval
4 for construction and alteration in historical or special
5 review districts or landmark sites, and on landmarks;
6 amending Section 301 of the Permit Fee Ordinance (106106),
7 adding new Sections 303-A, 303-B and 303-C thereto,
8 and amending Section 6 of Ordinance 98852 (Pioneer
9 Square Historic District), Section 6 of Ordinance
10 100475 (Pike Place Market Historic District), Section
11 12.02 of Ordinance 106348 (Landmarks Preservation
12 Ordinance) and Section 24.85 of the Zoning Ordinance
13 (86300), to impose such fees.

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

15
16 *Repeated*
107379
17 Section 1. Section 301 of Ordinance 106106 (Permit Fee
18 Ordinance) is amended to read as follows:

19 Section 301. GENERAL

20 (a) Title. This ordinance shall be known as the
21 "Permit Fee Ordinance", may be cited as such, and will be
22 referred to herein as "this Ordinance".

23 (b) Purpose. It is the purpose of this ordinance to
24 prescribe fees for permits which are required by ordinance
25 as follows:

- 26 (1) Use permits, as required by the Zoning Ordinance
27 (86300).
- 28 (2) Building permits, as required by the Seattle
29 Building Code (106350).
- 30 (3) Elevator permits, as required by the Seattle
31 Building Code (106350).
- 32 (4) Permits for heating, ventilating and air handling
systems, incinerators or other miscellaneous heat-
producing appliances, as required by the Seattle
Mechanical Code (106166).
- (5) Boiler and pressure vessel permits, as required by
the Seattle Mechanical Code (106166).
- (6) Gas piping permits, as required by the Seattle

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- Mechanical Code (106166).
- (7) Electrical permits, as required by the Seattle Electrical Code (105886).
- (8) Grading permits, as required by the Grading Ordinance and/or Seattle Building Code (106350).
- (9) Sign permits, as required by the Comprehensive Sign Ordinance and/or Seattle Building Code (106350).
- (10) Special review district certificates of approval, as required by the Zoning Ordinance (86300).
- (11) Landmark site certificates of approval, as required by the Landmarks Preservation Ordinance (106348).
- (12) Landmark certificates of approval, as required by the Landmarks Preservation Ordinance (106348).
- (13) Historic District certificates of approval, as required by the Pioneer Square Historic District (98852) and Pike Place Market Historical District (100475) ordinances.

An additional purpose of this ordinance is to prescribe special fees for testing, examination, inspection, or the furnishing of certain services or material not otherwise included under the required permits listed above, as well as requested services and inspections pursuant to the Housing Code (106319).

(c) Payment of Permit Fee; Calculation of Fee. No permit required under the provisions of the Codes and Ordinances specified in subsection (b) shall be issued, nor shall any drawing or other data relating to such permits be examined, until the permit fees prescribed by this ordinance have been paid.

Where no definite method is prescribed in this Ordinance for calculating the amount of a permit fee, the Superintendent of Buildings may specify a fee which shall be consistent

1 with the reasonable estimated cost to the City of administering
2 and enforcing the provisions of the Code or Ordinance relating
3 to said permit.

4 (d) Administration and Enforcement. The Superintendent
5 of Buildings is authorized to administer, interpret and
6 enforce the provisions of this Ordinance; provided that the
7 Director of Public Health shall administer and enforce
8 Sections 301 and 305, where such sections are applicable to
9 fuel gas piping permits. Whenever the words "Superintendent
10 of Buildings" are used in Section 301, such words shall mean
11 "Director of Public Health" in the context of fuel gas
12 piping permits.

13 (e) Basic Fee. A basic fee (application and filing
14 fee) of \$15.00 shall be charged for all building permits,
15 and a basic fee of \$7.00 shall be charged for all elevator,
16 mechanical, electrical, grading and sign permits. Basic
17 fees shall be charged in addition to the respective fees
18 imposed by this ordinance for such permits and shall be
19 nonrefundable.

20 EXCEPTIONS:

- 21 1. Basic fees for gas piping installations shall be
22 \$3.00 and shall not apply to the installation of
23 any domestic hot water heaters or any other domestic
24 gas-fired appliance connected to a plumbing system
25 whenever such appliance or heater is included in a
26 plumbing installation for which a basic fee for
27 the required plumbing permit has been assessed.
- 28 2. Basic fees shall not apply to annual certificates
29 of inspection or operating permits.
- 30 3. Basic fees for electrical permits shall not apply
31 to the installation of any furnace, boiler, oil
32 burner or gas piping whenever such installation is

1 included in a mechanical equipment installation
2 for which a basic fee for the required mechanical
3 permit has been assessed.

4 (f) Supplementary Permit Fees. Fees for making an
5 amendment to a permit in order to show items which were
6 inadvertently omitted from an original permit shall be
7 charged at the same rate as for a new permit. Basic fees
8 shall not be charged for supplementary permits.

9 (g) Renewal and Address Correction Fees. The fee for
10 the renewal of a permit shall be the basic fee; provided
11 that where no basic fee is specified the renewal fee shall
12 be \$7.00. Renewal fees shall be applicable only where no
13 changes have been made or will be made in the original plans
14 or specifications.

15 The fee to correct the address of a permit which has
16 been issued shall be the basic fee.

17 (h) Reinspection Fee. A reinspection fee may be
18 assessed whenever at the time of inspection or reinspection
19 it is determined that the portion of work for which an
20 inspection was requested has not been completed or that the
21 corrections previously called for have not been made.

22 This subsection (h) is not to be interpreted as requiring
23 the assessment of reinspection fees the first time a job is
24 rejected for failure to comply with the provisions of a Code
25 but is instead intended to control the practice of requesting
26 an inspection before work is ready for inspection or reinspection.

27 Reinspection fees may also be assessed for failure to
28 properly post a required permit card on the work site, for
29 failure to have approved plans available for examination by
30 the inspector, for failure to provide access on the date
31 that inspection was requested, and for deviating from plans
32 without a required prior authorization from the Superintendent

1 of Buildings.

2 To obtain a reinspection an applicant shall file an
3 application therefor in writing upon a form furnished for
4 that purpose, and pay a reinspection fee of \$10.00 per
5 inspection. In instances where reinspection fees have been
6 assessed no additional inspection of the work shall be
7 performed until the required fees have been paid.

