KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

September 5, 2001

Ordinance 14199

Proposed No. 2001-0288.3 **Sponsors** von Reichbauer and McKenna

AN ORDINANCE relating to reorganization of the executive branch; amending Ordinance 5962, section 2, and K.C.C. 2.12.080; Ordinance 11955, section 2, and K.C.C. 2.16.020; Ordinance 12075, section 3, as amended, and K.C.C. 2.16.025; Ordinance 11955, section 9, as amended, and K.C.C. 2.16.045; Ordinance 11955, section 5, as amended, and K.C.C. 2.16.055; Ordinance 14005, section 3, and K.C.C. 2.16.0755; Ordinance 13263, section 42, and K.C.C. 2.16.097; Ordinance 11955, section 12, and K.C.C. 2.16.100; Ordinance 11955, section 13, as amended, and K.C.C. 2.16.110; Ordinance 11955, section 11, as amended, and K.C.C. 2.16.140; Ordinance 12341, section 1, and K.C.C. 2.16.250; Ordinance 13623, section 1, and K.C.C. 2.36.055; Ordinance 11417, section 6, and K.C.C. 2.40.040; Ordinance 12075, section 12, and K.C.C. 2.40.050; Ordinance 12014, section 2, and K.C.C. 3.04.017; Ordinance 12014, section 3, and

K.C.C. 3.04.030; Ordinance 1308, section 6, as amended, and K.C.C. 3.04.050; Ordinance 1321, section 5, as amended, and K.C.C. 3.04.110; Ordinance 12014, section 31, and K.C.C. 3.12.330; Ordinance 12943, section 14, and K.C.C. 3.12A.020; Ordinance 12014, section 56, as amended, and K.C.C. 3.24.170; Ordinance 12077, section 13, and K.C.C. 3.30.040; Ordinance 12076, section 8, and K.C.C. 4.08.005; Ordinance 12076, section 9, as amended, and K.C.C. 4.08.015; Ordinance 12076, section 10, as amended, and K.C.C. 4.08.025; Ordinance 12076, section 7, and K.C.C. 4.08.030; Ordinance 12076, section 11, and K.C.C. 4.08.035; Ordinance 3521, section 1, and K.C.C. 4.08.040; Ordinance 12076, section 15, and K.C.C. 4.08.070; Ordinance 12076, section 16, and K.C.C. 4.08.090; Ordinance 12076, section 17, and K.C.C. 4.08.100; Ordinance 12076, section 18, and K.C.C. 4.08.110; Ordinance 12076, section 19, and K.C.C. 4.08.130; Ordinance 12076, section 20, and K.C.C. 4.08.140; Ordinance 12076, section 25, as amended, and K.C.C. 4.08.210; Ordinance 12076, section 32, and K.C.C. 4.08.280; Ordinance 11591, section 1, and K.C.C. 4.08.290; Ordinance 12144, sections 1 and 2 , and K.C.C. 4.08.295; Ordinance 14008, section 1, and

K.C.C. 4.08.297; Ordinance 13325, sections 5, 6 and 7, and
K.C.C. 4.08.315; Ordinance 13302, sections 1 and 2, and
K.C.C. 4.08.325; Ordinance 13733, section 9, and
K.C.C. 4.08.327; Ordinance 12076, section 33, and
K.C.C. 4.10.010; Ordinance 12076, section 34, and
K.C.C. 4.10.040; Ordinance 12076, section 35, and
K.C.C. 4.10.050; Ordinance 7112, section 6, and
K.C.C. 4.10.060; Ordinance 7112, section 7, and
K.C.C. 4.10.070; Ordinance 7112, section 9, and
K.C.C. 4.10.090; Ordinance 12076, section 36, as amended,
and K.C.C. 4.10.110; Ordinance 12076, section 37, and
K.C.C. 4.10.120; Ordinance 7112, section 13, and
K.C.C. 4.10.130; Ordinance 12076, section 41, and
K.C.C. 4.14.030; Ordinance 12076, section 42, and
K.C.C. 4.14.040; Ordinance 12138, section 6, and
K.C.C. 4.16.010; Ordinance 12138, section 7, and
K.C.C. 4.16.025; Ordinance 12138, section 9, and
K.C.C. 4.16.040; Ordinance 12138, section 10, and
K.C.C. 4.16.070; Ordinance 12138, section 11, as amended,
and K.C.C. 4.16.080; Ordinance 10581, section 8, as
amended, and K.C.C. 4.16.085; Ordinance 3441, section 8,
as amended, and K.C.C. 4.16.090; Ordinance 12138,
section 12, and K.C.C. 4.16.095; Ordinance 12138, section

