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ORDINANCE NO. 93-1001

AN ORDINANCE of the City Council of the City of SeaTac, Washington, relating to City employment and employees; and adopting a revised Appendix A, Pay and Compensation Plan, adding the new positions of Maintenance Worker II, Systems Administrator and Assistant Director of Finance, and providing for title changes for the positions of Personnel Manager to Personnel Director, Director of Fire Services to Fire Chief and Executive Secretary (Clerk's Office) to Deputy City Clerk

WHEREAS, the City Council has previously enacted Ordinance No. 90-1037 establishing personnel policies and procedures; and,

WHEREAS, in connection with said Ordinance, a Pay and Compensation Plan has been adopted for City employees; and,

WHEREAS, in order to meet the needs of the City in its designation of employment positions, it has been necessary to amend the City's Pay and Compensation Plan in the past; and,

WHEREAS, in order to continue meeting the needs of the City's departments, it is again appropriate to amend and adjust the Pay and Compensation Plan to more adequately reflect the job titles and responsibilities of City personnel, including the addition of Maintenance Worker II, Systems Administrator and Assistant Director of Finance positions, and the change in title of the Personnel Manager to Personnel Director, Director of Fire Services to Fire Chief and Executive Secretary in the Clerk's office to Deputy City Clerk, with appropriate benchmark changes made to reference the positions.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. Adoption of Attachment A Compensation Plan.

The Pay Compensation Plan attached to this Ordinance is hereby adopted as Appendix A to Ordinance No. 92-1040 Ordinance No. 92-1017, Ordinance No. 92-1012, Ordinance No. 92-1009, Ordinance No. 92-1002, Ordinance No. 91-1043, Ordinance No. 91-1033, Ordinance No. 91-1019, Ordinance No. 91-1008, Ordinance No. 90-1077, Ordinance No. 90-1069, Ordinance No. 90-1066, Ordinance No. 90-1059, and Ordinance No. 90-1055, adding to the City's Pay and Compensation Plan the positions of Maintenance Worker II, Systems Administrator and Assistant Director of Finance, and renaming the titles of the Personnel Manager to Personnel Director, Director of Fire Services to Fire Chief and Executive Secretary (in the Clerk's office) to Deputy City Clerk, with identifying benchmarks being designated to conform to AWC benchmark salary positions, and any and all references to the renamed titles, in any City code sections, policy manuals or other City documents, shall be deemed and construed as referring to the renamed titles.

2. This Ordinance shall take effect and be in full force and effect five (5) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1002

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON
ADOPTING A NEW CHAPTER 15.40 OF THE SEATAC MUNICIPAL CODE PROVIDING FOR
A COMMUTE TRIP REDUCTION PLAN**

—

WHEREAS, motor vehicle traffic is a major source of emissions that pollute the air, and air pollution causes significant harm to public health and degrades the quality of the environment; and

WHEREAS, the motor vehicle traffic in the City of SeaTac is a major source of pollution; and

WHEREAS, traffic congestion imposes significant cost and wear on the City infrastructures, delays delivery of goods and services and adds to congestion during seasonal peak travel times at the airport; and

WHEREAS, capital and environmental costs of fully accommodating the existing and projected motor vehicle traffic on roads and highways are prohibitive while decreasing the demand for vehicle trips is significantly less costly and is at least as effective in reducing traffic congestion and its impacts as constructing new transportation facilities; and

WHEREAS, employers have significant opportunities to encourage and facilitate the reduction of single-occupant vehicle commuting by employees; and

WHEREAS, under State policy, as set forth in RCW 70.94.521-551 the City of SeaTac is required to develop and implement a program and plan to reduce single occupant vehicle commute trips and vehicle miles travelled for the City and affected employers; and

WHEREAS, adoption of this ordinance will promote the public health, safety and general welfare within the City of SeaTac and the King County region; and

WHEREAS, this ordinance is consistent with CTR State Task Force Guidelines and ordinances of other local jurisdictions within the greater King County area, and Section 15.15.095 of the City Code.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC DO ORDAIN AS FOLLOWS:

1. That a new Chapter 15.40 of the SeaTac Municipal Code be and the same hereby is created to read as follows:

Chapter 15.40

COMMUTE TRIP REDUCTION

15.40.010 Definitions. The following definitions shall apply to this Chapter:

A. **Affected Employee** - A full-time employee who is scheduled to begin his or her regular work day at a single worksite between 6:00 am and 9:00 am (inclusive) on two or more weekdays per week for at least twelve continuous months. For the purposes of this ordinance, principles and associates in a corporation, partners (general or limited) in a partnership and participants in a joint venture are to be considered employees.

B. Affected Employer - means a public or private employer that employs 100 or more affected employees at a single worksite who are scheduled to begin their regular work day between 6:00 am and 9:00 am (inclusive) on two or more weekdays for twelve continuous months. The individual employees may vary during the year. Construction worksites, when the expected duration of the construction is less than two years, are excluded from this definition.

C. Alternative Mode - means any type of commute transportation other than that in which the single-occupant motor vehicle is the dominant mode, including telecommuting and compressed work weeks if they result in reducing commute trips.

D. Alternative Work Schedules - means programs such as compressed work weeks, flextime, and working on Saturday and/or Sunday that eliminate peak period work trips for affected employees.

E. Base Year - means the period from January 1, 1992, through December 31, 1992, on which goals for vehicles miles travelled (VMT) per employee and proportion of single-occupant vehicle (SOV) trips shall be based.

F. City - means the City of SeaTac.

G. Commute Trips - means trips made from a workers home to a worksite with a regularly scheduled arrival time of 6:00 a.m. to 9:00 a.m. (inclusive) on weekdays.

H. CTR (Commute Trip Reduction) Administrator - means the person designated by the City to administer the City's CTR responsibilities and to oversee enforcement of the City ordinance.

I. CTR (Commute Trip Reduction) Plan - means the City of SeaTac's plan as set forth in conformity with this ordinance to regulate and administer the CTR programs of affected employers within its jurisdiction.

J. CTR (Commute Trip Reduction) Program - means an employer's strategies to reduce affected employees' SOV use and VMT per employee.

K. CTR (Commute Trip Reduction) Task Force - means a group of individuals designated by the governor whose primary responsibility is to establish guidelines for implementation of the CTR law.

L. CTR (Commute Trip Reduction) Task Force Guidelines - means the model standards for local jurisdictions to use in the creation and administration of commute trip reduction plans and programs. The standards are guidelines to create consistency among local jurisdictions.

M. CTR (Commute Trip Reduction) Zone - means the area, such as a census tract or combination of census tracts within the City of SeaTac. The area is characterized by similar employment density, population density, level of transit service, parking availability, access to high occupancy vehicle facilities, and other factors that are determined to affect the level of SOV commuting.

N. Compressed Work Week - means an alternative work schedule, in accordance with employer policy, that regularly allows a full-time employee to eliminate at least one work day every two weeks by working longer hours during the remaining days, resulting in fewer commute

trips by the employee. This definition is primarily intended to include weekly and bi-weekly arrangements, the most typical being four 10-hour days or 80 hours in nine days, but may also include other arrangements. Compressed work weeks are understood to be an ongoing arrangement.

O. **Dominant Mode** - means the mode of travel used for the greatest distance of a trip.

P. **Employee** - means anyone who receives financial or other remuneration in exchange for work provided to an employer, including owners or partners of the employer.

Q. **Employer** - means a sole proprietorship, partnership, corporation, unincorporated association, cooperative, joint venture, agency, department, district or other individual or entity, whether public, non-profit, or private, that employs workers.

R. **Employee Transportation Coordinator (ETC)** - means the person designated by applicable employers to coordinate the employer's compliance with the City pursuant to Section 15.40.070 of this code.

S. **Flex-Time** - an employer policy allowing individual employees some flexibility in choosing the time, but not the number, of their working hours to facilitate the use of alternative modes.

T. **Full-Time Employee** - a person other than an independent contractor, scheduled to be employed on a continuous basis for 52 weeks per year for an average of at least 35 hours per week.

U. **Implementation** - means active pursuit by an employer of the CTR goals of RCW 70.94.521-551 and this ordinance as evidenced by appointment of a transportation coordinator, distribution of information to employees regarding alternatives to SOV commuting, and commencement of other measures according to their CTR program and schedule.

V. **Mode** - means the type of transportation used by employees, such as single-occupant vehicles, rideshare vehicle (carpool, vanpool), transit, ferry, bicycle, and walking.

W. **Peak Period** - means the hours from 6:00 a.m. to 9:00 a.m. (inclusive), Monday through Friday, except legal holidays.

X. **Peak Period Trip** - means any employee trip that delivers the employee to begin his or her regular workday between 6:00 a.m. and 9:00 a.m. (inclusive), Monday through Friday, except legal holidays.

Y. **Proportion of SOV (Single-Occupant Vehicle) Trips or SOV Rate** means the number of commute trips over a set period made by affected employees in SOVs divided by the number of affected employees working during that period.

Z. **Single-Occupant Vehicle (SOV)** - means a motor vehicle occupied by one (1) employee for commute purposes, including a motorcycle.

AA. **Single-Occupant Vehicle (SOV) Trips** - means trips made by affected employees in SOVs.

BB. **Single Worksite** - means a building or group of buildings on physically contiguous parcels of land or on parcels separated solely by private or public roadways or rights-of-way occupied by one or more affected employers.

CC. **Telecommuting** - means the use of telephones, computers, or other similar technology to permit an employee to work from home, eliminating a commute trip, or to work from a work place closer to home, reducing the distance traveled in a commute trip by at least half.

DD. **Transportation Demand Management (TDM)** - means the method of creating programs to reduce the number of Single Occupancy Vehicle (SOV) during am/pm rush hours.

EE. **Transportation Management Association (TMA)** - means a group of employers or an association representing a group of employers in a defined geographic area. A TMA may represent employers within specific city limits, or may have a sphere of influence that extends beyond city limits.

FF. **Vehicle Miles Traveled (VMT) Per Employee** - means the sum of the individual vehicle commute trip lengths in miles made by affected employees over a set period divided by the number of affected employees during that period.

GG. **Waiver** - means an exemption from CTR program requirements granted to an employer by the City based on unique conditions that apply to the employer or employment site.

HH. **Week** - means a seven day calendar period, starting on Monday and continuing through Sunday.

II. **Weekday** - means any day of the week except Saturday or Sunday.

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15.40.020 Commute Trip Reduction Goals.

The commute trip reduction goals for employer affected by this ordinance are to achieve the following reductions in vehicle miles travelled per employee as well as in the proportion of single-occupant vehicles from the 1992 base year value of SeaTac's CTR Zone:

- A. 15 percent by January 1, 1995
- B. 25 percent by January 1, 1997
- C. 35 percent by January 1, 1999

Section 3 Designation of CTR Zone and Base Year Values.

Employers in the City of SeaTac fall within the South King County CTR zone designated by the boundaries shown on the map in Attachment A.

The base year value of this zone for proportion of SOV trips shall be 85 percent. The base year value for vehicles miles traveled (VMT) per employee shall be set at 9.3. Commute trip reduction goals for major employers shall be calculated based on these values. Therefore, affected employers in the City of SeaTac shall establish programs designed to result in SOV rates of not more than percent in 1995, percent in 1997, and percent in 1999 and VMT per employee of not more than miles in 1995,

miles in 1997, and miles in 1999.

15.40.040 City Employee CTR Plan.

The 1992 City of SeaTac CTR plan is set forth in Attachment B hereto, and incorporated herein by this reference, and a copy of which shall be on file in the Office of the City Clerk. The plan may be amended by further action of the City Council.

15.40.050 Implementation Responsibility.

The City of SeaTac Public Works Department and the designated CTR Administrator shall be responsible for implementing this ordinance, the CTR Plan, and the City's CTR program for its own employees. The Public Works Director shall have the authority to issue such rules and administrative procedures as are necessary to implement this ordinance.

15.40.060 Applicability.

The provisions of this ordinance shall apply to any affected employer at any single worksite within the corporate limits of the City of SeaTac. Employees will only be counted at their primary worksite. The following classifications of employees are excluded from the counts of employees:

- 1) Seasonal agricultural employees, including seasonal employees of processors of agricultural products; and
- 2) Employees of construction worksites when the expected duration of the construction is less than two years.

A. NOTIFICATION OF APPLICABILITY

1. In addition to SeaTac's established public notification for adoption of an ordinance, the following notification steps will be taken:

A notice of availability of a summary of this ordinance; and

A notice of requirements; and

criteria for affected employers to comply with the ordinance; and

Any subsequent revisions shall be published at least once in a newspaper of general circulation in the general SeaTac area.

2. Known affected employers located in the City will receive formal written notification by certified mail that they are subject to this ordinance within 30 days after passage of this ordinance.

3. Affected employers that, for whatever reason, do not receive notice within 30 days of adoption of the ordinance must identify themselves to the City within 180 days of the adoption of this ordinance. Once they identify themselves, such employers will be granted 150 days within which to develop and submit a CTR program for approval.

4. Any existing employer of 75 or more employees who obtains a business license in the City, shall be required to complete an Employer Assessment Form, provided to the applicant by the City to determine whether or not an employer will be deemed

affected or non-affected in accordance with the provisions of this ordinance.

B. NEW AFFECTED EMPLOYERS

1. Employers that meet the definition of the "affected employer" in this ordinance must identify themselves to the City within 180 days of either moving into the City or growing in employment at a worksite to one hundred (100) or more affected employees. Such employers will be granted a minimum of 150 days, after applying for a business license or renewal, to develop and submit a CTR program.

2. New affected employers shall have two (2) years to meet the first CTR goal of a fifteen (15%) percent reduction from the base year values identified in Section 3 of this ordinance; four (4) years to meet the second goal of a twenty-five (25%) percent reduction; and six years to meet the third goal of a thirty-five (35%) percent reduction from the time they begin their program.

C. CHANGE IN STATUS AS AN AFFECTED EMPLOYER

1. If an affected employer can document that it faces an extraordinary circumstance that will change its status as an affected employer, it can apply for a waiver pursuant to Section 15.40.100 hereof.

2. If an employer initially designated as affected employer no longer employs one hundred (100) or more affected employees and has not employed one hundred (100) or more affected employees for the past twelve (12) months, that employer is no longer an affected employers. It is the responsibility of the employer to provide documentation to the City that it is no longer an affected employer.

3. If the same employer returns to the level of one hundred (100) or more affected employees twelve (12) or more months after its change in status to an "unaffected" employer, that employer shall be treated as a new affected employer, and will be subject to the same program requirements as other new affected employers.

15.40.070 REQUIREMENTS FOR EMPLOYERS.

An affected employer is required to develop and implement a CTR program that will encourage its employees to reduce VMT per employee and SOV commute trips. The CTR program must include the mandatory elements described below, including submittal of a CTR program description and annual progress report.

A. DESCRIPTION OF EMPLOYER'S CTR PROGRAM

Each affected employer is required to submit a description of its CTR program to the City on the official form available from the CTR Administrator or Public Works Department. At a minimum, the employers description must include:

1. General description of each employment site location within the City limit including, transportation characteristics, surrounding services and, including unique conditions

experienced by the employer or its employees;

2. Number of employees affected by the CTR program;

3. Documentation of compliance with the mandatory CTR program elements (Noted in Subsection B);

4. Description of the additional elements included in the CTR program; and

5. Schedule of implementation, assignment of responsibilities, and commitment to provide appropriate resources to carry out the CTR program.

B. MANDATORY PROGRAM ELEMENTS

Each employer's CTR program shall include the following mandatory elements:

1. EMPLOYEE TRANSPORTATION COORDINATOR (ETC).

The employer shall designate a transportation coordinator to administer the CTR program. The coordinator's and/or designee's name, location, and telephone number must be displayed prominently at each affected worksite. The coordinator shall oversee all elements of the employer's CTR program and act as liaison between the employer and the City of SeaTac. An affected employer with multiple sites may have one transportation coordinator for all sites.

2. INFORMATION DISTRIBUTION.

Information about an employer's CTR program as well as alternatives to SOV commuting shall be provided to employees at the time of their hire and thereafter at least once a year. This shall consist of, at a minimum:

A. Summary of the employer's program; and

B. ETC name and phone number; and

C. Schedule of accessible bus/train routes; and

D. Phone Number of local transit agencies Information.

3. ANNUAL PROGRESS REPORT.

The CTR program must include an annual review of employee commuting and of progress toward meeting the SOV reduction goals. Affected employers shall file a progress report annually with the City, including, but not limited to a program description and a description of information distributed to employees and the method of distribution. The employer should contact the City's CTR Administrator or Public Works Department for the correct report packet. Survey information or alternative information approved by the City's CTR Administrator shall be required in the 1995, 1997, and 1999 reports.

4. ADDITIONAL PROGRAM ELEMENTS.

In addition to the specific program elements noted above, the employer's CTR program shall designate a set of measures created to meet the CTR goals, the measure can be derived from the following elements, as noted below:

- A. Providing preferential parking or reduced parking charges, or both, for high occupancy vehicles;
- B. Instituting or increasing parking charges for single occupant vehicles;
- C. Providing commuter ride matching services to facilitate employee ride-sharing for commute trips;
- D. Providing subsidies for transit fares, carpools or vanpools;
- E. Permitting the use of the employer's vehicles for carpooling or vanpooling;
- F. Allowing flex-Time work schedules to facilitate or encourage employee's use of transit, car pools or vanpools;
- G. Coordinating with transportation providers to provide additional regular or express service to the worksite;
- H. Constructing special loading and unloading facilities for transit, car pool, and van pool users;
- I. Providing bicycle parking facilities, lockers, changing areas, and showers for employees who bicycle or walk to work;
- J. Providing parking incentives such as rebates for employees who do not use the parking facilities;
- K. Providing guarantee Ride Home Programs and emergency taxi service;
- L. Other innovative elements or technology as approved by the City.

15.40.080 Record Keeping.

Affected employers shall maintain all records required by the Director of Public Works and the CTR Administrator for the duration of the CTR ordinance.

15.40.090 Schedule and Process for CTR Reports, Program Review and Implementation.

A. CTR PROGRAM Not more than six (6) months after the adoption of this ordinance, or within six (6) months after an employer becomes subject to the provisions of this ordinance, the employer shall develop a CTR program and shall submit to the City a description of that program for review.

B. CTR Annual Reporting Date Employers will be required to submit an annual CTR report to the City beginning with the first annual reporting date assigned during the initial program submittal. The annual reporting date shall be no less than twelve (12) months from the day the initial program description is submitted. Subsequent year's reports will be due on the same date each year thereafter.

C. Content of Annual Report The annual progress report shall describe each of the CTR measures that were in effect for the previous year, the

results of any commuter surveys undertaken during the year, and the number of employees participating in CTR programs. Survey information or alternative information approved by the Director of Public Works must be provided in the 1995, 1997, and 1999 reports.

D. Program Review The City shall provide the employer with written notification indicating whether a CTR program was approved or deemed unacceptable.

1. Initial program descriptions will be deemed acceptable if: 1) all required information on the program description form is provided, and, 2) the program description includes the following information:

a. Name, location and telephone number of the Employee Transportation Coordinator for each worksite.

b. Plan for and documentation of regular distribution of information to employees about the employer's CTR program at the worksite, including alternatives to driving alone to work.

c. Plan for and implementation of at least one additional measure designed to achieve the applicable goal.

2. Annual reports will be deemed acceptable if the annual report form is complete and contains information about implementation of the prior year's program elements and proposed new program elements and implementation schedule. Annual reports must also contain a review of employee commuting and report of progress toward meeting SOV goals.

Beginning in 1995, the programs described in the annual reports will be deemed acceptable if either the SOV trip or the VMT per employee goals have been met. If neither goal has been met, the employer must propose modifications designed to make progress toward the applicable goal in the coming year. If the revised program is not approved, the City shall propose modifications to the program and direct the employer to revise its program within 30 days to incorporate those modifications or modifications which the jurisdiction determines to be equivalent.

E. Implementation of Employer's CTR Program The employer shall implement the approved CTR program not more than 180 days after the program was first submitted to the City unless extensions allow for late implementation. Implementation of programs that have been modified based on non-attainment of CTR goals must occur within 30 days following City approval of such modifications.

15.40.100 Request for Waivers/Modification of CTR Requirements.

A. Waivers

An affected employer may request to the CTR Administrator that the City grant a waiver from CTR program requirements for a particular worksite. A waiver may be granted if and only if the affected employer demonstrates that it faces an extraordinary circumstance as a result of the characteristics of its business, its work force, or its location(s), and is unable to implement measures that could reduce the proportion of SOV trips and VMT per employee. Requests for waivers

applying to the initial program submittals are due within three months after the employer has been notified that it is subject to this ordinance, and, thereafter, requests can be made at any time. Requests must be made in writing by certified mail or delivery, return receipt. The City shall review annually all employers receiving waivers, and shall determine whether the waiver will continue to be in effect during the following program year.

B. Goal Modification

Any affected employer may request to the CTR Administrator a modification of program goals. Grounds for granting modification are limited to the following:

1. An affected employer can demonstrate it requires:

a) significant numbers of its employees to use the vehicles they drive to work during the work day for work purposes, that no reasonable alternative commute mode exists for these employees, and that the vehicles cannot reasonable be used for carpools or vanpools; and/or

b) some employees to work variable shifts during the year, so that these employees sometimes begin their shifts within the 6:00 a.m. to 9:00 a.m. time period and other times begin their shifts outside that time period.

If the employer provides documentation indicating how many employees meet either of these conditions, the applicable goals will not be changed but the employees who fall into these categories will not be included in the calculations of proportion of SOV trips and VMT per employee used to determine the employer's progress toward program goals.

It is provided however, that employers may only request a modification based on the above conditions within three months after being notified that they are subject to this ordinance. Additionally, all requests for modifications of CTR program goals must be made in writing by certified mail or delivery, return request.

2. An affected employer demonstrates that its worksite is contiguous with a CTR zone boundary and that the worksite conditions affecting alternative commute options are similar to those for employers in the adjoining CTR zone. Under this condition, the employer's worksite may be made subject to the same goals for VMT per employee and proportion of SOV trips as employers in the adjoining CTR zone.

It is provided however, that employers may only request a modification based on the above conditions within three months after being notified that they are subject to this ordinance. Additionally, all requests for modifications of CTR program goals must be made in writing by certified mail or delivery, return request.

3. Unanticipated conditions, such as unavailability of alternative commute modes due to factors relating to the worksite, an employer's workforce, or characteristics of the business that are beyond the employer's control. A request for goal modification based on this condition must be made by the employer's assigned reporting dates in 1995 and 1997.

4. Relocation of a worksite to another CTR zone. Requests for goal modification based on this condition may be made at any time.

All requests for modification of CTR program goals must be made in writing by certified mail or delivery, return receipt.

C. MODIFICATION OF CTR PROGRAM ELEMENTS

If an employer wants to change a particular aspect of its CTR program during the period of time between annual reporting dates, the employer must contact the City.

D. EXTENSIONS

An employer may request to the CTR Administrator for additional time to submit a CTR program or a CTR annual progress report, or to implement or modify a program. Such requests shall be made in writing prior to the due date anytime a program submission is going to be more than one week late. Extensions for the program or implementing measures not to exceed ninety (90) days shall be considered for reasonable cause. Employers will be limited to a total of 90 days allowed extension per year. Extensions shall not exempt an employer from any responsibility in meeting program goals. Extensions granted due to delays or difficulties with any program element(s) shall not be cause for discontinuing or failing to implement other program elements. An employer's annual reporting date shall not be adjusted permanently as result of any extension. An employer's annual reporting date may be extended at the discretion of the CTR Administrator.

15.40.110 CREDIT FOR TRANSPORTATION DEMAND MANAGEMENT EFFORTS.

A. CREDIT FOR PROGRAMS IMPLEMENTED PRIOR TO THE BASE YEAR

Employers with successful TDM programs implemented prior to the 1992 base year may apply to the City for program credit.

1. Employers whose VMT per employee and proportion of SOV trips are already equal to or less than the goals for one or more future goal years, and who commit in writing to continue their current level of effort, shall be exempt from the following year's annual report.

2. Employers applying for the program credit in their initial 1993 program description shall be considered to have met the 1995 CTR goals if their VMT per employee and proportion of SOV trips are equivalent to a 12 percent or greater reduction from the base year zone values. This three (3%) percentage point credit applies only to the 1995 CTR goals.

Application for a program exemption credit shall include results from a survey of employees, or equivalent information that establishes the applicant's VMT per employee and proportion of SOV trips.

B. CREDIT FOR ALTERNATIVE WORK SCHEDULES, TELECOMMUTING, BICYCLING and WALKING BY AFFECTED EMPLOYEES

The City will count commute trips eliminated through alternative work schedules, telecommuting options, bicycling and walking as 1.2 vehicle trips eliminated. This assumption

applies to both the proportion of SOV trips and VMT per employee. This type of credit is applied when calculating the SOV and VMT rates of affected employers. Refer to administrative guidelines for over-all calculation equations and review process.

15.40.120 Employer Peer Review Group.

A. Appointment of Members The City shall appoint member(s) from affected employers to subregional employer peer review groups created through interlocal agreement with other jurisdictions. Membership on an employer peer review group shall be determined in such interlocal agreement.

B. Review of Staff Recommendations Employers may file a written request for review by the Employer Peer Review Group of staff recommendations issued regarding the following actions:

1. Rejection of an employer's proposed program.
2. Denial of an employer's request for a waiver or modification of any of the requirements under this ordinance or a modification of the employer's program.
3. Denial of credits requested under Section 15.40.110 hereof.

Such requests must be filed with the City within ten (10) days after the employer receives notice of a staff recommendation. Timely requests for review shall be forwarded by the City to the Employer Peer Review Group. Any peer review group shall be advisory in nature. The City shall not be bound by any comments or recommendations of any peer review group.

15.40.130 Appeals.

A. Appeal of Final Decisions Employers may file a written appeal of the City's final decisions regarding the following actions:

1. Rejection of an employer's proposed program.
2. Denial of an employer's request for a waiver or modification of any of the requirements under this ordinance or a modification of the employer's program.
3. Denial of credits requested under Section 15.40.110

Such appeals must be filed with the City within twenty (20) days after the employer receives notice of a final decision.

Timely appeals shall be heard by the City's Hearing Examiner. Determinations on appeals shall be based on whether the decision being appealed was consistent with the state law.

15.40.140 Enforcement.

A. Compliance

For purposes of this section, compliance shall mean submitting required reports and documentation at prescribed times and fully implementing all provisions in an accepted CTR program.

B. Violations

The following actions shall constitute a violation of this ordinance:

1. Failure to implement an approved CTR program, unless the program elements that are carried out can be shown through quantifiable evidence to meet or exceed VMT and SOV goals as specified in this ordinance. Failure to implement a CTR program includes but is not limited to:

- a. Failure of any affected employer to submit a complete CTR program within the deadlines specified in Section 15.40.090 hereof.

- b. Failure to submit required documentation for annual reports

- c. Submission of fraudulent data.

2. Failure to modify a CTR program found to be unacceptable by the City under Section 15.40.090, paragraph D.

C. PENALTIES

Each day of failure by an employer to implement a commute trip reduction program or modify an unacceptable commute trip reduction program shall constitute a separate violation and it is classified as a Class I civil infraction pursuant to RCW 7.80.120. The penalty for this violation shall be \$250.00 per day.

An employer shall not be liable for civil penalties if failure to implement an element of a CTR program was the result of an inability to reach agreement with a certified collective bargaining agent under applicable laws where the issue was raised by the employer and pursued in good faith. Unionized employers shall be presumed to act in good faith compliance if they do the following:

1. Propose to a recognized union any provision of the employer's CTR program that is subject to bargaining as defined by the National Labor Relations Acts; and

2. Advise the union of the existence of the statute and mandates of the CTR program approved by the City of SeaTac and advise the union that the proposal being made is necessary for compliance with state law (RCW 70.94.531)

D. Appeals of Penalties Affect employers may appeal penalties pursuant to RCW 7.80.100.

2. That this Ordinance will be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED by the City Council on this day of

1993, and signed in authentication thereof this day of

, 1993.