8 (i) Work May Be Stopped. It shall be unlawful to
9 proceed with any work for which a permit is required until
10 the fee herein prescribed for such permit has been paid, or
11 to proceed with any portion of any construction, installation,
12 alteration or repair when the permit fee herein required has
13 not been paid.

14 Should the Superintendent of Buildings find that any
15 work is proceeding for which the required permit fee has not
16 been paid, he may immediately order the suspension of such
17 construction, installation, alteration or repair by posting
18 a notice to that effect on the building or premises or by
19 notifying the owner, lessee or person in charge, or by both
20 such methods. It shall be unlawful for any person to remove,
21 mutilate, conceal or destroy such posted notice or to proceed
22 with such work after such posting or notification until all
23 of the fees pertaining to such permit have been paid and any
24 posted notice has been removed by the Superintendent of
25 Buildings.

26 (j) Additional Fee for Work Done Without Permit.
27 Where work for which a permit and a fee are required is
28 commenced or performed prior to obtaining a permit, there
29 may be charged an additional fee equal to the specified
30 required fee, but not exceeding \$50.00. The payment of such
31 additional fee shall not relieve any person from complying
32 with the requirements of the applicable codes in the execution

1 of the work nor from any other penalties.

2 (k) Refund of Fees. Should any construction, installation,
3 alteration or repairs for which a permit fee has been paid
4 not be carried on, the Superintendent of Buildings or his
5 authorized representative, upon proper application for
6 refund and surrender of the permit for cancellation and upon
7 being satisfied after a survey of the premises that such
8 work will not be performed, shall, by verified statement, so
9 notify the City Comptroller, and advise him of the amount or
10 portion of the fee to be refunded. Upon receipt of such
11 notice the City Comptroller shall draw, and the City Treasurer
12 shall honor and pay, a warrant upon such budget account or
13 appropriation as may be available therefor in the amount of
14 the refund so stated by the Superintendent of Buildings to
15 be due. In such cases, the Superintendent of Buildings
16 shall cancel the permit. In determining such refunds the
17 Superintendent of Buildings shall deduct an amount equal to
18 any plan examination fee for such permit required by this
19 Ordinance or, where no plan examination was required, an
20 amount of \$9.00 plus the basic fee to cover the cost of
21 administration of the permit.

22 (l) Penalty for Violations. Anyone violating or
23 failing to comply with any of the provisions of this ordinance,
24 or of any lawful order or requirement of the Superintendent
25 of Buildings or his authorized representative made in accordance
26 with the provisions hereof, shall upon conviction thereof be
27 fined a sum not exceeding \$500.00, or be imprisoned for a
28 term not exceeding ninety (90) days, or may be both so fined
29 and imprisoned; each day of such violation or failure to
30 comply with any of the provisions of this ordinance or of
31 such order or requirement shall constitute a separate offense.

32 Anyone who directly commits or effects an act constituting

1 a violation of this ordinance, or who aids or abets the
2 same, or who directly or indirectly counsels, encourages,
3 hires, commands, induces or otherwise procures another to
4 commit such offense, is and shall be a principal under the
5 terms of this ordinance and shall be proceeded against and
6 prosecuted as such.

Repealed
107379

7 Section 2. There is added to the Permit Fee Ordinance
8 (106106) a new Section 303A to read as follows:

9 Section 303A. Special Review District Certificate
10 of Approval. There shall be a charge for a certificate
11 of approval required by the Zoning Ordinance (86300) for
12 construction or alteration of property in a designated Special
13 Review District, of the sum of Ten Dollars (\$10) for construction
14 costs of \$1,500 or less, plus Ten Dollars (\$10) for each
15 additional \$5,000 of construction costs up to a maximum
16 fee of Two Hundred Fifty Dollars (\$250). Such fee shall
17 be collected by the Director, Department of Community Develop-
18 ment and shall be deposited in the Community Development
19 Operating Fund.

Repealed
107379

20 Section 3. There is added to the Permit Fee Ordinance
21 (106106) a new Section 303-B to read as follows:

22 Section 303-B. Landmark Certificate of Approval.
23 There shall be a charge for a certificate of approval required
24 by the Landmarks Preservation Ordinance (106348) for construction
25 or alteration of property which lies within a designated
26 landmark site or which has been designated as a landmark,
27 of the sum of Ten Dollars (\$10) for construction costs of
28 \$1,500 or less, plus Ten Dollars (\$10) for each additional
\$5,000 of construction costs, up to a maximum fee of Two
Hundred Fifty Dollars (\$250). This sum shall be collected
by the Director, Department of Community Development and
shall be deposited in the Community Development Operating
Fund.

1 Repealed
107379

2 Section 4. There is added to the Permit Fee Ordinance
(106106) a new Section 303-C to read as follows:

3 Section 303-C. Historic District Certificate of Approval.
4 There shall be a charge for a certificate of approval required
5 by Ordinance 98852 for construction or alteration of property
6 lying within the Pioneer Square Historic District, or required
7 by Ordinance 100475 for construction or alteration of property
8 lying within the Pike Place Market Historical District,
9 of the sum of Ten Dollars (\$10) for construction costs of
10 \$1,500 or less, plus Ten Dollars (\$10) for each additional
11 \$5,000 of construction costs, up to a maximum fee of Two
12 Hundred Fifty Dollars (\$250). This sum shall be collected
13 by the Director, Department of Community Development and
14 shall be deposited in the Community Development Operating
15 Fund.

16 Section 5. Section 24.85 of the Zoning Ordinance (86300),
as last amended by Ordinance 105338, is further amended
to read as follows:

17 Section 24.85 Certificates of Approval

18 (a) Unless specifically modified by the ordinance
19 establishing a special review district, no person shall
20 alter, demolish, construct, reconstruct, restore, or remodel
21 any existing structure in a special review district where
22 a City permit is required or development regulations govern,
23 or change the principal use of any building, structure or
24 lot, and no permit where required shall be issued by the
25 Superintendent or any City department, except pursuant to
a Certificate of Approval.

26 (b) The Director shall authorize the responsible public
27 official to issue a Certificate of Approval only after a
28 determination has been made by the Director that the

1 proposed work or changes are consistent with the development
2 regulations for the district.

3 (c) The fee for such Certificate of Approval shall be
4 according to the Permit Fee Ordinance (106106).

