Ordinance No. 123477

Council Bill No. 117008

AN ORDINANCE relating to street and sidewalk use; amending the Street Use Permit Fee Schedule authorized by Section 15.04.074 of the Seattle Municipal Code.

CF No. _____

Date Introduced: Oct. 18, 2010	
Date 1st Referred: Oct. 18, 2010	To: (committee) Budget
Date Re - Referred:	To: (committee)
Date Re - Referred:	To: (committee)
Date of Final Passage: 11.22.10	Full Council Vote: 9.0
Date Presented to Mayor: 11.23.10	Date Approved: Dec. 2, 2010
Date Returned to City Clerk: Dec. 2, 2010	Date Published: T.O. F.T. ✓
Date Vetoed by Mayor:	Date Veto Published:
Date Passed Over Veto:	Veto Sustained:

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Godden
Councilmember

Committee Action:

11.12.10 Pass 9-0

11.22.10 Pass as amended 9-0 @ Un

11.22.10 Passed 9-0

This file is complete and ready for presentation to Full Council. Committee: _____ (initial/date)

Law Dept. Review	OMP Review	City Clerk Review	Electronic Copy Loaded	Indexed

Brian de Place
SDOT Street Use Fees 2011-12 ORD
September 15, 2010
Version #2

ORDINANCE 123477

AN ORDINANCE relating to street and sidewalk use; amending the Street Use Permit Fee Schedule authorized by Section 15.04.074 of the Seattle Municipal Code.

WHEREAS, Section 15.04.074 of the Seattle Municipal Code authorizes and directs the Director of Transportation to prepare and recommend to the City Council, for passage by ordinance, a schedule of fees applicable to all street and/or sidewalk use permits (hereinafter referred to as the Street Use Permit Fee Schedule), commensurate with the cost of administration, review, inspection, and policing involved in the issuance and continuance of such permits and the use thereby granted; and

WHEREAS, Use and Occupation fees currently subsidize the cost of permit issuance and inspection and plan review and Street Use permits need to fully recover their cost to comply with the Seattle Municipal Code; and

WHEREAS, to recover the cost of doing business on overtime, a premium rate for inspections and review shall be charged to applicants who require that Street Use inspections or other labor cost to occur on overtime; and

WHEREAS, it is appropriate that those wishing to use public rights-of-way should bear the costs associated with obtaining appropriate street improvement permits; and

WHEREAS, Street Use rates were adjusted January 1, 2004; and

WHEREAS, the Utility Map Conversion project is terminated and so the mapping fee surcharge is now retired; and

WHEREAS, there should be an economic disincentive for the long term commercial occupation of the right-of-way for private purposes; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City's Street Use Permit Fee Schedule, which was last amended by Ordinance 123100, is replaced by that attached as Attachment A, which is hereby adopted effective January 1, 2011.

CITY CLERK

Section 2. This ordinance shall take effect and be in force 30 days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 22 day of November, 2010, and signed by me in open session in authentication of its passage this 22 day of November, 2010.

President _____ of the City Council

Approved by me this 2nd day of December, 2010.

Michael McGinn, Mayor

Filed by me this 2nd day of December, 2010.

City Clerk

(Seal)

Attachment A – Street Use Permit Fee Schedule effective January 1, 2011

DNS CITY CLERK

Attachment A: Street Use Permit Fee Schedule, Effective January 1, 2011					
Activities that use the public Right-of-Way and that block mobility					
Use Code	**Use Description**	**Base Permit Fee**	**((~~Franchise and Utility Map Surcharge~~))**	**Occupation Fee (Long Term)**	**Use Fee (Short Term)**
3A	street barricading for temporary private use (e.g.: grand openings, rallies)	((~~$101~~)) $146	((~~$30~~))	N/A	**ON NON-ARTERIAL mo 1=no fee, mo2&3=$.10/sf/10d mo4&5=$.20/sf/10d mo6&7=$.40/sf/10d mo8&9=$.80/sf/10d mo10+=$1.20/sf/10d in mo 10+ up to $.20/sf/10day credit for mobility mitigation ON ARTERIAL mo1=$.10/sf/10d mo2=$.20/sf/10d mo3=$.40/sf/10d mo4=$.80/sf/10d mo5=$1.20/2f/10d in mo5+ up to $.20/sf/10d credit for mobility mitigation**
3B	Farmers Market Program				N/A
13	temporary placement of materials not for construction, and for bus staging				
15	installation of public art				
22	shoring and excavation				
31	construction use				
31B	single family construction/debris dumpster				
31C	low income housing construction				
40	roadway paving				
41	bus shelter installation				
44	mobile crane, manlift, boom truck, pump truck, etc				
46	waterproofing or similar surfacing of concrete walks over areaways				
49	street opening for miscellaneous purposes				
50	scaffold, swing staging, scissor lift				
45	commercial or multi-use construction street improvement [public improvements by private development]				
45A	single family residential construction street improvement [public improvements by private development]				

