

ORDINANCE No. 119270

11/2

Law Department

COUNCIL BILL No. 112429

The City

AN ORDINANCE relating to the Department of Construction and Land Use; changing the name of the Department of Construction and Land Use to the Department of Design, Construction and Land Use; amending Seattle Municipal Code Chapter 3.06 to reflect this change and changing a fund name to reflect this change; updating other obsolete references in Chapter 3.06; and authorizing the Code Reviser to make changes over time to all references elsewhere in the Seattle Municipal Code necessary to carry out the name change.

Honorable President:

Your Committee on _____

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

1) Budget Comm

Pass As Am

2) 11-23-98 Full Co

(Excuse)

COMPTROLLER FILE No.

Introduced: <i>10-19-98</i>	By: <i>choe</i>
Referred: <i>10-19-98</i>	To: <i>Budget</i>
Referred:	To:
Referred:	To:
Reported: <i>11-23-98</i>	Second Reading:
Third Reading: <i>11-23-98</i>	Signed: <i>11-23-98</i>
Presented to Mayor: <i>11-23-98</i>	Approved:
Returned to City Clerk: <i>DEC 2 1998</i>	Published: <i>5 PM Full</i>
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

(11/23)

023047

Department

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Date Reported
and Adopted

able President:

Committee on

ch was referred the within Council Bill No.

that we have considered the same and respectfully recommed that the same:

Budget Committee:

Pass As Amended 11- -98

23-98 Full Council: Passed As Amended 8-0
(Excused: Melver)

Committee Chair

ORDINANCE 119270

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5 the name of the Department of Construction and Land Use to the Department of
6 Design, Construction and Land Use; amending Seattle Municipal Code Chapter
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8 updating other obsolete references in Chapter 3.06; and authorizing the Code
9 Reviser to make changes over time to all references elsewhere in the Seattle
10 Municipal Code necessary to carry out the name change.
11

12
13 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:
14

15
16 **Section 1.** On and after January 1, 1999, the Department of Construction and
17 Land Use shall be known as the Department of Design, Construction and Land Use.
18

19 **Section 2.** Chapter 3.06 of the Seattle Municipal Code is redesignated
20 "Department of Design, Construction and Land Use," and section 3.06.010 is amended
21 as follows:
22

23 **3.06.010 Department created.**

24 A. As of June 4, 1980, there is created a Department of Construction and
25 Land Use for the purpose of administering City ordinances which regulate building
26 construction, the use of land, and housing.

27 B. As of January 1, 1999, the Department of Construction and Land Use
28 shall be known as the Department of Design, Construction and Land Use.

29 C. As of January 1, 1999, all references to "Construction and Land Use,"
30 "Department of Construction and Land Use," "Director of Construction and Land Use,"
31 or the "Department of Construction and Land Use Fund" shall be deemed to be
32 references to "Design, Construction and Land Use;" "Department of Design,
33 Construction and Land Use;" "Director of Design, Construction and Land Use;" or the
34 "Department of Design, Construction and Land Use Fund" respectively, except where
35 the historical reference to "Construction and Land Use," "Department of Construction
36 and Land Use," "Director of Construction and Land Use," or the "Department of
37 Construction and Land Use Fund" is called for by context.

38 D. The City's Code Reviser is authorized to amend the Seattle Municipal
39 Code over time as he or she deems appropriate in order to carry out this name change.
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1 **Section 3.** Section 3.06.020 of the Seattle Municipal Code is amended as
2 follows:

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4 **3.06.020 Director - Appointment and removal.**

5 The Director of Design, Construction and Land Use shall be appointed by the
6 Mayor and confirmed by a majority of the City Council subject to reappointment and
7 reconfirmation every four (4) years; and the Mayor may at any time remove the Director
8 of Design, Construction and Land Use upon filing a statement of reasons therefor with
9 the City Council.