5 Section 6. Section 12.02 of the Landmarks Preservation
6 Ordinance (106348) is amended to read as follows:

7 Section 12.02. Application for Certificate of Approval

8 (a) Application for a Certificate of Approval may be
9 made by filing an application for such certificate with the
10 Board, or by filing with the Superintendent an application
11 for a permit to make alterations or significant changes for
12 which a Certificate of Approval is required because of the
13 pendency of designation proceedings, or the terms of a
14 designating ordinance. The Board may consider or issue a
15 Certificate of Approval without the submission of final
16 drawings, plans or specifications.

17 (b) If before a Certificate of Approval is obtained,
18 an application is made to the Superintendent for a permit
19 for which a Certificate of Approval is required, the Superin-
20 tendent shall promptly refer such application to the Board
21 and such application shall be deemed an application for a
22 Certificate of Approval. The Superintendent shall continue
23 to process such application, but shall not issue any such
24 permit until the time has expired for filing with said
25 Superintendent the notice of denial of a Certificate of
26 Approval or a Certificate of Approval has been issued
27 pursuant to this ordinance; provided that if by its terms or
28 the provisions of Section 13.03 the operation of such
Certificate of Approval is suspended the Superintendent
shall not issue such permit until the suspension terminates.

(c) After the Board has commenced proceedings for the

1 consideration of any application for a Certificate of
2 Approval for a particular alteration or significant change,
3 by giving notice of a hearing pursuant to Section 12.03 or
4 otherwise, no other application for the same or a similar
5 alteration or significant change may be made until such
6 proceedings and all appeals therefrom pursuant to this
7 ordinance have been concluded.

8 (d) The fee for such Certificate of Approval shall be
9 according to the Permit Fee Ordinance (106106).

10 Section 7. Section 6 of Ordinance 100475, as last
11 amended by Ordinance 106309, is amended to read as follows:

12 Section 6. APPROVAL OF CHANGES TO BUILDINGS, STRUCTURES
13 AND OTHER VISIBLE ELEMENTS WITHIN THE HISTORICAL DISTRICT.

14 No structure or part thereof shall be erected, altered,
15 extended, or reconstructed, and no structure or lot shall be
16 used or occupied except pursuant to a Certificate of Approval
17 authorized by the Commission; and no building permit shall
18 issue except in conformance with a valid Certificate of
19 Approval. However, no regulation nor any amendment thereof
20 shall apply to any existing building, structure, or use of
21 land to the extent to which it is used at the time of the
22 adoption of such regulation or amendment or any existing
23 division of land, except that such regulation or amendment
24 may regulate non-use or a nonconforming use so as not to
25 unduly prolong the life thereof. No new off-premises
26 advertising signs shall be established within the boundaries
27 of the Historical District except where areas have been
28 reserved for groups of signs or for signs which identify the
Market District as a whole, as determined by the Pike Place
Market Historical District Commission. The fee for Certificates
of Approval shall be according to the Permit Fee Ordinance

1 (106106). Applications for Certificates of Approval involving
2 structures or sites within the Historical District shall be
3 forwarded immediately by the Superintendent of Buildings to
4 the Commission for review. The Commission shall review and
5 make recommendations regarding appropriateness of each
6 proposed change or addition and a Certificate of Approval
7 shall be issued by the Commission as hereinafter provided.
8 The Commission in considering the appropriateness of any
9 alteration, demolition, new construction, reconstruction,
10 restoration, remodeling, or other modification of any
11 building shall refer to the purpose of this ordinance and
12 shall consider among other things the historical and architec-
13 tural value and significance, architectural style, the
14 general design, arrangement, texture, material, occupancy
15 and use, and color of the building or structure in question
16 or its appurtenant fixtures, including signs, the relationship
17 of such features to similar features of the other buildings
18 within the Historical District and the position of such
19 building or structure in relation to the street, public way, or
20 semipublic way and to other buildings and structures. The
21 Commission shall also make no recommendations or requirements
22 except for the purpose of preventing developments inconsistent
23 with the criteria of this ordinance. Where modification of
24 the appearance of a structure within the Historical District
25 does not require a building or demolition permit, an application
26 for a Certificate of Approval shall nonetheless be filed
27 with the Superintendent of Buildings, who shall forward the
28 same to the Commission.

 The Commission shall consider and approve or disapprove
applications for a Certificate of Approval as contemplated
herein not later than thirty days after receipt of any such

1 application, and a public hearing shall be held on each such
2 application. If after such hearing and upon review of the
3 Commission it determines that the proposed changes are
4 consistent with the criteria for historic preservation as
5 set forth in Section 4, the Commission shall issue the
6 Certificate of Approval at this time and after such a
7 decision, the Superintendent of Buildings is then authorized
8 to issue a permit.

9 Any party of interest appearing before the Commission
10 at a public hearing on an application for a Certificate of
11 Approval may appeal an action of the Commission on such
12 application by filing an appeal with the Hearing Examiner
13 within seventeen (17) days of the mailing of notice of such
14 Commission action, citing applicable criteria of Section 4
15 of this ordinance. Within ten (10) days of receiving notice
16 of appeal, the Hearing Examiner shall set a date for hearing
17 on appeal, such hearing to take place no later than thirty
18 (30) days after filing of the appeal. Such hearing shall be
19 in accordance with the procedure for hearings in contested
20 cases in the Seattle Administrative Code (Ordinance 102228)
21 unless all parties of record affected by the Commission's
22 decision consent to such review and decision without a
23 public hearing. The Hearing Examiner shall render his
24 decision in writing within fourteen (14) days after the
25 hearing, mailing copies of his decision to parties of record
26 at the hearing, the Director, the Superintendent of Buildings
27 and the Commission. The Hearing Examiner may reverse or
28 modify an action of the Commission only if he finds that:

1. Such action of the Commission violates the terms
of this ordinance or rules, regulations or guidelines
adopted pursuant to the authority of this ordinance,

1 or:

- 2 2. Such action of the Commission is based upon a
3 recommendation made in violation of the procedures
4 set forth in this ordinance or procedures established
5 by rules, regulations or guidelines adopted pursuant
6 to the authority of this ordinance and such
7 procedural violation operates unfairly against the
8 applicant.

