

**CITY OF SEATTLE**  
**ORDINANCE** \_\_\_\_\_  
COUNCIL BILL 118085

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

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

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

**3.02.125 Hearing Examiner filing fees**

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

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

Basis for Case	Fee in dollars
Landmark Preservation Controls and Incentives (Section 25.12.530)	No fee
Noise Code Citation (Chapter 25.08)	No fee
Open Housing Ordinance (Chapter 14.08)	No fee
Paid Sick/Safe Leave (Chapter 14.16)	No fee
Public Accommodations Ordinance (Chapter 14.06)	No fee
Refund Anticipation Loan (Chapter 7.26)	5
Relocation Assistance (Chapter 20.84)	No fee
SDOT Citation (Chapter 15.91)	No fee
Tenant Relocation Assistance (Chapter 22.210)	No fee
Third Party Utility Billing (Chapter 7.25)	5
Type II or Type IV Land Use Application (Chapter 23.76)	No fee
<u>Use of Criminal History in Employment Decisions (Chapter 14.17)</u>	<u>No fee</u>
Weed and Vegetation Citation (Chapter 10.52)	No fee
<u>Whistleblower Protection Code (Section 4.20.865)</u>	<u>No fee</u>

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 \_\_\_\_ day of \_\_\_\_\_, 2014, and  
5 signed by me in open session in authentication of its passage this  
6 \_\_\_\_ day of \_\_\_\_\_, 2014.

7  
8  
9 \_\_\_\_\_  
10 President \_\_\_\_\_ of the City Council

11 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2014.

12  
13 \_\_\_\_\_  
14 Edward B. Murray, Mayor

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16 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2014.

17  
18 \_\_\_\_\_  
19 Monica Martinez Simmons, City Clerk

20 (Seal)

**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

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

**Legislation Title:**

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

**Summary of the Legislation:**

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

**Background:**

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

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

Please check one of the following:

**This legislation does not have any financial implications.**

**This legislation has financial implications.**

**Appropriations:** Not applicable

Appropriations Notes: Not applicable

**Anticipated Revenue/Reimbursement Resulting from this Legislation:** Not applicable

Revenue/Reimbursement Notes: Not applicable

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

**Spending/Cash Flow:** Not applicable

**Other Implications:**

- a) **Does the legislation have indirect financial implications, or long-term implications?**  
No
- b) **What is the financial cost of not implementing the legislation?**  
None
- c) **Does this legislation affect any departments besides the originating department?**  
No
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** Not applicable
- e) **Is a public hearing required for this legislation?**  
No
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**  
No
- g) **Does this legislation affect a piece of property?**  
No
- h) **Other Issues:**  
Not applicable

**List attachments to the fiscal note below:**  
None