CITY OF SEATAC

Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1003

AN ORDINANCE of the City Council of the City of SeaTac, Washington creating a new Chapter 2.26 of the SeaTac Municipal Code establishing the City of SeaTac Youth Commission providing for the organization, specifying the duties and functions thereof

WHEREAS, the City of SeaTac, Washington recognizes that positive interaction with youth is important to the quality of life of a community, and is an important investment in the future of the City; and,

WHEREAS, the views of youth are important to the City of SeaTac and its citizens; and,

WHEREAS, in order to fully utilize the valuable resources available in the youth of the City and in order to best equip the City to be able to address problems, concerns and needs of the youth of the City, it is appropriate to establish a Youth Commission for the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That a new Chapter 2.26 of the SeaTac Municipal Code be, and the same hereby is, created to read as follows:

Chapter 2.26**Youth Commission****2.26.010 Created.**

There is hereby created an Advisory Commission to be known as the "Youth Commission of the City of SeaTac."

2.26.020 Membership.

There shall be fifteen (15) members of the Youth Commission. The Youth Commission members shall consist of young people from the City of SeaTac between the ages of 13 years and 19 years, provided that not less than twelve (12) of the members of the Youth Commission shall be residents of the City of SeaTac.

2.26.030 Appointment.

The members of the Youth Commission shall be appointed by the Mayor subject to confirmation by the City Council. The selection and appointment of members to the Youth Commission shall, as far as possible, reflect the diversity of the community in terms of neighborhood representation, ethnicity, economic background, disability, gender, cultural and religious background, family status and national origin, as well as representation from the various junior high schools and high schools which serve the City of SeaTac. In order to provide for the diversity of membership, the City shall solicit the names of interested applicants and nominees for appointment to the Commission from a variety of sources, including but not limited to individuals and organizations who are involved in working with youth and/or who work on youth related activities in the community or in the surrounding communities.

2.26.040 Term of Office.

The members of the Youth Commission shall serve for a term of two (2) years. If a member of the Youth Commission shall be absent without prior notification or excuse from three (3) consecutive regularly scheduled meetings of the Commission, the Chair person of the Youth Commission, with the concurrence of the Staff Advisor may declare the position held by that member vacant and a new member may be appointed pursuant to Section 2.26.030.

2.26.050 Youth Resource Committee.

The Planning Department shall solicit, compile and maintain a list of interested and knowledgeable adults who are willing to act as support resources for the Youth Commission. The Youth Resource Committee shall be comprised of members of the community from education, police, religious, recreation, human services and other communities which serve the City of SeaTac and the youth of the City. The Youth Resource Committee shall not have regularly scheduled meetings, but members of the Committee shall be available, upon request to assist and advise the Youth Commission members as the Youth Commission members address and discuss certain topics involving the expertise and familiarity of such Youth Resource Committee members.

2.26.060 Rule of Procedure.

The Youth Commission shall elect its own Chair person to preside over its meetings, and may create and fill such other officers among its members as may be determined by the Commission to be beneficial to conduct its business. A majority of the members of the Youth Commission shall constitute a quorum for its meetings.

2.26.070 Staff Advisor.

The Staff Advisor shall be an employee of the City selected and appointed to act in the capacity as Staff Advisor to the Youth Commission by the City Manager or his designee. The Staff Advisor shall be an ex-officio member of the Youth Commission, and shall attend meetings of the Commission but shall not have a vote on matters being voted on by the Commission. The Staff Advisor shall assist the Chair person in the development of agendas for Youth Commission meetings, arrange for scheduling of meetings, and arrange for presentations and participation by other individuals including members of the Youth Resource Committee, and shall assist the Youth Commission in preparation of reports to the City Council.

2.26.080 Compensation.

The members of the Youth Commission shall serve without compensation.

2.26.090 Expenses.

The City Council may appropriate a budget for the Youth Commission to provide for necessary expenses and expenditures. The City shall provide the Youth Commission with adequate space and facilities and necessary supplies to facilitate the operations and functions of the Commission.

2.26.100 Conflict of Interest.

If any member of the Youth Commission concludes that a member has a conflict of interest with respect to a particular matter which is pending before the Commission, that member shall disqualify himself or herself from participating in any deliberations, discussions and decision-making processes of the Commission.

2.26.110 Meetings.

The Youth Commission shall hold such meetings as may be deemed to be necessary for the completion of the purposes, responsibilities and functions of the Commission. Regular meetings shall be held at least once every month during the school year, unless there is no business to be considered by the Commission. Special meetings may be called by the Chair person or by three (3) members of the Commission at any time that the need for a special meeting is warranted. The Staff Advisor shall take and publish minutes of meetings of the Commission. Published copies of the minutes of the Youth Commission meetings shall be provided to each member of the Youth Commission and to each member of the City Council.

2.26.120 Commission Responsibilities.

The Youth Commission shall identify issues related to youth in community; provide input to the City Council and to its Commissions and Committees on issues relating to youth in the SeaTac community; develop and maintain a Youth Action Agenda outlining strategies to address a broad range of emotional, physical, social and health issues facing youth of the City of SeaTac; develop a plan to implement the Youth Action Agenda over both the short and long term; provide increased opportunities for community involvement by youth of the City of SeaTac and by the community in general; provide input to the City Council, City Commissions and City staff regarding the delivery of City youth programs and provide outreach to the community in an effort to place youth issues before the citizens of the City of SeaTac in a positive manner.

2.26.130 Annual Report of Progress.

The Youth Commission shall, with the assistance of the Staff Advisor, annually provide to the City Council a report on progress made in carrying out the Commission's responsibilities. Additional reports may be submitted when deemed appropriate by the Commission or when requested by the City Council.

2. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1004

AN ORDINANCE of the City Council of the City of SeaTac, Washington, providing for the vacation of portions of South 202nd Street lying between 12th Place South and 13th Avenue South, modifying the provisions of Ordinance No. 92-1038

WHEREAS, the City of SeaTac, Washington, has received a request by owners of property adjacent to that portion of South 202nd Street lying between 12th Place South and 13th Avenue South, requesting vacation of the same; and,

WHEREAS, the City Council of the City of SeaTac, Washington, has, after a review of its needs for streets and right-of-ways in the vicinity of that portion of South 202nd Street lying between 12th Place South and 13th Avenue South, determined that consideration should be given to the vacation of the same; and,

WHEREAS, a public hearing was held on September 15, 1992, at the SeaTac City Council Chambers in SeaTac, Washington, in connection with the possible vacation, with notice having been provided pursuant to statute; and,

WHEREAS, the City Council of the City of SeaTac, Washington, has considered all matters presented at the public hearing on the proposed vacation; and,

WHEREAS, the City Council has heretofore adopted its Ordinance No. 92-1038, in which it was provided that the portion of South 202nd Street lying between 12th Place South and 13th Avenue South located within the City of SeaTac, Washington, and as shown on the map attached thereto, marked Exhibit "A" to the Ordinance and incorporated therein by reference, was to be vacated, provided that the City of SeaTac reserves an easement for utilities over, under and on the vacated right-of-way, and further reserves the right to grant easements for utilities over, under and on the vacated right-of-way and to be effective upon payment to the City of SeaTac within 90 days of the date thereof by the owner or owners of property adjacent thereto and to be benefitted by the vacation, in the total amount of Twenty-One Thousand Three Hundred Forty-nine Dollars and twenty cents (\$21,349.20); and,

WHEREAS, not all of the adjacent property owners were willing or able to pay towards that amount a share representative of the portion of the proposed street vacation which would have inured to them; and,

WHEREAS, it would still be advantageous to the City and to those property owners who are willing or able to pay such a proportionate share of the total costs, for those portions of South 202nd Street adjacent to their property to be vacated.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That those portions of South 202nd Street lying between 12th Place South and 13th Avenue South located within the City of SeaTac, Washington, and as shown on the map attached hereto, marked Exhibit "A" and incorporated herein by this reference, be, and the same hereby is vacated, as provided herein below, and provided that the City of SeaTac reserves an easement for utilities over, under and on the vacated right-of-way, and further reserves the right to grant easements for utilities over, under and on the vacated right-of-way.

2. That this vacation shall be effective, as to each portion adjacent to the abutting property, to the center of the road,

upon payment to the City of SeaTac within 90 days of the date hereof by the owner or owners of property adjacent thereto and to be benefitted by the vacation, in the total amount of Five thousand three hundred thirty- seven dollars and thirty cents (\$5,337.30), as to each quarter of the proposed street vacation (the portions abutting each of the four parcels of property along the proposed street vacation) as shown on the map attached hereto, marked as Exhibit "A" and incorporated herein by this reference, and that this Ordinance shall be in full force and effect five (5) days after publication as required by law; Provided that as to those quarters of the proposed street vacation for which payment is not paid as indicated above, if any, this Ordinance shall be null and void.

3. That a copy of this Ordinance shall be filed with the Office of the King County Auditor, and the Auditor shall also be advised as to the receipt of any and all such payments.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1005

AN ORDINANCE of the City Council of the City of SeaTac, Washington, relating to City employment and employees; and adopting a revised Appendix A, Pay and Compensation Plan, adding the new position of Director of Fire Services with Sunset Clause

WHEREAS, the City Council has previously enacted Ordinance No. 90-1037, establishing personnel policies and procedures for the City; and,

WHEREAS, in connection with said Ordinance, a Pay and Compensation Plan has been adopted for City employees; and,

WHEREAS, in order to accommodate the changing needs and roles of City employees, and in order to most effectively provide for employment positions which would be able to accomplish the tasks necessary of City staff, it has been necessary to amend the Pay and Compensation Plan on a number occasions since the initial ordinance establishing the Personnel Policies and Procedures; and,

WHEREAS, one of the changes which has occurred in the past was to identify and specifically provide for an employee position of "Fire Chief", as opposed to a "Director of Fire Services, which specific position identification was necessary and appropriate to ensure adequate recruitability, particularly in light of the current vacancy for the City's Fire Chief position; and,

WHEREAS, pending the completion of recruitment procedures for the Fire Chief position and successful filling of that position, the City has contracted with former Everett City Fire Chief, Douglas McNall, to provide oversight services in connection with the position of Director of Fire Services; and,

WHEREAS, that position, initially, was contracted through a personnel services contract, and was initially expected to last for no longer than six (6) months; and,

WHEREAS, because of the resignation of the then City Manager, and because of the legitimate interest in allowing the successor City Manager to recruit for and select a Fire Chief, the interim services of Douglas McNall as Director of Fire Services were extended, and those services may continue to be necessary into the summer of 1993; and,

WHEREAS, because of the length of time that Douglas McNall has been providing services as a Director of Fire Services for the City of SeaTac, and in light of applicable Internal Revenue Service rulings and State Retirement System rulings, it is necessary that Douglas McNall be treated as an employee within the meaning of the State Retirement System; and,

WHEREAS, in order for there to be no confusion about his role as an interim employee as Director of Fire Services, and in order for there to be no confusion about the organizational relationship of that position to the City fire department, it is necessary and appropriate to include the Director of Fire Services position as an employment position on the City's Pay and Compensation Plan and include that position within the requirements of the Washington State Retirement System, specifically in the Public Employment Retirement System (PERS); with that position automatically expiring and being deleted from the City's Pay and Compensation Plan upon the termination of the employment relationship of Douglas McNall, scheduled to occur within thirty (30) days after the hiring of a regular full-time Fire Chief for the City of SeaTac.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. Adoption of Attachment A Compensation Plan.

The Pay Compensation Plan attached to this Ordinance is hereby adopted as Appendix A to Ordinance No. 93-1001, 92-1040, Ordinance No. 92-1017, Ordinance No. 92-1012, Ordinance No. 92-1009, Ordinance No. 92-1002, Ordinance No. 91-1043, Ordinance No. 91-1033, Ordinance No. 91-1019, Ordinance No. 91-1008, Ordinance No. 90-1077, Ordinance No. 90-1069, Ordinance No. 90-1066, Ordinance No. 90-1059, and Ordinance No. 90-1055, adding to the City's Pay and Compensation Plan the position of Director of Fire Services, provided that the position of Director of Fire Services shall automatically be terminated and removed from the City's Pay and Compensation Plan upon the termination of employment of the person filling that position, scheduled to occur within thirty (30) days after the hiring of a City of SeaTac Fire Chief.

2. This Ordinance shall take effect and be in full force and effect five (5) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1006

AN ORDINANCE of the City Council of the City of SeaTac, Washington, vacating the 20 foot wide section of right-of-way running West from 41st Avenue South between South 179th Street and South 181st Street

WHEREAS, the City of SeaTac, Washington, has received a petition by not less than two-thirds (2/3) of the owners of property adjacent to the 20 foot wide section of right-of-way running West from 41st Avenue South between South 179th Street and South 181st Street, requesting vacation of the same; and,

WHEREAS, a public hearing was held in connection with the possible vacation, with notice having been provided pursuant to statute; and,

WHEREAS, the City Council of the City of SeaTac, Washington, has considered all matters presented at the public hearing on the proposed vacation, held on the 23rd day of March, 1993, at the SeaTac City Council Chambers in SeaTac, Washington.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That the 20 foot wide section of right-of-way running West from 41st Avenue South between South 179th Street and South 181st Street, located within the City of SeaTac, Washington, and as shown on the map attached hereto, marked Exhibit "A" and incorporated herein by this reference, be, and the same hereby is vacated, provided that the City of SeaTac reserves an easement for utilities over, under and on the vacated right-of-way, and further reserves the right to grant easements for utilities over, under and on the vacated right-of-way.

2. That this vacation shall be effective upon payment to the City of SeaTac within 180 days of the date hereof by the owner or owners of property adjacent thereto and to be benefitted by the vacation, in the total amount of Ten thousand eight hundred and thirteen and ten cents (\$10,813.10) dollars, and subject to the dedication to the City of an acceptable right-of-way providing a continuous connection between South 180th and neighboring existing right-of-ways within the same 180 day period, and that this Ordinance shall be in full force and effect five (5) days after publication is required by law. If the above described conditions are not satisfied and payment is not made within the time period provided above, this Ordinance shall be null and void.

3. That a copy of this Ordinance shall be filed with the Office of the King County Auditor.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1007

AN ORDINANCE of the City Council of the City of SeaTac, Washington, vacating a portion of the former alignment of South 154th Street at the North end of the Seattle-Tacoma International Airport

WHEREAS, the City of SeaTac, Washington, has received a petition by not less than two-thirds (2/3) of the owners of property adjacent to a portion of the former alignment of South 154th Street at the North end of the Seattle-Tacoma International Airport, requesting vacation of the same; and,

WHEREAS, the City Council of the City of SeaTac, Washington, has, after a review of its needs for streets and right-of-ways in the vicinity of a portion of the former alignment of South 154th Street at the North end of the Seattle-Tacoma International Airport, determined that consideration should be given to the vacation of the same; and,

WHEREAS, a public hearing was held in connection with the possible vacation, with notice having been provided pursuant to statute; and,

WHEREAS, the City Council of the City of SeaTac, Washington, has considered all matters presented at the public hearing on the proposed vacation, held on the 23rd day of March, 1993, at the SeaTac City Council Chambers in SeaTac, Washington.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That a portion of the former alignment of South 154th Street at the North end of the Seattle-Tacoma International Airport, located within the City of SeaTac, Washington, and as shown on the map attached hereto, marked Exhibit "A" and incorporated herein by this reference, be, and the same hereby is vacated, provided that the City of SeaTac reserves an easement for utilities over, under and on the vacated right-of-way, and further reserves the right to grant easements for utilities over, under and on the vacated right-of-way.

2. That this vacation shall be effective upon execution and delivery to the City of SeaTac within 120 days of the date hereof by the Port of Seattle, adjacent thereto and to be benefitted by the vacation, an acceptable warranty Deed and legal description for the relocated alignment for South 154th Street or other document providing for satisfactory conveyance or dedication, and that this Ordinance shall be in full force and effect five (5) days after publication is required by law. If the above described deed or other documentation is not provided within the time period provided above, this Ordinance shall be null and void.

3. That a copy of this Ordinance shall be filed with the Office of the King County Auditor.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1008

AN ORDINANCE of the City Council of the City of SeaTac, Washington creating and establishing a new Section 3.40.105 of the SeaTac Municipal Code establishing a "Change Fund" for the North SeaTac Park Community Center

WHEREAS, the City of SeaTac, together with the Port of Seattle and King County have cooperatively joined efforts to develop and build the North SeaTac Park Community Center; and,

WHEREAS, the North SeaTac Park Community Center is to be operated and run by the City of SeaTac through its Parks and Recreation Department; and,

WHEREAS, because the North SeaTac Park Community Center will involve activities and facility uses for which customers and users will need to pay, it is appropriate that the City establish a fund for use in the North SeaTac Park Community Center to be able to transact the business attendant to the operation of that facility.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That a new Section 3.40.105 of the SeaTac Municipal Code be, and the same hereby is created to read as follows:

3.40.105 Community Center Change Fund.

There is hereby established and created a fund which shall be known as the Community Center Change Fund into which fund shall be the initial amount of (\$300) Three Hundred Dollars for use in the cash drawer of the North SeaTac Park Community Center, to enable the facility to transact the business of collection/receipt of fees and payments in connection with operation of the North SeaTac Park Community Center.

2. That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1009

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 2.22.020 of the SeaTac Municipal Code relating to the Human Relations Commission

WHEREAS, the City Council of the City of SeaTac, Washington, created and established a Human Relations Commission by Ordinance No. 92-1024, amended by Ordinance No. 92-1043; and,

WHEREAS, the provisions these ordinances provided for five (5) members to be appointed to the Commission, with at least three (3) of the members being residents of the City; and,

WHEREAS, in order to provide for a consistent membership quorum of the Commission and to provide for greater participation of members of the community in the work of the Commission, it would be appropriate and advantageous to provide for a total of seven (7) members of the Commission.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That Section 2.22.020 of the SeaTac Municipal Code be, and the same hereby is amended to read as follows:

2.22.020 Membership.

There shall be ~~five (5)~~ seven (7) members of the Human Relations Commission. At least ~~three~~ four (4) of the members shall be residents of the City. Other members shall own, operate or be employed by business entities located within the City.

2. That this Ordinance shall be in full force and in effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1010

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 8.10.010 of the SeaTac Municipal Code relating to Domestic Violence

WHEREAS, the current language of the SeaTac Municipal Code does provide for a number of provisions addressing Domestic Violence and Protection Orders as part of its Chapter 8.10; and,

WHEREAS, there are other sections of State statutes which also address Domestic Violence and which would be appropriate for inclusion in the City Code in order to allow City law enforcement officials and the court to take appropriate enforcement action in cases where the other, currently adopted statutes may not have specific application; and,

WHEREAS, in order to assure the ability of the City's Police Department and Municipal Court the necessary tools to address Domestic Violence victim cases, it is appropriate to add those sections to the SeaTac Municipal Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That Section 8.10.010 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

8.10.010 Domestic violence prevention.

The following sections of Chapters 10.99 and 26.50 RCW as now in effect, and as may subsequently be amended, are hereby adopted by reference to establish a domestic violence offenses and procedures for domestic violence prevention:

10.99.020 Definitions.

10.99.040 Violation of No Contact Order.

26.50.010 Definitions.

26.50.020 Commencement of action - Jurisdiction - Venue.

26.50.030 Petition for order for protection - Availability of forms and instructional brochures - Filing fee, when required - Bond not required.

26.50.040 Application for leave to proceed in forma pauperis.

26.50.050 Hearing - Service - Time.

26.50.060 Relief - Realignment of designation of parties.

26.50.070 Ex parte temporary order for protection.

26.50.080 Issuance of order - Assistance of peace officer - Designation of appropriate law enforcement agency.

26.50.090 Order - Service - Fees.

26.50.100 Order - Transmittal to law enforcement agency - Record in law enforcement information system - Enforceability.

26.50.110 Violation of order - Penalties.

26.50.120 Violation of order - Prosecuting attorney or attorney for municipality may be requested to assist - Cost and attorney's fees.

26.50.130 Order - Modification - Transmittal.

26.50.140 Peace officers - Immunity.

26.50.200 Title to real estate - Effect.

26.50.210 Proceedings additional.

2. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1011

AN ORDINANCE of the City Council of the City of SeaTac, Washington adding new Sections 9.05.015, 9.05.060 and 9.05.065 to the SeaTac Municipal Code, relating to the City's Traffic Ordinances

WHEREAS, the City Council has adopted, as and for its traffic code, the Model Traffic Ordinance pursuant to Chapter 46.90 of the Revised Code of Washington; and,

WHEREAS, there are some sections of the State's traffic code which are not included in the Model Traffic Ordinance and which may be of value to the City for inclusion within the City's traffic code; and,

WHEREAS, among the provisions adopted by the Model Traffic Ordinance is RCW 46.16.381 referring to violations of disabled parking spaces; and,

WHEREAS, although the State statute does allow for a penalty, as currently adopted, the penalty may be as small as fifteen dollars (\$15.00) per violation which, according to the police officers enforcing the law, does not result in as much of a deterrent as would be have been hoped; and,

WHEREAS, in order to make enforcement of violations of disabled parking spaces more effective, it would be appropriate to provide that the penalty shall be fifty dollars (\$50.00) per violation; and,

WHEREAS, also not included in the current Model Traffic Ordinance are provisions which would prohibit individuals from parking in front of or adjacent to mailbox or postal receptacles so as to interfere with the delivery of postal services; and,

WHEREAS, it would be appropriate to include in the City's traffic code a section which addresses such violations that interfere with the delivery of postal services.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That a new Section 9.05.015 of the SeaTac Municipal Code be, and the same hereby is, created to read as follows:

9.05.015 Additional Code Sections Adopted by Reference.

The following sections of Title 46 of the Revised Code of Washington, not having been included in the MTO, are hereby adopted by reference into the SeaTac Traffic Code:

46.09.020 Off-road vehicles - Definitions.

46.09.030 Use Permits - Issuance - Fees.

46.09.040 Use permit prerequisite to operation.

46.09.050 Vehicles exempted from ORV use permits and tags.

46.09.070 Application for ORV use permit

46.09.080 ORV dealers - Permits - Fees

- Number plates - Title application -
Violations.

46.09.110 Disposition of ORV moneys.

46.09.120 Operating violations.

46.09.130 Additional violations -
Penalty.

46.09.140 Accident reports.

46.09.150 Motor vehicle fuel excise
taxes on fuel for nonhighway vehicles
not refundable.

46.09.170 Refunds from motor vehicle
fund - Distribution - Use.

46.09.180 Regulation by local
political subdivisions or state
agencies.

46.09.200 Enforcement.

46.10.020 Ownership, transport,
operation of snowmobile without
registration prohibited.

46.10.030 Ownership or operation of
snowmobiles without registration
prohibited - exceptions.

46.10.050 Snowmobile dealers'
registration - Fee - Dealer number
plates, use - Sale or Demonstration
unlawful without registration.

46.12.010 Certificates required to
operate and sale vehicles -
Manufacturers or dealers, security
interest how perfected.

46.16.160 Vehicle trip permits -
Restrictions and requirements - Fees
and taxes - Penalty - Rules.

46.20.055 Violation of instructional
permit restrictions.

46.20.205 Failure to notify DOL of
address change.

46.29.610 Financial responsibility
requirements - Surrender of license -
Penalty.

46.29.620 Forge proof of financial
responsibility - Penalty.

46.44.080 Local weight regulations -
Authority to establish.

46.61.165 Violation of transit/carpool lane.

46.70.090 Unlawful/improper use of dealer license plates.

46.80.020 Wrecker license required - Penalty.

2. That a new Section 9.05.060 of the SeaTac Municipal Code be, and the same hereby is, created to read as follows:

9.05.060 Penalty for violation of disabled parking spaces.

The following provisions are adopted relative to the provisions of RCW 46.16.381, as referenced in the MTO in RCW 46.90.300: The penalty for violation of RCW 46.16.381, unauthorized use of disabled parking spaces, shall be Fifty Dollars (\$50) per violation.

3. That a new Section 9.05.065 of the SeaTac Municipal Code be, and the same hereby is, created to read as follows:

9.05.065 Interference with postal service.

A. It shall be unlawful for any person to park any vehicle in front of, adjacent or in such proximity to any mail box, postal drop box, or other similar postal receptacle so as to interfere with the delivery of mail by the United States Postal Service.

B. The penalty for parking in violation of this section shall be \$35.00. A violation of this section shall be considered an infraction and shall be processed in accordance with the state statutes regarding infractions.

4. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1012

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Sections 6.05.020 and 6.05.030 of the SeaTac Municipal Code providing for additional sections of the animal control regulations of King County Code to be adopted by reference

WHEREAS, the current language of the SeaTac Municipal Code currently incorporates a number of sections of Chapter 11.04 of the King County Code, regarding animal control and enforcement; and,

WHEREAS, in keeping with the contract for enforcement through the King County Police and Animal Control Services, it is appropriate that the City provide enforcement language in its code compatible with the King County Code sections; and,

WHEREAS, among the animal control enforcement matters appropriate for the City and the County to contend, there are currently, provisions which are in effect in the City but which are currently not enforceable through the SeaTac Municipal Court since those King County Code sections are not incorporated into the City Code; and,

WHEREAS, those sections, specifically those sections allowing the Municipal Court to enforce pet licensing requirements and animal shelter/kennel and pet shop licensing requirements are not included in the City Code and it would be appropriate that they be included so that the Municipal Court could take action with respect to such enforcement responsibilities, often avoiding the necessity of law enforcement and animal control officers as well as prospective defendants from having to attend court in two different forums.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That Section 6.05.020 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

6.05.020 General provisions and licensing.

The following sections of Chapter 11.04 King County Code as now in effect, and as may be subsequently amended, are hereby adopted by reference, except that, unless the context indicates otherwise, the word "county" and the words "King County" shall refer to the City and references to violations of the county code or county ordinances shall be deemed to be references to violations of City ordinances:

11.04.010 Purpose.

11.04.020 Definitions, and in addition thereto, the definitions set forth in Section 6.05.110 are adopted.

11.04.030 Pet licenses required.

11.04.040 Animal shelter, kennel, grooming service,

cattery and pet shop license required.

11.04.070 Animal shelters, kennels and pet shops - Reporting required.

11.04.080 Animal shelters, kennels and pet shops - Inspections.

- 11.04.090 Animal shelters, kennels and pet shops - Conditions.
- 11.04.100 Animal shelters, kennels and pet shops - Indoor facilities.
- 11.04.110 Animal shelters, kennels and pet shops - Outdoor facilities.
- 11.04.120 Grooming parlors - License required.
- 11.04.130 Grooming parlors - Conditions.
- 11.04.140 Animal shelters, hobby kennels, kennels, pet shops, grooming parlors, guard dog purveyors, guard dog trainers and guard dog owners - Additional conditions.
- 11.04.150 Licenses, registrations - Revocation, suspension or refusal to renew.
- 11.04.160 Licenses, registration - Revocation or refusal waiting period.

2. That Section 6.05.030 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

6.05.030 Enforcement and procedures.

The following sections of Chapter 11.04 King County Code as now in effect, and as may be subsequently amended, are hereby adopted by reference, except that, unless the context indicates otherwise, the word "county" and the words "King County" shall refer to the City and references to violations of the county code or county ordinances shall be deemed to be reference to violations of City ordinances:

- 11.04.170 Enforcement power.
- 11.04.180 Violations - Deemed nuisance - Abatement.
- 11.04.190 Violations - misdemeanor - penalty.
- 11.04.200 Violations - Civil penalty.
- 11.04.210 Impounding.
- 11.04.220 Additional enforcement.
- 11.04.230 Nuisances defined.
- 11.04.240 Unlawful acts against police department dogs.
- 11.04.250 Cruelty to animals - Unlawful acts designated.
- 11.04.260 Violations - Notice and order.
- 11.04.270 Appeals.
- 11.04.280 Redemption procedures.
- 11.04.290 Corrective action - Vicious animals.
- 11.04.300 Civil penalty and abatement costs - Liability of owner.