9 The decision of the Hearing Examiner shall be final.

10 Section 8. Section 6 of Ordinance 98852, as last
11 amended by Ordinance 103393, is further amended to read as
12 follows:

13 Section 6. Approval of Changes to Buildings, Structures
14 and Other Visible Elements Within the Historic District. No
15 person shall alter, demolish, construct, reconstruct, restore,
16 or remodel or make any material and visible change in the
17 exterior appearance of any existing structure or construct
18 any new structures or erect or place any sign or change the
19 message on any existing sign in the Historic District and no
20 permit for same shall be issued except pursuant to a Certificate
21 of Approval issued by the Director.

22 The fee for such Certificate of Approval shall be
23 according to the Permit Fee Ordinance.

24 For the purposes of this ordinance a "sign" is any
25 medium, including its structure and component parts, which
26 is used or intended to be used to attract attention to the
27 subject matter for advertising, identification or informative
28 purposes, consisting of words, letters, figures, designs,
symbols, motions, illuminations or projected images, and
including but not limited to banners, pennants, balloons,
streamers, and strings of light bulbs, but not including the

(To be used for all Ordinances except Emergency.)

flag, crest or other similar symbols of governmental agencies or of any organization of such agencies, or to merchandise in a customary window display or on a site where such merchandise is customarily displayed or sold out of doors, or to an object of art which in no way identifies a product or service. The provisions of this ordinance are intended to apply to any sign which is located out of doors, or if indoors, within three feet of a window and visible from a street, sidewalk or other public place.

Section 9. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 30 day of November, 1977 and signed by me in open session in authentication of its passage this 30 day of November, 1977.

President of the City Council.

Approved by me this 9 day of December, 1977.

Mayor.

Filed by me this 9 day of December, 1977.

Attest: E. L. King City Comptroller and City Clerk.

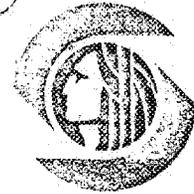
By Payne Angewine Deputy Clerk.

(SEAL)

Published

Your City, Seattle

Office of the Mayor
Wes Uhlman, Mayor



34822(J)

September 28, 1977

CORPORATION COUNSEL
RECEIVED
RECEIVED
ASSIGNED TO Sampson

The Honorable John P. Harris
Corporation Counsel
City of Seattle

Taylor for assignment

Dear Mr. Harris:

In accordance with Section 4 of City Council Standard Operating Procedure 100-014, I have transmitted the various resolutions and ordinances needed to implement the Mayor's 1978 Proposed Budget directly to the Seattle City Council for direct introduction as Executive Request legislation. These ordinances represent either major policy or appropriation issues.

Attached is a copy of the letter of transmittal to the City Council as well as a copy of each ordinance and resolution transmitted therewith. Please review the proposals and, if required, draft the necessary legislation. I anticipate that the City Council will also be sending these proposals to you for review and proper drafting.

Because of the large number of proposals included in this package, I believe it might be helpful if I designated one member of my staff to answer any questions you might have. This would be George Pernsteiner. It is very likely he will contact you with changes to the property tax levy ordinance when the certification of assessed valuation becomes available about October 17. That particular piece of legislation must be passed by the City Council no later than October 24.

ch 2551

Thank you.

Sincerely,

Wes Uhlman
Mayor

By

Donald E. Stark
Donald E. Stark
Budget Director

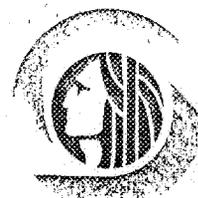
cc: Honorable Sam Smith
Honorable Tim Hill



RECEIVED

SEP 27 1977

OFFICE OF MANAGEMENT
& BUDGET



Your
Seattle
Community Development

James Hornell, Director

XXXXXXXXXXXXXXXXXXXX

City of Seattle

September 26, 1977

Mr. Donald Stark, Budget Director
Office of Management and Budget
City of Seattle

SUBJECT: 1978 Budget Request: Certificate Application Fee

Dear Mr. Stark:

One of the Program Plans identified by the Office of Urban Conservation for 1978 included the institution of permit fees for Certificates of Approval in special districts and for landmarks. Large quantities of time are now expended by special boards and by the Office of Urban Conservation staff in processing these certificates, most of which is prerequisite to the issuance of a building permit by the Superintendent of Buildings. Our analysis indicates that 70% of the time of four staff members is expended in this administration. Unlike the processing of building permits under the Building Ordinance, DCD now makes no charge for the administrative costs for this procedure. With the growth of new development in existing districts and the initiation of additional districts such as Ballard and the creation of numerous landmarks under the Seattle Landmarks Ordinance, the volume of Certificates of Approval review is expected to grow substantially. It appears unreasonable to assume that this increasing burden can continue to be paid for out of the General Fund.

Accordingly, we are attaching a proposed ordinance that institutes fees for work on landmarks and in special districts which require Certificates of Approval. The proposed ordinance differs from the proposal included in the 1978 budget narrative by establishing a sliding scale of fees related to the estimated costs of projects. The anticipated revenue will therefore be slightly greater than the \$4,550 per annum estimated in the 1978 budget request, producing greater revenue for the review of major projects. However, it should be noted that the Office of Urban Conservation intends to propose the merger of the Pioneer Square Historic District with the Pioneer Square Special Review District in 1978, thereby reducing the number of necessary project reviews for each project and eliminate the present necessity to have Certificates of Approval from each district for any one project.

Should these fees be acceptable to the City Council, we may anticipate several beneficial effects. The increasingly costly effort in reviewing projects for conformance to landmark criteria and for compliance with SEPA will no longer be exclusively reliant upon the General Fund. Equally important, the tendency on the part of many developers and public agencies to submit incomplete proposals and to receive Certificates of Approval for a single project will be discouraged. The present toleration for piecemeal review is unnecessarily

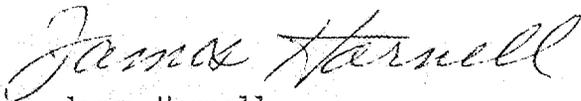
Mr. Donald Stark
September 26, 1977
Page Two

consumptive of the time of developers, special boards and the Office of Urban Conservation staff. The initiation of fees will clearly be an inducement to apply for fully developed proposals which will clearly result in much more security and efficiency for developers.