Utility activities that use the public Right-of-Way and that block mobility					
Use Code	**Use Description**	**Base Permit Fee**	**((~~Franchise and Utility Map Surcharge~~))**	**Occupation Fee (Long Term)**	**Use Fee (Short Term)**
51	utility system construction	((~~$101~~)) $146	((~~$30~~))	N/A	**ON NON-ARTERIAL mo 1=no fee, mo2&3=$.10/sf/10d mo4&5=$.20/sf/10d mo6&7=$.40/sf/10d mo8&9=$.80/sf/10d mo10+=$1.20/sf/10d in mo 10+ up to $.20/sf/10day credit for mobility mitigation ON ARTERIAL mo1=$.10/sf/10d mo2=$.20/sf/10d mo3=$.40/sf/10d mo4=$.80/sf/10d mo5=$1.20/2f/10d in mo5+ up to $.20/sf/10d credit for mobility mitigation**
51A	utility main line or inserts				
51B	utility poles (less than 500 51B uses per year based on prior year volumes)				
51C	utility aerials				
51D	utility service connections and repairs =2" diameter (less than 500 51D uses per year based on prior year volumes)				
51E	utility maintenance (including vault replacements and pole bases)				
51G	utility service conduit by private party				
51H	utility poles (more than 500 51H uses per year based on prior year volumes)				
51I	utility service connections and repairs =2" diameter (more than 500 51I uses per year based on prior year volumes)				
51F	use of right-of-way for staging, curb crossing or excavation related to side sewer work				None

Activities that use the public Right-of-Way that involve little to no mobility blockage					
Use Code	**Use Description**	**Base Permit Fee**	**((~~Franchise and Utility Map Surcharge~~))**	**Occupation Fee (Long Term)**	**Use Fee (Short Term)**
23	cornices, architectural features	((~~$101~~)) $146	((~~$30~~))	N/A	None
25	driveways				
26	concrete driveways "Curb Cut"				
28	water service lines less than 2" in diameter				
29	Fences and non-structural walls				
34	grade and rock (temporary)				
35	clear and grub street and alley				
37	new sidewalk with existing curb				
38	surfacing planting strip or shoulder, including required landscaping				
43	tree removal when blocking street				
47	cross curb and sidewalk with equipment				
52A	pole banners [up to four blocks per permit]				
54A	miscellaneous private temporary uses up to 4 hours				

Activities that have value to the general citizenry					
Use Code	**Use Description**	**Base Permit Fee**	**((~~Franchise and Utility Map Surcharge~~))**	**Occupation Fee (Long Term)**	**Use Fee (Short Term)**
1	beautification	None	None	None	None
1A	tree pruning, planting, and removal and other plantings				
5A	clocks in public Historic Landmark places				
54	miscellaneous uses for use of public per SMC 15.04.100				
55	sidewalk repair (less than 100 sq. ft.)				
55A	sidewalk repairs (100 sq. ft. or greater)	((~~$101~~)) $146			
Miscellaneous					
Use Code	**Use Description**	**Base Permit Fee**	**((~~Franchise and Utility Map Surcharge~~))**	**Occupation Fee (Long Term)**	**Use Fee (Short Term)**
57	impound fee	$97 per occurrence	None	N/A	N/A
58	sign removal	$78 per sign or poster			
59	mobility impact surcharge	$360			