11.04.310 Costs of additional enforcement.

11.04.320 Miscellaneous service charges.

11.04.330 Additional rules and regulations.

11.04.335 Waiver of fees and penalties.

11.04.340 Severability.

3. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1013

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 5.15.020 of the SeaTac Municipal Code relating to Taxicab and For-hire vehicles

WHEREAS, the current language of the SeaTac Municipal Code adopts and incorporates by reference a number of sections of Chapter 6.64 of the King County Code, relating to licensing and regulation of taxicabs and for-hire vehicles; and,

WHEREAS, in keeping with the enforcement responsibility through the SeaTac Municipal Court and through the law enforcement officers available for King County law enforcement, contracted by the City with the King County Police Department, it is appropriate that, where possible, enforcement of those types of regulations involving the police be compatible with the regulations of King County; and,

WHEREAS, at that time that the City of SeaTac adopted its taxicab and for-hire vehicle regulations, King County regulations were adopted, however, since that time, King County has amended Chapter 6.64 of the King County Code, providing for amendment in the numbers as well as the sequence of the code sections, so that a number of previously applicable code sections are now found under different code section numbers and a number of code sections which had previously existed are no longer enforceable under the King County Code; and,

WHEREAS, in order for the City of SeaTac to be assured of its ability to effectively enforce its taxicab and for-hire vehicle regulations and requirements, it is appropriate that the SeaTac Municipal Code sections be amended to reflect the change in the King County Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That Section 5.15.020 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

5.15.020 Licensing and regulation of taxicab and for-hire vehicles.

The following sections of Chapter 6.64 King County Code as now in effect, and as may be subsequently amended, are hereby adopted by reference, except that, unless the context indicates otherwise, the word "county" and the words "King County" shall refer to the City and references to violations of the county code or county ordinances shall be deemed to be references to violations of City ordinances:

6.64.005 Purpose.

6.64.007 Scope of Authority.

6.64.010 Definitions.

6.64.015 Interlocal Agreement.

6.64.025 Fees.

~~6.64.030 Taxicabs, maximum number.~~

~~6.64.040 Color scheme.~~

- ~~6.64.050 Expiration of licenses and license fees.~~
- ~~6.64.060 Unlawful to operate taxicab or for hire vehicles without liability insurance.~~
- ~~6.64.070 King county taxicab or for hire license plates.~~
- ~~6.64.080 Duplicate license plates.~~
- ~~6.64.090 Rates.~~
- ~~6.64.100 Display of taxicab or for hire vehicle number.~~
- ~~6.64.110 Taximeter.~~
- ~~6.64.120 Installation of taximeters.~~
- ~~6.64.130 Flag to be proper position.~~
- ~~6.64.140 Classification and capacity.~~
- ~~6.64.150 Driver's license.~~
- ~~6.64.160 Trip sheets.~~
- ~~6.64.170 Display of license.~~
- ~~6.64.180 Inspection of taxicab or for hire vehicles.~~
- ~~6.64.190 Direct route of travel.~~
- ~~6.64.200 Unlawful not to pay fare Service organization registration.~~
- ~~6.64.210 Leaving taxicab or for hire vehicle unattended Color scheme.~~
- ~~6.64.220 Baggage Independent color scheme.~~
- ~~6.64.230 Two way radio dispatch.~~
- ~~6.64.240 Discontinued use as taxicab or for hire vehicle.~~
- ~~6.64.250 Solicitation of fares or carrying non paying passengers or pets of driver.~~
- ~~6.64.260 Condition of driver.~~
- ~~6.64.270 Suspension Revocation of for hire driver's license.~~
- ~~6.64.280 Licensing fees.~~
- ~~6.64.290 For hire driver's license required Application.~~
- ~~6.64.300 Qualifications for a for hire driver's license Taxicab and for-hire license required.~~
- ~~6.64.310 Seattle King County Health Department Application~~
- ~~6.64.320 Fingerprints and photographs to accompany application Required~~

documents.

~~6.64.330—Investigation of applicants for driver's license.
Applicant requirements.~~

~~6.64.340—Temporary permit Vehicle requirements.~~

~~6.64.345—Required training.~~

~~6.64.350—Issuance of for hire driver's license Insurance required.~~

~~6.64.360—Expiration and renewals of for hire driver's license
Certificate of safety.~~

~~6.64.370—For hire driver's license fee Vehicle standards.~~

~~6.64.380—Damages or worn out for hire driver's licenses to be replaced
Taxicab and for-hire vehicle license expiration.~~

~~6.64.390—Identification of drivers Taxicab and for-hire vehicle license plate.~~

~~6.64.400—Renewal of license, registration or permit—Late penalty
Taximeter.~~

~~6.64.420—Civil penalty Taxicab and for-hire owner - Responsibilities.~~

~~6.64.430—Additional enforcement Standards for denial - Taxicab for hire vehicle owner.~~

~~6.64.440—Scope of authority Standards for suspension/revocation - Taxicab or for-hire vehicle owner.~~

~~6.64.450 Destruction, replacement, retirement of a taxicab.~~

~~6.64.460. Surrender of vehicle license.~~

~~6.64.470 Moratorium.~~

~~6.64.480 Transfer of permit.~~

~~6.64.490 Driving record.~~

~~6.64.500—Passenger complaints process For-hire driver's license required.~~

~~6.64.510—Industry reporting Application.~~

~~6.64.520—Response times Investigation.~~

~~6.64.530—Annual report Qualifications.~~

~~6.64.540—Annual determination of fares and number of licenses
Temporary permit.~~

~~6.64.550—Interlocal agreement Application null and void.~~

~~6.64.560—Severability Medical certification.~~

~~6.64.570—Taxicab Commission Training program.~~

6.64.580 Written examination.

6.64.590 Driving record.

6.64.600 Standards for denial of a license - for-hire driver.

6.64.610 Standards for suspension/revocation -
for-hire driver.

6.64.620 License issuance.

6.64.630 License expiration - for-hire driver.

6.64.640 For-hire drive operating standards.

6.64.650 Vehicle safety standards.

6.64.660 Conduct standards.

6.64.670 Taxicab meter/rates standards.

6.64.680 Driver-passenger relations standards.

6.64.690 Soliciting and cruising standards.

6.64.695 Taxi zone standards.

6.64.700 Taxicab - maximum number.

6.64.710 Transfer of permit.

6.64.720 Industry reporting.

6.64.730 Response times.

6.64.740 Annual report.

6.64.750 Determination of fare and number of licenses.

6.64.760 Rates.

6.64.770 Rate study.

2. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1014

AN ORDINANCE of the City Council of the City of SeaTac, Washington adding new sections 15.10.237, 15.21.025, 15.21.055 and 15.21.075, and amending sections 15.10.180, 15.12.030, 15.12.050, 15.13.030, paragraph B. of 15.15.030 and 15.21.060 of the SeaTac Municipal Code regarding the Zoning Code, as an emergency ordinance

WHEREAS, the City Council of the City of SeaTac, Washington recently amended its Zoning Code which provided for provisions including zoning designations and uses, home occupations, and non-conforming use provisions; and,

WHEREAS, the provisions of chapter 15.21 of the SeaTac Municipal Code, which include the language addressing non-conforming uses would be benefitted by amendment to clarify and more specifically provide provisions dealing with non-conformities regarding use of land and uses of structures; and,

WHEREAS, since the adoption of the City of SeaTac Zoning Code, other clarifications have been identified and proposed, including addition of a definition of "Efficiency Unit," and including amendment to provisions concerning Domestic Animals, Computation of Required Off-Street Parking, Yard Setbacks for Corner Lots, Church Accessory Uses and Professional Office Uses; and,

WHEREAS, the Planning Commission has held a Public Hearing to review the consideration of the proposed zoning code changes to the SeaTac Municipal Code, and has heard the statements and comments of all persons wishing to speak to the changes; and,

WHEREAS, the Planning Commission has recommended to the City Council the amendments to the Zoning Code; and,

WHEREAS, because of the absence of the sections in the City's zoning code that are to be added by this Ordinance, certain residents of the City and certain property within the City are vulnerable to inappropriate expansion of currently existing non-conforming land uses, and this Ordinance is necessary for the immediate protection and preservation of public health, public safety, and public peace and welfare, and this Ordinance should be adopted as an Emergency Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That a new section 15.21.025 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

15.21.025 Lots of Record.

In any zone in which single-family dwellings are permitted, notwithstanding limitations imposed by other provision of this title, a single-family dwelling may be erected on any single lot which was a lot of record on or before November 26, 1992, and which was a building site pursuant to City of SeaTac Ordinance No. 90-1025. Any request for a variance of the lot size, lot width and/or yard requirements shall be made to the City's Hearings Examiner, and the Hearings Examiner shall render a decision on the request in accordance with the provision of chapter 1.20 of the City Code.

2. That a new section 15.21.055 of the SeaTac Municipal Code

be, and the same hereby is, created to read as follows:

15.21.055 Non-Conformance: Uses of Land.

If, at the effective date of the zoning code of the City or any amendment thereto, a lawful use of land exists that is made no longer permissible under the terms of the zoning code or amendment, such use may be continued as a non-conforming use so long as it remains otherwise lawful, subject to the following conditions:

A. No such non-conforming use shall be enlarged or increased nor extended to occupy a greater area of land than was occupied on the effective date of the zoning code or amendment that made the use no longer permissible.

B. No non-conforming structure shall be moved in whole or in part to any other portion of the lot that is subject of the non-conforming use.

C. If any such non-conforming use of land ceases for any reason for a period of more than six (6) months, that cessation shall constitute prima facie evidence of intent to abandon the use, and any subsequent use of land shall

conform to the regulations specified by this title for the zone in which such land is located.

3. That a new section 15.21.075 of the SeaTac Municipal Code be, and the same hereby is, created to read as follows:

15.21.075 Non-Conformance: Uses of Structures.

If, at the effective date of the zoning code of the City or any amendment thereto, a lawful use of a building or structure exists that is made no longer permissible under the terms of the zoning code or amendment, such use may be continued as a non-conforming use so long as it remains otherwise lawful, subject to the following conditions:

A. No non-conforming structure or building shall be structurally altered or changed other than those alterations or changes required by law.

B. A non-conforming use of a building or structure may be extended throughout any parts of the building or structure that were manifestly arranged, designed and constructed for such use at the time of the effective date of the zoning code or amendment that made the use no longer permissible, but no such use shall be extended to occupy any land outside such building or structure.

C. Any structure, or structure and land in combination in or on which a non-conforming use is superseded by a permitted use shall thereafter conform to the regulations for the zone in which such structure is located, and the non-conforming use may not thereafter be resumed.

D. If any such non-conforming use of a building or

structure ceases for any reason for a period of more than six (6) months, that cessation shall constitute prima facie evidence of intent to abandon the use, and any subsequent use of the building or structure shall conform to the regulations specified by this title for buildings or structures in the zone in which such land is located.

4. That section 15.21.060 of the SeaTac Municipal Code be, and the same hereby is amended to add language that should a non-conforming structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the zone into which it was moved, so that the entire section reads as follows:

15.21.060 Non-Conformance: Repair or Reconstruction of Non-conforming Structure.

A damaged or destroyed non-conforming structure may be repaired or reconstructed provided that:

A. The extent of the previously existing non-conformance is not increased; and, the extent of damage does not exceed 50% of the King County assessment value of land and improvements.

B. The building permit application for repair or reconstruction is submitted within six (6) months of the occurrence of the damage.

C. Should such structure be moved for any reason for any distance whatever, it shall hereafter conform to the regulations for the zone in which is located after it is moved.

5. That section 15.10.180 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

15.10.180 Domestic Animals

Dogs, cats, birds, snakes, and small rodents (limited to a total of not more than three (3) outside animals), which can be and are continually kept or raised in a home. Animals not considered to be ~~common~~ domestic ~~pets~~ animals include, but are not necessarily limited to the following: horses, cows, goats, sheep, swine, donkeys, fowl and any endangered or exotic species of animals.

6. That section 15.12.030 of the SeaTac Municipal Code is amended to provide that Church Accessory Land Uses (Use # 035) shall be a Permitted Use in the Neighborhood Business (NB) zone and in the Community Business (CB) zone, with the Code chart being amended to reflect the letter "P" in use row # 035, under zone column NB, and under zone column CB.

7. That section 15.12.050 of the SeaTac Municipal Code is amended to provide that Professional Office Land Uses (Use # 090) shall be a Permitted Use in the Urban High Density (UH) zone, and to provide that Heavy Equipment Repair Land Uses (Use # 096) shall be a Permitted Use in the Airport Use (AU) zone, with the Code chart being amended to reflect the letter "P" in use row # 090, under zone column UH and to reflect the letter "P" in use row # 096, under zone column AU.

8. That section 15.13.030 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

15.13.030 Yard Setbacks.

FRONT YARD - The front yard setback shall be that portion of the property fronting a major or minor residential arterial. All other lot front yards shall be determined by the Director of Planning and Community Development or his designee.

~~Corner lots shall be allowed to have a front yard setback of fifteen (15) feet and a five (5) foot street side yard setback have a twenty (20) foot yard setback on all street frontages. All other building setbacks shall be five (5) feet.~~

SIDE YARD - The side yard setback shall be measured from the lot lines that are parallel to each other and perpendicular to the front and rear lot lines.

REAR YARD - The rear yard setback shall be measured from the lot line that is parallel to the front lot line.

9. That Paragraph B. of Section 15.15.030, Computation of Required Off-Street Parking Spaces is hereby amended to read as follows:

B. The residential and commercial ratios may be reduced with proof of viable HCT or PRT, linkage/station, pursuant to the determination of the Director of Planning and Community Development or his designee. The overall ratio cannot be lowered more than 35%.

10. That a new section 15.10.237 of the SeaTac Municipal Code be, and the same hereby is, created to provide the following definition:

15.10.237 Efficiency Unit

A living quarters consisting of one habitable room as defined in the Uniform Building Code.

11. The City Council finds as a fact and declares that this Ordinance is necessary for the protection and preservation of public health, public safety, public property, and public peace and welfare, and shall be in full force and effect upon the date of adoption .

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1015

AN ORDINANCE of the City Council of the City of SeaTac, Washington adopting a new Chapter 2.49 of the SeaTac Municipal Code relating to a Recycled Product Procurement Policy

WHEREAS, the City of SeaTac has been awarded a grant of \$66,000 from King County for the purpose of establishing business recycling programs in the years 1993 through 1997; and,

WHEREAS, as a condition of that grant, the City is responsible to pass a policy for recycled product procurement; and,

WHEREAS, along with the requirement connected to the county grant, the City of SeaTac is required to adopt strategies for purchase of recycled products, and adopt minimum purchasing goals for recycled products, pursuant to Section 43.19A.030 of the Revised Code of Washington; and,

WHEREAS, pursuant to Section 43.19A.040 of the Revised Code of Washington, the State of Washington is to provide technical assistance, and other assistance that may be advantageous to the City in connection with the purchase of recycled products, where a city adopts a preferential policy for purchasing recycled goods.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That a new Chapter 2.49 of the SeaTac Municipal Code is adopted to read as follows:

2.49.010 Purpose.

The City of SeaTac recognizes that waste reduction, recycling, and purchasing recycled products are important elements of sound waste management. To support recycling and promote the development of markets for recyclable materials, the City prefers the purchase of recycled products whenever they are available at a reasonable price.

2.49.020 Policies.

A. All the City departments will use recycled and recyclable products whenever reasonably practical.

B. To the extent practical, all imprinted letterhead paper, envelopes and business cards used by the City departments shall be recycled paper and shall bear an imprint identifying the paper as recycled.

C. City departments shall ensure that the title page of each report printed or copied on recycled paper bears an imprint identifying the recycled content of the paper whenever reasonably practical.

D. The City shall encourage its contractors and consultants to:

1. Use recycled paper for proposals and for any printed or photocopied material;

2. Use both sides of paper sheets;

3. Include an imprint identifying the paper as recycled; and

4. Recommend recycled alternatives to virgin materials specified in the City's bids and purchase orders.

E. Departments shall use both sides of paper sheets whenever reasonably practical.

F. The City shall promote the use of recycled products and recyclable products by publicizing its procurement programs. Materials produced for advertising, conferences, trade fairs, press releases, and other communications with clients and citizens can make references to the City's commitment and leadership in the use of recycled products.

2.49.030 Designated Recycled Products.

As applicable, City departments shall purchase the following recycled products whenever reasonably practical:

A. Paper and paper products;

B. Remanufactured laser printer toner cartridges;

C. Recycled plastic refuse can liners;

D. Re-refined antifreeze;

E. Lubricating oil and hydraulic oil with re-refined oil content;

F. Outdoor-wood product substitutes made from recycled plastic;

G. Re-crushed cement concrete aggregate and asphalt;

H. Cement and asphalt concrete containing glass cullet, recycled fiber or plastic tire rubber, or fly ash;

I. Building insulation products;

J. Remanufactured tires and products made from recycled tire rubber;

K. Compost;

L. Re-mixed paint;

M. Other products designated by the City departments.

2.49.040 Designation of Procurement Officer.

The Waste Management Coordinator is designated as the "Procurement Officer" for the procurement of recycled products for the City, and the Procurement Officer shall serve as the primary contact with the departments of the City and other

governmental entities for compliance with the requirements of Chapter 43.19A of the Revised Code of Washington. The Procurement Officer shall coordinate the implementation of the City's Recycled Product Procurement Policy. The Procurement Officer shall:

A. Maintain and update the Designated Recycled Products list as needed;

B. Inform departments of their responsibilities under this policy, provide departments with information about recycled product procurement opportunities, develop reporting procedures with departments; and

C. Assemble an annual report on the status of implementation by the City to be provided to the King County Solid Waste Division and to the Department of General Administration of the State of Washington.

2.49.050 Responsibilities of the City.

The City, through each of its departments, shall:

A. Purchase recycled paper products whenever reasonably practical;

B. Evaluate each Designated Recycled Product to determine the extent to which the product may reasonably be practicably used by the City and its contractors;

C. Periodically review with the Procurement Officer the progress of policy implementation, and any reports, including:

1. The results of product evaluations;

2. The status of efforts to maximize recycled product procurement; and

3. Total purchases of recycled products and non-recycled products.

D. Ensure that contracts issued by the City require recycled material content wherever reasonably practical and that contractors provide certification and reports of content and amounts used.

2.49.060 Definitions

A. "Recycled Products" are products manufactured with waste material that has been recovered or diverted from the solid waste stream. Waste material may be derived from post-consumer waste (materials that has served its intended use and been discarded by a final consumer), industrial scrap, manufacturing waste, or other waste that would have otherwise been discarded.

B. "Recyclable Products" are products which, after their intended end use, can demonstrably be diverted from the City's solid waste stream for use as a raw material in the manufacture of another product.

C. "Practical" refers to efforts to implement the purposes of the policy in a reasonable and efficient manner and cost. While sufficiency of performance and reasonableness of cost must be established at the discretion of departmental management, a 10% price preference for recycled products is suggested.

2.49.070 Exemptions.

A. Nothing in this policy shall be construed as requiring the City or a contractor to procure products that do not perform adequately or are not available at a reasonable price.

B. Nothing contained in this policy shall preclude the City or any of its departments from requiring recycled material content as a purchasing specification.

2. That this Ordinance will be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1016

AN ORDINANCE of the City Council of the City of SeaTac, Washington creating and establishing a new Section 8.05.555 of the SeaTac Municipal Code relating to unlawful depositing of refuse in containers

WHEREAS, among the provisions of the SeaTac Municipal Code, there are a number of sections which address and refer to littering and related offenses; and,

WHEREAS, also attendant to littering provisions is recognition of the fact that people who deposit garbage and trash in containers to be picked up do so with a cost being attendant to the amount of refuse collected; and,

WHEREAS, the result of a person who maliciously or inadvertently dumps refuse in the container of another person is to increase that person's garbage bill and/or limit the space available for that person's own garbage disposal services; and,

WHEREAS, because the incidents of complaints by people who have had somebody else deposit refuse in their containers has increased, it is appropriate that the responsibility and the enforceability of such garbage collection services be addressed in the City Code similar to any other mis-appropriation or theft of services.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That a new Section 8.05.555 of SeaTac Municipal Code be, and the same hereby is, created to read as follows:

8.05.555 Unlawful Depositing of Refuse in Containers.

It is unlawful for any person to dump or deposit garbage in garbage containers or next to garbage containers on the property of another where the result would be to increase or add to the garbage collection service needs of the owner of the property on which the garbage container is located. Violation of this section shall constitute a misdemeanor punishable through applicable criminal process.

2. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1017

AN ORDINANCE of the City Council of the City of SeaTac, Washington creating new Sections 9.05.070 and 9.05.080 of the SeaTac Municipal Code relating to the City's Traffic Code

WHEREAS, much of the City of SeaTac's Traffic Code is adopted by reference from provisions of the Revised Code of Washington, through the Model Traffic Ordinance (MTO); and,

WHEREAS, there are occasions when sections not included in the MTO are appropriate for or valuable to the City for inclusion as a part of the City's Traffic Code; and,

WHEREAS, in order to continue with the ongoing task of conforming the City Code, as closely as possible to the current and changing needs of the City for law enforcement and for public safety, it is appropriate to develop additional and new sections of the City Code; and,

WHEREAS, among provisions which would be beneficial to be included in the City's Traffic Code would be provisions which address or control parking of motor vehicles on the roadway or pedestrians on obstructing traffic.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That a new Section 9.05.070 of the SeaTac Municipal Code be, and the same hereby is, created to read as follows:

9.05.070 Pedestrian Obstruction of Traffic.

It shall be unlawful for any pedestrian to walk or be on a public roadway in a manner which unnecessarily or unreasonably interferes with, delays, obstructs or halts the travel of vehicles over and/or across the public roadway. Violation of this section shall constitute a misdemeanor punishable through applicable criminal

process.

2. That a new Section 9.05.080 of the SeaTac Municipal Code, be, and the same hereby is created to read as follows:

9.05.080 Parking a Motor Vehicle on the Roadway or in a manner which impedes traffic - Exceptions.

A. It shall be unlawful for any driver or operator of a vehicle to stop, park or leave standing any vehicle, whether attended or unattended, on the travel portion of any public roadway or park, stop or leave any motor vehicle in any other location which impedes, restricts or prevents travel over, or across any public roadway. Violation of this section shall constitute a traffic infraction punishable by a penalty not to exceed twenty (20) dollars.

B. It is provided, however, that this section shall not apply to the driver of a public transit vehicle who temporarily stops the vehicle upon the roadway for the purpose of and while actually engaged in receiving or discharging passengers at a marked transit vehicle stop; and, this section shall not apply to the driver of a solid waste collection company or recycling company vehicle who temporarily stops the vehicle as close as practical to the right edge of the right-hand

shoulder of the roadway or right edge of the roadway if no shoulder exists for the purpose of and while actually engaged in collection of solid waste or recyclables, or both under Chapters 81.77, 35.21., and 35A.21 of the Revised Code of Washington or by contract under RCW 36.58.030.

2. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1018

AN ORDINANCE of the City Council of the City of SeaTac, Washington extending the moratorium on adult entertainment, adult theater and adult use establishments

WHEREAS, in connection with the findings of the City of SeaTac City Council substitute Ordinance No. 91-1022 and Ordinance No. 92-1021, the City Council found that the use of property to operate, conduct, or maintain adult entertainment, adult theater, and adult use establishments is a use which, because of its very nature, has serious objectionable operational characteristics; and,

WHEREAS, The City Council was looking to the Washington State Legislature for legislation which would address adult entertainment regulation and restrictions, which legislation has not, yet, passed; and,

WHEREAS, although the City Council has developed and adopted a Zoning Code for the City, it has not yet developed a Comprehensive Plan which would be necessary to address and implement adult entertainment land use issues; and,

WHEREAS, the City Comprehensive Plan should be completed by the end of June, 1994; and,

WHEREAS, the moratorium established by Substitute Ordinance No. 91-1022 and extended by Ordinance No. 92-1021 needs to be extended pending completion of development of comprehensive plans and/or legislative action addressing adult establishments.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That Section 1 of Substitute Ordinance No. 91-1022 and Section 1 of Ordinance No. 92-1021, be, and the same hereby are, amended so that the moratorium established thereby is extended as follows:

Moratorium Established.

Through June 30, ~~1993~~ 1994, or until the City's new comprehensive land use plan ~~and zoning regulations~~ governing the location of places of adult entertainment, adult theater and adult use establishments shall take effect, whichever is sooner, no application for use permits or building permits for places of adult entertainment, adult theater, and adult use establishments shall be accepted, no use permits or building permits for adult entertainment, adult theater and adult use establishments shall be issued, no applications for business licenses for adult entertainment, adult theater, and adult use establishments shall be accepted, and no adult entertainment, adult theater, and adult use establishment licenses shall be issued.

2. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1019

AN ORDINANCE of the City Council of the City of SeaTac, Washington creating a new Chapter 3.50 of the SeaTac Municipal Code relating to a Commercial Parking Tax

WHEREAS, in 1990, the Washington State Legislature passed legislation which was adopted as Section 208 of Chapter 42, Laws of 1990, and codified as Section 82.80.030 of the Revised Code of Washington, which authorized cities to fix and impose a parking tax in connection with commercial parking businesses; and,

WHEREAS, the tax revenues generated by the parking tax are to be used for transportation related purposes, including but not limited to the operation and preservation of roads, streets and other transportation improvements; new construction, reconstruction, and expansion of City streets, roads and right-of-ways, and other transportation improvements; development and implementation of public transportation and high-speed transit improvements and programs, including planning, design and acquisition of right-of-ways and sites for such transportation purposes; and,

WHEREAS, there are a number of commercial parking businesses operating within the City which park or provide space to park vehicles for a fee; and,

WHEREAS, because of the number of such businesses within the City and their impact on the roads, streets and infrastructure of the City, it would be appropriate for the City to adopt a tax providing for an assessment on commercial parking transactions.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That a new Chapter 3.50 of the SeaTac Municipal Code be, and the same hereby is, created to read as follows:

3.50.010 Definitions. For the purposes of this Chapter, the following definitions shall apply:

1. Commercial parking business means the ownership, lease, operation, or management of a commercial parking lot in which fees are charged, and includes parking service operations of municipal corporations of the State of Washington and other governmental entities, where a fee is charged for parking services or for use of parking spaces.

2. Commercial parking lot means any covered or uncovered area with parking stalls or spaces used by a commercial parking business for the purpose of parking motor vehicles or allowing motor vehicles to be parked.

3. Commercial parking transaction means any transaction or arrangement whereby a vehicle is parked and a fee is charged for parking or allowing the vehicle to be parked. It shall constitute a parking transaction each time a fee is charged for parking or allowing a vehicle to be parked, irrespective of the length of time the vehicle is parked; PROVIDED that "Short Stay Metered Parking", as defined herein, shall not constitute a commercial parking transaction, and "Local Employee Parking", as defined herein, shall not

constitute a commercial parking transaction.

A commercial parking transaction shall include instances where a fee is charged for the parking of a vehicle and that fee is included as a specific item in the fee or charge. A commercial parking transaction shall also include instances where a vehicle is parked or allowed to be parked for a certain period of time, and a fee is charged in connection with other services. A commercial parking transaction shall also include instances where a guest of a hotel, motel or other lodging establishment is allowed to park or leave his/her vehicle at the hotel, motel or other lodging establishment after the guest has concluded his/her business at the hotel, motel or other lodging establishment and/or has checked out of the hotel, motel or other lodging establishment, so that the guest's vehicle is parked at the hotel, motel or other lodging establishment during days when the guest is not staying at the hotel, motel or other lodging establishment, regardless of whether a parking fee is included as a specific item listed

or identified on the bill or charge for services by the hotel, motel or other lodging establishment.

A commercial parking transaction shall also include instances where a vehicle is parked or allowed to be parked and where a fee would be charged for the parking unless validated by a business because a customer makes a purchase or otherwise transacts business for which a fee is paid.

4. Local Employee Parking refers to parking spaces provided or reserved for use by an employee who works within the City, where the employee parks his/her vehicle in connection with his/her employment, without regard to whether arrangements or payment for the parking is made by the employee or by his/her employer.

5. Short Stay Metered Parking refers to the parking of vehicles in spaces where payment for parking is made through parking meters and where the duration of the metered parking does not exceed two (2) consecutive hours in length.

3.50.020 Commercial Parking Tax imposed.

Pursuant to Section 82.80.030 of the Revised Code of Washington, there is hereby levied a special commercial parking tax to be imposed in connection with commercial parking businesses within the City. The tax shall be imposed at the rate of fifty cents (.504) per commercial parking transaction, irrespective of the length of time that a vehicle is parked in connection with each transaction.

3.50.030 Tax in addition to other license fees or taxes.

The tax levied hereunder shall be in addition to any license fee or tax imposed or levied under any law, statute or ordinance whether imposed or levied by the City, state or other governmental entity or political subdivision.