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11 **Section 4.** Section 3.06.030 of the Seattle Municipal Code is amended as
12 follows:

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14 **3.06.030 Director - Powers and duties.**

15 ~~((As of June 4, 1980, t))~~ The Director of Design, Construction and Land Use,
16 under direction of the Mayor, shall manage the Department of Design, Construction and
17 Land Use, appoint, assign and dismiss all employees in conformance with the City's
18 personnel ordinances and rules, and perform the following functions:

19 A. Enforcing building ordinances of the City, including but not limited to the
20 provisions of the Building Code((;)); the Electrical Code((;)); the Mechanical Code((;));
21 the Housing and Building Maintenance Code((;)); the ~~((Zoning Ordinance and Litter
22 Ordinance))~~ Land Use Code((;)); the Pioneer Square Minimum Maintenance
23 Ordinance((;)); the Condominium Conversion Ordinance((;)); the Energy Code((;)); the
24 Stormwater, Grading and Drainage Control Ordinance((;)); and appropriate regulations;

25 B. Processing applications for construction permits, for grading permits, for
26 use permits, for zoning exceptions, for subdivisions and for other land use approvals,
27 including those related to shorelines management, but excluding those related to historic
28 preservation;

29 C. Conducting reviews of the effects of proposed projects on the
30 environment, as contemplated in the State Environmental Policy Act and City
31 ordinances;

32 D. Promoting the conservation of the City's housing stock;

33 E. Maintaining appropriate records regarding property, permits and
34 structures;

35 F. ~~((Closing out the remaining responsibilities of the Building Department,
36 not transferred to other departments, as authorized in the 1980 budget of the Building
37 Department; and~~

38 G.)) Discharging such other responsibilities as may be directed by ordinance.

39 1. The Director shall consult on all matters of structural strength and
40 design with an assistant who is a licensed structural engineer or architect with at least

1 five (5) years' experience in the practice of his/her profession, unless the Director
2 possesses such qualifications.

3 2. The Director shall consult on all matters concerning compliance
4 with design guidelines with a qualified architect or urban designer with at least five (5)
5 years of experience in the practice of his/her profession, unless the Director possesses
6 such qualifications.

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8 **Section 5.** Section 3.06.040 of the Seattle Municipal Code is amended as
9 follows:

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11 **3.06.040 Director - Agreements, rules and regulations.**

12 ((As of June 4, 1980, t)) The Director of Design, Construction and Land Use is
13 authorized to enter into such agreements, including interdepartmental agreements,
14 consistent with provisions of law and the City Charter, as he or she shall deem
15 appropriate for carrying out the responsibilities, functions, and activities of the
16 Department of Design, Construction and Land Use and may establish such rules,
17 procedures and regulations, consistent with this chapter and other ordinances, as may
18 appear necessary and proper.

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20 **Section 6.** Section 3.06.050 of the Seattle Municipal Code is amended as
21 follows:

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23 **3.06.050 Director - Fees and charges.**

24 The Director of Design, Construction and Land Use shall charge such fees for
25 licenses, permits, inspections, reviews and other services and approvals as may be
26 provided by ordinance.

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28 **Section 7.** Section 3.06.080 of the Seattle Municipal Code is amended as
29 follows:

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31 **3.06.080 Continuation of rules and regulations.**

32 All rules, regulations and procedures in effect as of ((~~June 3, 1980~~)) December
33 31, 1998, with respect to the activities carried on by ((~~and being transferred to~~)) the
34 Department of Construction and Land Use ((~~from the Building Department and the~~
35 ~~Department of Community Development~~)) shall continue to be in effect until they expire
36 of their own terms or are superseded by new rules, procedures and regulations adopted in
37 conformance with the Administrative Code (Ordinance 102228, as amended) or other
38 applicable law.
39

1 **Section 8.** In the event any section or subsection of the Seattle Municipal Code
2 authorized to be amended herein has heretofore been repealed, that earlier repeal shall be
3 given full effect, and nothing in this ordinance shall be construed to re-enact or preserve
4 that section or subsection.
5