Activities that occur over more than one year					
Use Code	**Use Description**	**Base Permit Fee**	**((~~Franchise and Utility Map Surcharge~~))**	**Occupation Fee (Long Term)**	**Use Fee (Short Term)**
2	small directional signs	((~~$101 (first year); $97 (subsequent years)~~)) $146 (first year); $140 (subsequent years)	((~~$30 (first year)~~))	None	N/A
2B	portable signs (i.e.: sandwich board signs, "A" frames, etc.)				
3	street barricading for private use				
5	clocks				
6	signs, flags, etc. extending over ROW				
7B	ramp primary access over underwater street				
8	ventilating ducts				
9	underground vaults				
14	miscellaneous renewable uses				
14A	vending carts				
14B	tables and chairs [max 4]				
16A	inactive areaways prior to January 1, 1995				
17	sidewalk elevator doors				
21A	non-public utilities				
21B	underground storage tanks				
27A	stanchions				
29A	structural retaining				
33	contractors' trucks/equipment per vehicle				
48	building maintenance over ROW [per bldg]				
52	street decorations				
Long term uses of the Right-of-Way					
Use Code	**Use Description**	**Base Permit Fee**	**~~Franchise and Utility Map Surcharge~~**	**Occupation Fee (Long Term)**	**Use Fee (Short Term)**
61	term uses for long-term street level occupations (structures in right-of-way)	Fees determined by ordinance			
61A	term uses for skybridges or bridges over right-of-way				
61B	term uses for tunnels under right-of-way				
61C	term uses for pipelines in right-of-way				
61D	other term uses in right-of-way (including utility franchises)				

Occupation of Right-of-Way street					
Use Code	**Use Description**	**Base Permit Fee**	**((~~Franchise and Utility Map Surcharge~~))**	**Occupation Fee (Long Term)**	**Use Fee (Short Term)**
2A	fixed ground signs	((~~$101 (first year); $97 (subsequent years)~~)) $146 (first year); $140 (subsequent years)	((~~$30 (first year)~~))	$590/yr	N/A
21	underground storage in street				
7	At-grade structures required only for access and overhangs			$.51/sf/yr	
12	material storage			$.51/sf/yr	
16	areaways existing prior to January 1, 1995			$.51/sf/yr	
18	sidewalk cafes			$1.56/sf/yr	
18A	merchandise on sidewalks				
22B	shoring unremoved (must be removed to a point 4 ft below finished grade)			$1011/pile	
27	awnings, marquees and canopies [plus 27A if stanchions]	((~~$101~~)) $146		$.51/sf	

Occupation of underwater street					
Use Code	**Use Description**	**Base Permit Fee**	**((~~Franchise and Utility Map Surcharge~~))**	**Occupation Fee (Long Term)**	**Use Fee (Short Term)**
7A	structures and overhangs in underwater streets	((~~$101 (first year); $97 (subsequent years)~~)) $146 (first year); $140 (subsequent years)	((~~$30 (first year)~~))	$0.14/sf/mo	N/A
12A	moorage not covered elsewhere				
WW100	installations and overhangs in state waterways				
WW200	moorage in state waterways				
WW250	temporary moorage or other uses of state waterways				
WW150	non-profit organizations water safety for youth			None	
Per ordinance or council action					
Use Code	**Use Description**	**Base Permit Fee**	**((~~Franchise and Utility Map Surcharge~~))**	**Occupation Fee (Long Term)**	**Use Fee (Short Term)**
11	shoreline street ends [land portion]	Fees determined by ordinance			
14C	1st amendment vending	$40	((~~None~~))	$35/mo	None
14D	stadium vending [April - September]	None		$121.50/mo	
14E	stadium vending [October - March]	None		$18/mo	
16B	areaways built after January 1, 1995	Fees based upon appraisal			

	Other Fees and Charges	
	Hourly Charge for Street Use service including but not limited to: review, investigation, inspection, drafting, design guidance, document preparation and other activities related to the administration of the permit	*((~~$150~~)) $172*
	Premium hourly rate (e.g. Overtime Inspections)	*~~$344~~*
	Penalty Fee (No Job Start Call)	*$300*
	((~~Pre-submittal Consultation Fee~~))	*((~~$375~~))*
	A Deposit may be required	*Amount determined based on services requested*

Form revised April 10, 2010

2011-2012 BUDGET LEGISLATION FISCAL NOTE

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Transportation (SDOT)	Brian de Place/233-3855	Stephen Barham/733-9084

Legislation Title: AN ORDINANCE relating to street and sidewalk use; amending the Street Use Permit Fee Schedule authorized by Section 15.04.074 of the Seattle Municipal Code.