3.50.040 Use of funds.

The funds generated by this tax shall be placed into the Street Fund of the City, and identified by a separate BARS line item under that fund. The revenues collected as commercial parking tax revenues shall be used by the City for regional capital projects within the City of

SeaTac Comprehensive Transportation Plan, in accordance with RCW 82.80.070, and for administering the tax, including activities of the City in keeping and tracking records, financial reports and other documents, reviewing filings and compiling reports by commercial parking businesses, and other activities involved in collection and enforcement of the tax.

3.50.050 Taxes collected by business operators.

Taxes imposed herein shall be collected by the operators of the commercial parking businesses. The operators of the commercial parking businesses shall remit to the City the commercial parking taxes collected on or before the tenth day of the month following the month during which the taxes were collected. The City shall be authorized

to review and inspect financial records involving activities of businesses which are taxable by this tax, at least quarterly each year.

3.50.060 Exempt vehicles.

The tax shall not be levied on exempt vehicles. Exempt vehicles shall include vehicles with handicap decals, government vehicles which are exempt from tax, and tax exempt car-pool vehicles.

3.50.070 Violation -- Penalty.

It is unlawful for any person, firm or corporation engaged in a commercial parking business to fail or refuse to collect and remit the taxes with intent to violate the provisions of this Chapter or to gain some advantage or benefit, whether direct or indirect. Any such violation shall constitute a misdemeanor and shall be punishable by a fine not to exceed one thousand (\$1,000.00) dollars or by imprisonment for a term not exceeding ninety (90) days.

3.50.080 Appeal procedure.

Any person aggrieved by the amount of tax determined to be due to the City pursuant to the provisions of this Chapter, may appeal to the City Council from such determination by filing a written notice of appeal with the City Clerk within twenty (20) days from the date on which such person was given notice of the tax. The City Council shall, as soon as practicable, fix a time and place for the hearing for such appeal. Notice of the hearing and the appeal shall be given to the appellant by certified mail at least five (5) days prior to the date of the hearing. On the appeal, the City Council shall determine whether the tax was properly computed and whether the tax provisions of the City Code were properly applied to the circumstances of the appellant.

2. That this Ordinance shall be in full force and effect the

1st day of July, 1993, and five (5) days after publication of
the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of
, 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1020

AN ORDINANCE of the City Council of the City of SeaTac, Washington, creating a new Chapter 5.35 of the SeaTac Municipal Code and repealing Section 5.05.340, relating to Fireworks

WHEREAS, the City Council of the City of SeaTac, Washington, by Ordinance No. 92-1027 adopted code provisions regulating fireworks in connection with July 4, 1992 and thereafter; and,

WHEREAS, because of the particularly dry season accompanying the July 4, 1992, the regulations provided by those ordinances restricted use of common fireworks to July 4, 1992 only and provided for public displays only thereafter; and,

WHEREAS, there is an interest by citizens of the City of SeaTac to be able to use common fireworks on July 4th of each year, in addition to the provisions which permit public displays of fireworks; and,

WHEREAS, in connection with the public display of fireworks, the City Council appreciates the community benefit from the public display of fireworks provided by those citizens and private groups who have funded the public displays of fireworks, and to facilitate the benefit to the citizens of the City, the City Council desires to waive the City's fee for such public displays.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That a new Chapter 5.35 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

Chapter 5.35

Fireworks

5.35.010 Definitions. The words and phrases herein used for the purposes of this Chapter shall have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicates a different meaning:

A. "Common Fireworks" includes only such fireworks that have been defined in RCW 70.77.136.

B. "Dangerous Fireworks" includes all fireworks which do not meet the common fireworks definition under RCW 70.77.136.

C. "Fireworks Stands" includes all displays and locations where fireworks are displayed in connection with sale of fireworks, offered for sale or are stored. Fireworks stands includes temporary fireworks stands as well as permanent structures where fireworks are offered for sale or are stored.

D. "Person" includes any individual, firm, partnership, joint venture, association, corporation, estate, trust, receiver, syndicate or any other group or combination

acting as a unit.

E. "Public Display of Fireworks" means an entertainment feature where the public is admitted or permitted to view the display or discharge of dangerous fireworks.

F. "Sale at Retail" includes any sale or transfer, including contracts or orders for sales or transfers, wherein any person at a fixed location or a place of business sells, transfers or gives fireworks to a consumer or user.

G. "Sale at Wholesale" includes a sale or transfer to a retailer or any other person for resale, and which also includes any sale or transfer of fireworks to a permittee of a public display of fireworks.

3.35.020 General Provisions. Each of the following are hereby declared to be unlawful within the City:

A. For any person to offer for sale, at retail or wholesale, or to sell, at retail or wholesale, any fireworks without having first obtained a permit or license to do so;

B. For any person to sell, possess, use or explode any fireworks except as provided in this Chapter;

C. For any person to sell, at retail or wholesale, or offer for sale, at retail or wholesale, any fireworks to be sold within the City except from 9:00 a.m. to 9:00 p.m. on the 4th of July of any year.

D. For any person to use, discharge or explode any fireworks in a negligent or reckless manner, or during a period other than from 9:00 a.m. to 11:00 p.m. on the 4th of July of any year.

For the purposes of this section, "negligent manner" means in a manner which endangers or is likely to endanger persons or property.

For "reckless manner" means in a manner with willful and wanton disregard for the safety of persons or property.

E. For any person to sell, at retail or wholesale, or to offer for sale, at retail or wholesale, fireworks to any person under the age of sixteen (16) years of age. It shall be the responsibility of any seller of fireworks to obtain and/or require proof of age of any customer at the time of purchase, which proof requirement may be satisfied by inspecting the customer's valid Washington State Photo Driver's License or valid Washington State

Photo Identification Card or the equivalent thereof issued by another state or jurisdiction.

F. For any person under the age of sixteen (16) years of age to possess or to discharge any fireworks within the City without direct supervision of an adult.

5.35.030 Sales Application -- Permit. An application for a permit to offer for sale, at retail or wholesale, or to sell, at retail or wholesale, any fireworks within the City shall be made at the Finance Department of the City. Such a permit shall be issued only upon the following minimum conditions and requirements:

A. The application shall be filed with and accompanied by a permit fee of twenty-five dollars (\$25.00).

B. Approval of the permit by the Fire Chief of the City or his designee, subsequent to an investigation by said Fire Chief or designee.

C. The application shall have a valid license issued by the State authorizing the holder thereof to engage in the business of sale of fireworks.

D. If the applicant does not own or have the right to possess a temporary fireworks stand complying with the standards required for temporary fireworks stands, then the applicant shall have as a place for the sale of fireworks a building which is of fireproof construction and with proper fire fighting equipment located therein, as approved by the Fire Chief or his designee. In all cases, the placing of fireworks for display in the fireworks stand or place of sale shall be in such a manner as to be beyond the reach of customers.

E. The applicant shall procure and maintain a policy or policies of public liability and property damage insurance with a company or companies acceptable to the City Attorney in the following amounts: one hundred thousand dollars (\$100,000) or more for injuries to any one person in any one accident or occurrence; two hundred thousand dollars (\$200,000) or more for injuries to two or more persons in any one act or occurrence; fifty thousand dollars (\$50,000) or more for damage to property in any one accident or occurrence. The City shall be named as an additional insured in each policy providing coverage in connection with the manufacture, importation, exportation, regulation, possession, sale, use and/or discharge of fireworks.

F. The permittee's location or place business, if a temporary fireworks stand, shall be only in those areas or zones within the City which

have been approved by the Fire Chief of the City or designee. The permittee's location or place of business, if the fireworks stand or display is located within a permanent structure, shall be only in those zones within the City in which commercial businesses may be located.

H. The applicant shall post with the City Clerk a Performance Bond or Cash Bond in the amount of not less than fifty dollars (\$50.00), subject to the following conditions: the deposit shall be returned to the applicant only if the applicant promptly removes the temporary fireworks stand and cleans the area of its location to the satisfaction of the Fire Chief or his designee, or, in the case of a fireworks stand being located within a permanent structure, if the applicant promptly cleans the area of its location to the satisfaction of the Fire Chief or his designee. In the event that the applicant fails to do so, the Performance Bond or Cash Deposit shall be forfeited to the City. In no event shall the applicant be entitled to the return of the Performance Bond or the Cash Deposited if he fails to complete the above described work by the 10th day of July of any year.

5.35.040 Fireworks Stands. Fireworks stands shall conform to the following minimum standards, conditions and requirements:

A. All fireworks stands shall be inspected and approved by the Fire Chief or designee. Temporary fireworks stands need not comply with all of the provisions of the City's Building Code; provided, however, that all such temporary fireworks stands shall be erected under the supervision of the Fire Chief or designee, or in accordance with the specified standards of the Fire Chief or designee, including but not limited to the requirement that all temporary fireworks stands be constructed in a safe manner for both persons selling fireworks at the temporary fireworks stand and for potential customers of the temporary fireworks stand. In the event any fireworks stand is wired for and connected to electric power, then the wiring shall be approved by the Fire Chief or the Electrical Inspector or their designee.

B. No temporary fireworks stand shall be located within fifty (50) feet of any other building or structure constructed entirely or partially of combustible materials or with unprotected openings, nor within twenty (20) feet of any building or structure constructed entirely of non-combustible materials; nor within one hundred (100) feet of any gas station, oil storage tank or premises where

flammable liquids are kept or stored.

C. Each fireworks stand must have at least two (2) exits; which shall be unobstructed at all times.

D. Each fireworks stand shall have in readily accessible places two (2) or more extinguishers approved by the Fire Chief or designee, and a two (2) gallon pail of water.

E. All weeds, grass and combustible materials shall be cleared from the location of a fireworks stand and the surrounding area, a distance of not less than twenty (20) feet measured from the exterior walls on each side of the fireworks stand.

F. No smoking shall be permitted in or near a fireworks stand and fireworks stands shall be posted with "No Smoking" signs with letters at least two (2) inches in height, in conspicuous places on all four sides of the fireworks stand. Each temporary fireworks stand or fireworks display within a permanent structure where fireworks are displayed and offered for sale shall have at least one (1) adult in attendance at all times during which fireworks are available for sale.

G. All unsold stock and accompanying liter shall be removed from the vicinity of the fireworks stand by 12:00 noon on the 6th day of July of any year.

H. There shall be no discharging or igniting of fireworks within one-hundred (100) feet of any fireworks stand.

I. No fireworks stand shall be located within ten (10) feet of a public sidewalk or street.

J. There shall be no sleeping in any fireworks stands, nor within any structure where fireworks are stored.

K. There shall be no matches, lighters or other open flame devices stored, nor offered for sale in any fireworks stand, nor within any structure where fireworks are stored.

~~5.05.340 Fireworks~~ **5.35.050 Public Displays of Fireworks.**

A. Application for Permits for Public Displays of Fireworks. Any person desiring to give or make a display of fireworks within the city shall make an application for a permit to operate the public display, in writing, to the Chief of the Fire Department. The application shall set forth the

following information:

1. The name of the organization sponsoring the display, together with the names and addresses of persons actually in charge of the firing/presentation of the display;
2. The date and time of day at which the display is to be held;
3. The exact location planned for the display;
4. A description setting forth the age, and experience of the persons who are to do the actual discharging of the fireworks, and copies of their public display permit issued pursuant to RCW 70.77.280 or comparable applicable statute;
5. The number, type and description of fireworks to be discharged;
6. The manner and place of storage of such fireworks prior to the display; and,
7. A diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged, the location of all buildings, highways and other lines of transit or communication as well as telephone, electric and other utility lines and poles and any other structures, facilities or objects which could present overhead obstructions, located within 500 feet of the point of discharge.

B. Fee for Public Display Permit. ~~The fee for the permit shall be twenty five (\$25.00) dollars. The permit provided hereby and the permit fees shall be in addition to~~ There shall be no permit fee for a Public Display Permit other than the license required by the State Fire Marshal.

C. Investigation on Site - Certificate of Compliance by Fire Department - Notice of Approval by Fire Department. Upon receipt of such application, at least twenty days in advance of the date set for the display, the fire department shall make an investigation of the site of the proposed display for the purpose of determining whether the provisions of these regulations are complied with in the case of the particular display. If the Fire Chief or designee is satisfied that the display is lawful and there has or will be full compliance with all applicable laws, state and local, then the Fire Chief or designee shall issue a written recommendation for or against the permit which shall be kept on file in the Fire Chief's or designee's office and available for review by authorized reviewing agencies. If the Fire Chief or designee finds that the permit applicant has complied with all applicable laws, then the Fire Chief or designee may issue a certificate of compliance stating an endorsement of the display as being in conformance with all applicable laws and with these regulations.

For any scheduled public display, applicants must submit such information as is deemed appropriate by the police department of the city to ensure that adequate traffic control and crowd protection policing and any other measures necessary or appropriate for public safety have been arranged either through private security agencies or through a contract with the city's police department or the King County Department of Public Safety. A written notice that the applicant has complied with these requirements shall be issued by the police chief before a public display permit is issued, provided, that if the applicant should contract for traffic control and crowd protection policing with the city or with King County, in no event shall the sum agreed upon as payment for such policing be less than the actual expenses incurred by the city or the county and providing for such services. Such consideration shall be calculated in terms of personnel resources at the hourly rate for overtime under current collective bargaining agreements and/or rates of pay, plus that percentage which is paid by the public agency for fringe benefits, whichever applies, and all such sums paid under the contract shall be paid in accordance with procedures specified by the city Finance Department or the King County Office of Finance.

D. Every public display of fireworks shall be handled by at least two (2) competent operators approved by the Fire Chief or designee, and every public display of fireworks shall be of such character, and so located, discharged or fired that, in the opinion of the Fire Chief or designee, after proper investigation, it would not constitute a hazard to property or endanger any person.

E. A state pyrotechnics license is required for at least one operator at each public display of fireworks. The state licensed operator shall be the person who actually discharges or ignites the fireworks.

F. A bond or certificate of insurance must be furnished to the Fire Chief or designee before a permit is issued. The bond shall be in the amount of one million dollars (\$1,000,000.00) and shall be conditioned upon the applicant's payment of all damages to persons and property resulting from or caused by any public display of fireworks, or by any negligence on the part of the applicant or its agents, servants, employees or subcontractors in the presentation of the display. The certificate of insurance shall evidence a comprehensive general liability (including automobile coverage) insurance policy providing limits of one million dollars (\$1,000,000.00) combined single limit per occurrence and annual aggregate, naming the City of SeaTac as an additional insured. Any such bond or insurance policy must be approved by the city attorney.

G. A cash deposit in the amount of one hundred dollars (\$100.00) must be posted with the Fire Chief or designee at least thirty (30) days in advance of the public display date to provide for the costs of site

cleanup. The deposit shall be forfeited to the city if the operator fails to perform such cleanup within six (6) days of the public display. If the operator properly performs the cleanup, the deposit shall be returned to the operator.

H. Storage.

1. As soon as the fireworks have been delivered to the display site, they shall be attended and shall remain dry.

2. All shells shall be inspected upon delivery to the display site by the display operator. Any shells having tears, leaks, broken fuses or showing signs of having been wet shall be set aside and shall not be fired. After the display, any such shells shall be either returned to the supplier or destroyed according to the supplier's instructions.

3. All fireworks at the firing site must be stored in ready boxes (substantially constructed wood magazines). During the display, magazines must be twenty-five (25) feet upwind (in relation to the firing item) from the nearest mortar. Magazine lids must be open in the opposite direction of the firing. All ready boxes are to be protected by a flameproof water repellent canvas cover until emptied.

4. The shell storage area shall be located at a minimum distance of not less than twenty-five (25) feet from the discharge site.

5. During the display, shells shall be stored upwind from the discharge site. If the winds shift during the display, the shell storage area shall be relocated to be upwind from the discharge site.

6. There shall be at least two (2) 2A-rated fire extinguishers (2 1/2 gallon water), UL approved kept as widely separated as possible within the actual area where the discharging will occur.

I. Preparation of Site Crowd Control.

1. All dry grass, weeds and other combustible waste within fifty (50) feet of the firing site shall be removed.

2. The site shall be located so that the trajectory of shells shall not come within fifty (50) feet of any overhead object including but not limited to above ground telephone, telegraph or electric lines, trees or wooded areas.

3. Discharged fireworks shall not come within one hundred (100) feet of any tent or canvas shelter.

4. The firing and storage site shall be located not less than two hundred (200) feet from any building, public highway or railroad or other means of travel.

5. No boats shall be allowed within two hundred (200) feet of the firing or storage site.

6. The operators shall provide sufficient personnel to assure that no unauthorized persons are allowed within two hundred (200) feet of the firing and storage site. This requirement shall be in effect from one-half hour prior to the arrival of fireworks until the fireworks debris, equipment and fireworks have been removed from the site.

7. Spectators shall be restrained behind lines or barriers at least two hundred (200) feet from the firing and storage locations.

J. Installation of Mortars.

1. Mortars shall be inspected by the operators for dents, bent ends, and cracked or broken plugs prior to ground placement. Mortars found to be defective in any way shall not be used. Any scale on the inside surface of the mortars shall be removed.

2. Mortars shall be positioned so that the shells are carried away from spectators and buildings. When fired over water, mortars shall be installed at an angle of not less than 10 degrees, pointed towards the water.

3. Mortars shall be either buried securely into the ground to a depth of two-thirds to three-fourths of their length or fastened securely in mortar boxes or drums. In soft ground, heavy timber or rock slabs shall be placed beneath the mortars to prevent their sinking or being driven into the ground during firing.

4. In damp ground, a weather-resistant bag should be placed under the bottom of the mortar prior to placement in the ground to protect the mortar against moisture.

5. Weather-resistant bags shall be placed over the open end of the mortar in damp weather to keep moisture from accumulating inside the surface of the mortar.

K. Operation of the Display.

1. The operators shall provide fire protection at the site as required by the Fire Chief or designee.

2. Only permitted fireworks are authorized for

use.

3. When display is fired from a barge or vessel, a secured area shall be established around the barge or vessel to prevent boats from entering the fallout area. No boats shall be allowed within two hundred (200) feet of the firing or storage site. A boat shall be on standby to remove personnel from the barge and otherwise respond in the case of an emergency. Additional fire extinguishers, rated 2A minimum, shall be on the barge and so spaced that an extinguisher shall be available at all times.

4. If, in the opinion of the Fire Chief or designee or authorized representative, lack of crowd control should pose a danger, the display shall be immediately discontinued until such time as the situation is corrected.

5. If at any time high winds or unusually wet weather prevail such that in the opinion of the Fire Chief or designee or authorized representative of the display operators, a definite fire danger exists, the public display shall be discontinued or postponed until weather conditions improve so as to permit safe discharge of fireworks.

6. Light snow or mist need not cause cancellation of the display; however, all materials used in the display shall be protected from the weather until immediately prior to use.

7. Display operators and assistants shall use only flash lights or approved electrical lighting for artificial illumination.

8. No smoking or open flames shall be allowed within fifty (50) feet of the firing or storage area so long as shells are present. Signs to this effect shall be conspicuously posted.

9. The first shell fired shall be carefully observed to determine that its trajectory will carry it into the intended firing range and that the shell functions are over and any debris falls into the planned landing area.

10. Mortars shall be re-angled or reset if necessary at any time during the display to properly adjust the trajectory or landing area.

11. When a shell fails to ignite in the mortar, the mortar shall not be touched for a minimum of 5 minutes. After 5 minutes it shall be carefully flooded with water. Immediately following the display, the mortar shall be

emptied into a bucket of water. The supplier shall be contacted as soon as possible for proper disposal instructions.

12. Operators shall not attempt to repair a damaged shell nor shall they attempt to dismantle a dry shell. In all such cases, the supplier shall be contacted as soon as possible for proper disposal instructions.

13. Operators shall not dry a wet shell, nor shall they lance or pot a wet shell for reuse.

14. The entire firing range shall be inspected immediately following the display to locate any defective shells. Any such shells found shall be immediately doused with water before handling. The shells shall be placed in a bucket of water. The supplier shall then be contacted as soon as possible for proper disposal instructions.

15. When fireworks are displayed in darkness, the sponsor shall ensure that the firing range is inspected early the following the morning.

16. Any fireworks remaining unfired after the display shall be immediately disposed of or removed from the city in a safe manner.

17. The debris from discharged fireworks shall be disposed of in a proper manner.

L. The denial by the Fire Chief or designee of a permit for the public display of fireworks may be appealed to the City Council.

~~M. The sale, use or discharge of any other fireworks, on private or public property, other than as provided for, above, is prohibited.~~

5.35.060 Sale of Fireworks. The sale at retail of any fireworks other than common fireworks is prohibited; provided, however, that toy pistols, toy canes, toy guns or other similar devices, in which paper caps containing not more than 25/100ths of a grain of explosive compound for each cap is used, may be sold at any time. The transfer of dangerous fireworks, whether by sale, at wholesale or retail, by gift or by means of conveyance, or the delivery of any fireworks to any person who does not possess a valid permit issued pursuant to Section 5.35.050 of the Code at the time of such transfer is prohibited.

5.35.070 Unclassified Fireworks. The sale, transportation, possession or discharge of fireworks not marked with manufacturer's license number and the State Department of Community Development's classification, as required by Chapter 70.77 of the Revised Code of Washington is prohibited.

5.35.080 Exceptions. The provisions of this Chapter shall not apply to "toy sparklers" and "toy caps" containing not more than 25/100ths grains of explosive compound for each cap and or sparkler. It is further provided that nothing contained in this Chapter shall be deemed to prohibit the use of any explosive or flammable compound, blasting caps and similar items used for industrial purposes, nor to prohibit the use of any blank cartridges for use by person for bona fide ceremonial services, sporting events or demonstrations. This Chapter shall not be construed so as to prohibit the use of torpedoes, flares or fuses by the operators of motor vehicles or railroads, nor by other transportation agencies for signal purposes. This Chapter shall also not apply to the assembling, use and display of fireworks, of whatever nature, by any persons engaged in the production of fireworks when such use and display are necessary parts of the production and such persons possess requisite state permits to do so. This Chapter shall also not apply to manufacturers, wholesalers, dealers or jobbers who possess the appropriate licenses and/or permits, from manufacturing or selling any kind of fireworks for direct shipment out of the City or out of the State, nor for manufacturing and/or selling at wholesale, any dangerous fireworks to properly licensed persons holding a valid permit for a public display of fireworks.

5.35.090 Violation - Penalty.

A. Any person violating any provision of this Chapter is guilty of a misdemeanor, and upon conviction shall be punished by a fine in an amount not exceeding one thousand dollars (\$1,000), or by imprisonment for a term not exceeding ninety (90) days, or by both. In the case of a conviction for a violation of this Chapter, the Fire Chief or designee may order the fireworks stand closed and may deny approval of a request by the person for a fireworks license for the next year.

B. A person is guilty of a separate offense for each separate and distinct violation of any provisions of this Chapter, and a person is guilty of a separate offense for each day during which he/she commits or allows to continue a violation of any provisions of this Chapter.

C. Any fireworks which are illegally sold, offered for sale, used, discharged, possessed or transported in violation of the provisions of this Chapter or of Chapter 70.77 of the Revised Code of Washington shall be subject to seizure by any police officer or by the Fire Chief or his designee.

2. That Section 5.05.340 of the SeaTac Municipal Code as it was previously adopted be, and the same hereby is repealed.

3. That this Ordinance shall be in full force and effect

thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1021

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 2.26.020 of the SeaTac Municipal Code relating to Membership of the Youth Commission.

WHEREAS, the City Council of the City SeaTac, Washington by Ordinance No. 93-1003, created and established a Youth Commission within the City to better enable the City to address the needs and concerns of young people from within the City; and,

WHEREAS, the provisions of Ordinance No. 93-1003 provided for a total of fifteen (15) members of the Youth Commission, with, initially, not less than twelve (12) of those members being residents of the City; and,

WHEREAS, in order to be in the best position to ascertain and address the concerns and issues of interest to young people, particularly where a number of youth of the City go to school in schools outside of the City limits, and a number of students of the schools within the City limits actually reside outside of the City limits, the initial residency requirements of the Youth Commission have imposed difficulties on the filling of the fifteen (15) member Youth Commission; and,

WHEREAS, by re-configuring the residency requirements of the Commission so that not less than nine (9) of the fifteen (15) members of the Youth Commission shall be residents of the City, the Commission would be more readily able to commence its functions.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That Section 2.26.020 of SeaTac Municipal Code relating to Membership of the Youth Commission be, and the same hereby is, amended to read as follows:

2.26.020 Membership.

There shall be fifteen (15) members of the Youth Commission. The Youth Commission members shall consist of young people from the City of SeaTac between the ages of 13 years and 19 years, provided that not less than ~~twelve (12)~~ nine (9) of the members of the Youth Commission shall be residents of the City of SeaTac.

2. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1022

AN ORDINANCE of the City Council of the City of SeaTac, Washington creating and establishing a new Chapter 12.40 of the SeaTac Municipal Code relating to Flood Damage Prevention

WHEREAS, certain areas within the City of SeaTac are subject to periodic flooding, mud slides/mud flows, or flood-related erosion, causing serious damage to property within these areas; and,

WHEREAS, the City Council has, by Resolution, authorized application to participate in the National Flood Insurance Program in accordance with the provisions of the National Flood Insurance Act of 1968; and,

WHEREAS, in accordance with such application and program, it is appropriate for the City to take certain actions to identify special flood, mud slide/mud flow and flood-related erosion hazards, as well as to develop identification of the areas affected and determination of programs, activities, and use limitations or regulations applying to such affected areas.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That a new Chapter 12.40 of the SeaTac Municipal Code be, and the same hereby is, created to read as follows:

Chapter 12.40

Flood Damage Prevention

12.40.010 Statement of Purpose.

It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- (1) To protect human life and health;
- (2) To minimize expenditure of public money and costly flood control projects;
- (3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) To minimize prolonged business interruptions;
- (5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
- (6) To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- (7) To ensure that potential buyers are notified that property is in an area of special flood hazard; and,

(8) To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

12.40.020 Definitions.

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

(1) "AREA OF SPECIAL FLOOD HAZARD" means the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.

(2) "BASE FLOOD" means the flood having a one percent chance of being equalled or exceeded in any given year. Also referred to as the "100-year flood." Designation on maps always includes the letters A or V.

(3) "DEVELOPMENT" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.

(4) "FLOOD" OR "FLOODING" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

(A) The overflow of inland or tidal waters and/or

(B) The unusual and rapid accumulation of runoff of surface waters from any source.

(5) "FLOOD INSURANCE RATE MAP (FIRM)" means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

(6) "FLOOD INSURANCE STUDY" means the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.

(7) "FLOODWAY" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

(8) "LOWEST FLOOR" means the lowest floor of the lowest enclosed area (including basement). An

unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Section 12.40.090A of this Code.

(9) "MANUFACTURED HOME" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For flood plain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.

(10) "NEW CONSTRUCTION" means structures for which the "start of construction" commenced on or after the effective date of this ordinance.

(11) "START OF CONSTRUCTION" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundation or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

(12) "STRUCTURE" means a walled and roofed building including a gas or liquid storage tank that is principally above ground.

(13) "SUBSTANTIAL IMPROVEMENT" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

(A) before the improvement or repair is started, or

(B) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial

improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

12.40.030 Lands to which this Ordinance Applies.

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the City of SeaTac.

12.40.040 Basis for Establishing the Areas of Special Flood Hazard.

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for the City of SeaTac," dated , 199_, with accompanying Flood Insurance Maps is hereby adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study is on file at SeaTac City Hall, 19215 28th Avenue South SeaTac, WA 98188.

12.40.050 Development Permit Required.

A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 12.40.040 of this Code. The permit shall be for all structures including manufactured homes, as set forth in the "Definitions" in Section 12.40.020 of this Code, and for all development including fill and other activities, also as set forth in the "Definitions".

12.40.060 Designation of the Administrator.

The City Manager or designee is hereby appointed, as Administrator, to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

12.40.070 Duties and Responsibilities of the Administrator.

Duties of the Administrator shall include, but not be limited to:

A. Permit Review

(1) Review all development permits to determine that the permit requirements of this ordinance have been satisfied.

(2) Review all development permits to determine that all necessary permits have been obtained from those Federal, State, or local government agencies from which prior approval is required.

(3) Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of Section 12.40.100(1) are met.