13, and K.C.C. 4.16.100; Ordinance 12138, section 14, and
K.C.C. 4.16.110; Ordinance 12076, section 45, and
K.C.C. 4.16.130; Ordinance 12138, section 22, and
K.C.C. 4.16.140; Ordinance 12138, section 16, and
K.C.C. 4.16.142; Ordinance 12138, section 19, and
K.C.C. 4.16.155; Ordinance 12138, section 20, and
K.C.C. 4.16.165; Ordinance 12138, section 23, and
K.C.C. 4.16.175; Ordinance 13983, section 3, and
K.C.C. 4.19.030; Ordinance 12076, section 46, and
K.C.C. 4.20.020; Resolution 9490 (part) and
K.C.C. 4.36.010; Resolution 9490 (part), as amended, and
K.C.C. 4.36.020; Ordinance 12076, section 47, and
K.C.C. 4.42.040; Ordinance 9279, section 9, and
K.C.C. 4.42.070; Ordinance 12076, section 49, and
K.C.C. 4.42.100; Ordinance 12076, section 50, and
K.C.C. 4.44.010; Ordinance 12076, section 51, and
K.C.C. 4.52.010; Ordinance 12045, section 21, and
K.C.C. 4.56.030; Ordinance 12045, section 20 and
K.C.C. 4.56.035; Ordinance 12045, section 3, and
K.C.C. 4.56.040; Ordinance 12045, section 2, and
K.C.C. 4.56.050; Ordinance 12045, section 4, as amended,
and K.C.C. 4.56.060; Ordinance 12045, section 5, as
amended, and K.C.C. 4.56.070; Ordinance 12045, section

6, and K.C.C. 4.56.075; Ordinance 12394, section 3, and
K.C.C. 4.56.085; Ordinance 12045, section 10, as amended,
and K.C.C. 4.56.100; Ordinance 12045, section 11, and
K.C.C. 4.56.115; Ordinance 12045, section 12, and
K.C.C. 4.56.130; Ordinance 12045, section 13, as
amended, and K.C.C. 4.56.140, Ordinance 12045, section
14, as amended, and K.C.C. 4.56.150; Ordinance 12045,
section 15, as amended, and K.C.C. 4.56.160; Ordinance
12045, section 16, and K.C.C. 4.56.170; Ordinance 12192,
section 1, and K.C.C. 4.56.195; Ordinance 12076, section
52, and K.C.C. 4.57.010; Ordinance 10326, section 2, and
K.C.C. 4.62.020; Ordinance 10326, section 3, and
K.C.C. 4.62.030; Ordinance 12076, section 55, as amended,
and K.C.C. 4.64.030; Ordinance 12076, section 56, and
K.C.C. 4.68.010; Ordinance 12076, section 59, and
K.C.C. 4.84.020; Ordinance 14006, section 2, and
K.C.C. 4.98.010; Ordinance 13923, section 4, and
K.C.C. 4.100.020; Ordinance 13923, section 5, and
K.C.C. 4.100.030; Ordinance1888, article 1, section 2, and
K.C.C. 6.01.010; Ordinance 1492, section 23, and
K.C.C. 6.24.180; Ordinance 1710, section 5, and
K.C.C. 6.27.050; Ordinance 10159, section 3, as amended,
and K.C.C. 6.27A.010; Ordinance 10159, section 16, as

amended, and K.C.C. 6.27A.140; Ordinance 10159, section 25, and K.C.C. 6.27A.230; Ordinance 10159, section 28, and K.C.C. 6.27A.260; Ordinance 10498, section 1, and K.C.C. 6.64.010; Ordinance 8659, section 2, and K.C.C. 6.72.020; Ordinance 1603, section 1, as amended, and K.C.C. 6.76.010; Ordinance 5225, section 2 (part), as amended, and K.C.C. 7.08.010; Ordinance 6798, section 1, as amended, and K.C.C. 7.12.010; Ordinance 6798, section 69, as amended, and K.C.C. 7.12.690; Resolution 36164, as amended, and K.C.C. 7.16.010; Ordinance 9163, section 2, as amended, and K.C.C. 9.04.020; Ordinance 2281, section 6, as amended, and K.C.C. 9.04.070; Ordinance 13191, section 10, and K.C.C. 9.04.115; Ordinance 4938, section 12, as amended, and K.C.C. 9.04.140; Ordinance 7590, section 1, as amended, and K.C.C. 9.08.010; Ordinance 7590, section 14, as amended, and K.C.C. 9.08.110; Ordinance 10636, section 3, as amended, and K.C.C. 9.12.015; Ordinance 10636, section 4, as amended, and K.C.C. 9.12.025; Ordinance 10636, section 5, as amended, and K.C.C. 9.12.035; Ordinance 10636, section 6, as amended, and K.C.C. 9.12.045; Ordinance 10636, section 7, as amended, and K.C.C. 9.12.050; Ordinance 8891, section 3, as amended, and K.C.C. 10.04.020;