Summary of the Legislation: This legislation updates the "Schedule A" permit fees, authorized through SMC 15.04.074, as assessed by the Seattle Department of Transportation Street Use and Urban Forestry Division. The new rates will be effective January 1, 2011. Permit Issuance fees for new applications will increase from $101 to $146, and renewal fees from $97 to $140. Plan Review and Inspection rates will increase from $150/hour to $172/hour.

Additionally, this legislation implements a premium or overtime rate of $344/hour. This rate would apply when review or inspection occurs on over time based on customer request or customer need.

Finally, this legislation formalizes the termination of the utility mapping surcharge fee of $30.00, as the project concluded at the end of 2007.

Background: In 2007, the base Permit Issuance Fee for non-renewing/non-vending permits was changed from $135 to $101 while also removing a previously included ½ hour of inspection (a $75 value based on the current $150 an hour inspection rate) as part of the base issuance fee.

Historically, Permit Issuance, Inspection and Plan review rates have not been based on full cost recovery. These increases will result in full cost recovery for Permit Issuance activities and movement towards full cost recovery for Plan Review and Inspection in accordance with SMC 15.04.074.A. In order to achieve full cost recovery for Plan Review and Inspection activities, the hourly rate would need to be increased to $192 per hour versus the proposed $172. Because the proposed increase will not fully achieve cost recovery in Plan Review and Inspection, the health of the cost center may need to be revisited mid-biennium.

This legislation eliminates a $30 permit surcharge fee for the Franchise Utility Map Conversion which has not been assessed since the end of 2007. While the Franchise Utility Map Conversion Project was not completed at that time, Street Use discontinued converting the remaining maps.

- *Please check one of the following*:

____ This legislation does not have any financial implications. (*Stop here and delete the remainder of this document prior to saving and printing.)*

__X__ This legislation has financial implications. *Please complete all relevant sections that follow.*

Summary of Changes to Revenue Generated Specifically From This Legislation:

	Revenue Source	2011 Proposed	2012 Proposed
Total Fees and Charges Resulting From Passage of This Ordinance	Permit Fees (422490)	$1.54 million	$2.28 million

Notes: N/A

Anticipated Total Revenue from Entire Program, Including Changes Resulting From This Legislation:

Fund Name and Number	Revenue Source	Total 2011 Revenue	Total 2011 and 2012 Anticipated Revenue from Entire Program
Transportation Operating Fund (10310)	Permit Fees (422490)	$11.90 million	$25.00 million
TOTAL		**$11.90 million**	**$25.00 million**

What is the financial cost of not implementing this legislation? If the legislation is not implemented, the fund balance in the Street Use Cost center is projected to be negative $2.6 million in 2012. Additionally, the collected fees for Permit Issuance will not recover costs and Plan Review and Inspection will not move towards full cost recovery in accordance with SMC 15.04.074.A.

Does this legislation affect any departments besides the originating department?
SCL, SPU. Increase in permitting costs.

What are the possible alternatives to the legislation that could achieve the same or similar objectives? No alternatives would achieve the objectives of this legislation.

Is the legislation subject to public hearing requirements? No.

Other Issues (*including long-term implications of the legislation*): None.

Please list attachments to the fiscal note below: N/A

Brian De Place
SDOT Street Use Fees 2011-2012 FISC
September 15, 2010
Version #3

Form revised April 10, 2010

2011-2012 BUDGET LEGISLATION FISCAL NOTE

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Transportation (SDOT)	Brian de Place/233-3855	Stephen Barham/733-9084

Legislation Title: AN ORDINANCE relating to street and sidewalk use; amending the Street Use Permit Fee Schedule authorized by Section 15.04.074 of the Seattle Municipal Code.

Summary of the Legislation: This legislation updates the "Schedule A" permit fees, authorized through SMC 15.04.074, as assessed by the Seattle Department of Transportation Street Use and Urban Forestry Division. The new rates will be effective January 1, 2011. Permit Issuance fees for new applications will increase from $101 to $146, and renewal fees from $97 to $140. Plan Review and Inspection rates will increase from $150/hour to $172/hour.

