

Setting forth the purpose and intent of the Seattle Housing Code (Ord. 106319).

85.A:67

**Ordinance No. 107797**

AN ORDINANCE relating to housing, amending Section 1.02 of Ordinance 106319, the Seattle Housing Code, setting forth the purpose and intent of said code.

11/7/78 - WD:H - PASS

COMPTROLLER  
FILE NUMBER 287059

**Council Bill No. 99858**

INTRODUCED: <b>OCT 23 1978</b>	BY: <b>EXECUTIVE REQUEST</b>
REFERRED: <b>OCT 23 1978</b>	TO: URBAN DEVELOPMENT & HOUSING
REFERRED:	
REFERRED:	
REPORTED: <b>NOV 13 1978</b>	SECOND READING: <b>NOV 13 1978</b>
THIRD READING: <b>NOV 13 1978</b>	SIGNED: <b>NOV 13 1978</b>
PRESENTED TO MAYOR: <b>NOV 14 1978</b>	APPROVED: <b>NOV 21 1978</b>
RET'D. TO CITY CLERK: <b>NOV 21 1978</b>	PUBLISHED:
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

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ORDINANCE 107797

AN ORDINANCE relating to housing, amending Section 1.02 of Ordinance 106319, the Seattle Housing Code, setting forth the purpose and intent of said code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 1.02 of Ordinance 106319, known as the Seattle "Housing Code," is hereby amended to read as follows:

Section 1.02 ((DECLARATION OF FINDINGS AND)) PURPOSE((?)) AND INTENT. It is hereby found and declared that there exist, within the City of Seattle, ((dwellings and other)) buildings ((occupied or designed for human habitation and other uses, together with appurtenant structures and premises,)) which are ((unfit for human habitation or other uses,)) substandard, deteriorating, in danger of causing or contributing to the creation of slums or otherwise blighted areas, and adverse to the health, safety, and general welfare of ((the occupants thereof and of)) the public.

It is hereby further found and declared that these conditions are the result of, among other circumstances: inadequate original construction; dilapidation; failure to repair; lack of proper sanitary facilities and maintenance; structural or other defects((?)) of overcrowding. ((? defects increasing the hazards of fire, accidents, or other calamities, uncleanness, inadequate heating, lighting and ventilation, lack of knowledge of the general public of their rights, duties and obligations with respect to the occupancy, maintenance and repair of the buildings and inadequate remedies for the enforcement of their rights, duties and obligations, or any combination of such circumstances.))

1           It is hereby further found and declared that certain  
2 conditions and circumstances constitute a hazard to the  
3 health, safety, or general welfare of the public ((occupants  
4 of these buildings)) and it is the purpose of this Code  
5 to establish minimum standards and effective means for  
6 enforcement thereof for the maintenance of housing, encouragement  
7 of the rehabilitation and re-use of existing structurally  
8 sound buildings and for the preservation, protection, and  
9 promotion of the health, safety, and general welfare of  
10 the public ((occupants thereof)).

11           It is hereby further found and declared that certain  
12 conditions and circumstances constitute a high hazard and  
13 are dangerous and a menace to the health, safety, or general  
14 welfare of the ((occupants of these buildings and of the))  
15 public, and it is the further purpose of this Code to establish  
16 procedures for the correction of highly hazardous conditions  
17 and for the preservation, protection, and promotion of the  
18 health, safety, and general welfare of ((occupants and of))  
19 the general public.

20           ((For the achievement of these purposes, consistent with  
21 the intent of this Code to balance the necessity of protection  
22 of the public health, safety and general welfare against the  
23 undesirability of imposing undue financial hardship upon  
24 owner-occupants who choose to expose themselves to certain  
25 hazards, certain minimum standards, conditions and circumstances  
26 are identified (Chapter 4) under which a habitable building  
27 is hazardous and substandard, and certain other standards,  
28 conditions and circumstances are identified (Section 4-12,  
Section 4-28, Chapter 5) under which a building or structure be  
comes highly hazardous and/or unfit for human habitation or  
other use.))