It has been pointed out that the initiation of fees is of a piece with other administrative reforms now being carried out by the Office of Urban Conservation. The merger of the Pioneer Square boards and the requirement to present complete proposals are two such reforms. The pending Standard Operating Procedure for Certificates of Approval has as one of its objectives the perfection of a one-stop permit process and designates the Department of Buildings as the entry point for applications in special districts. The attached ordinance reflects this objective by designating the Superintendent of Buildings as the coordinator of these fees, although we believe it is important that these fees be deposited to the Department of Community Development Operating Fund for budget purposes.

We should point out that the review of projects in special districts often involves lengthy consultation with Office of Urban Conservation staff and occasionally as many as four reviews by boards or commissions at specified stages in design development. The sliding scale for fees attempts to deal with the varying degrees of complexity represented by projects based on their estimated construction costs. We anticipate that the fees required under this draft ordinance will reimburse OUC for up to 15% of the actual staff costs for each permit.

Sincerely,



James Hornell
Director

JH:psv

cc: J. Peter Staten

Attachment

ORDINANCE _____

AN ORDINANCE establishing fees to be charged for applications for Certificates of Approval required by Ordinance for construction in or alterations to properties lying within designated landmark, historic or special review districts and to properties designated as Seattle landmarks.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That a fee shall be charged for applications for Certificates of Approval required by Ordinance for construction in or alterations to properties lying within designated landmark, historic or special review districts or involving designated Seattle landmarks, as follows:

Cost of construction up to and including \$1500.....\$10.00 fee.
Above \$1500.....\$10.00 fee plus \$10.00 for each
additional \$5000 of construction up to a maximum fee of
\$250.

Section 2. The required fee shall be collected by the Superintendent of Buildings and deposited in the Community Development Operating Fund.

Section 3. Thirty (30) days ending

Your City, Seattle

Executive Department-Office of Management and Budget

Donald E. Stark, Director
Wes Uhlman, Mayor



November 15, 1977

The Honorable Sam Smith
City Council
City of Seattle

Attn: Barry Getzel
Re: CB 98926

Dear Councilman Smith:

It has been brought to my attention that minor adjustments to Council Bill 98926 relating to fees for Certificates of Approval for construction or alteration in historical or special review districts should be made, to more effectively carry out the intent of the proposed legislation. Specifically, I am requesting that New Sections 303-A, 303-B, and 303-C be amended so that the Director of the Department of Community Development, rather than Superintendent of Buildings collect the new fees.

These changes are requested in order to more accurately align departmental responsibility for collecting the fee with that of issuing the Certificate of Approval. As currently structured, the legislation would involve the Building Department in collecting a fee for a review and approval process carried out by the Department of Community Development. The proposed change would correct this, and give full responsibility to the Department of Community Development.

The specific changes necessary are as follows:

Page 7, lines 17 and 31 and page 8, line 14
reads:

. . . Superintendent of Buildings . . .

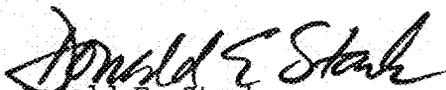
should read:

. . . Director, Department of Community Development . . .

Your assistance on this matter would be appreciated.

Thank you.

Sincerely,


Donald E. Stark

DES:TL:eb

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported

Your Committee on

PLANNING & URBAN DEVELOPMENT
BUDGET

and Adopted

NOV 30 1977

to which was referred

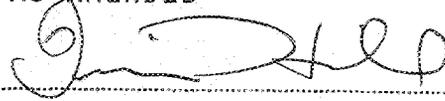
C.B. 98926

Providing for fees for Certificates of Approval for construction and alteration in historical or special review districts or landmark sites, and on landmarks; amending Section 301 of the Permit Fee Ordinance (106106), adding new Sections 303-A, 303-B and 303-C thereto, and amending Section 6 of Ordinance 98852 (Pioneer Square Historic District), Section 6 of Ordinance 100475 (Pike Place Market Historic District), Section 12.02 of Ordinance 106348 (Landmarks Preservation Ordinance) and Section 24.85 of the Zoning Ordinance (86300), to impose such fees.

RECOMMENDS THAT SAME DO PASS AS AMENDED



P&UD
Chairman



BUDGET
Chairman

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Committee

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Committee

Affidavit of Publication

STATE OF WASHINGTON KING COUNTY—SS.

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
Ordinance No. 106985

.....
was published on December 13, 1977
.....

.....
S. Abbott
.....
Subscribed and sworn to before me on
December 13, 1977

.....
Barbara G. Jensen
.....
Notary Public for the State of Washington,
residing in Seattle.

ORDINANCE 19999

AN ORDINANCE providing for fees for Certificates of Approval for construction and alteration of historical or special review districts or landmark sites and landmarks, amending Section 301 of the Permit Fee Ordinance (196106), adding new Sections 303-A, 303-B and 303-C thereto, and amending Section 4 of Ordinance 18417 (Pioneer Square Historic District), Section 6 of Ordinance 194175 (Police Place Market Historic District), Section 12.02 of Ordinance 196344 (Landmarks Preservation Ordinance) and Section 15.02 of the Zoning Ordinance (183309), to impose such fees.

BE IT OBTAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 301 of Ordinance 196106 (Permit Fee Ordinance) is amended to read as follows:

Section 301. GENERAL

(a) TITLE. This ordinance shall be known as the Permit Fee Ordinance, may be cited as such, and will be referred to herein as this Ordinance.

(b) PURPOSE. It is the purpose of this ordinance to prescribe fees for permits which are required by ordinance as follows:

(1) Use permits, as required by the Zoning Ordinance (183309).

(2) Building permits, as required by the Seattle Building Code (195359).

(3) Elevator permits, as required by the Seattle Building Code (195359).

(4) Permits for heating, ventilating and air handling systems, incinerators or other miscellaneous heat-producing appliances, as required by the Seattle Mechanical Code (195153).

(5) Boiler and pressure vessel permits, as required by the Seattle Mechanical Code (195153).

(6) Gas piping permits, as required by the Seattle Mechanical Code (195153).

(7) Electrical permits, as required by the Seattle Electrical Code (195336).

(8) Grading permits, as required by the Grading Ordinance and the Seattle Building Code (195359).

(9) Sign permits, as required by the Comprehensive Sign Ordinance and the Seattle Building Code (195359).

(10) SPECIAL REVIEW DISTRICT CERTIFICATES OF APPROVAL, AS REQUIRED BY THE ZONING ORDINANCE (183309).

(11) LANDMARK SITE CERTIFICATES OF APPROVAL, AS REQUIRED BY THE LANDMARKS PRESERVATION ORDINANCE (196344).