This legislation also increases the cost for the long-term commercial occupation of the right-of-way from $.51 to $4.68 per square foot, and creates a new use code for pre-existing buildings in the right of way.

Additionally, this legislation implements a premium rate when review and/or inspection occurs on over time based on customer request or need, and formalizes the termination of the utility mapping surcharge fee of $30.00, as the project concluded at the end of 2007.

Background: In 2007, the base Permit Issuance Fee for non-renewing/non-vending permits was changed from $135 to $101 while also removing a previously included ½ hour of inspection (a $75 value based on the current $150 an hour inspection rate) as part of the base issuance fee.

Historically, Permit Issuance, Inspection and Plan review rates have not been based on full cost recovery. These increases will result in full cost recovery for Permit Issuance activities and movement towards full cost recovery for Plan Review and Inspection in accordance with SMC 15.04.074.A. In order to achieve full cost recovery for Plan Review and Inspection activities, the hourly rate would need to be increased to $192 per hour versus the proposed $172. Because the proposed increase will not fully achieve cost recovery in Plan Review and Inspection, the health of the cost center may need to be revisited mid-biennium.

This legislation will create an economic disincentive for long-term occupation of the right-of-way for certain uses. The legislation will increase rates from $.51/SF/Yr to $4.68/SF/Yr for type 12 (Material Storage).

This legislation eliminates a $30 permit surcharge fee for the Franchise Utility Map Conversion which has not been assessed since the end of 2007. While the Franchise Utility Map Conversion Project was not completed at that time, Street Use discontinued converting the remaining maps.

2010 CITY CLERK

- *Please check one of the following*:

____ This legislation does not have any financial implications. (*Stop here and delete the remainder of this document prior to saving and printing.)*

__X__ This legislation has financial implications. *Please complete all relevant sections that follow.*

Summary of Changes to Revenue Generated Specifically From This Legislation:

	Revenue Source	2011 Proposed	2012 Proposed
Total Fees and Charges Resulting From Passage of This Ordinance	Permit Fees (422490)	$1.54 million	$2.28 million

Notes: N/A

Anticipated Total Revenue from Entire Program, Including Changes Resulting From This Legislation:

Fund Name and Number	Revenue Source	Total 2011 Revenue	Total 2011 and 2012 Anticipated Revenue from Entire Program
Transportation Operating Fund (10310)	Permit Fees (422490)	$11.90 million	$25.00 million
TOTAL		**$11.90 million**	**$25.00 million**

What is the financial cost of not implementing this legislation? If the legislation is not implemented, the fund balance in the Street Use Cost center is projected to be negative $2.6 million in 2012. Additionally, the collected fees for Permit Issuance will not recover costs and Plan Review and Inspection will not move towards full cost recovery in accordance with SMC 15.04.074.A.

Does this legislation affect any departments besides the originating department?
SCL, SPU. Increase in permitting costs.

What are the possible alternatives to the legislation that could achieve the same or similar objectives? No alternatives would achieve the objectives of this legislation.

Is the legislation subject to public hearing requirements? No.

Other Issues (*including long-term implications of the legislation*): None.

Please list attachments to the fiscal note below: N/A

2010 CITY CLERK

Attachment A: Street Use Permit Fee Schedule, Effective January 1, 2011					
Activities that use the public Right-of-Way and that block mobility					
Use Code	**Use Description**	**Base Permit Fee**	**((~~Franchise and Utility Map Surcharge~~))**	**Occupation Fee (Long Term)**	**Use Fee (Short Term)**
3A	street barricading for temporary private use (e.g.: grand openings, rallies)	((~~$101~~)) $146	((~~$30~~))	N/A	**ON NON-ARTERIAL mo 1=no fee, mo2&3=$.10/sf/10d mo4&5=$.20/sf/10d mo6&7=$.40/sf/10d mo8&9=$.80/sf/10d mo10+=$1.20/sf/10d in mo 10+ up to $.20/sf/10day credit for mobility mitigation ON ARTERIAL mo1=$.10/sf/10d mo2=$.20/sf/10d mo3=$.40/sf/10d mo4=$.80/sf/10d mo5=$1.20/2f/10d in mo5+ up to $.20/sf/10d credit for mobility mitigation** N/A
3B	Farmers Market Program				
13	temporary placement of materials not for construction, and for bus staging				
15	installation of public art				
22	shoring and excavation				
31	construction use				
31B	single family construction/debris dumpster				
31C	low income housing construction				
40	roadway paving				
41	bus shelter installation				
44	mobile crane, manlift, boom truck, pump truck, etc				
46	waterproofing or similar surfacing of concrete walks over areaways				
49	street opening for miscellaneous purposes				
50	scaffold, swing staging, scissor lift				
45	commercial or multi-use construction street improvement [public improvements by private development]				
45A	single family residential construction street improvement [public improvements by private development]				