B. Use of other Base Flood Data

When base flood elevation data has not been provided in accordance with Section 12.40.040 of this Code, Basis for Establishing the Areas of Special Flood Hazard, the Administrator obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, State or other source, in order to administer Sections 12.40.090, Specific Standards, and 12.40.100 Floodways.

C. Information to be Obtained and Maintained

(1) Where base flood elevation data is provided through the Flood Insurance Study or required as in Section 12.40.070(B), obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.

(2) For all new or substantially improved floodproof structures:

(i) verify and record the actual elevation (in relation to mean sea level), and

(ii) maintain the floodproofing certifications by this Chapter.

(3) Maintain for public inspection all records pertaining to the provisions of this ordinance.

D. Alteration of Watercourses

(1) Notify adjacent communities and the appropriate department of the State of Washington prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.

(2) Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

E. Interpretation of FIRM Boundaries

Make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation. Such appeals shall be granted consistent with the standards of Section 60.6 of the rules and regulations of the National Flood Insurance Program (44 CFR 59-76).

12.40.080 General Standards for Flood Hazard Reduction.

In all areas of special flood hazards, the following standards are required:

A. Anchoring

(1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

(2) All manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques).

B. Construction Materials and Methods

(1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

(2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

(3) Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

C. Utilities

(1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and,

(3) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding

D. Subdivision Proposals

(1) All subdivision proposals shall be consistent with the need to minimize flood damage;

(2) All subdivision proposals shall have public utilities and facilities such a sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

(3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and,

(4) Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least 50 lots or 5 acres (whichever is less).

E. Review of Building Permits

Where elevation data is not available either through the Flood Insurance Study or from another authoritative source (Section 12.40.070 B), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.

12.40.090 Specific Standards for Flood Hazard Reduction.

In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 12.40.040, Basis for Establishing the Areas of Special Flood Hazard or Section 12.40.070(B), Use of Other Base Flood Data,

the following provisions are required:

A. Residential Construction

(1) New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above base flood elevation.

(2) Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for entry and exit of floodwaters. Design for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

(i) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

(ii) The bottom of all openings shall be no higher than one foot above grade.

(iii) Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

B. Nonresidential Construction

New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

(1) be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;

(2) have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

(3) be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the

official as set forth in Section 12.40.070 C. (2) of this Code.

(4) Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in 12.40.090 A.(2) of this Code.

(5) Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g. a building constructed to the base flood level will be rated as one foot below that level).

C. Manufactured Homes

All manufactured homes to be placed or substantially improved within appropriate zones of the City shall be elevated on a permanent foundation such that the lowest floor of the manufactured homes is at or above the base flood elevation and be securely anchored to an adequately anchored foundation system in accordance with the provisions of subsection 12.40.080 A.(2) of this Code.

12.40.100 Floodways.

Located within areas of special flood hazard established in Section 12.40.040 of this Code are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry

debris, potential projectiles, and erosion potential, the following provisions apply:

(1) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

(2) Construction or reconstruction of residential structures is prohibited within designated floodways, except for (i) repairs, reconstruction, or improvements to a structure which do not increase the ground floor areas; and (ii) repairs, reconstruction or improvements to a structure, the cost of which does not exceed 50 percent of the market value of the structure either, (A) before the repair, reconstruction, or repair is started, or (B) if the structure has been damaged, and is being restored, before the damage occurred. Work done on structures to comply with existing health, sanitary, or safety codes or to structures identified as historic places shall not be included in the 50 percent.

(3) If Section 12.40.100(1) of this Code is satisfied, all new construction and substantial improvements

shall comply with all applicable flood hazard reduction provisions of Sections 12.40.080, 090, 100 of this Code.

2. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1023

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Sections 13.10.010 and 13.10.050 of the SeaTac Municipal Code relating to the Electrical Code

WHEREAS, the current provisions of the SeaTac Municipal Code provides for adoption of the 1990 Edition of the National Electrical Code, as published by the National Fire Protection Association; and,

WHEREAS, the National Electrical Code is revised and republished every three (3) years, with the most current edition being the 1993 Edition; and,

WHEREAS, in order to maintain current Electrical Code provisions, and in order to be consistent with the Electrical Code provisions enforced by neighboring jurisdictions, it is appropriate that the City Code be amended to reflect adoption of the 1993 Edition of the National Electrical Code; and,

WHEREAS, in order to clarify the language of the fee schedule to clearly address the cost for plan review services, it is appropriate that the fee schedule of the Electrical Code be amended to reflect such changes and clarifications.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That Section 13.10.010 of the SeaTac Municipal Code be, and the same hereby is amended to read as follows:

13.10.010 Adoption of National Electrical Code.

The National Electrical Code, ~~1990~~ 1993 Edition, published by the National Fire Protection Association, and as may be subsequently amended, is adopted by reference, a copy of which is on file in the Office of the City Clerk.

2. That Section 13.10.050 of SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

13.10.050 Fee schedule.

A. The following schedule of fees shall apply to all electrical work and shall be charged in connection with electrical work permits:

ELECTRICAL FEE SCHEDULE

For issuance of each permit.....\$15.00

For supplemental permits.....5.00

NEW SINGLE FAMILY DWELLINGS

Less than 3,000 square feet.....\$55.00

Over 3,000 square feet.....75.00

Garages and similar buildings.....35.00

Low voltage systems.....30.00

SINGLE FAMILY REMODEL AND SERVICE CHANGES

Adding or extending 0 - 5 circuits.....\$35.00
 Adding or extending 6 or more circuits.....55.00
 Noise remedy modification permit.....50.00
 Low voltage systems.....30.00

MULTI-FAMILY AND COMMERCIAL

Contract Amount Fee

\$250 or less.....\$30.00
 251 - 1,000.....30.00 plus 4%
 of cost over 250
 1,001 - 5,000.....60.00 plus 1.5% of cost over
 1,000
 5,001 - 50,000.....120.00 plus 1.4% of cost over
 5,000
 50,001 - 250,000.....750.00 plus 1%
 of cost over 50,000
 250,001 - 1,000,000.....2,750.00 plus .8% of cost over
 250,000 one million and up.....8,750.00 plus .4% of cost
 over one million

Low voltage system fees shall be computed based on contract amount and
 said fee shall be 50% of the fee outlined in the above schedule.

MISCELLANEOUS

Electrical safety inspection.....\$100.00
 Temporary service.....35.00
 Mobile home service.....35.00
 Swimming pools and spas.....45.00
 Signs
 Electrical.....30.00
 Additional sign/same location.....15.00
 Carnivals
 Base fee.....50.00
 Each concession.....10.00
 Plan review ~~for revisions or modifications~~.....50.00/hr

The established fees as set forth above may be doubled or increased by
 \$100, whichever is greater, in the event that work has been commenced
 without a fee first having been obtained for the performance of said
 work. This fee, which shall constitute an investigation fee, shall be

imposed and collected in all cases, whether or not a permit is subsequently issued.

3. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1024

AN ORDINANCE of the City Council of the City of SeaTac, Washington creating and establishing a new Chapter 13.23 of the SeaTac Municipal Code relating to Sound Transmission Control

WHEREAS, in connection with the City of SeaTac Building Codes, including those which address insulation requirements and noise control measures, because the City of SeaTac lies within the vicinity of the Seattle-Tacoma International Airport, additional sound and noise transmission control measures would be appropriate for consideration in addition to those provided by the other uniform codes in effect within the City; and,

WHEREAS, in order to maintain conformity with the building requirements of other jurisdictions in the vicinity of the Seattle-Tacoma International Airport, including King County, it would be appropriate to include within the City Codes compatible and consistent sound transmission control regulations, particularly in light of the fact that such sound transmission control regulations were in place and being implemented by King County until the time that enforcement of the uniform codes was taken over by the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That a new Chapter 13.23 of the SeaTac Municipal Code relating to Sound Transmission Control be, and the same hereby is, created to read as follows:

CHAPTER 13.23

SOUND TRANSMISSION CONTROL

13.23.010 Purpose.

The purpose of these sections is to safeguard life, health, property and public welfare by establishing minimum requirements regulating the design, construction, and/or setting on site of buildings for human occupancy in the vicinity of Seattle-Tacoma International Airport as identified on the attached map referenced in the April 24, 1985 Federal Register, Volume 50, No. 79. These sections are not intended to abridge any safety or health requirements required under any other applicable codes or ordinances.

13.23.020 Scope.

The provisions of this chapter shall apply to all buildings or structures constructed or placed in use for human occupancy on sites within the vicinity of Seattle-Tacoma International Airport which have been included within the Port of Seattle Noise Remedy Program. This chapter is intended to supplement the provisions of the Uniform Mechanical Code, the adopted Energy Code, and the remainder of the Uniform Building Code. In the case of conflict between this chapter and any other applicable codes the more restrictive requirements shall apply.

13.23.030 Application to Existing Buildings.

A. Additions may be made to existing buildings or structures without making the entire building or structure comply with all the requirements of this chapter for new construction. Additions shall be made

to comply in the areas being added to the extent that it is deemed practical and effective by the Building Official in meeting the intent of this chapter.

B. Any change of use in the occupancy or use of a building previously unapproved for human occupancy to human occupancy use or of one previously unused for sleeping purposes to sleeping use shall not be permitted unless the building, structure or portion of the building complies with this chapter.

C. The plans and specifications shall show in sufficient detail all pertinent data and features of the building and the equipment and systems, as herein governed, including, but not limited to: exterior envelope component materials; STC ratings of applicable component assemblies; R-values of applicable insulation materials; size and type of apparatus and equipment; equipment and system controls and other pertinent data to indicate conformance with the requirements herein.

13.23.040 Definitions.

A. NOISE REDUCTION COEFFICIENT (NRC) is the arithmetic average of the sound absorption coefficients of a material at 250, 500, 1000, and 2000 Hz.

B. SOUND TRANSMISSION CLASS (STC) is a single number rating for describing sound transmission loss of a wall, roof, floor window, door, partition or other individual building components or assemblies

13.23.050 Design Requirements.

The criteria of these sections establish the minimum requirements for acoustic design of the exterior envelope of buildings and for HVAC systems and its parts. These requirements shall apply to all buildings for human occupancy within the SeaTac Noise Program Areas.

13.23.060 SeaTac Noise Program Areas.

Noise determination construction requirements detailed in this sound transmission building code shall be applied to new construction and additions of all structures, except for not normally inhabited portions of warehouses, storage buildings and similar structures as determined by the Building Official, within the designated program areas of the Port of Seattle's Noise Remedy Program (see attached map). The applicable program areas are the Neighborhood Reinforcement Area and the Standard Insulation Area. Specific construction requirements for these two areas are:

(1) Neighborhood Reinforcement Area:

(a) Bedrooms must comply with Section 13.23.110 which is designed to achieve a noise reduction level of 35 dB.

(b) All other living and working areas must comply with Section 13.23.100 which is designed to achieve a noise reduction level of 30 dB.

(2) Standard Insulation Area:

(a) Bedrooms must comply with Section 13.23.100 which is designed to achieve a noise reduction of 30 dB.

(b) All other living and working areas must comply with Section 13.23.090 which is designed to achieve a noise reduction level of 25 dB.

13.23.070 Air leakage for all buildings.

A. The requirements of this section shall apply to the design of the exterior envelope of all buildings in the SeaTac Noise Program Area designed for human occupancy. The requirements of this section are not applicable to the separation of interior spaces from each other.

B. The following locations shall be sealed, caulked, gasketed, or weatherstripped to limit or eliminate air leakage:

(1) Exterior joints around window and door frames between the window or door frame and the framing.

(2) Openings between walls and foundations.

(3) Between the wall sole plate and the rough flooring.

(4) Openings at penetrations of utility services through, walls, floor, and roofs.

(5) Between wall panels at corners.

(6) All other such openings in the building envelope.

C. Through the wall, floor, or roof/ceiling penetrations not specifically addressed in these sections shall be designed to limit sound transmission and shall have the same average laboratory sound transmission classification as required for doors.

13.23.080 Building Requirements for a noise level reduction of 25 dB.

A. Compliance. Compliance with this section shall be deemed to meet requirements for a minimum noise level reduction (NLR) of 25 decibels.

B. Exterior Walls.

(1) Exterior walls, other than as described in this section, shall have a laboratory sound transmission class rating of at least STC-30; or

(2) Masonry walls having a weight of at least 25 pounds per square foot do not require a furred (stud) interior wall. At least one surface of concrete block walls shall be plastered.

(3) Stud walls shall be at least 4 inches in nominal depth and shall be finished on the outside with solid sheathing under an approved exterior wall finish.

(a) Interior surface of the exterior walls shall be gypsum board or plaster at least 1/2 inch thick, installed on the studs.

(b) Continuous composition board, plywood or gypsum board sheathing at least 1/2 inch thick shall cover the exterior side of the wall studs.

(c) Sheathing panels shall be covered on the exterior with overlapping building paper.

(d) Insulation material at least R-11 shall be installed continuously throughout the cavity space behind the exterior sheathing and between wall studs. Insulation shall be glass fiber or mineral wool.

C. Exterior windows.

(1) Windows other than as described in this section shall have a laboratory sound transmission class rating of at least STC-28; or

(2) Glass shall be at least 3/16" thick.

(3) All openable windows shall be weatherstripped and airtight when closed so as to conform to an air infiltration test not to exceed 0.5 cubic foot per minute per foot of crack length in accordance with ASTM E-283-65-T.

(4) Glass shall be sealed in an airtight manner with a non-hardening sealant or a soft elastomer gasket or gasket tape.

(5) The perimeter of window frames shall be sealed airtight to the exterior wall construction with a sealant conforming to one of the following Federal specifications: TT-S-00227, TT-S-00230 or TT-S-00153.

D. Exterior doors.

(1) Doors other than as described in this section shall have a laboratory sound transmission class rating of at least STC-26; or

(2) All exterior side-hinged doors shall be solid-core wood or insulated hollow metal at least 1-3/4" thick and shall be fully weatherstripped.

(3) Exterior sliding doors shall be weatherstripped with an efficient airtight gasket system with performance as specified in Section 3534(c). The glass in the sliding doors shall be at least 3/16" thick.

(4) Glass, over two square feet in area, in doors shall be sealed in an airtight non-hardening sealant or in a soft elastomer gasket or glazing tape.

(5) The perimeter of door frames shall be sealed airtight to the exterior wall construction as described in Section 13.23.090 C (4).

E. Roofs.

(1) Combined roof and ceiling construction other than described in this paragraph and in paragraph F of Section 13.23.090 shall have a laboratory sound transmission class rating of at least STC-39; or

(2) With an attic or rafter space at least 6" deep, and with a ceiling below, the roof shall consist of 1/2" composition board, plywood or gypsum board sheathing topped by roofing as required.

(3) Open beam roof construction shall follow the energy insulation standard method for batt insulation.

(4) Skylights shall conform to the window standard in paragraph C of section 13.23.090.

F. Ceilings.

(1) Gypsum board or plaster ceilings at least 1/2 inch thick shall be provided where

required by paragraph E (2) of section 13.23.090, above. Ceilings shall be substantially airtight with a minimum of penetrations.

(2) Glass fiber, cellulose or mineral wool insulation at least R-38 shall be provided above the ceiling between joists.

G. Ventilation.

(1) A ventilation system shall be installed that will provide the minimum air circulation and fresh air supply requirements for various uses in occupied rooms without the need to open any windows, doors or other openings to the exterior. The inlet and discharge openings shall be fitted with sheet metal transfer ducts of at least 20 gauge steel, which shall be lined with 1 inch thick coated glass fiber, and shall be at least 5 feet long with one 90 degree bend.

(2) Gravity vent openings in attics shall be as close to code minimum in number and size, as practical.

(3) Bathroom, laundry and similar exhaust ducts connecting the interior space to the outdoors, shall contain at least a 5-foot length of internal sound-absorbing duct lining. Exhaust ducts less than 5 feet in length shall be fully lined and shall also meet the provisions of Section 13.23.080, paragraph C. Each duct shall be provided with a bend in the duct such that there is no direct line-of-sight through the duct from the venting cross-section to the room-opening cross-section. Duct lining shall be coated glass fiber duct liner at least 1 inch thick.

(4) Fireplaces shall be provided with well fitted dampers.

13.23.090 Building requirements for a noise level reduction of 30 dB.

A. Compliance. Compliance with this Section shall be deemed to meet requirements for a minimum noise level reduction (NLR) of 30 decibels.

B. Exterior Walls.

(1) Exterior walls, other than as described in this section, shall have a laboratory sound transmission class rating of at least STC-35; or

(2) Masonry walls having a weight of at least

40 pounds per square foot do not require a furred (stud) interior wall. At least one surface of concrete block walls shall be plastered.

(3) Stud walls shall be at least 4" in nominal depth and shall be finished on the outside with solid sheathing under an approved exterior wall finish.

(a) Interior surface of the exterior walls shall be of gypsum board or plaster at least 1/2 inch thick, installed on the studs. The gypsum board or plaster may be fastened rigidly to the studs if the exterior is brick veneer or stucco. If the exterior is siding, the interior gypsum board or plaster must be fastened resiliently to the studs.

(b) Continuous composition board, plywood, or gypsum board sheathing at least 3/4" thick shall cover the exterior side of the wall studs.

(c) Sheathing panels shall be covered on the exterior with overlapping building paper.

(d) Insulation material at least R-11 shall be installed continuously throughout the cavity space behind the exterior sheathing and between wall studs. Insulation shall be glass fiber or mineral wool.

C. Exterior windows.

(1) Windows other than as described in this section shall have a laboratory sound transmission class rating of at least STC-33; or

(2) Windows shall be double-glazed with panes at least 1/8" thick. Panes of glass shall be separated by a minimum 1/2" airspace.

(3) Double-glazed windows shall employ fixed sash or efficiently weatherstripped, operable sash. The sash shall be rigid and weatherstripped with material that is compressed airtight when the window is closed so as to conform to an infiltration test not to exceed 0.5 cubic foot per minute per foot of crack length in accordance with ASTM E-283-65-T.

(4) Glass shall be sealed in an airtight manner with a nonhardening sealant or a soft elastomer gasket or gasket tape.

(5) The perimeter of window frames shall be sealed airtight to the exterior wall

construction with a sealant conforming to one of the following Federal specifications: TT-S-0027, TT-S-00230 or TT-S-00153.

D. Exterior Doors.

(1) Doors other than as described in this section shall have a laboratory sound transmission class rating of at least STC-33; or

(2) Double door construction is required for all door openings to the exterior. Openings fitted with side-hinged doors shall have one solid core wood or insulated hollow metal door at least 1-3/4" thick separated by an airspace of at least 3" from another door, which can be a storm door. Both doors shall be tightly fitted and weatherstripped.

(3) The glass double glazed sliding doors shall be separated by a minimum 1/2" airspace. Each sliding frame shall be provided with an efficiently airtight weatherstripping material as specified in section 13.23.100, paragraph C.

(4) Glass, over two square feet in area, of all doors shall be at least 3/16" thick. Glass of double sliding doors shall not be equal in thickness.

(5) The perimeter of door frames shall be sealed airtight to the exterior wall construction (framing) as indicated in section 13.23.100, paragraph E.

(6) Glass in doors shall be sealed in an airtight nonhardening sealant or in a soft elastomer gasket or glazing tape.

E. Roofs.

(1) Combined roof and ceiling construction other than described in this section and section 13.23.100, paragraph F shall have a laboratory sound transmission class rating of at least STC-44; or

(2) With an attic or rafter space at least 6" deep, and with a ceiling below, the roof shall consist of 3/4" composition board, plywood or gypsum board sheathing topped by roofing as required.

(3) Open beam roof construction shall follow the energy insulation standard method for batt insulation, except use 1" plywood decking with shakes or other suitable roofing material.

(4) Window or dome skylights shall have a laboratory sound transmission class rating of at least STC-33

F. Ceilings.

(1) Gypsum board or plaster ceilings at least 5/8" thick shall be provided where required by section 13.23.100, paragraph E, sub-paragraph (2), above. Ceilings shall be substantially airtight with a minimum of penetrations.

(2) Glass fiber, cellulose or mineral wool insulation at least R-38 shall be provided above the ceiling between joists.

G. Floors. The floor of the lowest occupied rooms shall be slab on fill, below grade, or over a fully enclosed basement or crawl space. All door and window openings in the fully enclosed basement shall be tightly fitted.

H. Ventilation.

(1) A ventilation system shall be installed that will provide the minimum air circulation and fresh air supply requirements for various uses in occupied rooms without the need to open any windows, doors or other openings to the exterior. The inlet and discharge openings shall be fitted with sheet metal transfer ducts of at least 20 gauge steel, which shall be lined with 1" thick coated glass fiber, and shall be at least 5 feet long with on 90 degree bend.

(2) Gravity vent openings in attics shall be as close to code minimum in number and size, as practical. The openings shall be fitted with transfer ducts at least 3 feet in length containing internal 1" thick coated fiberglass sound-absorbing duct lining. Each duct shall have a lined 90 degree bend in the duct such that there is no direct line-of-sight from the exterior through the duct into the attic.

(3) Bathroom, laundry, and similar exhaust ducts connecting the interior space to the outdoors, shall contain at least a 10-foot length of internal sound-absorbing duct lining. Exhaust ducts less than 10 feet in length shall be fully lined and shall also meet the provisions of section 13.23.080, paragraph C. Each duct shall be provided with a lined 90 degree bend in the duct such that there is no direct line-of-sight through the duct from the venting cross-section to the room opening cross-section. Duct lining shall be coated glass fiber duct liner at least 1" thick.

(4) Domestic range exhaust ducts connecting the interior space to the outdoors shall contain a self-closing baffle plate across the exterior termination which allows proper ventilation. The duct shall be provided with a 90 degree bend.

13.23.100 Building Requirements for a Noise Level Reduction of 35dB

A. Compliance.

Compliance with this Section shall be deemed to meet requirements for a minimum noise level reduction (NLR) of 35 decibels.

B. Exterior Walls.

(1) Exterior walls, other than as described in this section shall have a laboratory sound transmission class rating of at least STC-40; or

(2) Masonry walls having a weight of at least 75 pounds per square foot do not require a furred (stud) interior wall. At least one surface of concrete block walls shall be plastered.

(3) Stud walls shall be at least 4" in nominal depth and shall be finished on the outside with solid sheathing under an approved exterior wall finish.

(a) Interior surface of the exterior walls shall be gypsum board or plaster at least 5/8" thick installed on the studs. The gypsum board or plaster may be fastened rigidly to the studs if the exterior is brick veneer or stucco. If the exterior is stucco or siding, the interior gypsum board or plaster must be fastened resiliently to the studs or double thickness must be used.

(b) Continuous composition board, plywood, or gypsum board sheathing at least 1" thick shall cover the exterior side of the wall studs.

(c) Sheathing panels shall be butted tightly and covered on the exterior with overlapping building paper.

(d) Insulation material at least R-19 shall be installed continuously throughout the cavity space behind the exterior sheathing and between wall studs. Insulation shall be glass fiber or mineral wool.

C. Exterior Windows.

(1) Windows other than as described in this section shall have a laboratory sound transmission class rating of at least STC-38; or

(2) Windows shall be double-glazed with panes at least 3/16" thick. Panes of glass shall be separated by a minimum 1/2" airspace and shall not be equal in thickness.

(3) Double-glazed windows shall employ fixed sash or efficiently weatherstripped, operable sash. The sash shall be rigid and weatherstripped with the material that is compressed airtight when the window is closed so as to conform to an infiltration test not to exceed 0.5 cubic foot per minute per foot of crack length in accordance with ASTM E-283-65-T.

(4) Glass shall be sealed in an airtight manner with a nonhardening sealant or a soft elastomer gasket or gasket tape.

(5) The perimeter of window frames shall be sealed airtight to the exterior wall construction with a sealant conforming to one of the following Federal specifications: TT-S-00227, TT-S-00230 or TT-S-00153.

D. Exterior Doors.

(1) Doors other than as described in this section shall have a laboratory sound transmission class rating of at least STC-33; or

(2) Double door construction is required for all door openings to the exterior. The doors shall be side-hinged and shall be solid core wood or insulated hollow metal door at least 1-3/4" thick, separated by a vestibule or enclosed porch at least 3 feet in length. Both doors shall be tightly fitted and weatherstripped.

(3) The glass of double-glazed sliding doors shall be separated by a minimum 1/2" airspace. Each sliding frame shall be provided with an efficiently airtight weatherstripping material as specified in section 13.23.110 paragraph C, sub-paragraph (2).

(4) Glass of all doors shall be at least 3/16" thick. Glass of double sliding doors shall not be equal in thickness.

(5) The perimeter of door frames shall be sealed airtight to the exterior wall construction (framing) as indicated in section

13.23.110, paragraph C, sub-paragraph (5).

(6) Glass in doors shall be sealed in an airtight nonhardening sealant or in a soft elastomer gasket or glazing tape.

E. Roofs.

(1) Combined roof and ceiling construction other than described in this section and section 13.23.110, paragraph F. shall have a laboratory sound transmission class rating of at least STC-49; or

(2) With an attic or rafter space at least 6" deep, and with a ceiling below, the roof shall consist of 1" composition board, plywood or gypsum board sheathing topped by roofing as required.

(3) Open beam roof construction shall follow the energy insulation standard method for batt insulation, except use 1" plywood decking with concrete or clay tiles as roofing material.

F. Ceilings.

(1) Gypsum board or plaster ceilings at least 5/8" thick shall be provided where required by section 13.23.110, paragraph E., above. Ceilings shall be substantially airtight with a minimum of penetrations. The ceiling panels shall be mounted on resilient clips or channels.

(2) Glass fiber, cellulose or mineral wool insulation at least R-38 shall be provided above the ceiling between joists.

G. Floors.

The floor of the lowest occupied rooms shall be slab on fill or below grade.

H. Ventilation.

(1) A ventilation system shall be installed that will provide the minimum air circulation and fresh air supply requirements for various uses in occupied rooms without the need to open any windows, doors or other openings to the exterior. The inlet and discharge openings shall be fitted with sheet metal transfer ducts of at least 20 gauge steel, which shall be lined with 1" thick coated glass fiber, and shall be at least 10 feet long with one 90 degree bend.

(2) Gravity vent openings in attics shall be as close to code minimum in number and size, as practical. The openings shall be fitted with transfer ducts at least 6 feet in length containing internal 1" thick coated fiberglass sound-absorbing duct lining. Each duct shall

have a lined 90 degree bend in the duct such that there is no direct line-of-sight from the exterior through the duct into the attic.

(3) Bathroom, laundry, and similar exhaust ducts connecting the interior space to the outdoors, shall contain at least a 10-foot length of internal sound-absorbing duct lining. Exhaust ducts less than 10 feet in length shall be fully lined and shall also meet the provisions of section 13.23.080, paragraph C. Each duct shall be provided with aligned 90 degree bend in the duct such that there is no direct line-of-sight through the duct from the venting cross-section to the room-opening cross-section. Duct lining shall be coated glass fiber duct liner at least 1" thick .

(4) Domestic range exhaust ducts connecting the interior space to the outdoors shall contain a self-closing baffle plate across the exterior termination which allows proper ventilation. The duct shall be provided with a 90 degree bend.

2. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1025

AN ORDINANCE of the City Council of the City of SeaTac, Washington creating a new Chapter 13.46 of the SeaTac Municipal Code relating to Temporary Relocation of Buildings.

WHEREAS, although there are provisions for relocation and permanent movement of buildings within the City, pursuant to the provisions of the Uniform Building Code, the language of the City Code and of State law is unclear with respect to temporary relocation and movement of buildings within the City; and,

WHEREAS, particularly in light of the increased efforts by the Port of Seattle to step up its buy-out program of houses affected by airport operations, the incidents of buildings being temporarily moved and located within the City has increased; and,

WHEREAS, because of the absence of clear regulations addressing temporary movement and location of buildings within the City, a number of property owners have been impacted and a number of City streets have been burdened with buildings being temporarily located on the property of an unwilling owner or being deposited on City roads and right-of-ways impacting the safety and use of those roads and right-of-ways; and,

WHEREAS, it is appropriate to clarify in the City Code regulations prohibiting the relocation of buildings of a certain size within the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That a new Chapter 13.46 of the SeaTac Municipal Code be, and the same hereby is, created to read as follows:

Chapter 13.46

Temporary Relocation of Buildings

13.46.010 Temporary Relocation of Buildings Prohibited.

It is unlawful for any person to temporarily move and locate or allow to be temporarily moved and located onto any property within the City a building or structure of 120 square feet projected roof area or larger. For the purposes of this section, "temporary" and "temporarily" shall refer to any movement or location of a building or structure other than the placement of such building or structure on a permanent foundation pursuant to and in accordance with a validly issued building permit, and provided that any activities attendant to such placement on the permanent foundation shall not constitute a violation of this section provided that such activities are done in accordance with the time tables and calendars included in the building permit process. Violation of this section shall constitute a public nuisance, and may be abated through the procedures in the City Code for abatement of nuisances. Violation of this section shall further be a misdemeanor punishable through the applicable criminal process.

2. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of

, 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1026

AN ORDINANCE of the City Council of the City of SeaTac, Washington granting Puget Sound Power & Light Company, a Washington corporation, its successors and assigns, the right, privilege, authority and franchise to set, erect, construct, support, attach, connect and stretch facilities between, maintain, repair, replace, enlarge, operate and use facilities in, upon, over, under, along, across and through the franchise area for purposes of transmission, distribution and sale of energy for power, heat, light and any other purpose for which energy can be used; and to charge and collect tolls, rates and compensation for such energy and such uses

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. **Definitions.** Where used in this franchise (the "Franchise") the following terms shall mean:

A. "Puget" means Puget Sound Power & Light Company, a Washington corporation, and its respective successors and assigns.

B. "City" means the City of SeaTac, a municipal corporation of the State of Washington, and its respective successors and assigns.

C. "Franchise Area" means: any, every and all of the roads, streets, avenues, alleys, highways, grounds and public places of the City as now laid out, platted, dedicated or improved; and any, every and all roads, streets, avenues, alleys, highways, grounds and public places that may hereafter be laid out, platted, dedicated or improved within the present limits of the City and as such limits may be hereafter extended.

D. "Facilities" means Puget's poles (with or without crossarms), wires, lines, conduits, cables, communication and signal lines, braces, guys, anchors, vaults and all necessary or convenient facilities and appurtenances thereto, whether the same be located over or underground.

E. "Ordinance" means Ordinance No. __, which sets forth the terms and conditions of this Franchise.

2. **Facilities within Franchise Area.** The City does hereby grant to Puget the right, privilege, authority and franchise to:

A. Set, erect, construct, support, attach, connect and stretch facilities between, maintain, repair, replace, enlarge, operate and use facilities in, upon, over, under along, across and through the Franchise Area for purposes of transmission, distribution and sale of energy for power, heat, light and any other purpose for which energy can be used; and

B. To charge and collect tolls, rates and compensation for such energy and such uses.

3. **Use - Maintenance of Facilities in Franchise.**

A. Puget's Facilities shall be constructed, installed, maintained and repaired within the Franchise Area: (1) so as to provide for safety of persons and property, and (2) so as not to unreasonably interfere with the free passage of traffic, all in accordance with the laws of the State of Washington, and the ordinances, resolutions, rules and regulations of the City; provided, however, that if any term or condition of this Franchise and any term or condition of such ordinances, resolutions, rules or regulations are in conflict, the term or condition of this Franchise shall govern and control. Whenever it shall be necessary for Puget to engage in any work within the Franchise Area, Puget shall apply for all necessary City permits to do such work, and shall, except where expressly provided otherwise herein, comply with all requirements and conditions of such permits, including but not limited to location restrictions, traffic control, and restoration, repair or other work to restore the surface of the Franchise Area, as nearly as practicable, to its condition prior to such work, or as otherwise required by the Public Works Department as a condition of the permit. Such restoration responsibility shall continue for a period of time to correspond to the remaining life of the pavement and/or surface in which the work as was done, as indicated in the permit. Rather than Puget being required to obtain a separate bond for routine individual projects involving work in the Franchise Area, Puget may satisfy the City's bond requirements by posting a single on-going performance bond.

B. During the term of this Franchise and with respect to poles which are Facilities and which are wholly owned by Puget and which are within the Franchise Area, the City may, subject to Puget's prior written consent, which consent shall not be unreasonably withheld, install and maintain City-owned overhead wires upon such poles for signal interconnect and communication capabilities with no charge being made for such Facilities attachment. The foregoing rights of the City to install and maintain such wires are further subject to the following:

1. Such installation and maintenance shall be done by the City at its sole risk and expense in accordance with all applicable laws (including, but not limited to, RCW 70.54.090), and subject to such reasonable requirements as Puget may specify from time to time (including without limitation, requirements accommodating Puget's Facilities or the facilities of other parties having the right to use Puget's Facilities); and

2. Puget shall have no obligation under Section 7 (or arising under the purview of Section 7) in connection with any City-owned wires so installed or maintained.

4. Relocation of Facilities.

A. Whenever the City undertakes (as a public works project or causes to be undertaken at City expense) the construction of any public works improvement within the Franchise Area and such public works improvement necessitates the relocation of Puget's then existing Facilities within the Franchise Area, the City shall:

1. Provide Puget written notice requesting such

relocation within a reasonable time prior to the City's commencement of activities requiring such relocation; and

2. Provide Puget with copies of pertinent portions of the City's plans and specifications for such public works improvement.

After receipt of such notice and such plans and specifications, Puget shall relocate such Facilities within the Franchise Area at no charge to the City.

B. Whenever any person or entity, other than the City, requires the relocation of Puget's Facilities to accommodate the work of such person or entity within the Franchise Area; or, the City requires any person or entity to undertake work (other than work undertaken as a public works project or at the City's cost and expense) within the Franchise Area and such work requires the relocation of Puget's Facilities within the Franchise Area, then Puget shall have the right as a condition of any such relocation to require such person or entity to:

1. Make payment to Puget, at a time and upon terms acceptable to Puget, for any and all costs and expenses incurred by Puget in the relocation of Puget's Facilities; and

2. Indemnify and save Puget harmless from any and all claims and demands made against it on account of injury or damage to the person or property of another arising out of or in conjunction with the relocation of Puget's Facilities, to the extent such injury or damage is caused by the negligence of the person or entity requesting the relocation of Puget's Facilities or the negligence of the agents, servants or employees of the person or entity requesting the relocation of Puget's Facilities.

C. Any condition or requirement imposed by the City upon any person or entity, other than Puget (including, without limitation, any condition or requirement imposed pursuant to any contract or in conjunction with approvals or permits for zoning, land use, construction or development) which requires the relocation of Puget's Facilities within the Franchise Area shall be a required relocation for the purposes of paragraph B of this Section.

D. Nothing in this Section 4 "Relocation of Facilities" shall require Puget to bear any cost or expense in connection with the location or relocation of any

Facilities then existing under benefit of easement or other recorded rights or licenses.

5.
**Undergrounding
of
Facilities.**

A. Puget acknowledges that the City may now or at some time in the future desire to adopt a policy to encourage the undergrounding of Facilities within the Franchise Area. The

City acknowledges that Puget provides electrical service on a non-preferential basis subject to and in accordance with applicable rates and tariffs on file with the Washington Utilities and Transportation Commission ("WUTC"). Subject to and in accordance with such rates and tariffs, Puget will cooperate with the City in the formulation of policy and regulations concerning the undergrounding of Puget's Facilities within the Franchise Area.

B. During the term of this Franchise, the City may, by written notice to Puget, direct Puget to convert any overhead distribution Facilities (of 35,000 volts or less) to underground Facilities, provided that any such conversion shall be arranged and accomplished subject to and in accordance with applicable rates and tariffs on file with the WUTC.

C. This Section 5 "Undergrounding of Utilities" shall govern all matters related to undergrounding of Puget's Facilities (i.e., conversion or otherwise) within the Franchise Area.

6. **Reimbursement of Costs.** Puget shall reimburse and pay to the City the amount of actual administrative expenses incurred by the City which are directly related to the receipt and/or approval of a permit, license and/or franchise, to the inspection of plans and/or construction, and/or to the preparation of documents and/or statements prepared pursuant to Chapter 43.21C of the Revised Code of Washington, pursuant to Section 35.21.860 of the Revised Code of Washington. As such expenses are incurred by the City, the City shall submit to Puget statements/billings for such expenses. Puget shall make payment to the City in reimbursement of such expenses within thirty (30) days of the receipt such statements/billings.

7. **Indemnification.** Puget shall indemnify and save the City harmless from any and all claims and demands made against it on account of injury or damage to the person or property of another, to the extent such injury or damage is caused by the negligence of Puget or its agents, servants or employees in exercising the rights granted Puget in this Franchise; provided, however, that in the event any such claim or demand be presented to or filed with the City, the City shall promptly notify Puget thereof, and Puget shall have the right, at its election and at its sole cost and expense, to settle and compromise such claim or demand, provided further, that in the event any suit or action begun against the City based upon any such claim or demand, the City shall likewise promptly notify Puget thereof, and Puget shall have the right, at its election and its sole cost and expense, to settle and compromise such suit or action, or defend the same at its sole cost and expense, by attorneys of its own election.

8. **Moving Buildings within the Franchise Area.** If any person or entity obtains permission from the City to use the Franchise Area for the moving or removal of any building or

other object, the City shall, prior to granting such permission, require such person or entity to make any necessary arrangements with Puget for the temporary adjustment of Puget's wires to accommodate the moving or removal of said building or other object. Such necessary arrangements with Puget shall be made, to Puget's satisfaction, not less than fourteen (14) days prior to the moving or removal of said building or other object. In such event, Puget shall at the expense of the person or entity desiring to move or remove such building or other object, adjust any of its wires which may obstruct the moving or removal of such building or other object, provided that:

A. The moving or removal of such building or other object which necessitates the adjustment of wires shall be done at a reasonable time and in a reasonable manner so as not to unreasonably interfere with Puget's business;

B. Where more than one route is available for the moving or removal of such building or other object, such building or other object shall be moved or

removed along the route which causes the least interference with the operations of Puget and the City; and

C. The person or entity obtaining such permission from the City to move or remove such building or other object shall be required to indemnify and save Puget harmless from any and all claims and demands made against it on account of injury or damage to the person or property of another arising out of or in conjunction with the moving or removal of such building or other object, to the extent such injury or damage is caused by the negligence of the person or entity moving or removing such building or other object or the negligence of the agents, servants or employees of the person or entity moving or removing such building or other object.

9. **Default**. If Puget shall fail to comply with the provisions of this Franchise, the City may serve upon Puget a written order to so comply within sixty (60) days from the date such order is received by Puget. If Puget is not in compliance with this Franchise after expiration of said sixty (60) day period, the City may, by ordinance, declare an immediate forfeiture of this Franchise, provided however, if any failure to comply with this Franchise by Puget cannot be corrected with due diligence within said sixty (60) day period (Puget's obligation to comply and to proceed with due diligence being subject to unavoidable delays and events beyond its control), then the time within which Puget may so comply shall be extended for such time as may be reasonably necessary and so long as Puget commences promptly and diligently to effect such compliance.

10. **Nonexclusive Franchise**. This Franchise is not and shall not be deemed to be an exclusive Franchise. This Franchise shall not in any manner prohibit the City from granting other and further franchises over, upon, and along the Franchise

Area which do not interfere with Puget's rights under this Franchise. This Franchise shall not prohibit or prevent the City from using the Franchise Area or affect the jurisdiction of the City over the same or any part thereof.

11. **Franchise Term.** This Franchise is and shall remain in full force and effect for a period of twenty (20) years from and after the effective date of the Ordinance, provided, however, Puget shall have no rights under this Franchise nor shall Puget be bound by the terms and conditions of this Franchise unless Puget shall, within sixty (60) days after the effective date of the

Ordinance, file with the City its written acceptance of the Ordinance.

12. **Assignment.** Puget may assign its rights, benefits and privileges in and under this Franchise, subject to and conditioned upon approval by the City, which approval will not be unreasonably withheld. Any assignee shall, within thirty (30) days of the date of any proposed assignment, file written notice of intent to assign the franchise with the City together with the assignee's written acceptance of all terms and conditions of the Franchise and promise of compliance. Notwithstanding the foregoing, Puget shall have the right, without such notice or such written acceptance, to mortgage its rights, benefits and privileges in and under this Franchise to the Trustee for its bondholders.

13. **Miscellaneous.**

A. If any term, provision, condition or portion of this Franchise shall be held to be invalid, such invalidity shall not affect the validity of the remaining portions of this Franchise which shall continue in full force and effect. The headings of sections and paragraphs of this Franchise are for convenience of reference only and are not intended to restrict, affect or be of any weight in the interpretation or construction of the provisions of such sections or paragraphs.

B. Puget agrees, as a condition of the granting of this franchise, that it shall comply with all applicable laws of the State of Washington and, except where expressly provided otherwise herein, all ordinances of the City, and shall pay, in a timely manner, all taxes, fees and costs legally imposed on Puget in connection with the activities, properties and operations of the franchise.

C. This Franchise may be amended only by written instrument, signed by both parties, which specifically states that it is an amendment to this Franchise and is approved and executed in accordance with the laws of the State of Washington. Without limiting the generality of the foregoing, this Franchise (including, without limitation, Section 7 above) shall govern and supersede and shall not be changed, modified, deleted, added to, supplemented or otherwise amended by any permit, approval, license, agreement or other document required by or obtained from the City in conjunction with the exercise (or

failure to exercise) by Puget of any and all rights, benefits, privileges, obligations or duties in

and under this Franchise, unless such permit, approval,

license, agreement or other document specifically:

1. References this Franchise; and,
2. States that it supersedes this Franchise to the extent it contains terms and conditions which change, modify, delete, add to, supplement or otherwise amend the terms and conditions of this Franchise.

In the event of any conflict or inconsistency between the provisions of this Franchise and the provisions of any such permit, approval, license, agreement or other document, the provisions of this Franchise shall control.

D. This Franchise is subject to the provisions of any applicable tariff now or hereafter on file with the WUTC or its successor. In the event of any conflict or inconsistency between the provisions of this Franchise and such tariff, the provisions of such tariff shall control.

14. **Effective Date.** This Ordinance shall take effect thirty (30) days after publication of the Ordinance Summary following adoption of the Ordinance, as required by law, and after having been published in summary at least five (5) days prior to its adoption, and upon receipt by the City of an executed acceptance document from Puget.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

HONORABLE MAYOR AND CITY COUNCIL
CITY OF SEATAC, WASHINGTON

In the matter of the : Franchise Ordinance No.
application of Puget Sound :
Power & Light Company, a :
Washington corporation, for a :
franchise to construct, :
operate and maintain :
facilities in, upon, over, :
under, along, across and :
through the franchise area of : ACCEPTANCE

the City of SeaTac, Washington:

WHEREAS, the City Council of the City of SeaTac, Washington has granted a franchise to Puget Sound Power & Light Company, a Washington corporation, its successors and assigns, by enacting Ordinance No. , bearing the date of , 1993; and

WHEREAS, a copy of said Ordinance granting said franchise was received by the Puget Sound Power & Light Company on , 1993, from said City of SeaTac, King County, Washington.

NOW, THEREFORE, Puget Sound Power & Light Company, a Washington corporation, for itself, its successors and assigns, hereby accepts said Ordinance and all the terms and conditions thereof, and files this, its written acceptance, with the City of SeaTac, King County, Washington.

IN TESTIMONY WHEREOF said Puget Sound Power & Light Company has caused this written Acceptance to be executed in its name by its undersigned thereunto duly authorized on this day of , 1993.

ATTEST: PUGET SOUND POWER & LIGHT
COMPANY

By:

Copy received for City of

SeaTac on:

By:

City Clerk

ORDINANCE NO. 93-1027

AN ORDINANCE of the City Council of the City of SeaTac, Washington approving upon conditions and subject to certain contingencies the final plat for the development commonly known as Valley View Estates, formally called Alvisa Estates

WHEREAS, on the 22nd day of October, 1991, the City Council of the City of SeaTac, Washington, granted preliminary plat approval for the development of a fifteen lot sub-division to be known as Valley View Estates, formally called Alvisa Estates, File PLT-0001-91, pursuant to Resolution No. 91-081; and,

WHEREAS, the developer, Group Two Development, through its President, Ty Coffin Daeffer, requested final plat approval of the City of SeaTac, pursuant to the provisions of the SeaTac Municipal Code; and,

WHEREAS, the City Council considered the request for final approval of the plat and reviewed the factors involved at its meeting on the 22nd day of June, 1993, which meeting was held pursuant to regular notice for City Council meetings; and,

WHEREAS, the proposed final plat of Valley View Estates makes provisions for roads, water and sewer service and storm drainage; and,

WHEREAS, the proposed final plat of Valley View Estates is beneficial to the public health, safety and general welfare, and the public use and interest will be served by the platting of development; and,

WHEREAS, the proposed final plat of Valley View Estates has satisfied all of the conditions for filing the final plat.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That the final plat of Valley View Estates is approved subject to the following:

On-site verification by the Planning Department of significant trees to be retained prior to removal of existing trees.

2. That the City Manager is hereby authorized to sign the final plat, indicating the approval of the City Council of the City of SeaTac, Washington.

3. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1028

AN ORDINANCE of the City Council of the City of SeaTac, Washington creating a new Section 14.05.065 of the SeaTac Municipal Code relating to Private Road Signs

WHEREAS, the City Council of the City of SeaTac, Washington, through its Public Works Department, and in conformity with accepted traffic standards, installs and places street identification signs at various locations along City roads, streets and avenues; and,

WHEREAS, there are, however, some streets which are private and over which the City has no responsibility or role in maintaining or providing identification signs; and,

WHEREAS, there would still be an advantage to the City and its citizens for private roads to be identified with street signs in conformity with the City standards for public roads, even though the responsibility for such private road signs should be borne by the owners of the private roads.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That a new Section 14.05.065 of the SeaTac Municipal Code is hereby created to read as follows:

14.05.065 Responsibility for Private Road Signs.

It shall be a requirement in all short sub-divisions containing three (3) or more lots, where any two (2) or more of the lots are served by and depend on ingress and egress through a private road, that the owner(s) of the property of the short sub-division pay to the City the sum of one hundred twenty-five dollars (\$125.00), to be deposited into the Street Maintenance Fund, for the initial installation of a street sign identifying the private road, with the sign to be installed by the Public Works Department, and which sign shall indicate the name of the private road as assigned by the City, and which sign shall identify the road as a "private road". This fee shall be paid prior to the approval of the short sub-division. This fee shall also be identified and set forth in the City's Schedule of Fees.

2. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO 93-1029

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Appendix A of the City's Pay and Compensation Plan, adjusting the salary ranges for the Assistant City Attorney/Prosecutor and amending Section 2.65.430 of the SeaTac Municipal Code regarding overtime pay and its non-application to that position

WHEREAS, the City Council has previously enacted Ordinance No. 90-1037, and amendments thereto, establishing personnel policies and procedures, including the Pay and Compensation Plan; and,

WHEREAS, as needed to adjust to the increased number of employees hired by the City since its initial incorporation, and in order to adjust the levels of pay and compensation for employees whose duties, responsibilities and inner-employee relationships have warranted, the Pay and Compensation Plan has been amended on various occasions; and,

WHEREAS, in order to meet the needs of the City with respect to the position of Assistant City Attorney/Prosecutor, it is appropriate to adjust the pay range for that position to be in keeping with the increased job responsibilities and work loads, and, further, to specify in Section 2,65.430 of the City Code that the position of Assistant City Attorney/Prosecutor shall not be entitled to overtime; and,

WHEREAS, at this time, it is also appropriate to clarify, more generally, the language of Section 2.65.430 of the City Code regarding hours of work and the application of overtime thereto.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That the Pay Compensation Plan, Appendix A, adopted and amended by Ordinance No. 93-1005, Ordinance No. 93-1001, Ordinance No. 92-1040, Ordinance No. 92-1017, Ordinance No. 92-1012, Ordinance No. 92-1009, Ordinance No. 92-1002, Ordinance No. 91-1043, Ordinance No. 91-1033, Ordinance No. 91-1019, Ordinance No. 91-1008, Ordinance No. 90-1077, Ordinance No. 90-1069, Ordinance No. 90-1066, Ordinance No. 90-1059, and Ordinance No. 90-1055, be, and the same hereby is revised and amended to provide for the salary range for the Assistant City Attorney/Prosecutor as follows:

2. That Section 2.65.430 of the SeaTac Municipal Code relating to overtime pay, is amended to read as follows:

2.65.430 Overtime Pay.

Any employee, other than the City Manager, Assistant City Manager, ~~and~~ Department Heads ~~and~~ Assistant City Attorney/Prosecutor, who works more than ~~eight (8) hours in any one day, or more than~~ forty (40) hours in any one week, shall be paid at the rate of one and one-half (1 1/2) times that employee's regular hourly rate for each such overtime hour worked. Any employee, who works on a holiday shall be paid at the rate of one and one-half (1 1/2) times that employee's regular hourly rate for each hour worked during the holiday. If any such employee is salaried, such employee's hourly rate of pay shall be computed by multiplying such employee's monthly salary, as shown on the Compensation Plan, by twelve (12) and then dividing the product thereof by 2080, ~~with the exception of employees who work a 37.5 hour work week, then such employee's hourly rate of pay shall be computed by multiplying such employee's monthly salary, as shown on the Compensation Plan, by twelve (12) and then dividing the product thereof by 1950.~~ In every case, however, overtime work and pay must be approved, in advance, by the Department Head, or designee. If acceptable to the employee and to the Department Head, compensatory time, at the overtime rate, may be granted in lieu of overtime pay. (Ord. 91-1028 ' 2: Ord. 90-1077 ' 4: Ord. 90-1066 ' 2: Ord. 90-1062 ' 3: Ord. 90-1055 ' 2: Ord. 90-1037 ' 7(n))

3. That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1030

AN ORDINANCE of the City Council of the City of SeaTac, Washington, identifying authority for personnel policies and procedures and providing for adoption, through a non-codified ordinance of personnel provisions, and repealing certain sections of Chapter 2.65 of the SeaTac Municipal Code, relating to personnel policies

WHEREAS, the City of SeaTac has a responsibility to assure efficient, quality and uninterrupted delivery of municipal services; and,

WHEREAS, such efficient, quality and uninterrupted delivery of services is necessary to the health, safety, and welfare of the community and the citizens of the City; and,

WHEREAS, in order to provide for the procedural flexibility needed in addressing the personnel needs of the City, it would be appropriate to identify the City Manager, who is vested by state law with the responsibility for supervision over administrative affairs of the City, as being authorized to develop a manual of personnel rules and procedures for employees of the City, and being responsible for administration of personnel rules and procedures.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC ORDAINS as follows:

Section 1. Authority to Promulgate Personnel Policies.

The City Manager shall have the authority to administer personnel matters of the City, and is authorized to promulgate and implement personnel rules and regulations, administrative policies, manuals or directives including, but not limited to, those necessary to implement the provisions of this ordinance, and to administer the collective bargaining agreements of the City, and address other personnel and employee matters of the City.

Section 2. Purpose of **Classification and Compensation Plan.**

The Classification and Compensation Plan is intended to ensure aid regular review and adoption by the City Council of all wages, salaries and other compensation so that:

A. Compensation will be ~~equivalent~~ and competitive with compensation paid for similar employment by other public and private employers;

B. Compensation paid by the City will attract, motivate and promote retention of skilled employees;

C. Compensation will be equitably based upon duties, skills, qualifications and responsibilities, and upon the comparable worth of all positions allocated by the Classification Plan;

D. Compensation paid to each employee, and increases in compensation, shall be reflective of the meritorious performance of each such employee;

E. Compensation may be adjusted to off-set any loss of purchasing power resulting from inflation or increased costs of living;

F. The total cost of compensation to the City can be properly funded through the budgetary process.

(Ord. 91-1028 ' 2: Ord. 90-1077 ' 4: Ord. 90-1066 ' 2: Ord. 90-1062 ' 3: Ord. 90-1055 ' 2: Ord. 90-1037 ' 7(a), formerly codified as SMC 2.65.300)

Section 3. Annual Review of Plan.

~~On an annual basis, the Personnel City Manager, together with department heads and the City Manager as appropriate, may review the current Classification and Compensation Plan to determine whether existing pay ranges, additional compensation, and benefits are adequate to meet the purposes of the Classification and Compensation Plan. Concurrent with this review, the Personnel Manager shall survey compensation currently paid by other public and private employers to employees holding positions comparable to the positions allocated by the City's Classification Plan. This survey shall be considered in determining the adequacy of the current Compensation Plan. In addition, the Personnel Manager shall obtain the Consumer Price Index for all urban consumers in the Seattle Everett metropolitan area, as published by the Bureau of Labor Statistics, for the year, and shall determine a recommended cost of living allowance, if any. (Ord. 91-1028 ' 2: Ord. 90-1077 ' 4: Ord. 90-1066 ' 2: Ord. 90-1062 ' 3: Ord. 90-1055 ' 2: Ord. 90-1037 ' 7(b), formerly codified as SMC 2.65.310)~~

Section 4. Annual Adoption of Plan.

~~The Personnel City Manager, with the advice and input of department heads, shall prepare a preliminary Classification and Compensation Plan for the ensuing year, with such changes as may be deemed necessary, and together with a recommended cost of living allowance, and shall submit the same to the City Manager Council for review. The City Manager shall submit the same, together with recommended changes, to the City Council for and consideration at an appropriate regular meeting of each calendar year. The City Council shall review the preliminary Classification and Compensation Plan and the recommended cost of living allowance, if any, shall make any revisions or modifications thereof which may be deemed necessary, and shall then adopt, as a part of or consistent with the budget process, the same as the Classification and Compensation Plan for the ensuing year. (Ord. 91-1028 ' 2: Ord. 90-1077 ' 4: Ord. 90-1066 ' 2: Ord. 90-1062 ' 3: Ord. 90-1055 ' 2: Ord. 90-1037 ' 7(c), formerly codified as SMC 2.65.320)~~

Section 5. Employee Benefits.

Employees of the City shall receive the following benefits as set by Resolution, Agreement, Memorandum of Understanding, State Law or as otherwise authorized by the City Council:

Health Care, Hospitalization and Medical Aid

Dental Care

Long-term Disability Insurance

Deferred Compensation

Employees' Retirement

Additional Retirement Plan in Lieu of Social Security

Sick Leave

Vacation

Holidays

On-the-job Injury

Section 6. Overtime and Compensatory Time.

Qualified employees of the City shall receive pay for overtime hours and/or compensatory time in accordance with State and Federal Law, including the Fair Labor Standards Act, Resolution, Agreement, Memorandum of Understanding, or as otherwise authorized by the City Council.

Section 7. Part-time Employee Benefits.

Part-time employees of the City shall receive reduced employee benefits in accordance with the personnel or administrative policies of the City or by Resolution, Agreement, Memorandum of Understanding, State Law or as otherwise authorized by the City Council.

Section 8. Miscellaneous Leaves.

Employees of the City may receive miscellaneous leaves in accordance with Resolutions, Agreements, Memorandums of Understanding, State Laws or as otherwise authorized by the City Council as follows:

Maternity Leave

Military Leave

Jury Duty Leave

Bereavement Leave

Section 9. Code Sections to be Repealed as of the Effective Date of the Ordinance.

2.65.300 Purpose (Compensation Plan).

2.65.310 Annual review of plan.

2.65.320 Annual adoption of plan.

Section 10. Code Sections to be De-codified, and Repealed upon Approval of Personnel Manual or as otherwise authorized.

The following sections of the SeaTac Municipal Code shall be de-codified (deleted from the City Code) as of the effective date of this Ordinance, and shall be repealed upon the development and approval of a personnel manual by the City Manager, or as otherwise authorized by the City Council:

2.65.010 Objective.

2.65.020 Interpretation.

2.65.030 Effect of collective bargaining.

2.65.040 Modification of policies and procedures.

2.65.050 Definitions.

- 2.65.060 Purpose.
- 2.65.070 Position descriptions.
- 2.65.080 Limitation of employment to classification plan positions.
- 2.65.090 Temporary employment.
- 2.65.100 Amendments.
- 2.65.110 The classification plan.
- 2.65.120 Statement of (Equal Employment Opportunity) policy.
- 2.65.130 Prohibition against discrimination.
- 2.65.140 Prohibition against harassment.
- 2.65.150 Veterans' preference.
- 2.65.160 Personnel manager as personnel officer.
- 2.65.170 Methods of recruitment.
- 2.65.180 Notice of qualifications.
- 2.65.190 Application form.
- 2.65.200 Testing of applicants.
- 2.65.210 Interviews.
- 2.65.220 Medical examinations.
- 2.65.230 Preference to current and former employees.
- 2.65.240 Experience as substitute for education.
- 2.65.250 Selection.
- 2.65.260 Nepotism prohibited.
- 2.65.270 Appointment.
- 2.65.280 Probationary period.
- 2.65.290 Performance evaluations.
- 2.65.330 Format of plan.
- 2.65.340 Pay periods.
- 2.65.350 Compensation of new employees.
- 2.65.360 Compensation upon re-employment.
- 2.65.370 Compensation upon reinstatement.
- 2.65.380 Step increases in compensation.
- 2.65.390 Compensation upon promotion.