Ordinance 800, section 3, as amended, and
K.C.C. 10.12.030; Ordinance 800 (part), as amended, and
K.C.C. 10.12.060; Ordinance 9240, section 3, and
K.C.C. 10.16.030; Ordinance 11949, section 5, and
K.C.C. 10.22.035; Ordinance 6862, section 1, and
K.C.C. 10.28.010; Ordinance 6862, section 2, as amended,
and K.C.C. 10.28.020; Ordinance 6862, sections 3 and 4 ,
and K.C.C. 10.28.030; Ordinance 9464, section 2, and
K.C.C. 11.06.020; Ordinance 5280, section 2, as amended,
and K.C.C. 12.20.020; Ordinance 13263, section 53, and
K.C.C. 12.20.150; Ordinance 8625, section 2, and
K.C.C. 12.22.020; Ordinance 1198, sections 2 and 3 , as
amended, and K.C.C. 12.44.250; Ordinance 1239, sections
2 through 9 , as amended, and K.C.C. 12.44.260; Ordinance
1468, sections 2 and 3 , as amended, and K.C.C. 12.44.280;
Ordinance 2086, section 1, and K.C.C. 12.44.300;
Ordinance 2875, section 1, and K.C.C. 12.44.310;
Ordinance 3038 and K.C.C. 12.44.320; Ordinance 4965,
section 1, and K.C.C. 12.44.330; Ordinance 4966, section
1, and K.C.C. 12.44.340; Ordinance 6015 and
K.C.C. 12.44.610; Ordinance 6355 and K.C.C. 12.44.740;
Ordinance 6384 and K.C.C. 12.44.750; Ordinance 6889
and K.C.C. 12.44.760; Ordinance 6909 and

K.C.C. 12.44.770; Ordinance 8847 and K.C.C. 12.44.780; Ordinance 9860 and K.C.C. 12.44.790; Ordinance 10311 and K.C.C. 12.44.800; Ordinance 10758 and K.C.C. 12.44.810; Ordinance 12433, section 1, and K.C.C. 12.44.820; Ordinance 4257, section 6, and K.C.C. 12.46.050; Ordinance 2041, section 2, and K.C.C. 12.54.020; Ordinance 5991, sections 1 and 2, and K.C.C. 12.68.770; Ordinance 10154, section 4, as amended, and K.C.C. 12.82.040; Ordinance 10393, section 1, as amended, and K.C.C. 12.82.070; Ordinance 10508, section 1, and K.C.C. 12.82.080; Ordinance 10509, section 1, and K.C.C. 12.82.090; Ordinance 10689, section 1, and K.C.C. 12.82.100; Ordinance 10690, section 1, and K.C.C. 12.82.110; Ordinance 10723 and K.C.C. 12.82.120; Ordinance 10724 and K.C.C. 12.82.130; Ordinance 10793, section 1, and K.C.C. 12.82.140; Ordinance 11006 and K.C.C. 12.82.150; Ordinance 11040 and K.C.C. 12.82.160; Ordinance 11080, section 1, and K.C.C. 12.82.180; Ordinance 11979, section 1, and K.C.C. 12.82.190; Ordinance 11991 and K.C.C. 12.82.200; Ordinance 11071, section 1, as amended, and K.C.C. 12.82.400; Ordinance 4307, section 2, as amended, and K.C.C. 13.24.020; Ordinance 1709, section 6, as amended, and