SDS CITY CLERK

Utility activities that use the public Right-of-Way and that block mobility					
Use Code	**Use Description**	**Base Permit Fee**	**((~~Franchise and Utility Map Surcharge~~))**	**Occupation Fee (Long Term)**	**Use Fee (Short Term)**
51	utility system construction	((~~$101~~)) $146	((~~$30~~))	N/A	**ON NON-ARTERIAL mo 1=no fee, mo2&3=$.10/sf/10d mo4&5=$.20/sf/10d mo6&7=$.40/sf/10d mo8&9=$.80/sf/10d mo10+=$1.20/sf/10d in mo 10+ up to $.20/sf/10day credit for mobility mitigation ON ARTERIAL mo1=$.10/sf/10d mo2=$.20/sf/10d mo3=$.40/sf/10d mo4=$.80/sf/10d mo5=$1.20/2f/10d in mo5+ up to $.20/sf/10d credit for mobility mitigation**
51A	utility main line or inserts				
51B	utility poles (less than 500 51B uses per year based on prior year volumes)				
51C	utility aerials				
51D	utility service connections and repairs =2" diameter (less than 500 51D uses per year based on prior year volumes)				
51E	utility maintenance (including vault replacements and pole bases)				
51G	utility service conduit by private party				
51H	utility poles (more than 500 51H uses per year based on prior year volumes)				
51I	utility service connections and repairs =2" diameter (more than 500 51I uses per year based on prior year volumes)				
51F	use of right-of-way for staging, curb crossing or excavation related to side sewer work				None

SDOT CITY CLERK

Activities that use the public Right-of-Way that involve little to no mobility blockage					
Use Code	**Use Description**	**Base Permit Fee**	**((~~Franchise and Utility Map Surcharge~~))**	**Occupation Fee (Long Term)**	**Use Fee (Short Term)**
23	cornices, architectural features	((~~$101~~)) $146	((~~$30~~))	N/A	None
25	driveways				
26	concrete driveways "Curb Cut"				
28	water service lines less than 2" in diameter				
29	Fences and non-structural walls				
34	grade and rock (temporary)				
35	clear and grub street and alley				
37	new sidewalk with existing curb				
38	surfacing planting strip or shoulder, including required landscaping				
43	tree removal when blocking street				
47	cross curb and sidewalk with equipment				
52A	pole banners [up to four blocks per permit]				
54A	miscellaneous private temporary uses up to 4 hours				

2011 CITY CLERK

Activities that have value to the general citizenry					
Use Code	**Use Description**	**Base Permit Fee**	**((~~Franchise and Utility Map Surcharge~~))**	**Occupation Fee (Long Term)**	**Use Fee (Short Term)**
1	beautification	None	None	None	None
1A	tree pruning, planting, and removal and other plantings				
5A	clocks in public Historic Landmark places				
54	miscellaneous uses for use of public per SMC 15.04.100				
55	sidewalk repair (less than 100 sq. ft.)				
55A	sidewalk repairs (100 sq. ft. or greater)	((~~$101~~)) $146			
Miscellaneous					
Use Code	**Use Description**	**Base Permit Fee**	**((~~Franchise and Utility Map Surcharge~~))**	**Occupation Fee (Long Term)**	**Use Fee (Short Term)**
57	impound fee	$97 per occurrence	None	N/A	N/A
58	sign removal	$78 per sign or poster			
59	mobility impact surcharge	$360			