6 **Section 9.** In the event a subsequent ordinance refers to a position, office, or
7 department name amended or authorized to be amended by this ordinance, it is the
8 express intent of the City Council that that reference shall be deemed to mean the new
9 name of the office, position, or department as set forth in this ordinance, and shall not be
10 construed to resurrect the old name of the position, office, or department unless
11 expressly provided by reference to this ordinance.
12

13 **Section 10.** It is the express intent of the City Council that, in the event a
14 subsequent ordinance refers to or amends a section or subsection of the Seattle
15 Municipal Code authorized to be amended by this ordinance, but the later ordinance fails
16 to account for the name change made by this ordinance, the later ordinance shall be
17 deemed to refer to the new name of the department.
18

19 **Section 11.** Severability. The several provisions of this ordinance are declared
20 to be separate and severable and the invalidity of any clause, sentence paragraph,
21 subdivision, section, or portion of this ordinance, or the invalidity of the application
22 thereof to any person or circumstance, shall not affect the validity of the remainder of
23 this ordinance or the validity of its application to other persons or circumstances.
24

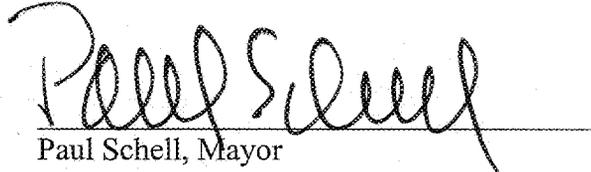
25 **Section 12.** Any act consistent with the authority and before the effective date of
26 this ordinance is hereby ratified and confirmed.
27

1 **Section 13.** This ordinance shall take effect and be in force on and after January
2 1, 1999.

3
4 Passed by the City Council the 23rd day of November, 1998, and
5 signed by me in open session in authentication of its passage this 23rd day of
6 November, 1998
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11 
12 President _____ of the City Council

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14 Approved by me this 2nd day of December, 1998.
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18 Paul Schell, Mayor
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21 Filed by me this 2nd day of December, 1998.
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25 City Clerk
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28 (SEAL)
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City of Seattle

Paul Schell, Mayor

Department of Construction and Land Use

R. F. Krochalis, Director

TO: Sue Donaldson, President
Seattle City Council

FROM: R. F. Krochalis, Director

AKS for LK

DATE: October 13, 1998

SUBJECT: DCLU Name Change Ordinance

COPY RECEIVED
98 OCT 13 PM 2:33
SEATTLE CITY ATTORNEY

A Mayor's initiative in the 1999/2000 budget is to elevate the role of high quality design in the development of Seattle's built environment. To this end the Mayor has proposed increasing the capacity of the Design Commission, creating a stronger working relationship between the Commission and DCLU's Design Review Process, and adding the word "Design" to the name of the Department. The Department's name would be changed to the Department of Design, Construction and Land Use.

The attached ordinance changes the name of the Department of Construction and Land Use to the Department of Design, Construction and Land Use. As a result of advice from the Law Department, the ordinance changes the name of the Department where it appears in Seattle Municipal Code Chapter 3.06, except where use of the Department's current name is called for by context. The Law Department also recommended the ordinance authorize the City's Code Reviser to make changes over time to the remaining references to the Department found throughout the Seattle Municipal Code.

The ordinance also changes the name of the Construction and Land Use Fund to the Design, Construction and Land Use Fund, and updates the following references to ordinances the Department enforces:

1. the Housing Code is now referred to as the Housing and Building Maintenance Code;
2. the Zoning Ordinance is now referred to as the Land Use Code;
3. the Litter Ordinance is no longer under DCLU's jurisdiction;
4. the Minimum Maintenance Ordinance is now referred to as the Pioneer Square Minimum Maintenance Ordinance; and
5. the Grading Ordinance is now referred to as the Stormwater, Grading and Drainage Control Ordinance.

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33 E. Maintaining appropriate records regarding property, permits and
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Passed by the City Council the _____ day of _____, 1998, and signed by me in open session in authentication of its passage this _____ day of _____, 1998

President _____ of the City Council

Approved by me this _____ day of _____, 1998.