(12) LANDMARK CERTIFICATES OF APPROVAL, AS REQUIRED BY THE LANDMARKS PRESERVATION ORDINANCE (196344).

(13) HISTORIC DISTRICT CERTIFICATES OF APPROVAL, AS REQUIRED BY THE PIONEER SQUARE HISTORIC DISTRICT (194175), ALICE PLACE MARKET HISTORICAL DISTRICT (194175) ORDINANCES.

An additional purpose of this ordinance is to prescribe special fees for testing, examination, inspection, or the furnishing of certain services or material not otherwise included under the required permits listed above, as well as requested services, and inspections pursuant to the Housing Code (195319).

(c) PAYMENT OF PERMIT FEE; CALCULATION OF FEE. No permit required under the provisions of the Codes and Ordinances specified in subsection (b) shall be issued, nor shall any drawing or other data relating to such permits be examined, until the permit fees prescribed by this ordinance have been paid.

Where no definite method is prescribed in this Ordinance for calculating the amount of a permit fee, the Superintendent of Buildings may specify a fee which shall be consistent with the reasonable estimated cost to the City of administering and enforcing the provisions of the Code or Ordinance relating to said permit.

(d) ADMINISTRATION AND ENFORCEMENT. The Superintendent of Buildings is authorized to administer, interpret and enforce the provisions of this Ordinance, provided that the Director of Public Health shall administer and enforce Sections 301 and 302, where such sections are applicable to fuel gas piping permits. Whenever the words "Superintendent of Buildings" are used in Section 303, such words shall mean "Director of Public Health" in the context of fuel gas piping permits.

(14) BASIC FEE. A basic fee (application and filing fees) of \$12.00 shall be charged for all building permits and a basic fee of \$7.00 shall be charged for all elevator, mechanical, electrical, grading and sign permits. Basic fees shall be charged in addition to the respective fees imposed by this ordinance for such permits and shall be nonrefundable.

EXCEPTIONS

1. Basic fees for gas piping installations shall be \$7.00 and shall not apply to the installation of any domestic hot water heaters or any other domestic gas-fired appliances connected to a plumbing system whenever such appliance or heater is included in a plumbing installation for which a basic fee for the required plumbing permit has been assessed.

2. Basic fees shall not apply to annual certificates of inspection or operating permits.

3. Basic fees for electrical permits shall not apply to the installation of any furnace, boiler, oil burner or gas piping whenever such installation is included in a mechanical equipment installation for which a basic fee for the required mechanical permit has been assessed.

(f) SUPPLEMENTARY PERMIT FEES. Fees for making an amendment to a permit in order to show items which were inadvertently omitted from an original permit shall be charged at the same rate as for a new permit. Basic fees shall not be charged for supplementary permits.

(g) RENEWAL AND ADDRESS CORRECTION FEES. The fee for the renewal of a permit shall be the basic fee. Provided that where no basic fee is specified the renewal fee shall be \$7.00. Renewal fees shall be applicable only where no changes have been made or will be made in the original plans or specifications.

The fee to correct the address of a permit which has been issued shall be the basic fee.

(h) REINSPECTION FEE. A reinspection fee may be assessed whenever at the time of inspection or reinspection it is determined that the portion of work for which an inspection was requested has not been completed or that the corrections previously called for have not been made.

This subsection (h) is not to be interpreted as requiring the assessment of reinspection fees the first time a job is rejected for failure to comply with the provisions of a Code but is instead intended to control the practice of requesting an inspection before work is ready for inspection or reinspection.

Reinspection fees may also be assessed for failure to properly post a required permit card on the work site, for failure to have approved plans available for examination by the inspector, for failure to provide access on the date that inspection was requested, and for deviating from plans without a required prior authorization from the Superintendent of Buildings.

To obtain a reinspection an applicant shall file an application therefor in writing upon a form furnished for that purpose, and pay a reinspection fee of \$10.00 per inspection. In instances where reinspection fees have been assessed no additional inspection of the work shall be performed until the required fees have been paid.

(i) WORK MAY BE STOPPED. It shall be unlawful to proceed with any work for which a permit is required until the fee hereby prescribed for such permit has been paid, or to proceed with any portion of any construction, installation, alteration or repair when the permit fee herein required has not been paid.

Should the Superintendent of Buildings find that any work is proceeding for which the required permit fee has not been paid, he may immediately order the suspension of such construction, installation, alteration or repair by posting a notice to that effect on the building or premises or by notifying the owner, lessee or person in charge, or by such other methods. It shall be unlawful for any person to remove, mutilate, conceal or destroy such posted notice or to proceed with such work after such posting or notification until all of the fees pertaining to such permit have been paid and any posted notice has been removed by the Superintendent of Buildings.

(j) ADDITIONAL FEE FOR WORK DONE WITHOUT PERMIT. Where work for which a permit and a fee are required is commenced or performed prior to obtaining a permit, there may be charged an additional fee equal to the specified required fee, but not exceeding \$50.00. The payment of such additional fee shall not relieve any person from complying with the requirements of the applicable codes in the execution of the work nor from any other penalties.

(k) REFUND OF FEES. Should any construction, installation, alteration or repair for which a permit fee has been paid not be carried out to the satisfaction of the building or other authorized representative upon proper application for refund and surrender of the permit for cancellation, and upon being satisfied after a survey of the premises that such work will not be performed, shall by verified statement so notify the City Comptroller and advise him of the amount or portion of the fee to be refunded. Upon receipt of such notice the City Comptroller shall draw and the City Treasurer shall honor and pay a warrant upon such budget account or appropriation as may be available therefor in the amount of the refund so stated by the Superintendent of Buildings to be due. In such cases, the Superintendent of Buildings shall cancel the permit. In determining such refunds the Superintendent of Buildings shall deduct an amount equal to any plan examination fee for such permit required by this Ordinance or, where no plan examination was required, an amount of \$4.00 plus the basic fee to cover the cost of administration of the permit.

(l) PENALTY FOR VIOLATIONS. Anyone violating or failing to comply with any of the provisions of this ordinance, or of any lawful order or requirement of the Superintendent of Buildings or his authorized representative made in accordance with the provisions hereof, shall upon conviction thereof be fined a sum not exceeding \$500.00 or be imprisoned for a term not exceeding ninety (90) days or may be both so fined and imprisoned, each day of such violation or failure to comply with any of the provisions of this ordinance or of such order or requirement shall constitute a separate offense.