DAS CITY CLERK

Activities that occur over more than one year					
Use Code	**Use Description**	**Base Permit Fee**	**((~~Franchise and Utility Map Surcharge~~))**	**Occupation Fee (Long Term)**	**Use Fee (Short Term)**
2	small directional signs	((~~$101 (first year); $97 (subsequent years)~~)) $146 (first year); $140 (subsequent years)	((~~$30 (first year)~~))	None	N/A
2B	portable signs (i.e.: sandwich board signs, "A" frames, etc.)				
3	street barricading for private use				
5	clocks				
6	signs, flags, etc. extending over ROW				
7B	ramp primary access over underwater street				
8	ventilating ducts				
9	underground vaults				
14	miscellaneous renewable uses				
14A	vending carts				
14B	tables and chairs [max 4]				
16A	inactive areaways prior to January 1, 1995				
17	sidewalk elevator doors				
21A	non-public utilities				
21B	underground storage tanks				
27A	stanchions				
29A	structural retaining				
33	contractors' trucks/equipment per vehicle				
48	building maintenance over ROW [per bldg]				
52	street decorations				
Long term uses of the Right-of-Way					
Use Code	**Use Description**	**Base Permit Fee**	**~~Franchise and Utility Map Surcharge~~**	**Occupation Fee (Long Term)**	**Use Fee (Short Term)**
61	term uses for long-term street level occupations (structures in right-of-way)	Fees determined by ordinance			
61A	term uses for skybridges or bridges over right-of-way				
61B	term uses for tunnels under right-of-way				
61C	term uses for pipelines in right-of-way				
61D	other term uses in right-of-way (including utility franchises)				

2011 CITY CLERK

Occupation of Right-of-Way street					
Use Code	**Use Description**	**Base Permit Fee**	**((~~Franchise and Utility Map Surcharge~~))**	**Occupation Fee (Long Term)**	**Use Fee (Short Term)**
2A	fixed ground signs	((~~$101 (first year); $97 (subsequent years)~~)) $146 (first year); $140 (subsequent years)	((~~$30 (first year)~~)))	$590/yr	N/A
21	underground storage in street				
7	At-grade structures required only for access and overhangs			$.51/sf/yr	
7C	Buildings			$4.68/sf/yr	
12	material storage			((~~$.51/sf/yr~~)) $4.68/sf/yr	
16	areaways existing prior to January 1, 1995			$.51/sf/yr	
18	sidewalk cafes			$1.56/sf/yr	
18A	merchandise on sidewalks				
22B	shoring unremoved (must be removed to a point 4 ft below finished grade)			$1011/pile	
27	awnings, marquees and canopies [plus 27A if stanchions]	((~~$101~~)) $146		$.51/sf	

2011 CITY CLERK

Occupation of underwater street					
Use Code	**Use Description**	**Base Permit Fee**	**((~~Franchise and Utility Map Surcharge~~))**	**Occupation Fee (Long Term)**	**Use Fee (Short Term)**
7A	structures and overhangs in underwater streets	((~~$101 (first year); $97 (subsequent years)~~))) $146 (first year); $140 (subsequent years)	((~~$30 (first year)~~)))	$0.14/sf/mo	N/A
12A	moorage not covered elsewhere				
WW100	installations and overhangs in state waterways				
WW200	moorage in state waterways				
WW250	temporary moorage or other uses of state waterways				
WW150	non-profit organizations water safety for youth			None	
Per ordinance or council action					
Use Code	**Use Description**	**Base Permit Fee**	**((~~Franchise and Utility Map Surcharge~~))**	**Occupation Fee (Long Term)**	**Use Fee (Short Term)**
11	shoreline street ends [land portion]	Fees determined by ordinance			
14C	1st amendment vending	$40	((~~None~~))	$35/mo	None
14D	stadium vending [April - September]	None		$121.50/mo	
14E	stadium vending [October - March]	None		$18/mo	
16B	areaways built after January 1, 1995	Fees based upon appraisal			

2015 CITY CLERK

	Other Fees and Charges	
	Hourly Charge for Street Use service including but not limited to: review, investigation, inspection, drafting, design guidance, document preparation and other activities related to the administration of the permit	*((~~$150~~)) $172*
	Premium hourly rate (e.g. Overtime Inspections)	*$344*
	Penalty Fee (No Job Start Call)	*$300*
	((~~Pre-submittal Consultation Fee~~))	*((~~$375~~))*
	A Deposit may be required	*Amount determined based on services requested*

CITY CLERK

City of Seattle
Office of the Mayor

September 27, 2010

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Conlin:

I am transmitting the attached proposed Council Bill for consideration with the 2011 Proposed Budget. This legislation proposes a Street Use fee increase that will result in full cost recovery for Permit Issuance activities in accordance with SMC 15.04.074.A. The proposed increase in the plan review and inspection fee will move us closer to full cost recovery in 2011 and will need to be adjusted mid-biennium depending upon the financial health of the cost center. Permit Issuance fees for new applications will increase from $101 to $146, and renewal fees from $97 to $140. Plan Review and Inspection rates will increase from $150/hour to $172/hour.