Paul Schell, Mayor

Filed by me this _____ day of _____, 1998.

City Clerk

(SEAL)

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(SEAL)

STATE OF WASHINGTON - KING COUNTY

100346
City of Seattle, City Clerk

-ss.

No.

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:ORD 119270/FULL

was published on

12/22/98

The amount of the fee charged for the foregoing publication is the sum of \$ _____, which amount has been paid in full.

H. Patterson

Subscribed and sworn to before me on

12/22/98

[Signature]

Notary Public for the State of Washington,
residing in Seattle

the basis of such mortality tables and regulations as shall be adopted by the Board.

E. "Additional contributions" means the contributions provided for in subdivision (d), Section 5, of this ordinance.

F. "Adjusted benefit" means the initial benefit plus the cumulative cost of living adjustments provided for in subsection 4.36.235(B)(1).

G. "Annuity" means the payments derived from contributions made by a member as provided in Sections 4.36.210 and 4.36.230.

(G)(H). "Basic pension" means the annuity derived from normal contributions of members, the pension derived from matching contributions of the City and the pension for prior service, if any.

(H)(I). "Beneficiary" means any person in receipt of a pension, annuity, retirement allowance, disability allowance, or any other benefit provided in this chapter.

(I)(J). "Board" means Board of Administration as provided in Section 4.36.130.

Section 2, Section 4.36.040(G) Amended, Subsection G of Section 4.36.340 of the Seattle Municipal Code, as amended by Ordinance 119220, is further amended as follows:

4.36.040. DEFINITIONS -- ALPHA-BETICAL "C" THROUGH "D."

G. "Current benefit" means the annual payment currently paid on behalf of a member. It includes, where applicable, the permanent benefit increase granted by Ordinance 89568 and Ordinance 104156. It takes into account any reductions based on options selected by the member under Section 4.36.360. It shall also mean payments of accumulated contributions made under Subsection 4.36.230A, and payments received by a beneficiary as a result of an option selected under Section 4.36.260. It shall not include the cumulative cost of living adjustments provided for in subsection 4.36.235(B)(1).

Section 3, Section 4.36.050(D) Amended, Subsection D of Section 4.36.250 of the Seattle Municipal Code, as amended by Ordinance 119220, is further amended as follows:

4.36.050. DEFINITIONS ALPHABETICAL "E" THROUGH "M."

D. "Indexed benefit" means the initial benefit payable on behalf of a member, adjusted for inflation in an amount equal to the ratio of the June (semi-annual) Seattle-Tacoma-Bremerton Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-UW) for the current year over the CPI-UW for the first half of the calendar year in which a benefit payable on behalf of a member was paid. If the benefit was first paid during a year in which this index did not exist, the Board shall establish a similar index value to represent the June (semi-annual) index value based on published Consumer Price Index information for the Seattle area.

Section 4, Section 4.36.155(D) Amended, Subsection I of Section 4.36.155 of the Seattle Municipal Code, as amended by Ordinance 119220, is further amended as follows:

4.36.155 ANNUAL BONUS DIVIDEND FOR CURRENT AND FUTURE RETIREES

I. For members or beneficiaries receiving benefits on behalf of a member who...

City of Seattle

ORDINANCE NO. 118278

AN ORDINANCE relating to the Department of Construction and Land Use, changing the name of the Department of Construction and Land Use to the Department of Design, Construction and Land Use, amending Seattle Municipal Code Chapter 3.06 to reflect this change and changing a fund name to reflect this change, updating other obsolete references in Chapter 3.06, and authorizing the Code Reviser to make changes over time to all references elsewhere in the Seattle Municipal Code necessary to carry out the name change.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

SECTION 1. On and after January 1, 1999, the Department of Construction and Land Use shall be known as the Department of Design, Construction and Land Use.

APPROVED: SGT. J. P. SHEPHERD

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