K.C.C. 13.24.080; Ordinance 1709, section 8, as amended, and K.C.C. 13.24.100; Ordinance 665, section 1, and K.C.C. 14.04.010; Ordinance 665, section 5, and K.C.C. 14.04.050; Ordinance 665, section 9, and K.C.C. 14.04.090; Ordinance 5701, section 18, as amended, and K.C.C. 14.16.170; Ordinance 336 (part), as amended, and K.C.C. 14.20.020; Resolution 22903 (part), as amended, and K.C.C. 14.24.010; Resolution 22903 (part), as amended, and K.C.C. 14.24.020; Ordinance 4895, section 6, as amended, and K.C.C. 14.28.060; Ordinance 4895, section 11, and K.C.C. 14.28.090; Ordinance 7025, section 5, and K.C.C. 14.30.025; Resolution 9793 (part), as amended, and K.C.C. 14.32.220; Ordinance 129, section 1, as amended, and K.C.C. 14.40.015; Ordinance 129, section 3, as amended, and K.C.C. 14.40.030; Ordinance 129, section 4, as amended, and K.C.C. 14.40.040; Ordinance 11187, section 1, and K.C.C. 14.42.010; Ordinance 11790, section 1, and K.C.C. 14.44.055; Ordinance 1711, section 8, as amended, and K.C.C. 14.44.080; Ordinance 1711, section 9, and K.C.C. 14.44.090; Ordinance 1711, section 10, and K.C.C. 14.44.100; Ordinance 1711 (part), as amended, and K.C.C. 14.44.110; Ordinance 4099, section 2, and K.C.C. 14.46.020; Ordinance 4099, section 3, and

K.C.C. 14.46.030; Ordinance 1503, section 1, and
K.C.C. 14.48.010; Ordinance 1503, section 2, and
K.C.C. 14.48.020; Ordinance 1503, section 3, and
K.C.C. 14.48.030; Ordinance 1503, section 4, and
K.C.C. 14.48.040; Ordinance 3027, section 2, and
K.C.C. 14.52.020; Ordinance 3027, section 3, and
K.C.C. 14.52.030; Ordinance 3027, section 4, and
K.C.C. 14.52.040; Ordinance 3027, section 5, and
K.C.C. 14.52.050; Ordinance 11617, section 50, and
K.C.C. 14.75.110; Ordinance 7444, section 8, and
K.C.C. 15.90.080; Ordinance 1488, section 11, as amended, and K.C.C. 16.82.100; Ordinance 1488, section 12, as amended, and K.C.C. 16.82.110; Ordinance 9614, section 103, as amended, and K.C.C. 16.82.150; Ordinance 5770, section 302, and K.C.C. 18.12.020; Ordinance 9153, as amended, and K.C.C. 20.12.430; Ordinance 4461, section 2, as amended, and K.C.C. 20.24.080; Ordinance 1076, section 3, as amended, and K.C.C. 20.36.030; Ordinance 10511, section 7, as amended, and K.C.C. 20.36.100; Ordinance 12969, section 1, and K.C.C. 20.36.150; Ordinance 10870, section 177, and K.C.C. 21A.06.685; Ordinance 10870, section 330, as amended, and K.C.C. 21A.08.030; Ordinance 10870, section 337, as

225 amended, and K.C.C. 21A.08.100; Ordinance 10870,
226 section 364, as amended, and K.C.C. 21A.14.040;
227 Ordinance 11168, section 3, and K.C.C. 21A.30.045;
228 Ordinance 11168, sections 6 - 8, and K.C.C. 21A.30.064;
229 Ordinance 11168, section 14, and K.C.C. 21A.30.075;
230 Ordinance 10870, section 583, as amended, and
231 K.C.C. 21A.39.020; Ordinance 13275, section 1, and
232 K.C.C. 21A.55.050; Ordinance 13274, section 4, as
233 amended, and K.C.C. 21A.55.130; Ordinance 13274,
234 section 7, and K.C.C. 21A.55.160; Ordinance 13733,
235 section 10, and K.C.C. 21A.55.210; Ordinance 13733,
236 section 11, and K.C.C. 21A.55.220; Ordinance 13733,
237 section 12, and K.C.C. 21A.55.230; Ordinance 13733,
238 section 15, and K.C.C. 21A.55.260; Ordinance 13263,
239 section 3, and K.C.C. 23.02.010; Ordinance 13263, section
240 13, and K.C.C. 23.02.120; Ordinance 13659, section 2, and
241 K.C.C. 27.02.085; Ordinance 12020, section 13, and
242 K.C.C. 27A.30.020; Ordinance 12020, section 16, and
243 K.C.C. 27A.30.050; Ordinance 11034, section 3 (part), as
244 amended, and K.C.C. 28.82.210; Ordinance 11034, section
245 3 (part), as amended, and K.C.C. 28.82.220; Ordinance
246 11034, section 4, as amended, and K.C.C. 28.84.040;
247 Ordinance 13680, section 16, and K.C.C. 28.86.160;