This bill also increases the cost for the long-term private occupation of the right-of-way resulting from privately installed fences, retaining walls, and other structures to provide for an economic disincentive to use the public right-of-way. Additionally, this legislation implements a premium rate when review and/or inspection occurs on over-time based on customer request or need. Finally, the legislation will formalize the termination of the utility mapping surcharge fee of $30, as the project concluded at the end of 2007.

Currently, permit fees are not charged on a full cost recovery basis. This practice is not in compliance with SMC 15.04.074.A, which states that fees and hourly rates should be commensurate with the expense of issuing permits, inspection and enforcement. We will continue to monitor this cost center closely and may need to revisit rates mid-biennium. Should you have questions, please contact Brian de Place at 233-3855.

Sincerely,

Michael McGinn
Mayor of Seattle

Michael McGinn, Mayor
Office of the Mayor
600 Fourth Avenue, 7th Floor
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Seattle, WA 98124-4749

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CITY CLERK

STATE OF WASHINGTON – KING COUNTY

--ss.

264496 No.
CITY OF SEATTLE,CLERKS OFFICE

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:123477 ORDINANCE

was published on

12/16/10

The amount of the fee charged for the foregoing publication is the sum of $ 109.20, which amount has been paid in full.

JENNIFER A. PATZER
COMMISSION EXPIRES
NOTARY
PUBLIC
OCTOBER 2011
STATE OF WASHINGTON

Subscribed and sworn to before me on

12/16/10

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

ORDINANCE 123477

AN ORDINANCE relating to street and sidewalk use; amending the Street Use Permit Fee Schedule authorized by Section 15.04.074 of the Seattle Municipal Code.

WHEREAS, Section 15.04.074 of the Seattle Municipal Code authorizes and directs the Director of Transportation to prepare and recommend to the City Council, for passage by ordinance, a schedule of fees applicable to all street and/or sidewalk use permits (hereinafter referred to as the Street Use Permit Fee Schedule), commensurate with the cost of administration, review, inspection, and policing involved in the issuance and continuance of such permits and the use thereby granted; and

WHEREAS, Use and Occupation fees currently subsidize the cost of permit issuance and inspection and plan review and Street Use permits need to fully recover their cost to comply with the Seattle Municipal Code; and

WHEREAS, to recover the cost of doing business on overtime, a premium rate for inspections and review shall be charged to applicants who require that Street Use inspections or other labor cost to occur on overtime; and

WHEREAS, it is appropriate that those wishing to use public rights-of-way should bear the costs associated with obtaining appropriate street improvement permits; and

WHEREAS, Street Use rates were adjusted January 1, 2004; and

WHEREAS, the Utility Map Conversion project is terminated and so the mapping fee surcharge is now retired; and

WHEREAS, there should be an economic disincentive for the long term commercial occupation of the right-of-way for private purposes; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City's Street Use Permit Fee Schedule, which was last amended by Ordinance 123100, is replaced by that attached as Attachment A, which is hereby adopted effective January 1, 2011.

Section 2. This ordinance shall take effect and be in force 30 days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 22nd day of November, 2010, and signed by me in open session in authentication of its passage this 22nd day of November, 2010.

Richard Conlin

President of the City Council

Approved by me this 2nd day of December, 2010.

Michael McGinn, Mayor

Filed by me this 2nd day of December, 2010.

(Seal) Monica Martinez-Simmons

City Clerk

Attachment A – Street Use Permit Fee Schedule effective January 1, 2011

See City Clerk for Attachment

Publication ordered by the City Clerk

Date of publication in the Seattle Daily Journal of Commerce, December 16, 2010.

12/16(264496)