Anyone who directly commits or effects an act constituting a violation of this ordinance, or who aids or abets the same, or who directly or indirectly counsels, encourages, hires, commands, induces or otherwise procures another to commit such offense, is and shall be a principal under the terms of this ordinance and shall be proceeded against and prosecuted as such.

Section 2. There is added to the Permit Fee Ordinance (196106) a new Section 303-A to read as follows:

SECTION 303-A. SPECIAL REVIEW DISTRICT CERTIFICATE OF APPROVAL. THERE SHALL BE A CHARGE FOR A CERTIFICATE OF APPROVAL REQUIRED BY THE ZONING ORDINANCE (183309) FOR CONSTRUCTION OR ALTERATION OF PROPERTY IN A DESIGNATED SPECIAL REVIEW DISTRICT OF THE SUM OF TEN DOLLARS (\$10) FOR CONSTRUCTION COSTS OF \$1,000 OR LESS PLUS TEN DOLLARS (\$10) FOR EACH ADDITIONAL \$1,000 OF CONSTRUCTION COSTS UP TO A MAXIMUM FEE OF TWO HUNDRED FIFTY DOLLARS (\$250). SUCH FEE SHALL BE COLLECTED BY THE DIRECTOR, DEPARTMENT OF COMMUNITY DEVELOPMENT AND SHALL BE DEPOSITED IN THE COMMUNITY DEVELOPMENT OPERATING FUND.

Section 3. There is added to the Permit Fee Ordinance (196106) a new Section 303-B to read as follows:

SECTION 303-B. LANDMARK CERTIFICATE OF APPROVAL. THERE SHALL BE A CHARGE FOR A CERTIFICATE OF APPROVAL REQUIRED BY THE LANDMARKS PRESERVATION ORDINANCE (196344) FOR CONSTRUCTION OR ALTERATION OF PROPERTY WHICH LIES WITHIN A DESIGNATED LANDMARK SITE OR WHICH HAS BEEN DESIGNATED AS A LANDMARK OF THE SUM OF TEN DOLLARS (\$10) FOR CONSTRUCTION COSTS OF \$1,000 OR LESS PLUS TEN DOLLARS (\$10) FOR EACH ADDITIONAL \$1,000 OF CONSTRUCTION COSTS, UP TO A MAXIMUM FEE OF TWO HUNDRED FIFTY DOLLARS (\$250). THIS SUM SHALL BE COLLECTED BY THE DIRECTOR, DEPARTMENT OF COMMUNITY DEVELOPMENT AND SHALL BE DEPOSITED IN THE COMMUNITY DEVELOPMENT OPERATING FUND.

Section 4. There is added to the Permit Fee Ordinance (196106) a new Section 303-C to read as follows:

SECTION 303-C. HISTORIC DISTRICT CERTIFICATE OF APPROVAL. THERE SHALL BE A CHARGE FOR A CERTIFICATE OF APPROVAL REQUIRED BY ORDINANCE 194175 FOR CONSTRUCTION OR ALTERATION OF PROPERTY LYING WITHIN THE PIONEER SQUARE HISTORIC DISTRICT OR REQUIRED BY ORDINANCE 194175 FOR CONSTRUCTION OR ALTERATION OF PROPERTY LYING WITHIN THE ALICE PLACE MARKET HISTORICAL DISTRICT OF THE SUM OF TEN DOLLARS (\$10) FOR CONSTRUCTION COSTS OF \$1,000 OR LESS PLUS TEN DOLLARS (\$10) FOR EACH ADDITIONAL \$1,000 OF CONSTRUCTION COSTS UP TO A MAXIMUM FEE OF TWO HUNDRED FIFTY DOLLARS (\$250). THIS SUM SHALL BE COLLECTED BY THE DIRECTOR, DEPARTMENT OF COMMUNITY DEVELOPMENT AND SHALL BE DEPOSITED IN THE COMMUNITY DEVELOPMENT OPERATING FUND.

HUNDRED FIFTY DOLLARS (\$250). THIS SUM SHALL BE COLLECTED BY THE DIRECTOR, DEPARTMENT OF COMMUNITY DEVELOPMENT AND SHALL BE DEPOSITED IN THE COMMUNITY DEVELOPMENT OPERATING FUND.

Section 5. Section 15.02 of the Zoning Ordinance (183309), as last amended by Ordinance 196344, is further amended to read as follows:

Section 15.02. CERTIFICATES OF APPROVAL

(a) Unless specifically modified by the ordinance establishing a special review district, no person shall alter, demolish, construct, reconstruct, restore, or remodel any existing structure in a special review district where a City permit is required or development regulations govern, or change the principal use of any building structure or lot, and no permit where required shall be issued by the Superintendent of any City department, except pursuant to a Certificate of Approval.

(b) The Director shall authorize the responsible public official to issue a Certificate of Approval only after a determination has been made by the Director that the proposed work or changes are consistent with the development regulations for the district.

(c) THE FEE FOR SUCH CERTIFICATE OF APPROVAL SHALL BE ACCORDING TO THE PERMIT FEE ORDINANCE (196106).

Section 6. Section 12.02 of the Landmarks Preservation Ordinance (196344) is amended to read as follows:

Section 12.02. APPLICATION FOR CERTIFICATE OF APPROVAL

(a) Application for a Certificate of Approval may be made by filing an application for such certificate with the Board or by filing with the Superintendent an application for a permit to make alterations or significant changes for which a Certificate of Approval is required because of the pendency of designation proceedings, or the terms of a designating ordinance. The Board may consider or issue a Certificate of Approval without the submission of final drawings, plans or specifications.

(b) If before a Certificate of Approval is obtained an application is made to the Superintendent for a permit for which a Certificate of Approval is required, the Superintendent shall promptly refer such application to the Board and such application shall be deemed an application for a Certificate of Approval. The Superintendent shall continue to process such application, but shall not issue any such permit until the time has expired for filing with said Superintendent the notice of denial of a Certificate of Approval or a Certificate of Approval has been issued pursuant to this ordinance, provided that if by its terms or the provisions of such Certificate of Approval is suspended the Superintendent shall not issue such permit until the suspension terminates.