248 Ordinance 13680, section 18, and K.C.C. 28.86.180;
249 Ordinance 5292, section 5, and K.C.C. 46.04.040; adding a
250 new section to K.C.C. chapter 2.16; and repealing
251 Ordinance 11955, section 4, as amended, and
252 K.C.C. 2.16.050, Ordinance 11955, section 8, as amended,
253 and K.C.C. 2.16.075, Ordinance 11955, section 10, as
254 amended, and K.C.C. 2.16.095, Ordinance 1965, section 1,
255 as amended, and K.C.C. 2.16.160, Ordinance 11955,
256 section 7, as amended, and K.C.C. 2.16.165, Ordinance
257 9024, sections 1 - 3 (part), and K.C.C. 10.20.010,
258 Ordinance 9024, section 1 (part), and K.C.C 10.20.020,
259 Ordinance 9024, section 2, and K.C.C. 10.20.030,
260 Ordinance 9024, sections 3 (part) and 5, and
261 K.C.C. 10.20.040 and Ordinance 9024, section 4,
262 K.C.C. 10.20.050 and Ordinance 11034, section 4, as
263 amended, and K.C.C. 28.84.040.
264 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:
265 SECTION 1. **Policy Direction to Executive**. In adopting this ordinance, it is the
266 council's intent that the transition to the reorganized government occur with the least
267 possible impacts on county employees and on the services the county provides. In
268 implementing this reorganization and any future reorganization efforts, the executive is
269 directed to ensure that:

A. Elimination of management and administrative positions are cons~~idered~~ prior to positions that provide direct services;

B. All personnel actions do not discriminate against any protected class or group and are consistent with the adopted affirmative action plan, which, among other things, encourages developing and maintaining a work environment that promotes diversity, equity and productivity;

C. All layoff and recall actions are consistent with existing collective bargaining agreements and provisions of the county code regarding all career service employees and follow effective communication protocols;

D. Job placement and referral services are provided to employees who have received layoff notices;

E. The skills and expertise necessary to accomplish the county's mission and mandates are retained to the extent feasible;

F. The requirements of the Accountancy Act, RCW 43.09.210, and other local, state and federal laws relating to use of restricted funds or revenues are followed.

SECTION 2. **Relationship Between Reorganization and Budget.** Adoption of this reorganization ordinance does not indicate approval of any reductions in county services that would impact county employees or the public. The council will review and consider the impacts of any proposed reductions in county services during consideration of the 2002 executive proposed budget and make appropriations accordingly.

SECTION 3. **Classification/Compensation Policy.** King County conducted a comprehensive classification/compensation survey during the major reorganization of county government at the time of the merger with the municipality of metropolitan

293 Seattle. Nothing in this ordinance creates an obligation for the county ~~to conduct~~ a
294 countywide classification and compensation study. The council intends that the further
295 reorganization of county government implemented by this ordinance shall not create
296 additional position classification disparities necessitating additional compensation
297 adjustments for all employee classification levels. However, individual positions may be
298 subject to classification review and adjustment.

299 SECTION 4. **Budget, Customer Service and Natural Resources Reports.**

300 The deputy county executive, who fulfills the duties and responsibilities of the
301 county administrative officer as set forth in K.C.C. 2.16.020A, is directed to transmit the
302 following reports with the 2002 executive proposed budget:

303 **A. Fiscal Impacts.**

304 1. A report reconciling the differences between the cost savings and FTE
305 reductions identified by the executive in July 2001 and those in the 2002 executive
306 proposed budget. At a minimum, the report shall also include:

307 a. Estimated costs and savings related to technology, motor pool, leases,
308 personnel (payroll) and benefits, relocating the offices of county employees, signage,
309 name changes and customer services;

310 b. Departure costs for those employees who lost positions as a result of the
311 reorganization, including job referral and placement services, vacation payout and
312 unemployment costs; and

313 c. Status of assets that may be either transferred between agencies or
314 disposed of by agencies, or both.

2. Amended financial plans and policies for current expense and ~~enterprise~~ funds.

3. Mission statements for each county department and agency.

B. **Customer Service.**

1. A plan for implementing the reorganization and the steps to be taken to ensure that the reorganization has the least possible impact on the public and customer service. At a minimum, the plan shall contain:

a. A delineation of services and programs that are being eliminated, reduced or otherwise modified;

b. The identification of steps to quickly and courteously direct customers to appropriate services impacted by this reorganization, including, but not limited to, automated telephone switching, refinements to the county world wide web page and transitional mail forwarding service;

c. A strategy for providing appropriate information to agencies and staff who will be required, as part of their usual and customary duties, to explain the reorganization to customers; and

d. Steps to meet with and inform those affected by the reorganization, including, but not limited to, county citizens, employees, the respective political parties, the league of women voters, the suburban cities association and other interested parties.