- 2.65.400 Compensation upon transfer.
- 2.65.410 Compensation upon demotion.
- 2.65.420 On-call compensation.
- 2.65.430 Overtime pay.
- 2.65.440 Health care, hospitalization and medical aid.
- 2.65.450 Dental care.
- 2.65.460 Long term disability insurance.
- 2.65.470 Cost not deemed additional compensation.
- 2.65.480 Reimbursement of training costs.
- 2.65.490 Registration fees.
- 2.65.500 Reimbursement for use of personal automobiles.
- 2.65.510 Reimbursement of other expenses.
- 2.65.520 Claims for reimbursement.
- 2.65.530 Deferred compensation.
- 2.65.540 Employees' retirement.
- 2.65.550 Additional retirement plan in lieu of social security.
- 2.65.560 Professional memberships.
- 2.65.570 Part-time employee benefits.
- 2.65.580 Policy as to job performance.
- 2.65.590 Conflicts of interest and outside employment.
- 2.65.600 Administrator.
- 2.65.610 Grievance.
- 2.65.620 Normal hours.
- 2.65.630 Overtime policy.
- 2.65.640 Holidays.
- 2.65.650 On-call policy.
- 2.65.660 Compensatory time.
- 2.65.670 Sick leave.
- 2.65.680 On-the-job injury.
- 2.65.690 Maternity leave.
- 2.65.700 Military leave.

- 2.65.710 Jury duty leave.
- 2.65.720 Bereavement leave.
- 2.65.730 Vacation.
- 2.65.740 Promotion.
- 2.65.750 Transfer.
- 2.65.760 Reduction in force.
- 2.65.770 Resignation.
- 2.65.780 Retirement.
- 2.65.790 Disciplinary action.
- 2.65.795 Sexual harassment.
- 2.65.800 Purpose.
- 2.65.810 Use of City property.
- 2.65.820 Interest defined.
- 2.65.830 Conflict of interest - General.
- 2.65.840 Conflict of interest - Contracts.
- 2.65.850 Disclosure of information or records.
- 2.65.860 Employee political activity.
- 2.65.870 Grievance procedures.

Section 11. Severability.

If any section, subsection, sentence, clause, phrase, part or portion of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 12. Effective Date.

That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in
authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1031

AN ORDINANCE of the City Council of the City of SeaTac, Washington creating a new Section 8.05.255 of the SeaTac Municipal Code, relating to the offense of causing unnecessary emergency response

WHEREAS, in connection with the need for available and ready emergency response, not only by police departments, fire departments and other emergency response organizations, their purposes could be frustrated and made less effective if individuals take action which causes those emergency responders to respond needlessly or in response to false claims or calls for help; and,

WHEREAS, in order to be able to more effectively respond to instances where individuals do willfully and maliciously cause emergency response departments and organizations to respond needlessly, it would be appropriate to provide among the criminal violations of the City Code language addressing such behavior.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That a new Section 8.05.255 of SeaTac Municipal Code be, and the same hereby is, created to read as follows:

8.05.255 Causing Unnecessary Emergency Response.

It shall be unlawful for any person to intentionally and maliciously engage in any activity or take any action which causes or is likely to cause the needless or unnecessary expenditure of emergency response resources of the City or of any public or private emergency response organization. A violation of this section shall constitute and be punishable as a misdemeanor.

2. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein-Torrence, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1032

AN ORDINANCE of the City Council of the City of SeaTac, Washington, vacating a portion of County Road No. 366, lying East of the thirty (30) foot proposed right-of-way of 28th Avenue South

WHEREAS, the City of SeaTac, Washington, has received a petition and request from the owners of property adjacent to a portion of County Road No. 366, lying East of the thirty (30) foot proposed right-of-way of 28th Avenue South, requesting vacation of the same; and

WHEREAS, a public hearing was held in connection with the possible vacation, with notice having been provided pursuant to statute; and,

WHEREAS, the City Council of the City of SeaTac, Washington, has considered all matters presented at the Public Hearing on the proposed vacation, which hearing was held on the 24th day of August, 1993, at the at the SeaTac City Council Chambers in SeaTac, Washington.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as a non-codified ordinance as follows:

1. That the portion of County Road No. 366, lying East of the thirty (30) foot proposed right-of-way of 28th Avenue South, located within the City of SeaTac, Washington, and as identified and shown on the map attached hereto, marked Exhibit "A" and incorporated herein by this reference, be, and the same hereby is vacated, provided that the City of SeaTac reserves an easement for utilities over, under and on the vacated right-of-way, and further reserves the right to grant easements for utilities over, under and on the vacated right-of-way.

2. That this vacation shall be effective upon tender by the owners of the of the property adjacent thereto of a deed or dedication, located within the City of SeaTac, in a form satisfactory to the City, granting to the City right-of-way rights to property identified and shown on the map attached hereto, marked as Exhibit "A", within

30 days hereof by the owner(s) of the property thereto, and that this Ordinance shall be in full force and effect thirty (30) days after publication is required by law. If the above described tender of deed, dedication or conveyance of such right-of-way is not made within the time period provided above, this Ordinance shall be null and void.

3. That a copy of this Ordinance shall be filed with the Office of the King County Assessor and that a copy of the deed, dedication or conveyance shall, likewise, be filed with the Office of the King County Assessor.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1033

AN ORDINANCE of the City Council of the City of SeaTac, Washington, relating to City employment and employees and adopting a cost of living allowance for non-represented employees of the City, and adjusting the Pay and Compensation Plan of the City

WHEREAS, the City Council has previously enacted Ordinance No. 90-1037 establishing personnel policies and procedures; and,

WHEREAS, in connection with said Ordinance, a Pay and Compensation Plan has been adopted for City employees; and,

WHEREAS, in order to address the increased cost of living experienced in the community, it is appropriate for the City Council to authorize a cost of living for City employees; and,

WHEREAS, the City Council has expressed its intent to provide costs of living increases for non-represented employees of the City by tying the same to the cost of living offered to the employees of the City represented by the Washington State Council of County and City Employees (WSCCCE), American Federation of State, County and Municipal Employees (AFSCME), Local 3830, which union represents the employees of the general employee union of the City; and,

WHEREAS, it is therefore appropriate for the City Council to adopt an ordinance providing for the cost of living increase computed accordingly.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as a non-codified ordinance as follows:

1. That the Pay and Compensation Plan of the City is amended to provide that, effective November 16, 1992, the salary levels for each non-represented employee/employee position shall be increased by a cost of living adjustment equal to 3.54%.

2. This Ordinance shall take effect and be in full force and effect five (5) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein-Torrence, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1034

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 3.30.360 of the SeaTac Municipal Code relating to Intergovernmental Cooperative Purchasing

WHEREAS, the current provisions of the SeaTac Municipal Code provide for bidding procedures in connection with purchasing supplies, material and equipment; and,

WHEREAS, the City's bidding procedures also provide, as an alternative to those City of SeaTac bidding procedures, authority for the City to purchase supplies, material and equipment through contracts involving bidding procedures by other governmental jurisdictions; and,

WHEREAS, there are occasions when the major component of items of supplies, material or equipment which the City of SeaTac seeks to purchase is available through bidding contracts of other governmental agencies, but specific options, accessories or other equipment to be used in connection with the major component of the supplies, materials or equipment were not included in the bidding package of the other governmental agency; and,

WHEREAS, when it would be otherwise advantageous for the City of SeaTac to utilize the intergovernmental cooperative purchasing procedures for the major component of such supplies, materials or equipment, where the bidding procedures of the other governmental agency did not include such desired accessories, options or other equipment, it would be appropriate to provide, in the City Code's purchasing provisions that the City could, then, negotiate the purchase of such additional accessories, options or other equipment from the successful bidder in the other governmental agency's bidding procedures, without having to engage in separate bidding procedures for the accessories, options or additional equipment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That Section 3.30.360 of SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

3.30.360 Intergovernmental cooperative purchasing.

A. The City Purchasing Agent is authorized to sell to, acquire from or use any supplies, material or equipment belonging to any agency, political subdivision, or unit of local government of this state including, but not limited to, special purpose and local service districts, any agency of the state government, King County, and any agency of the United States, without the necessity for competitive, sealed bids.

B. The City Purchasing Agent, or designee, shall have authority to join the above-described units of government in cooperative purchasing plans when the best interests of the City would be served thereby; provided, that each of the participating units shall be separately invoiced by the vendors for purchases made under such plans, and the City shall not be obligated for purchases other than those required for its own use. It is further provided that in the case of purchases by the City through such intergovernmental cooperative purchasing plans, the City Manager or designee shall be authorized to negotiate with the successful bidder for any additional equipment, options and/or accessories where such equipment, options and/or accessories were not included in the bid package of the other public agency, political

subdivision, or unit of local government, provided that such accessories, options or equipment could be purchased within budget amounts. It is further provided that the City Manager or designee is authorized to negotiate reductions or deletions of equipment, options and/or accessories where such equipment, options and/or accessories were included in the bid package of the other public agency, political subdivision, or unit of local government and where such equipment, options and/or accessories are not needed, wanted or required by the City.

2. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein-Torrence
City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

Codification: YES

ORDINANCE NO. 93-1035

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 2.10.120 of the SeaTac Municipal Code relating to Municipal Court Employees

WHEREAS, in connection with the City's employment regulations, generally, there is no distinction between the employees of one department or a division and another, except as those distinctions relate to such things as fair labor standards distinctions and inclusion or exclusion from collective bargaining agreements; and,

WHEREAS, employees of the SeaTac Municipal Court are included in the employee group represented by the Washington State Council of County and City Employees, American Federation of State, County and Municipal Employees (AFSCME); and,

WHEREAS, according to the initial language of the SeaTac Municipal Code relating to Municipal Court employees, the organizational and hiring provisions distinguished Municipal Court employees from other employees by placing their appointment and service at the pleasure of the Municipal Court Judge; and,

WHEREAS, not only have the original procedures not been consistent with practices in the hiring and employment of Municipal Court employees, by the inclusion of Municipal Court employees in the employee bargaining unit represented by a union, the language of the Municipal Code could not be enforced as originally written; and,

WHEREAS, the propriety of making a change to eliminate the employment distinction between other employees of the City and the employees working in the Municipal Court has been reviewed by the Municipal Court Judge, and amendment of the Municipal Code to make that change is acceptable by the Municipal Court Judge; and,

WHEREAS, it would be appropriate to change the Municipal Code section addressing that distinction between Municipal Court employees and other employees of the City, in light of those employment practices and labor factors with which they must contend.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That Section 2.10.120 of SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

2.10.120 Municipal Court employees.

All employees of the Municipal Court shall be deemed employees of the City, and ~~They shall be appointed by and serve at the pleasure of the Municipal Judge; provided, that all applicable personnel practices and procedures and/or collective bargaining agreements with respect to hiring and termination, and personnel administration shall be followed; provided that the Municipal Court Judge shall have the responsibility for and authority over judicial functions and Court administration duties with which Municipal Court employees are involved.~~

2. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein-Torrence
City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney
Codification _____

ORDINANCE NO. 93-1036

AN ORDINANCE of the City Council of the City of SeaTac, Washington repealing Section 15.10.291 of the SeaTac Municipal Code which defines Governmental Facility, amending Section 15.12.050 of the SeaTac Municipal Code, deleting references to Governmental Facility land uses, creating new sections in Chapter 15.10 of the SeaTac Municipal Code defining terms (Public Agency Office - 15.10.501, Social Service Office - 15.10.612, Public Agency Yard - 15.10.502, Public Archives - 15.10.503, Court - 15.10.156, Police Facility - 15.10.471, Fire Facility - 15.10.264, Other Retail Uses - 15.10.438) and amending sections of the SeaTac Municipal Code regarding permitted uses and land use regulations (15.12.060 - Beauty Salons and Other Retail Uses, 15.16.030 B 1 - Sign Illumination, 15.23.090 E - PUD Preliminary Development, 15.23.370 - PUD Yards, 15.23.430 - PUD Off-Street Parking, 15.24.040 - Residential & Commercial Density Incentives - Park Sites), amending Section 15.05.040, Paragraph B of the SeaTac Municipal Code, correcting Sub-division reference to Title 14, amending Section 15.10.315 of the SeaTac Municipal Code, correcting reference to WAC Chapter 173, amending Section 15.13.100, Paragraph B-2 of the SeaTac Municipal Code deleting "and" at end of sentence, amending Section 15.14.030, Paragraph 2-C of the SeaTac Municipal Code, re-labeling subparagraph "g" to "f", and amending Section 15.30.280, Paragraph D-5, of the SeaTac Municipal Code changing the word "minimum" to "mining", relating to the Zoning Codes of the City

WHEREAS, when the City of SeaTac was incorporated, it initially used the existing zoning ordinances of King County as the zoning regulations for the City; and,

WHEREAS, since that time, the City of SeaTac has adopted its own zoning code, taking into account the particular land use needs of the City; and,

WHEREAS, in connection with the identified land use restrictions and regulations initially set forth in the zoning code, certain potential land use opportunities have been identified that would not currently be available in the City; and,

WHEREAS, particularly where such land uses may reasonably and logically lend themselves to application in certain zones, either as permitted or conditional uses, it would be advantageous for the City Council to amend the Zoning Code to address those situations; and,

WHEREAS, consistent with the adaptability intended for the Zoning Code, and in order to afford flexibility in placement of certain types of related land uses, it would be appropriate to clarify certain land use provisions, and at the same time, provide for conformity between similar uses; and,

WHEREAS, it would also be appropriate to add definitions for certain land uses where terms are included in the zoning ordinance but not currently defined; and,

WHEREAS, public hearings were held before the Planning Commission of the City of SeaTac, including a hearing commenced on the 21st day of June, 1993 and a hearing commenced on the 20th day of September, 1993, to consider proposed amendments zoning ordinances of the City so as to provide clarification of zoning provisions and land use adjustments as well as the definitions of certain land uses, after which the Planning Commission made recommendations for

amendments to the City Zoning Code, to provide

for clarification of permitted and conditionally permitted land uses, for zoning term definitions and for clarification of other zoning provisions.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That Section 15.10.291 of the SeaTac Municipal Code, defining "Governmental Facility", is hereby repealed.

2. That Section 15.12.050 of the SeaTac Municipal Code is amended to delete references to the "Governmental Facility" land use (Use #078), as well as the zone references corresponding to that land use.

3. That a new Section 15.10.501 of the SeaTac Municipal Code, defining "Public Agency Office", is hereby created to read as follows:

15.10.501 Public Agency Office.

An office maintained and used as a place to transact business, activity and operations of any public agency, political subdivision or unit of local government of this state including but not limited to municipal corporations, special purpose districts, and local service districts, and any agency of the State of Washington or of the United States or any state thereof.

4. That a new Section 15.10.612, of the SeaTac Municipal Code, defining "Social Service Office", is hereby created to read as follows:

15.10.612 Social Service Office.

An office maintained and used as a place to transact business activity and operations of any agency, association, entity or organization, whether public or private, and whether a business or a non-profit organization, which provides as a major part of its function charitable, educational, legal, medical, psychological, religious, political entity, services to the community, including but not limited to associations, fraternal organizations and public service organizations, Provided that this definition shall not include Hospitals and Medical/Dental Clinics as those terms are defined in this Code.

5. That a new Section 15.10.502, of the SeaTac Municipal Code, defining "Public Agency Yard", is hereby created to read as follows:

15.10.502 Public Agency Yard.

A yard or facility used as a place to store materials used by any public agency, political subdivision or unit of local government of this state including but not limited to municipal corporations, special purpose districts, and local service districts, and agency of the State of Washington or of the United States or any state thereof, as such materials are used by the `outdoor' operations of the public agency, and further used as a place to maintain equipment and facilities

of the public agency.

6. That a new Section 15.10.503, of the SeaTac Municipal Code, defining "Public Archives", is hereby created to read as follows:

15.10.503 Public Archives.

A facility used by any public agency, political subdivision or unit of local government of this state including but not limited to municipal corporations, special purpose districts, and local service districts, and agency of the State of Washington or of the United States or any state thereof for the purposes of archiving, keeping, maintaining or storing documents, records or other property of the public agency, Provided that where such activities occur at the regular offices of the public agency, the provisions applicable to Public Agency Office, as that term is defines in this Code, shall control.

7. That a new Section 15.10.156, of the SeaTac Municipal Code, defining "Court", is hereby created to read as follows:

15.10.156 Court.

A facility used by any public agency, political subdivision or unit of local government of this state including but not limited to municipal corporations, special purpose districts, and local service districts, and agency of the State of Washington or of the United States or any state thereof which has responsibility for, and jurisdiction to process and provide for the handling of administration of justice, including court offices, court rooms and facilities for processing civil and/or criminal cases and related functions, for the purposes of such administration of justice functions, Provided that where such activities occur at a regular office of the

public agency responsible for such functions, the provisions applicable to Public Agency Office, as that term is defines in this Code, shall control.

8. That a new Section 15.10.471, of the SeaTac Municipal Code, defining "Police Facility", is hereby created to read as follows:

15.10.471 Police Facility.

A facility used by any public agency, political subdivision or unit of local government of this state including but not limited to municipal corporations, special purpose districts, and local service districts, and agency of the State of Washington or of the United States or any state thereof which has responsibility for law enforcement, and for regular police functions, for the purposes of such law enforcement and regular police functions, Provided that where such activities occur at a regular office of the public agency responsible for such functions, the provisions applicable to Public Agency Office, as that term is defines in this Code, shall control.

9. That a new Section 15.10.264, of the SeaTac Municipal Code, defining "Fire Facility", is hereby created to read as follows:

15.10.264 Fire Facility.

A facility used by any public agency, political subdivision or unit of local government of this state including but not limited to municipal corporations, special purpose districts, and local service districts, and agency of the State of Washington or of the United States or any state thereof which has responsibility for fire suppression, fire prevention, other functions of fire departments, for the purposes of such fire department functions, Provided that where such activities occur at a regular office of the public agency responsible for such functions, the provisions applicable to Public Agency Office, as that term is defines in this Code, shall control.

10. That a new Section 15.10.438 of the SeaTac Municipal Code, defining "Other Retail Uses", is hereby created to read as follows:

15.10.438 Other Retail Uses.

A retail use that is substantially similar to other listed permitted retail uses within a zone and has similar impacts relating to but not limited to: traffic,

storm drainage, the generation of light and glare, emissions or pollutants, odors, or electromagnetic radiation.

11. That Section 15.12.060 of the SeaTac Municipal Code is hereby amended to provide (1) for a new land use "Beauty Salons" (use #125), and that Beauty Salons shall be a permitted use in the NB-Neighborhood Business, CB-Community Business, and ABC-Aviation Business Center

zones, and that Beauty Salons shall permitted as a conditional use in the UH-Urban High Density zone; and (2) for a new land use "Other Retail Uses" (use #126), and that Other Retail Uses shall be a permitted use in the CB-Community Business zone, and that Other Retail Uses shall be permitted as a conditional use in the NB-Neighborhood Business and ABC-Aviation Business Center zones.

12. That paragraph B, sub-paragraph No. 1 of Section 15.16.030 of the SeaTac Municipal Code, relating to illumination of signs, is hereby amended to read as follows:

Any monument or freestanding sign must be "integrated," that is, all elements of the sign must be incorporated in a single design. Auxiliary projections or attachments not a part of a single design are prohibited. If illuminated Monuments and freestanding signs shall be from an internal source, and not create glare or reflection upon traffic corridors may be illuminated through internal and external illumination. Internal or external illumination shall not create glare on adjacent traffic corridors. If external illumination is used, documentation shall be provided that clearly shows that light or glare from the external illumination will not impact traffic corridors or adjacent properties. The type of external illumination shall be approved by the Director of Planning and Community Development or his designee prior to issuance of a sign permit.

a. Setbacks:

Interior lots

Five (5) feet from the front property line.

Ten (10) feet from the side property lines.

Corner lots

Five (5) feet from all property lines.

Sign projections shall not obstruct any access points as required in Section 15.13.100 of the Code.

b. Maximum Height:

Fifteen (15) feet.

c. Maximum Surface Area:

Eighty-five (85) feet per face.

13. That paragraph E of Section 15.23.090 of the SeaTac Municipal Code is hereby amended to read as follows:

Each phase of the proposed development, as it is planned to be completed, contains the required parking spaces, recreation spaces, landscape and utility areas necessary for creating and sustaining a desirable and stable environment. Such requirements may be reduced through requested permissive variations as outlined in Section 15.23.360 of the Code; provided that the proposed development sustains a desirable and stable environment.

14. That Section 15.23.370 of the SeaTac Municipal Code be, and the same hereby is amended to read as follows:

15.23.370 Yards.

The requirements for front yards for the zone in which the planned unit development is located shall apply to all exterior boundaries of the site except for commercial developments proposing increases in density pursuant to the Commercial Density Incentives set forth in Chapter 15.24 of the Code.

15. That Section 15.23.430 of the SeaTac Municipal Code be, and the same hereby is amended to read as follows:

15.23.430 Off-Street Parking.

The total required off-street parking facilities shall not be less than the sum of the required parking facilities for each various use computed separately except as provided in paragraph B of Section 15.15.030 of the Code.

16. That Section 15.24.040 of the SeaTac Municipal Code is amended to provide preliminary language in connection with the Public Benefits/Density Incentives under sub-section C, as

follows:

C. The following are public benefits eligible to earn density incentives or reduced development standards through RDI/CDI review:

Benefit	Density Incentive
<p><u>Park Sites</u></p> <p>A. Dedication of park site or trail right-of-way meeting City location and size standards for neighborhood, community or regional park, and accepted by the City.</p> <p>B. Improvement of dedicated park site to City standards for developed parks.</p> <p>C. <u>Creation of open space/park for general public and employees in a commercial development.</u></p> <p>D. <u>Enhanced pedestrian elements in the commercial development (i.e. mode separations between bicycle/auto/pedestrian;</u></p>	<p>For an RDI, .5 bonus units per acre of park area exceeding the minimum requirements of Chapter 15.19 for on-site recreation space, computed on the number of dwelling units permitted by the site's base density.</p> <p>.75 bonus units per acre of park improvements. If the applicant is dedicating the site of the improvements, the bonus units earned by improvements shall be added to the bonus units earned by dedication.</p> <p>5% increase of site density/coverage for a CDI site.</p> <p><u>5% increase in site coverage and reduce parking landscaping by 5%.</u></p> <p>—</p> <p>—</p> <p><u>Reduce overall parking and landscaping requirements by 5%.</u></p>

<u>pedestrian corridors;</u> <u>service/retail</u> <u>outlets for</u> <u>employees/</u> <u>citizens).</u>

[Note: The only other language of the sub-section that has been changed is in the chart relative to Park Sites. The amended language is set forth below. Language otherwise unchanged in the section is not set forth below.]

17. That Section 15.05.040, Paragraph B, of the SeaTac Municipal Code shall be amended to refer to Title 14, Subdivisions, instead of Title 19, Subdivisions.

18. That Section 15.10.315 of the SeaTac Municipal Code shall be amended to refer to WAC 173-303-040(97), instead of RCW 173-303-040(97).

19. That Section 15.13.100, Paragraph B-2, of the SeaTac Municipal Code shall be amended to read as follows:

"A site access point shall be determined by measuring fifteen (15) feet along the street lines and fifteen (15) feet along the edges of the driveway beginning at the respective points of the intersection. The third side of each triangle shall be a line connecting the endpoints of the first two sides of each triangle."

20. That Section 15.14.030, Paragraph C-2-g, of the SeaTac Municipal Code shall be amended to re-identify the sub-paragraph division from g to f.

21. That Section 15.30.280, Paragraph D-5, of the SeaTac Municipal Code shall be amended to read as follows:

"Approved mining and quarrying activities may be allowed; and"

22. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein-Torrence, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1037

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 2.65.521 of the SeaTac Municipal Code relating to use of credit cards for city purposes

WHEREAS, the current language of the SeaTac Municipal Code relating to use of credit cards restricts the use of those cards to making reservations, but does not authorize the use of the credit cards for many other purposes other than in extraordinary circumstances, with authorization by the City Manager and/or the City Council; and,

WHEREAS, because of the audit trail which credit cards provide, their use would be appropriate in cases where expenses are going to be incurred by employees and officials of the City and where purchase orders and warrants or checks would not be readily available; and

WHEREAS, the use of credit cards, would, additionally, be advantageous in connection with out of state travel which is occasionally required in connection with City business, where other forms of payment of City expenses would not be as readily accepted and would not necessarily provide the advantages of quick and convenient expenditure records.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That Section 2.65.521 of the SeaTac Municipal Code is hereby amended to read as follows:

2.65.521 Use of credit cards for travel and other City related purposes.

The City may obtain up to eight(8) regular charge cards which shall be held by, and shall be used under authority of, the City Manager and the Director of Finance, for the purpose of covering expenses incident to budgeted, authorized travel by members of the City Council, the City Manager and Department and Staff Directors, and for the purpose of covering other budgeted, City related expenses approved in advance by the City Manager for City employees, and by the City Council for members of the City Council. Such charge cards may be used from the City offices by other City employees for advance payment of airline fares, lodging, registration fees, and tuition, as authorized by the City Manager, where such expenses have been included in the budget approved by the City Council. Additionally, charge cards in the form of gasoline credit cards and telephone calling cards may be temporarily carried by officers and employees of the City while traveling, for authorized purposes, in City vehicles when approved in advance by the City Manager for City employees, and by the City Council for members of the City Council. It is further provided that all credit card receipts and/or other documents identifying credit card expenditures shall be delivered to the Finance Department upon return to City Hall.

2. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein-Torrence

City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

Codification - Yes

ORDINANCE NO. 93-1038

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 3.40.100 of the City Code regarding the petty cash account, and creating new Sections 3.40.106 of the City Code regarding Finance Department Change Fund and 3.40.107 of the City Code regarding Municipal Court Change Fund, and creating a new Section 3.40.108 of the City Code regarding the Fire Department Petty Cash Account, relating to funds of the City

WHEREAS, in order to address the operational needs of the City, there are times when more money needs to be available to the petty cash account of the City than the current sum not to exceed one hundred dollars;

WHEREAS, the needs of the City could be met within appropriate accounting controls, if the petty cash account maximum amount were set at three hundred dollars; and

WHEREAS, in connection with the operations of both the Municipal Court and the Finance Department, people pay fees, fines and other payments to the City so that both the Municipal Court and the Finance Department should have change funds established; and,

WHEREAS, a number of the petty cash and change funds of the City were initially set by resolution, however, in order to be consistent and in order to provide for a clear establishment of such funds, it is appropriate that such funds all be included in the City Code, and adopted by Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN, as a codified ordinance, as follows:

1. That Section 3.40.100 of the SeaTac Municipal Code is amended to read as follows:

3.40.100 Petty Cash Account.

There is hereby established an account in the ~~Office of the City Clerk Department of Finance~~ to be known as the Petty Cash Account in a sum not to exceed ~~one~~ three hundred dollars. The account shall be established by issuance of a warrant or check drawn upon the current expense fund and cash in the account shall be maintained by the ~~City Clerk~~ Director of Finance. Minor sums may be withdrawn from the account for payment or reimbursement upon proper receipts and in accordance with State law and regulations of the Division of Municipal Corporations of the Office of the State Auditor. The account shall be replenished upon approval of vouchers by the City Council in accordance with usual policy and procedure. (Ord. 90-1027 ' 10)

2. That a new Section 3.40.106 of the Seatac Municipal Code establishing a Finance Department Change Fund is created to read as follows:

3.40.106 Finance Department Change Fund.

There is hereby established and created a fund which shall be known as the Finance Department Change Fund into which fund shall be the initial amount of three hundred dollars (\$300.00) for use in the cash drawer of the Finance Department of the City of SeaTac, to enable the City Finance Department to transact the business of collection, receipt

of fees and payments in connection with the operations of the City.