(c) After the Board has commenced proceedings for the consideration of any application for a Certificate of Approval for a particular alteration or significant change, by giving notice of a hearing pursuant to Section 12.03 or otherwise, in either application for the same or a similar alteration or significant change may be made until such proceedings and all appeals therefrom pursuant to this ordinance have been concluded.

(d) THE FEE FOR SUCH CERTIFICATE OF APPROVAL SHALL BE ACCORDING TO THE PERMIT FEE ORDINANCE (196106).

Section 7. Section 8 of Ordinance 194175, as last amended by Ordinance 196309, is amended to read as follows:

Section 8. APPROVAL OF CHANGES TO BUILDINGS, STRUCTURES AND OTHER VISIBLE ELEMENTS WITHIN THE HISTORIC DISTRICT. No structure or part thereof shall be constructed, altered, extended, or repaired, and no structure or part thereof shall be used or occupied, except pursuant to a Certificate of Approval authorized by the Comptroller and no building permit shall issue except in conjunction with a valid Certificate of Approval. However, no regulation or any amendment thereof shall apply to any existing building or structure or part thereof to the extent to which it is used as a structure or part thereof at the time of the adoption of such regulation or amendment or any other division of land, except that such regulation or amendment may regulate non-use of a building or structure or part thereof for each additional \$1,000 of construction costs to the boundary of the structure or part thereof up to a maximum fee of two hundred fifty dollars (\$250).

shall be reviewed for groups of signs or for signs which identify the Market District as a whole, as determined by the Pike Place Market Historical District Commission. THE FEE FOR CERTIFICATE OF APPROVAL SHALL BE ACCORDING TO THE PERMIT FEE ORDINANCE (18108). Applications for Certificates of Approval involving structures or sites within the Historical District shall be forwarded immediately by the Superintendent of Buildings to the Commission for review. The Commission shall review and make recommendations regarding appropriateness of each proposed change or addition and a Certificate of Approval shall be issued by the Commission as hereinafter provided. The Commission in considering the appropriateness of any alteration, demolition, new construction, reconstruction, restoration, remodeling, or other modification of any building shall refer to the purpose of this ordinance and shall consider among other things the historical and architectural value and significance, architectural style, the general design, arrangement, texture, material, occupancy and use, and color of the building or structure in question or its appurtenant fixtures, including signs, the relationship of such features to similar features of the other buildings within the Historical District and the position of each building or structure in relation to the street, public way, or semi-public way and to other buildings and structures. The Commission shall also make no recommendations or requirements except for the purpose of preventing developments inconsistent with the criteria of this ordinance. Where modification of the appearance of a structure within the Historical District does not require a building or demolition permit, an application for a Certificate of Approval shall nonetheless be filed with the Superintendent of Buildings, who shall forward the same to the Commission.

The Commission shall consider and approve or disapprove applications for a Certificate of Approval as contemplated herein not later than thirty days after receipt of any such application and a public hearing shall be held on each such application. If after such hearing and upon review of the Commission it determines that the proposed changes are consistent with the criteria for historic preservation as set forth in Section 4, the Commission shall issue the Certificate of Approval at this time and after such a decision, the Superintendent of Buildings is then authorized to issue a permit.

Any party of interest appearing before the Commission at a public hearing on an application for a Certificate of Approval may appeal an action of the Commission on such application by filing an appeal with the Hearing Examiner within seventeen (17) days of the mailing of notice of such Commission action, citing applicable criteria of Section 4 of this ordinance. Within ten (10) days of receiving notice of appeal, the Hearing Examiner shall set a date for hearing on appeal, such hearing to take place no later than thirty (30) days after filing of the appeal. Such hearing shall be in accordance with the procedure for hearings in contested cases in the Seattle Administrative Code (Ordinance 18222), unless all parties of record affected by the Commission's decision consent to such review and decision without a public hearing. The Hearing Examiner shall render his decision in writing within fourteen (14) days after the hearing, making copies of his decision to parties of record at the hearing, the Director, the Superintendent of Buildings and the Commission. The Hearing Examiner may reverse or modify an action of the Commission only if he finds that:

1. Such action of the Commission violates the terms of this ordinance or rules, regulations or guidelines adopted pursuant to the authority of this ordinance; or
2. Such action of the Commission is based upon a recommendation made in violation of the procedures set forth in this ordinance, or procedures established by rules, regulations or guidelines adopted pursuant to the authority of this ordinance and such procedural violation operates unfairly against the applicant.

The signature of the Hearing Examiner shall be final.

Section 4 of Ordinance 18222, as last amended by Ordinance 18222, is amended to read as follows:

Section 4. APPROVAL OF STRUCTURES AND OTHER VISIBLE ELEMENTS WITHIN THE HISTORIC DISTRICT. No person shall alter, demolish, construct, reconstruct, restore or remodel or make any material and visible change in the exterior appearance of any existing structure or construct any new structures or erect or place any sign or change the message on any existing sign in the Historic District and no permit for same shall be issued except pursuant to a Certificate of Approval issued by the Director.

THE FEE FOR SUCH CERTIFICATE OF APPROVAL SHALL BE ACCORDING TO THE PERMIT FEE ORDINANCE.

For the purposes of this ordinance a "sign" is any medium, including its structure and component parts, which is used or intended to be used to attract attention to the subject matter for advertising, identification or informative purposes, consisting of words, letters, figures, designs, symbols, motions, illuminations or projected images, and including but not limited to banners, pennants, balloons, streamers, and strings of light bulbs, but not including the flag, crest or other similar symbols of governmental agencies or to merchandise in a customary window display or on a site where such merchandise is customarily displayed or sold out of doors, or to an object of art which in no way identifies a product or service. The provisions of this ordinance are intended to apply to any sign which is located out of doors, or if indoors, within three feet of a window and visible from a street, sidewalk or other public place.

Section 5. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 30th day of November, 1977, and signed by me in open session in authentication of its passage this 30th day of November, 1977.

SAM SMITH,
President of the City Council.

Approved by me this 9th day of December, 1977.

WES UHLMAN,
Mayor.

Filed by me this 9th day of December, 1977.

Attest: E. L. KIDD,
City Comptroller and
City Clerk.

By WAYNE ANGEVINE,
(Seal) Deputy Clerk.

Publication ordered by E. L. KIDD, City Comptroller and City Clerk.

Date of official publication in the Daily Journal of Commerce, Seattle, December 13, 1977.

(C-715)