C. Natural Resource Lands

1. A report on implementation merger of the parks department and the department of natural resources regarding the management of parks and resource lands. At a minimum, the report shall include:

338 a. An inventory of natural resource properties;

339 b. A description of how these lands will be managed;

340 c. Maintenance costs for lands managed by the department of natural
341 resources and parks;

342 d. Staffing levels for lands managed by the department of natural resources
343 and parks; and

344 e. Funding sources and uses for lands managed by the department of
345 natural resources and parks.

346 SECTION 5. **Post-Implementation Evaluation.**

347 A. The county administrative officer shall conduct an evaluation and prepare a
348 report on the reorganization. For these purposes "reorganization" means those changes in
349 organizational structure or management and administrative FTE reductions, or both,
350 resulting from the adoption of this ordinance. At a minimum, the evaluation process shall
351 include:

352 1. The development, implementation and tracking of agency performance
353 measures and customer service measures, including any benchmarks, to gauge the
354 effectiveness of this reorganization;

355 2. The conduct of periodic, valid customer service surveys to determine impacts
356 to public access and to public and customer satisfaction with county services;

357 3. Cost savings, cost avoidances, operating efficiencies and service
358 improvements achieved and anticipated through reorganization, including an analysis of
359 centralizing internal administrative functions;

360 4. Quantified progress made in achieving the performance measures ~~identified~~ in
361 subsection 1 of this section; and
362 5. A crosswalk reconciling FTE staffing changes, including the impact on the
363 use of overtime, temporary positions and term limited temporary positions.
364 B. A preliminary report outlining the information required in subsections A.3 and
365 A.5 of this section shall be filed with the chair of the council and the clerk of the council
366 by August 31, 2002 for consideration with the 2003 annual budget. A motion outlining
367 the criteria that will be used to define the performance measures and customer service
368 measures described in subsections A.1, A.2 and A.4 of this section shall be transmitted to
369 the council by August 31, 2002 for council review and approval.
370 C. A final report of the results of the evaluation, including updates on the
371 information provided in the preliminary report, shall be filed with the chair of the council,
372 the clerk of the council and the county auditor by August 1, 2003.
373 SECTION 6. **Postimplementation Audit.** The county auditor shall incorporate
374 in the auditor's office 2004 annual work program an assessment of the effectiveness of
375 this reorganization of county government. The scope of the audit shall include, but not
376 be limited to, a verification of cost savings, operational efficiencies and customer service
377 impacts and a review of the performance measures reported by the county administrative
378 officer in the post implementation evaluation.
379 SECTION 7. **Ongoing Review.** The reorganization of county government
380 implemented by this ordinance is subject to ongoing review by the executive and council.
381 Additional reorganization may be proposed based on customer service needs, newly
382 identified efficiencies and future fiscal constraints.

383 SECTION 8. **No Private Cause of Action.** Nothing in this ordinan~~ce~~ shall be
384 construed to give rise to any private cause of action.

385 SECTION 9. Ordinance 11955, section 4, as amended, and K.C.C. 2.16.050,
386 Ordinance 11955, section 8, as amended, and K.C.C. 2.16.075, Ordinance 11955, section
387 10, as amended, and K.C.C. 2.16.095, Ordinance 1965, section 1, as amended, and
388 K.C.C. 2.16.160, Ordinance 11955, section 7, as amended, and K.C.C. 2.16.165,
389 Ordinance 9024, sections 1 - 3 (part), and K.C.C. 10.20.010, Ordinance 9024, section 1
390 (part), and K.C.C 10.20.020, Ordinance 9024, section 2, and K.C.C. 10.20.030,
391 Ordinance 9024, sections 3 (part) and 5, and K.C.C. 10.20.040, Ordinance 9024, section
392 4, and K.C.C. 10.20.050, and Ordinance 11034, section 4, as amended, and
393 K.C.C. 28.84.040 are each hereby repealed.

394 SECTION 10. Ordinance 5962, section 2, and K.C.C. 2.12.080 are hereby
395 amended to read as follows:

396 **Sale of copies of code.** The ((~~general~~)) records, elections and licensing services
397 division shall be permitted and authorized to sell copies of the King County code to
398 subscribers other than county agencies/departments for a fee of one hundred fifty dollars
399 plus an additional charge of ten cents per page for quarterly supplements.

400 NEW SECTION. SECTION 11. There is hereby added to K.C.C. chapter 2.16 a
401 new section to read as follows:

402 **Department of executive services.** The department of executive services
403 shall be managed by the county administrative officer. The department shall include the
404 information and telecommunications services division, the records, elections and
405 licensing division, the finance and business operations division, the human resources

management division, the facilities management division, the administrative office of information resources management, the administrative office of risk management, the administrative office of emergency management and the administrative office of civil rights. In addition, the chief administrative officer shall be responsible for providing staff support for the board of ethics.

A. The duties of the information and telecommunications services division shall include the following:

1. Designing, developing, operating, maintaining and enhancing computer information systems for the county and other contracting agencies, except for geographic information systems which shall be administered by the department of natural resources and parks;

2. Managing the cable communications provisions set forth in K.C.C. chapter 6.27A;

3. Negotiating and administering cable television and telecommunication franchises pursuant to K.C.C. chapter 6.27;

4. Providing telephone system design, installation, maintenance and repair;

5. Managing and operating the centralized printing and graphic arts services;

6. Providing internal communications and public information services including setting standards for and preparing informational publications, except to the extent to which the council decides, as part of the annual appropriation ordinance, to fund

428 selected departmental level internal communications and public information ~~services~~ in
429 certain departments or divisions; and
430 7. Administering the emergency radio communication system under
431 K.C.C. chapter 2.58, but not including the radio communication and data system operated
432 and maintained by the department of transportation.
433 B. The duties of the records, elections and licensing services division shall
434 include the following:
435 1. Conducting all special and general elections held in the county and
436 registering voters;
437 2. Issuing marriage, vehicle/vessel , taxicab and for-hire driver and
438 vehicle and pet licenses, collecting license fee revenues and providing licensing services
439 for the public;
440 3. Enforcing county and state laws relating to animal control;
441 4. Managing the recording, processing, filing, storing, retrieval, and
442 certification of copies as required, of all public documents filed with the division;
443 5. Processing all real estate tax affidavits;
444 6. Acting as the official custodian of all county records, per general law,
445 except as otherwise provided by ordinance; and
446 7. Managing the printing and distribution of the King County Code and
447 supplements to the public.
448 C. The duties of the finance and business operations division shall include the
449 following:

450 1. Monitoring revenue, expenditures for the county. The co~~llection~~ and
451 reporting of revenue and expenditure data shall provide sufficient information to the
452 executive and to the council. The division shall be ultimately responsible for maintaining
453 the county's official revenue and expenditure data;
454 2. Performing the functions of the county treasurer;
455 3. Billing and collecting real and personal property taxes, local
456 improvement district assessments and gambling taxes;
457 4. Processing transit revenue;
458 5. Receiving and investing all county and political subjurisdiction
459 moneys;
460 6. Managing the issuance and payment of the county's debt instruments;
461 7. Managing the accounting systems and procedures;
462 8. Managing the fixed assets system and procedures;
463 9. Formulating and implementing financial policies for other than
464 revenues and expenditures for the county and other applicable agencies;
465 10. Administering the accounts payable and accounts receivable functions;
466 11. Collecting fines and monetary penalties imposed by district courts;
467 12. Developing and administering procedures for the procurement of and
468 awarding of contracts for tangible personal property, services, professional or technical
469 services and public work in accordance with K.C.C. chapter 4.16 and applicable federal
470 and state laws and regulations;
471 13. Establishing and administering procurement and contracting methods,
472 and bid and proposal processes, to obtain such procurements;

14. In consultation with the prosecuting attorney's office and ~~office~~ of risk management, developing and overseeing the use of standard procurement and contract documents for such procurements;

5. Administering contracts for goods and such services that are provided to more than one department;

16. Providing comment and assistance to departments on the development of specifications and scopes of work, in negotiations for such procurements, and in the administration of contracts;

17. Assisting departments to perform cost or price analyses for the procurement of such tangible personal property, services, and professional or technical services, and price analysis for public work procurements;

18. Developing, maintaining and revising as may be necessary from time to time the county's general terms and conditions for contracts for the procurement of tangible personal property, services, professional or technical services and public work;

19. Managing the payroll system and procedures; and

20. Managing and developing financial policies for borrowing of funds, financial systems and other financial operations for the county and other applicable agencies.