1           It is expressly the purpose of this Code to provide for  
2 and promote the health, safety and welfare of the general  
3 public, and not to create or otherwise establish or designate  
4 any particular class or group of persons who will or should  
5 be especially protected or benefited by the terms of this  
6 Code.

7           It is the specific intent of this Code to place the  
8 obligation of complying with its requirements upon the owner  
9 of the buildings within its scope, and no provision of nor  
10 term used in this Code is intended to impose any duty whatsoever  
11 upon the City or any of its officers or employees, for whom  
12 the implementation or enforcement of this Code shall be  
13 discretionary and not mandatory.

14           Nothing contained in this Code is intended to be nor  
15 shall be construed to create or form the basis for any  
16 liability on the part of the City, or its officers, employees  
17 or agents, for any injury or damage resulting from the  
18 failure of a building to conform to the provisions of this  
19 code, or by reason or in consequence of any inspection,  
20 notice, order, certificate, permission or approval authorized  
21 or issued or done in connection with the implementation or  
22 enforcement of this Code, or by reason of any action or  
23 inaction on the part of the City related in any manner to  
24 the enforcement of this Code by its officers, employees or  
25 agents.

(To be used for all Ordinances except Emergency.)

Section 2.... 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 13 day of November, 1978,  
and signed by me in open session in authentication of its passage this 13 day of  
November, 1978.

John Muller  
President of the City Council.

Approved by me this 21 day of November, 1978.

Charles Porter  
Mayor.

Filed by me this 21 day of November, 1978.

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

(SEAL)

Published.....

By Raymond Ferguson  
Deputy Clerk.

# The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported  
and Adopted

NOV 13 1978

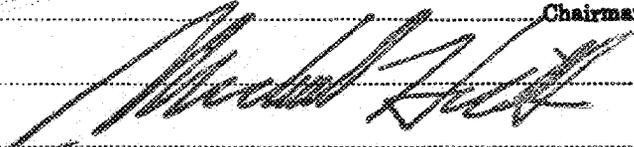
Your Committee on Urban Development and Housing

to which was referred

C.B. 99853

Setting forth the purpose and intent of the Seattle Housing Code (Ord. 106319).

Relating to housing, amending Section 1.02 of Ordinance 106319, the Seattle Housing Code, setting forth the purpose and intent of said Code., recommends that the same do pass.

  
Chairman

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Committee

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. 107797

was published on November 22, 1978

*[Signature]*  
Subscribed and sworn to before me on

November 22, 1978

*[Signature]*  
Notary Public for the State of Washington,  
residing in Seattle.

**ORDINANCE INTENT**

AN ORDINANCE relating to housing, amending Section 1.02 of Ordinance 196713, the Seattle Housing Code, setting forth the purpose and intent of said code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 1.02 of Ordinance 196713, known as the Seattle Housing Code, is hereby amended to read as follows:

Section 1.02 ((DECLARATION OF FINDINGS AND)) PURPOSE((S)) AND INTENT. It is hereby found and declared that there exist within the City of Seattle, ((dwellings and other)) buildings ((occupied or designed for human habitation and other uses, together with appurtenant structures and premises,)) which are ((unfit for human habitation or other uses,)) substandard, deteriorating, in danger of causing or contributing to the creation of slums or otherwise blighted areas, and adverse to the health, safety, and general welfare of ((the occupants thereof and of)) the public.

It is hereby further found and declared that these conditions are the result of, among other circumstances: inadequate original construction; dilapidation; failure to repair; lack of proper sanitary facilities and maintenance; structural or other defects((s)); or overcrowding, ((defects increasing the hazards of fire, accidents, or other calamities; uncleanness; inadequate heating, lighting and ventilation; lack of knowledge of the general public of their rights, duties and obligations with respect to the occupancer, maintenance and repair of the buildings and inadequate remedies for the enforcement of their rights, duties and obligations; or any combination of such circumstances.))