3. That a new Section 3.40.107 of the SeaTac Municipal Code relating to the Municipal Court Change Fund is created to read as follows:

3.40.107 Municipal Court Change Fund.

There is hereby established and created a fund which shall be known as the Municipal Court Change Fund into which fund shall be the initial amount of three hundred dollars (\$300.00) for use in the cash drawer of the SeaTac Municipal Court, to enable the Court to transact the business of collection of fees, penalties, costs and assessments in connection with the operations of the SeaTac Municipal Court.

4. That a new Section 3.40.108 of the SeaTac Municipal Code relating to the petty cash account for the Fire Department is created to read as follows:

3.40.108 Fire Department Petty Cash Account.

There is hereby established and created an account to be known as the Fire Department Petty Cash Account in a sum not to exceed three hundred dollars. The account shall be established by issue of a warrant or check drawn upon the current expense fund and cash in the account shall be maintained by the Fire Chief. Minor sums may be withdrawn from the account for payment or reimbursement upon proper receipts and in accordance with State law and regulations of the Division of Municipal Corporations of the Office of the State Auditor. The account shall be replenished upon approval of vouchers by the City Council in accordance with usual policy and procedure.

5. This Ordinance shall be in full force and effect thirty days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein-Torrence, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1039

AN ORDINANCE of the City Council of the City of SeaTac, Washington creating a new Section 9.05.090 of the SeaTac Municipal Code - Parking Restrictions and a new Chapter 11.10 of the SeaTac Municipal Code, including a new Section 11.10.010 - Display of Merchandise Prohibited, Relating to Use of City Right-of-Ways

WHEREAS, in connection with the various city streets and right-of-ways, there are occasions when property is displayed on right-of-ways or where vehicles are parked for longer than would be conducive to convenient operation of area businesses; and,

WHEREAS, it would be appropriate to include in the City Code sections which address use of City right-of-ways, including parking restrictions as well as limitations on the display of merchandise.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That a new Section 9.05.090 of the SeaTac Municipal Code is hereby created to read as follows:

9.05.090 Parking Restrictions - Authority to Identify Restrictive Zones

The City Manager or designee is hereby authorized to identify and designate by appropriate signage parking restrictions, time limitations and parking prohibitions for certain streets of the City, in order to provide for reasonable parking availability and safe use of City streets. The penalty for violations of posted parking restrictions, prohibitions, or time periods shall be \$10 in addition to other costs and assessments. It is provided however that the provisions of this Section shall not apply to violations of parking regulations specifically set forth and provided for in other sections of the City Code.

2. That a new Chapter 11.10 of the SeaTac Municipal Code is created to read as follows:

Chapter 11.10 Use of City Right-of-Ways - 11.10.010 Display of Merchandise Prohibited.

It is unlawful for any person to place or cause or suffer to be placed by any person in his or her employ or under his or her control, any goods, wares, products, clothing, merchandise, produce, food products, or any other items of any type or nature, whether of the same description or not, on any City street, sidewalk, crosswalk or public right-of-way, whether in front of or alongside of his/her place of business or elsewhere on the public right-of-way, for the purpose of display, sale, presentation, or any other activity in connection with the intent to sell or offer the same for sale, other than actions while in the actual course of receipt or delivery. It is unlawful for any person to use any portion of the City street, sidewalk, crosswalk or public right-of-way, whether in front of or alongside of his/her place of business or elsewhere on the public right-of-way for the purpose of measuring, packaging, weighing, storing or otherwise providing for and making available for sale. Violation of this section shall be a misdemeanor, punishable by a fine not to exceed \$1,000.00.

3. This Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein-Torrence

City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

Codification _____

ORDINANCE NO. 93-1040

AN ORDINANCE of the City Council of the City of SeaTac, Washington, fixing compensation for the Mayor and City Councilmembers

WHEREAS, the compensation paid to the Mayor and the Members of the City Council of the City of SeaTac, Washington has been heretofore set at the current rate of five hundred (\$500.00) dollars per month for the Mayor and four hundred (\$400.00) dollars per month for the City Councilmembers; and,

WHEREAS, in order to adequately provide compensation to the City Councilmembers for their investment in time and energy on behalf of the City, it is appropriate to adjust the compensation to be paid to the Mayor and to the City Councilmembers to reflect the contribution to the City made by the Mayor and Councilmembers and to fairly compensate them for their contributions, and to promote continued participation in local government; and,

WHEREAS, Article XI, Section 8 of the Constitution of the State of Washington provides that salaries of elective municipal officials shall not be increased during their term of office, so that any Ordinance providing for an increase in compensation to the Mayor and City Councilmembers could not be effective during the current term of office; and,

WHEREAS, it is the intent of the City Council to provide for an increase in the Mayor's and Councilmember's compensation to be effective and applicable to those elective City officials who are subsequently elected to the City Council, and to identify and set the mechanism for increases thereafter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That the compensation to be paid to the Mayor and to the Members of the SeaTac City Council who are elected to their positions in a general election subsequent to the effective date of this ordinance shall be as follows:

A. Commencing January 1, 1994, the compensation shall be as follows:

Councilmembers \$500.00 per month

Mayor \$600.00 per month

B. Commencing January 1, 1995, the compensation for the Mayor and the Members of the SeaTac City Council shall be automatically adjusted by an amount equivalent to ninety percent (90%) of the CPI-W Seattle, for the period of July to July immediately preceding, and commencing each January 1 thereafter, shall be automatically adjusted by an amount equivalent to ninety percent (90%) of the CPI-W Seattle, for the period of July to July immediately preceding.

2. That this Ordinance shall be in full force and in effect five (5) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of

, 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein-Torrence, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1041

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Appendix A of the City's Pay and Compensation Plan, adjusting the salary ranges for the positions of Court Administrator and City Clerk

WHEREAS, the City Council has previously enacted Ordinance No. 90-1037, and amendments thereto, establishing personnel policies and procedures, including the Pay and Compensation Plan; and,

WHEREAS, as needed to adjust to the increased number of employees hired by the City since its initial incorporation, and in order to adjust the levels of pay and compensation for employees so as to reflect consideration of the duties, responsibilities and inter-employee relationships of City employees, the Pay and Compensation Plan has been amended on various occasions; and,

WHEREAS, in order to address the change in duties and responsibilities of the positions of Court Administrator and City Clerk, in light of organizational and operational changes in the administration of the Municipal Court, it is appropriate to adjust the pay range for the position of Court Administrator and City Clerk, to be reflective of the changed and reduced job responsibilities, and to be in keeping with the recently concluded classification and compensation study.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as a non-codified ordinance as follows:

1. That the Pay Compensation Plan, Appendix A, adopted and amended by Ordinance No. 93-1029, Ordinance No. 93-1005, Ordinance No. 93-1001, Ordinance No. 92-1040, Ordinance No. 92-1017, Ordinance No. 92-1012, Ordinance No. 92-1009, Ordinance No. 92-1002, Ordinance No. 91-1043, Ordinance No. 91-1033, Ordinance No. 91-1019, Ordinance No. 91-1008, Ordinance No. 90-1077, Ordinance No. 90-1069, Ordinance No. 90-1066, Ordinance No. 90-1059, and Ordinance No. 90-1055, be, and the same hereby is revised and amended to provide for an adjustment of the salary range for the Court Administrator and City Clerk positions according to the schedule marked as Exhibit "A", attached hereto and incorporated herein by this reference.

2. That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary as required by law and on December 1, 1993.

ADOPTED this 9th day of November, 1993, and signed in authentication thereof on this 9th day of November, 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein-Torrence, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1042

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Ordinance #91-1029 and Ordinance #92-1015 which established the City's Urban Growth Boundaries, adjusting the boundaries thereof

WHEREAS, the City Council of the City of SeaTac, Washington, adopted an Interim Urban Growth Boundary by its Ordinance #91-1029, with amendment to the initial urban growth boundary being provided under Ordinance #92-1015; and,

WHEREAS, since the adoption of the initial urban growth boundary for the City and the amendment thereto, changes and circumstances have occurred, including annexation of a portion of the property initially included in the City's Urban Growth Boundary by the City of Des Moines, making it appropriate to further amend the City's urban growth boundary; and,

WHEREAS, in order to be more reflective of the planning needs of the City, the Urban Growth Boundary of the City of SeaTac should be amended.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That the City of SeaTac Urban Growth Boundary shall be described as and shown on the attached exhibit "A", incorporated herein by this reference.
2. That a copy of this Ordinance shall be forwarded to the King County Planning Department.
3. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein-Torrence

City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

Codification _____

ORDINANCE NO. 93-1043

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Section 13.30.060 of the SeaTac Municipal Code providing for SEPA Categorical Exemptions and adding a new Section 13.30.075 of the SeaTac Municipal Code providing for fees and costs, relating to Environmental Rules Procedures

WHEREAS, the City of SeaTac provides, in Chapter 13.30 of the SeaTac Municipal Code, procedures and rules to address environmental issues in connection with the State Environmental Policies Act;

WHEREAS, among the state rules and procedures is some flexibility available to local jurisdictions in connection with the determination of categorical exemptions;

WHEREAS, although the City of SeaTac initially identified its determination of those categorical exemptions within the statutory parameters, actual implementation of the City's determined categorical exemptions suggests a need to amend the City's categorical exemptions in certain areas, specifically including the threshold determinations involving the size of parking lots, in terms of the number of automobiles which may be parked in the parking lot, and the volume of landfill or excavation involved in projects on certain sites;

WHEREAS, it would be appropriate to amend the City code to provide for a relaxation of the categorical exemption level in connection with threshold determinations for parking lot size and landfill or excavation size; and,

WHEREAS, it would also be appropriate to include in the City code provisions which identify responsibility for costs and fees in connection with legal challenges to the City's Environmental Procedures.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON, DO ORDAIN, as a codified ordinance, as follows:

1. That Section 13.30.060 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows: **13.30.060 Determination of categorical exemption.**

A. Any City department which receives an application for a proposal, or initiates a proposal which is potentially subject to the requirements of SEPA, shall make the following determinations:

1. Whether the proposal is an "action" as defined by WAC 197-11-704; and
2. If the proposal is an "action", whether it is categorically exempt from the requirements of SEPA; and
3. If the proposal is a non-exempt action, whether appropriate environmental review of the project has been conducted or commenced.

B. The responsible official or the responsible official's designee shall assist any department in making the determinations required by this section, upon request by the department.

C. The City of SeaTac recognizes that the list of categorical exemptions included in the SEPA rules cannot be relied upon as the final determination of whether a proposed project,

regardless of its environmental impact, must comply with SEPA and this chapter. Where the responsible official determines that a proposal has a reasonable likelihood of causing more than a moderated adverse impact on environmental quality, whether that impact is direct, indirect or cumulative, environmental review under SEPA shall be conducted.

D. It is recognized that a particular development or land use, though otherwise consistent with City regulations and policies, may create adverse impacts upon facilities, services natural systems or the surrounding area when aggregated with the impacts of prior or reasonably anticipated future developments. The City shall evaluate such cumulative environmental impacts and make its environmental determinations and substantive decisions accordingly.

E. Proposed actions shall be categorically exempt from threshold determinations and EIS requirements if they do not exceed the levels of activity identified in WAC 197-11-800(b), except as provided as follows, to respond to the local conditions and needs:

1. The construction of a parking lot designed for forty automobiles.

2. Any landfill or excavation of 500 cubic yards throughout the total lifetime of the fill or excavation.

2. That a new Section 13.30.075 of the SeaTac Municipal Code is hereby created to read as follows:

13.30.075 Fees and Costs.

In addition to the fees and costs provided in Section 13.30.070 and elsewhere in this chapter, the applicant shall be responsible for and shall reimburse the City for all costs and expenses incurred by the City in enforcing the provisions of this Chapter relative to his/her application or permit, and for any legal costs, including attorney's fees, incurred by the City in taking steps to defend or support a position or decision in connection with his/her application for or issuance of a permit pursuant to this Chapter.

3. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

ADOPTED this 11th day of November, 1993, and signed in authentication thereof on this 11th day of November, 1993.

CITY OF SEATAC

ATTEST: Frank Hansen, Mayor

Nacelle J. Heuslein-Torrence

City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

Codification _____

City of SeaTac

ORDINANCE NO. 93-1044

AN ORDINANCE of the City Council of the City of SeaTac, Washington adopting the 1994 Budget

WHEREAS, State law, Chapter 35A.33 RCW requires the City to adopt an annual budget and provides procedures for the filing of estimates, a preliminary budget, deliberations, public hearings, and final fixing of the budget; and,

WHEREAS, a preliminary budget for the fiscal year 1994 has been prepared and filed; a public hearing has been held for the purposes of fixing the final budget; and the City Council has deliberated and has made adjustments and changes deemed necessary and proper; and,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

SECTION 1. Adoption By Reference.

The 1994 budget for the City of SeaTac, covering the period from January 01, 1994 through December 31, 1994, with revenues and estimated beginning fund balances of \$51,830,344 and with appropriations and estimated ending fund balances of \$51,830,344 is hereby adopted.

SECTION 2. Summary of Revenues and Appropriations.

The budget sets forth totals of estimated revenues and estimated appropriations of each separate fund, and the aggregate totals for all such funds, as summarized below:

REVENUE SUMMARY - ALL FUNDS

(All Figures in Thousands of Dollars)

Fund Name:	Fund No.:	Beginning Fund Balance	Operating Revenues	Other Financing Sources	Total
General:					
City Street:					
Arterial					

Street:					
Contingency:					
Surface Water					
G.O. Fire					
Series 1984					
Building					
Reserve:					
Fire Equip					
Reserve:					
Fire Bldg.					
Reserve:					
Equipment					
Rental:					
Total:					

EXPENDITURE SUMMARY - ALL FUNDS

(All Figures in Thousands of Dollars)

Fund Name:	Fund No.:	Ending Fund Balance	Operating Expenditures (Uses)	Other Financing (Uses)	Total (Uses) Available
General: City Street: Arterial Street: Contingency: Surface Water G.O. Fire Series 1984 Fire Equip Reserve: Fire Bldg. Reserve: Building Reserve: Equipment Rental: Total:					

SECTION 3. Copies of Budget to be Filed.

A complete copy of the final budget as adopted herein shall be transmitted to the Division of Municipal Corporations in the Office of the State Auditor, and to the Associations of Washington Cities. Three complete copies of the final budget as adopted herein shall be filed with the City Clerk and shall be available for use by the public.

SECTION 4. Effective Date.

That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance as required by law.

ADOPTED this 23rd day of November, 1993 and signed in authentication thereof on this 23rd day of November, 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein-Torrence, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1045

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Sections 12.10.220 and 12.10.225 of the SeaTac Municipal Code relating to the Surface Water Management Program

WHEREAS, the City Council has provided for a Surface Water Management rate structure, as codified in Section 12.10.225 of the City Code; and,

WHEREAS, in the initial Surface Water Management rates, although provisions were included for a reduced rate for State Highways, pursuant to Section 90.03.525 of the Revised Code of Washington, the public purposes, rationale and public benefits would also support applying that same provision to the roads and streets of the City; and,

WHEREAS, it is therefore appropriate to amend Section 12.10.225 of the City Code to include the application of RCW 90.03.525 to the Surface Water Management rates to City roads and streets; and,

WHEREAS, in connection with the Surface Water Management rates, it is also appropriate to address rate adjustments for those cases where measures are taken to assist and control Surface Water Management programs, such as use of retention/detention facilities, community and school efforts to restore, monitor or enhance surface and storm water management systems, or such other measures as would justify a Surface Water Management rate adjustment pursuant to Section 9.08.080 of the King County Code; and,

WHEREAS, since the City's Surface Water Management rate structure is different than that of King County, it is appropriate to amend the language of the City Code to assure compatibility of the rate structure and the rate adjustment provisions, providing for a percentage reduction - adjustment, (25%), instead of rate adjustment language referring to County Surface Water Management rate steps; and,

WHEREAS, Section 12.10.220 of the City Code should be amended to provide for rate adjustments for those cases where measures are taken to assist and control Surface Water Management programs.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1 That Section 12.10.220 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

12.10.220 Surface water management program.

The following sections of Chapter 9.08 King County Code as now in effect, and as may be subsequently amended, are hereby adopted by reference, except that, unless the context indicates otherwise, the word "county" and the words "King County" shall refer to the City:

9.08.010 Definitions

9.08.020 Authority.

9.08.040 Purpose.

9.08.050 Applicability.

9.08.060 Policy.

9.08.080 Rate adjustments and appeals.

~~Except that nonresidential parcels in the light category shall be charged at the rate of \$23.90/acre/year plus the flat rate charge and residential parcels and parcels in the very light category shall be charged \$13.04/parcel/year plus the flat rate charge pursuant to subsection B.5., thereof where property in the "Light", "Very Light" and "Residential" classifications, as set out in section 12.10.225 of the City Code, are entitled to a discount or a rate reduction pursuant to section 9.08.080 of the King County Code, the rate as set by Section 12.10.225 of the City Code shall be reduced by twenty-five percent (25%).~~

9.08.090 Billing procedure.

9.08.120 Administrative procedures.

(Ord. 92-1007 ' 1: Ord. 92-1004 ' 3: Ord. 90-1016 ' 2)

2. That Section 12.10.225 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

12.10.225 Rate structure [effective 1994].

A. Surface water management service charges shall be based on the relative contribution of increased surface and storm water runoff from a given parcel to the surface and storm water management system. The percentage of impervious surfaces on the parcel and the total parcel acreage will be used to indicate the relative contribution of increased surface and storm water runoff from the parcel to the surface and storm water management system. The relative contribution of increased surface and storm water runoff from each parcel determines that parcel's share of the service charge revenue needs. The service charge revenue needs of the program are based upon all or any part, as determined by the Council with advice of the

Department of Public Works, of the cost and expense within the service area of maintaining and operating storm water control facilities, all or any part of the cost and expense of planning, designing, establishing, acquiring, developing, constructing, and improving any of such facilities, or to pay or secure the payment of all or any portion of any issue of general obligation or revenue bonds issued for such purpose.

B. The Department of Public Works shall determine the service charge for each parcel within the service area by the following methodology: Residential and very light nonresidential parcels shall receive a flat rate. Parcels shall be classified into the appropriate rate category in subsection C of this section by their percentage of impervious surface coverage. Land use codes and data collected from parcel investigations will be used to determine each parcel's percentage of impervious surface coverage. After a parcel has been assigned to the appropriate rate category, the service charge for the parcel will be calculated by multiplying the total acreage of the parcel times the rate of that category.

C. There is imposed upon all developed properties in the service area annual service charges as follows:

Class Percentage Rate

- Residential (R) * NA \$60.00/parcel/year
- Very Light (VL) 0 - 10% \$60.00/parcel/year
- Light (L) 10 - 20% \$122.11/acre/year
- Moderate (M) ** 20 - 45% \$252.95/acre/year
- Moderately Heavy (MH) ** 45 - 65% \$488.45/acre/year
- Heavy (H) ** 65 - 85% \$619.29/acre/year
- Very Heavy (VH) ** 85 - 100% \$811.17/acre/year

City Roads, State Highways n/a ***

* The charge for a parcel which is owned by and is the personal residence of a person or persons determined by the King County Assessor as qualified for a low income senior citizen rate adjustment or a low income disabled citizen rate adjustment pursuant to Section 9.08.080 of the King County Code or as the same may hereafter be amended shall be \$29.89, rather than the rates set forth above.

** The minimum service charge shall be \$60.00/parcel/year. The maximum annual service charge for mobile home parks shall be \$60.00 (the minimum service charge) times the number of mobile home spaces.

*** The rate charged to the City of SeaTac and/or the Washington State Department of Transportation for public highways, roads and right-of-ways will be determined in accordance with RCW 90.03.525.

D. The City Council, by ordinance, may supplement or alter charges within specific basins or subbasins of the service area so as to charge properties or parcels of one basin or subbasin for improvements, studies, or maintenance which the Council deems to provide service or benefit the property owners of one or more basin(s) or subbasin(s).

(Ord.
92-
1052
' 2:
Ord.
92-
1007
' 2:
Ord.
92-
1004
' 4)

3. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law and on the 1st day of January, 1994.

ADOPTED this 23rd day of November, 1993, and signed in authentication thereof on this 23rd day of November, 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Nacelle J. Heuslein-Torrence, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1046

AN ORDINANCE of the City Council of the City of SeaTac, Washington relating to ad valorem property taxes; establishing the amount to be raised in 1994 by taxation on the assessed valuation of the property of the City; and setting the levy rate for the year 1994

WHEREAS, State law, RCW 35A.33.135, requires the City Council to consider the City's total anticipated financial requirements for the ensuing fiscal year, and to determine and fix, by ordinance, the amount to be raised by ad valorem taxes; and,

WHEREAS, the said statute further requires that, upon fixing of the amount to be so raised, the City Clerk shall certify the same to the Clerk of the King County Council; and,

WHEREAS, the King County Assessor, as ex officio assessor for the City pursuant to RCW 35A.84.020, has now certified the assessed valuation of all taxable property situated within the boundaries of the City at \$1,969,920,132.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

SECTION 1. Estimated Amount to be Raised by Ad Valorem Taxation.

The amount of revenue to be raised by the City in the fiscal year 1994 by taxation on the assessed valuation of all taxable property situated within the boundaries of the City is estimated to be the sum of \$5,990,000.

SECTION 2. Levy Rate Fixed.

The regular ad valorem levy for the fiscal year of 1994 is hereby set at \$3.04073 per thousand dollars of assessed value of all taxable property situated within the boundaries of the City.

SECTION 3. Effective Date.

That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance as required by law.

ADOPTED this day of December, 199__, and signed in authentication thereof on this day of December, 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 93-1047

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 15.16.160 of the SeaTac Municipal Code and repealing section 15.16.170 of the SeaTac Municipal Code relating to the sign code.

WHEREAS, In connection with ordinance 92-1041, the City Council approved a sign code as part of the City's zoning and land use regulations; and,

WHEREAS, among the provisions of the sign code were provisions which allowed for a five year extension, in addition to the nine year amortization plan for applicable signs within the City; and,

WHEREAS, after further study, and in order to be responsive to the Community approach to sign regulations, it would be appropriate to provide for the nine year amortization program and to provide for variances to sign code, but not to provide for the five year extension of the amortization program; and,

WHEREAS, the issue has been studied by the City of SeaTac Planning Commission, including the Planning Commission holding a public hearing to hear and consider the statements of all persons speaking to the issue, and after the public hearing, the Planning Commission recommended deletion of the five year extension.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

1. That Section 15.16.160 of SeaTac Municipal Code is hereby amended as follows;

15.16.160 Variance from Sign Code.

A. Scope. This section establishes the procedure and criteria that the City will use in making a decision upon an application for a variance from the provisions of the Sign Code.

B. Applicability. This section applies to each application for a variance from the provisions of the Sign Code ~~except as otherwise provided in Section 15.16.170 relating to extensions from the sign amortization program.~~

C. Purpose. A variance is a mechanism by which the City may grant relief from the provisions of the Sign Code where practical difficulty renders compliance with the provisions of that code an unnecessary hardship, where the hardship is a result of the physical characteristics of the subject property and where the purpose of that code can be fulfilled.

D. Who May Apply. The property owner may apply for a variance from the provisions of the Sign Code.

E. Submittal Requirements.

1. The Administrator shall specify the submittal requirements including type, detail and number of copies, for a variance application to be deemed complete and accepted for filing.

2. The Administrator may waive specific submittal requirements determined to be unnecessary for review of an application.

F. Decision Criteria. The Hearing Examiner may approve or approve with modification the application for a variance from the provisions of the Sign Code if:

1. The variance will not constitute a grant of special privilege inconsistent with the limitation upon signage and uses of other properties in the vicinity and zone in which the property, on behalf of which the application was filed, is located; and
2. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and in the zone in which the subject property is situated; and
3. The proposed sign shows an exceptional effort toward creating visual harmony between the signs, structures, and other features of the property through the use of a consistent design theme;
4. The special circumstances of the subject property are not the result of the actions of the applicant.

G. Limitation of Authority. The Hearing Examiner may not grant a variance to:

1. Any dimensional request of the Sign Code greater than 50% of the required dimension, or
2. The number of signs permitted on a site or zone classification, or
3. The general provisions of this code or any other procedural or administrative provisions of the code that do not directly apply to this chapter, or
4. The provisions of the Sign Code which are not subject to variances shall include, by the terms of this code, type of signs and any prohibited or illegal signs.

H. Time Limitation. A variance automatically expires and is void if the applicant fails to file for a sign permit or other necessary development permits within two (2) years of the effective date of the variance unless:

1. The applicant has received an extension pursuant to subsection I. below; or
2. The variance approval provides for a greater time period due to circumstances.

I. Extension.

1. The Code Administrator may extend a variance, not to exceed one (1) year, if:
 - a. Unforeseen circumstances or conditions necessitate the extension of the variance; and
 - b. Termination of the variance would result in unreasonable hardship to the applicant, and the applicant is not directly responsible for the delay; and
 - c. The extension of the variance will not cause substantial detriment to existing uses in the immediate vicinity of the subject property.
2. The Administrator may grant no more than two (2) extensions. A second extension may be granted, if:
 - a. Unforeseen circumstances or conditions necessitate the extension of the variance;

b. The applicant has demonstrated reasonable diligence in attempting to meet the time limit imposed;

c. Conditions in the immediate vicinity of the subject property have not changed substantially since the variance was first granted.

J. Assurance Device. In appropriate circumstances, the City may require a reasonable performance bond or other financial method in order to assure compliance with the provisions of the Sign Code and any variances as approved. (Ord. 92-1041 ' 1)

2. That section 15.16.170 of the SeaTac Municipal Code is hereby repealed.

3. That this ordinance shall be in full force an effect 30

days after publication of the ordinance summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith Cary, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

Codification _____

ORDINANCE NO. 93-1048

AN ORDINANCE of the City Council of the City of SeaTac, Washington, relating to City employment and employees and adopting a cost of living allowance for non-represented employees of the City, and amending the medical benefits for non-represented employees of the City, and adjusting the Pay and Compensation Plan of the City

WHEREAS, the City Council has previously enacted Ordinance No. 90-1037, and amendments thereto, establishing personnel policies and procedures; and,

WHEREAS, in connection with said Ordinance and amendments, a Pay and Compensation Plan has been adopted for City employees; and,

WHEREAS, in order to address the increased cost of living experienced in the community, it is appropriate for the City Council to authorize a cost of living for City employees; and,

WHEREAS, the City Council has expressed its intent to provide costs of living increases and employee benefits for non-represented employees of the City in order to assure equitable compensation to the non-represented employees of the City in consideration of compensation paid to other employees; and,

WHEREAS, in light of the cost of living increase negotiated for 1994 for other employees of the City, it is appropriate for the City Council to adopt an ordinance providing for a 1994 cost of living increase and employee benefits for non-represented employees of the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as a non-codified ordinance as follows:

1. A. That the Pay and Compensation Plan of the City is amended to provide that, effective January 1, 1994, the salary levels for the non-represented employees/employee positions, determined according to the Classification and Compensation Study, shall be as reflected on the list of position salaries attached hereto, marked as Exhibit "A", and incorporated herein by this reference, including a cost of living adjustment equal to 2.7%, provided that the increase does not bring the salaries for employees above the designated salary range; and,

B. That the medical benefits provided by the City for the non-represented employees of the City shall be amended to the following:

The City will provide the AWC Medical Plan B (or successor plan) for all full-time regular non-represented employees of the City, with the following premium contributions:

The City shall pay 100% of the employee premium,

The City shall pay 95% of the dependent premium,

The employee shall pay 5% of the dependent premium.

Group Health Cooperative Medical Plan also shall be offered to such employees and their dependents as an alternative medical plan. For those employees who choose the Group Health Plan, the City will pay the dollar amount equal to the amount paid for the AWC Plan.

2. This Ordinance shall take effect and be in full force and effect five (5) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1993, and signed in authentication thereof on this day of , 1993.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith Cary, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney