

ORDINANCE No. 118580

*ve*

INDEXED  
*(circle with X)*

*Law D*

*Council Bill No. 111715*

The City

AN ORDINANCE relating to the Seattle Municipal Court, establishing that the Seattle Municipal Court has concurrent jurisdiction with district and superior courts to try violations of all City ordinances and to enforce or recover license penalties or forfeitures; amending SMC 3.33.020.

Honorable President:

Your Committee on \_\_\_\_\_

to which was referred the within report that we have considered the

COMPTROLLER FILE No. \_\_\_\_\_

Introduced: <i>APR 7 1 1997</i>	By: <i>NOLAN</i>
Referred: <i>APR 7 1 1997</i>	To: <i>PUBLIC SAFETY COMMITTEE</i>
Referred: <i>4/22/97</i>	To: <i>public safety committee passed 2-0</i>
Referred:	To:
Reported: <i>MAY - 5 1997</i>	Second Reading: <i>MAY - 5 1997</i>
Third Reading: <i>MAY - 5 1997</i>	Signed: <i>MAY - 5 1997</i>
Presented to Mayor: <i>MAY - 5 1997</i>	Approved: <i>MAY 12 1997</i>
Returned to City Clerk: <i>MAY 13 1997</i>	Published: <i>Full 2pg.</i>
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

*4/28/97 Held*

*Full c*

*(circle with X)*

*Law Department*

The City of Seattle--Legislative Department

urrent  
cover  
).

Date Reported  
and Adopted

REPORT OF COMMITTEE

able President:

ommittee on \_\_\_\_\_

h was referred the within Council Bill No. \_\_\_\_\_

hat we have considered the same and respectfully recommend that the same:

4/28/97 Held 1 week motion <sup>by</sup> ~~held~~ motion

Full council vote 8-0

\_\_\_\_\_  
Committee Chair

ORDINANCE

118580

AN ORDINANCE relating to the Seattle Municipal Court, establishing that the Seattle Municipal Court has concurrent jurisdiction with district and superior courts to try violations of all City ordinances and to enforce or recover license penalties or forfeitures; amending SMC 3.33.020.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 3.33.020 of the Seattle Municipal Code is hereby amended as follows:

**SMC 3.33.020 Jurisdiction --- Authority.**

The Municipal Court has exclusive original jurisdiction to try violations of all City ordinances and all other actions brought to enforce or recover license penalties or forfeitures declared or given by any such ordinances. It is empowered to forfeit cash bail or bail bonds and issue execution thereon, to hear and determine all causes, civil or criminal, arising under such ordinances, and to pronounce judgment in accordance therewith; provided, that for a violation of the criminal provisions of an ordinance no greater punishment shall be imposed than is authorized by state law. All civil and criminal proceedings in Municipal Court, and judgments rendered therein, shall be subject to review in the Superior Court by writ of review or on appeal. Costs in civil and criminal cases may be taxed as provided by law.

Section 2. Any act pursuant to the authority and prior to the effective date of this ordinance, including without

1  
2  
3  
4  
5 limitation the filing and litigation in superior or district  
6 court of any case alleging violation of a city ordinance, is  
7 hereby ratified and confirmed.

8 Section 3. This ordinance shall take effect and be in  
9 force thirty (30) days from and after its approval by the  
10 Mayor, but if not approved and returned by the Mayor within  
11 ten (10) days after presentation, it shall take effect as  
12 provided by Municipal Code Section 1.04.020.

13 Passed by the City Council the 5 day of May,  
14 1997, and signed by me in open session in authentication of  
15 its passage this 5 day of May, 1997.

16  
17 Jan Drago  
18 President \_\_\_\_\_ of the City Council

19 Approved by me this 12 day of May, 1997.

20  
21 Jan Drago  
22 Mayor

23 Filed by me this 13 day of May, 1997.

24  
25 Cris Dargatzis  
26 City Clerk

(Seal)



# City of Seattle

Norman B. Rice, Mayor  
Executive Services Department  
Dwight D. Dively, Director

March 17, 1997

The Honorable Jan Drago  
President, Seattle City Council  
600-4th Avenue, 11th Floor  
Seattle, Washington 98104

Via: Mayor's Office

Attention: Tom Tierney, Director, Office of Management and Planning

Subject: Amending SMC 3.33.020 to allow large cases to be brought directly to Superior or District Courts.

---

Dear Councilmember Drago,

The attached ordinance amends Seattle Municipal Code 3.33.020 to allow the City Attorney the option to bring cases directly to superior or district court, and by-pass the municipal court. Seattle's municipal court is primarily set up to deal with criminal cases, and many of the Finance Division's court actions are civil actions. Also, the Seattle municipal court will not accept any complaint seeking more than \$25,000 in damages. In some collection cases for the Finance Division the \$25,000 maximum amount is exceeded, thereby forcing the Law Department to split the case into two cases or reducing the amount owed to less than the \$25,000 maximum. Neither approach is satisfactory. Moreover, even cases involving less than the maximum amount have been very difficult to handle because of a lack of an organized, predictable civil procedure.

The ordinance amendment would also bring the SMC into conformance with state law, which removed the "exclusive original" wording from the state's municipal court statutes thirteen years ago.

The Law Department suggested this amendment. The Executive Services Department has discussed the proposal with the Municipal Court administrator and presiding judge and they have no objection.

600 Fourth Avenue, Room 103, Seattle, WA 98104-1891, <http://www.ci.seattle.wa.us>  
Tel: (206) 684-0484, TDD: (206) 233-7810, FAX: (206) 684-0188

An equal-employment opportunity, affirmative action employer. Accommodations for people with disabilities provided on request.



Thank you for your consideration of this proposed change. Questions regarding this ordinance can be directed to Mel McDonald (Revenue and Consumer Affairs) at 233-0071 or Miriam Reed (Law Department) at 684-8610.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Dively", written over a horizontal line.

Dwight D. Dively

Director, Executive Service Dept.

Attachment

cc: Mel McDonald, Director RCA  
Miriam Reed, Assistant City Attorney

**ROUTING SLIP FOR REQUEST FOR LEGISLATIVE ACTION**

Originating Department: Executive Services

Council Sponsor:

Date: March 19, 1997

Subject: AN ORDINANCE relating to the Seattle Municipal Court, clarifying that the Seattle Municipal Court has concurrent jurisdiction with district and superior courts to try violations of all City ordinances and to enforce or recover license penalties or forfeitures; amending SMC 3.33.020.

	<u>Date Received</u>	<u>Date Forwarded</u>
OMP:	3/25/97	3/26/97
Law:	3/31/97	3/31/97

**Legislation should be rerouted in the order listed.**

# City of Seattle

Executive Department—Office of Management and Planning

Thomas M. Tierney, Director  
Norman B. Rice, Mayor  
March 21, 1997



The Honorable Mark Sidran  
City Attorney  
City of Seattle

Dear Mr. Sidran:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING DEPARTMENT: Executive Services Department

SUBJECT: AN ORDINANCE relating to the Seattle Municipal Court, clarifying that the Seattle Municipal Court has concurrent jurisdiction with district and superior courts to try violations of all City ordinances and to enforce or recover license penalties of forfeitures; amending SMC 3.33.020.

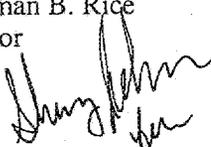
Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and drafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMP. Any specific questions regarding the legislation can be directed to Sherry Johnson at 684-8084.

Sincerely,

Norman B. Rice  
Mayor

by

  
TOM TIERNEY  
Director

h:\admin\legis\lawitrs\john52

Enclosure

*Off  
Mission Road  
asst City Atty*

SEATTLE CITY ATTORNEY

97 MAR 27 AM 9:45

COPY RECEIVED

TIME AND DATE STAMP

**SPONSORSHIP**

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

*John Bond*

_____	_____
_____	_____
_____	_____
_____	_____

\_\_\_\_\_

\_\_\_\_\_

**FOR CITY COUNCIL PRESIDENT USE ONLY**

COMMITTEE(S) REFERRED TO: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
PRESIDENT'S SIGNATURE



96-9-17519-1 Monogram Credit Card Bk  
f Georgia v Bell — \$3,761, GEN.  
96-9-19456-1 J W J Prop / Dal-  
ymple etano — \$5,278, GEN.  
96-9-20016-1 WA State L&I v Woods  
dba — \$400, TAX.  
96-9-20529-5 Financial Assistance Inc v  
Aoten — \$855, GEN.  
96-9-21935-1 State Employ Sec v New  
West Const Inc — \$4,680, TAX.  
96-9-22183-5 State Rev v Daniels & Son  
Inc dba — \$37,879, TAX.  
96-9-22192-4 Hagyard v Leiter dba —  
\$2,071, TRJ.  
96-9-21980-6 Rainier Collection Svcs  
nc v Connectsoft Inc etano — \$32,491,  
GEN.  
96-9-24319-7 Infonet Inc v Forman etano  
— \$3,570, GEN.  
96-9-25617-5 Sun Food Trading Co Inc v  
lu — \$24,302, TRJ.  
96-9-26112-8 Preferred Partners NW dba  
Martin etano — \$1,488, GEN.  
96-9-26026-1 State v Plummer — \$100,  
RI.  
96-9-26288-4 Alaska Cascade Financial  
svcs Inc v Ludwig — \$781, GEN.  
96-9-29114-1 Zaran Sayre dba v Sanders  
— \$665, GEN.  
96-9-29148-5 Epic Asset Mgmt Inc v  
lian — \$853, GEN.  
96-9-30355-6 Household Finance Corp  
lka v Hubbard — \$3,459, GEN.  
96-9-30914-7 State Rev v Professional  
covery Svcs Inc — \$995, TAX.  
96-9-31120-6 Fisher etano v Cummins —  
1,139, TMV.  
97-9-00288-1 State Rev v Harr dba —  
408, TAX.  
97-9-00897-8 State Rev v Walker dba —  
5,760, TAX.  
97-9-00952-4 WA State L&Is v Elfers  
ta — \$3,759, TAX.  
97-9-01512-5 Decoster v Green —  
389, GEN.  
97-9-01513-3 Infonet Inc v Patterson —  
386, GEN.  
7-9-02339-0 Imkk Inc dba v Gregory  
dba — \$1,522, TRJ.  
7-9-02514-7 State Rev v Bellevue Bridal  
tique Inc — \$8,089, TAX.  
7-9-02521-0 State Rev v Northlake Util-  
Contractors Inc — \$19,612, TAX.  
7-9-02447-7 Bk of America NW dba v  
yen — \$2,284, GEN.  
7-9-02570-8 State Rev v Seawest Sub  
sr Inc — \$10,498, TAX.  
7-9-03373-5 State Rev v Country Store  
2,530, TAX.

97-9-43216-8 Federated American Ins Co  
v Gibson etano — \$4,820, GEN.  
97-9-43224-9 Bk of America Nt&Sa  
etano v Bishop — \$2,979, GEN.  
87-9-10921-1 Teel Vanderpol & Teel v  
Rubens Etal — \$115,958, GEN.  
92-9-21296-5 NW Audit & Adjustment v  
Hern — \$3,084, TRJ.  
92-9-26123-1 NW Audit & Adjustment v  
Phan — \$1,034, TRJ.  
92-9-31725-2 Renville v Renville —  
\$500, DOM.  
94-9-17211-1 Lakeview Medical Cl  
Credit v Smith nka — \$9,069, TRJ.  
94-9-21032-2 Mutual Life Ins Co v Stizz  
— \$8,331, TRJ.  
95-9-02625-2 WA State L&I v Guar-  
teed Radiator Repair In dba — \$1,16  
TAX.  
95-9-14728-9 Redford v Redford —  
\$8,646, DOM.  
95-9-23685-1 WA State L&I v Guar-  
teed Radiator Repair In dba — \$1,24  
TAX.  
95-9-23717-2 WA State L&I v Guar-  
teed Radiator Repair In dba — \$329, TAX.  
95-9-30471-6 WA State L&I v Tra  
West Communication Syste dba — \$1,25  
TAX.  
95-9-30472-4 WA State L&I v Tra  
West Communication Syste dba — \$1,27  
TAX.  
96-9-04297-3 WA State L&I v Tra  
West Communication Syste dba — \$1,67  
TAX.  
96-9-08121-9 WA State L&I v Guar-  
teed Radiator Repair In dba — \$1,15  
TAX.  
96-9-10487-1 Asg Murminen Oy v  
Staff Intl — \$5,272, TRJ.  
96-9-11251-3 WA State L&I v Tra  
West Communication Syste dba — \$1,5  
TAX.  
96-9-11946-1 Boeing Employees Cre  
Union v Buford — \$2,182, GEN.  
96-9-14539-0 Mcsorley v Easts  
Brokers Inc dba etal — \$21,470, GEN.  
96-9-18479-4 State Rev v Chadw  
etano — \$7,296, TAX.  
96-9-19145-6 WA State L&I v Enc El  
tric Inc — \$1,550, TAX.  
96-9-20531-7 Ideal Credit Corp v Risq  
etano — \$1,248, TRJ.  
96-9-23637-9 WA State L&I v E N  
Electric Inc — \$1,293, TAX.  
96-9-24419-3 WA State L&I v Tr  
West Communication System — \$1,8  
TAX.  
96-9-25004-5 Levy dba v Washington