It is hereby further found and declared that certain conditions and circumstances constitute a hazard to the health, safety, or general welfare of the PUBLIC ((occupants of these buildings)) and it is the purpose of this Code to establish minimum standards and effective means for enforcement thereof for the maintenance of housing, encouragement of the rehabilitation and re-use of existing structurally sound buildings and for the preservation, protection, and promotion of the health, safety and general welfare of the PUBLIC ((occupants thereof)).

It is hereby further found and declared that certain conditions and circumstances constitute a high hazard and are dangerous and a menace to the health, safety, or general welfare of the ((occupants of these buildings and of the)) public, and it is the further purpose of this Code to establish procedures for the correction of highly hazardous conditions and for the preservation, protection, and promotion of the health, safety, and general welfare of ((occupants and of)) the general public.

((For the achievement of these purposes, consistent with the intent of this Code to balance the necessity of protection of the public health, safety and general welfare against the undesirability of imposing undue financial hardship upon owner-occupants who choose to expose themselves to certain hazards, certain minimum standards, conditions and circumstances are identified (Chapter 4) under which a habitable building is hazardous and substandard, and certain other standards, conditions and circumstances are identified (Section 4.12, Section 4.28, Chapter 5) under which a building or structure becomes highly hazardous and/or unfit for human habitation or other use.))

IT IS EXPRESSLY THE PURPOSE OF THIS CODE TO PROVIDE FOR AND PROMOTE THE HEALTH, SAFETY AND WELFARE OF THE GENERAL PUBLIC AND NOT TO CREATE OR OTHERWISE ESTABLISH OR DESIGNATE ANY PARTICULAR CLASS OR GROUP OF PERSONS WHO WILL OR SHOULD BE ESPECIALLY PROTECTED OR BENEFITED BY THE TERMS OF THIS CODE.

IT IS THE SPECIFIC INTENT OF THIS CODE TO PLACE THE OBLIGATION OF COMPLYING WITH ITS REQUIREMENTS UPON THE OWNER OF THE BUILDINGS WITHIN ITS SCOPE AND NO PROVISION OF NOR TERM USED IN THIS CODE IS INTENDED TO IMPOSE ANY DUTY WHATSOEVER UPON THE CITY OR ANY OF ITS OFFICERS OR EMPLOYEES, FOR WHOM THE IMPLEMENTATION OR ENFORCEMENT OF THIS CODE SHALL BE DISCRETIONARY AND NOT MANDATORY.

NOTHING CONTAINED IN THIS CODE IS INTENDED TO BE NOR SHALL BE CONSTRUED TO CREATE OR FORM THE BASIS FOR ANY LIABILITY ON THE PART OF THE CITY OR ITS OFFICERS, EMPLOYEES OR AGENTS FOR ANY INJURY OR DAMAGE RESULTING FROM THE FAILURE OF A BUILDING TO CONFORM TO THE PROVISIONS OF THIS CODE OR BY REASON OR IN CONSEQUENCE OF ANY INSPECTION, NOTICE, ORDER, CERTIFICATE, PERMISSION OR APPROVAL, AUTHORIZED OR ISSUED OR DONE IN CONNECTION WITH THE IMPLEMENTATION OR ENFORCEMENT OF THIS CODE OR BY REASON OF ANY ACTION OR INACTION ON THE PART OF THE CITY RELATED IN ANY MANNER TO THE ENFORCEMENT OF THIS CODE BY ITS OFFICERS, EMPLOYEES OR AGENTS.

Section 2. 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 15th day of November, 1978, and signed by me in open session in authentication of its passage this 15th day of November, 1978.

JOHN MILLER  
President of the City Council

Approved by me this 21st day of November, 1978.

CHARLES ROYER  
Mayor

Filed by me this 21st day of November, 1978.

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

By WAYNE ANGEVINE,  
(Seal) Deputy Clerk.

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

((Boldface denotes deletion))

Date of official publication in the Daily Journal of Commerce, Seattle, November 22, 1978.

(C-861)