D. The duties of the human resources management division shall include the following:

1. Developing and administering training and organizational development programs, including centralized employee and supervisory training and other employee development programs;

496 2. Developing proposed and administer adopted policies and procedures for
497 employment (recruitment, examination and selection), classification and compensation,
498 and salary administration;
499 3. Developing proposed and administering adopted human resources policy;
500 4. Providing technical and human resources information services support;
501 5. Administering insured and noninsured benefits programs, including
502 health care benefits, leave programs, deferred compensation and other special benefits,
503 such as dependent care assistance and wellness and work/family programs;
504 6. Developing and administering diversity management and employee
505 relations programs, including affirmative action plan development and administration,
506 management and supervisory diversity training and conflict resolution training;
507 7. Developing and administering workplace safety programs, including
508 inspection of work sites and dissemination of safety information to employees to promote
509 workplace safety;
510 8. Administering the county's self-funded industrial insurance/worker's
511 compensation program, as authorized by Title 51 RCW;
512 9. Representing county agencies in the collective bargaining process as
513 required by chapter 41.56 RCW;
514 10. Representing county agencies in labor arbitrations, appeals and
515 hearings including those set forth chapter 41.56 RCW and required by K.C.C. Title 3;
516 11. Administering labor contracts and provide consultation to county
517 agencies regarding the terms and implementation of negotiated labor agreements;

518 12. Advising the executive and council on overall county ~~labor~~ and
519 employee policies;
520 13. Providing labor relations training for county agencies, executive,
521 council and others;
522 14. Overseeing the county's unemployment compensation program; and
523 15. Developing and maintaining databases of information relevant to the
524 collective bargaining process.
525 E. The duties of the facilities management division shall include the following:
526 1. Overseeing space planning for county agencies;
527 2. Administering and maintaining in good general condition the county's
528 buildings except for those managed and maintained by the departments of natural
529 resources and transportation;
530 3. Operating security programs for county facilities except as otherwise
531 determined by the council;
532 4. Administering all county facility parking programs except for public
533 transportation facility parking;
534 5. Administering the supported employment program;
535 6. Managing all real property owned or leased by the county, except as provided
536 in K.C.C. chapter 4.56, ensuring, where applicable, that properties generate revenues
537 closely approximating fair market value;
538 7. Maintaining a current inventory of all county owned or leased real property;
539 8. Functioning as the sole agent for the disposal of real properties deemed
540 surplus to the needs of the county;

541 9. In accordance with K.C.C. chapter 4.04, providing support services to county
542 agencies in the acquisition of real properties, except as otherwise specified by ordinance;
543 10. Issuing oversized vehicle permits, franchises and permits and easements for
544 the use of county property except franchises for cable television and telecommunications;
545 11. Overseeing the development of capital projects for all county agencies
546 except for specialized roads, solid waste, public transportation, airport, water pollution
547 abatement, and surface water management projects;
548 12. Being responsible for all general projects, such as office buildings or
549 warehouses, for any county department including, but not limited to, the following:
550 a. Administering professional services and construction contracts;
551 b. Acting as the county's representative during site master plan, design and
552 construction activities;
553 c. Managing county funds and project budgets related to capital improvement
554 projects;
555 d. Assisting county agencies in the acquisition of appropriate facility sites;
556 e. Formulating guidelines for the development of operational and capital
557 improvement plans;
558 f. Assisting user agencies in the development of Capital Improvement and
559 Project Program Plans, as defined and provided for in K.C.C. chapter 4.04;
560 g. Formulating guidelines for the use of life cycle cost analysis and applying
561 these guidelines in all appropriate phases of the capital process;
562 h. Ensuring the conformity of capital improvement plans with the adopted
563 space plan and approved operational master plans;

564 i. Developing project cost estimates that are included in capital improvement
565 plans, site master plans, capital projects and annual project budget requests;
566 j. Providing advisory services and/or feasibility studies to projects as required
567 and for which there is budgetary authority;
568 k. Coordinating with user agencies to assure user program requirements are
569 addressed through the capital development process as set forth in this chapter and in
570 K.C.C. Title 4;
571 l. Providing engineering support on capital projects to user agencies as
572 requested and for which there is budgetary authority; and
573 m. Providing assistance in developing the executive budget for capital
574 improvement projects.
575 F. The duties of the administrative office of risk management shall include the
576 management of the county's insurance and risk management programs consistent with
577 K.C.C. chapter 4.12.
578 G. The duties of the administrative office of emergency management shall
579 include the following:
580 1. Planning for and providing effective direction, control and coordinated
581 response to emergencies;
582 2. Being responsible for the emergency management functions defined in K.C.C.
583 chapter 2.56; and
584 3. Managing the E911 emergency telephone program.
585 H. The duties of the administrative office of civil rights shall include the
586 following:

587 1. Enforcing nondiscrimination ordinances as codified in K.C.C. chap~~ters 12~~.17,
588 12.18, 12.20 and 12.22;
589 2. Assisting departments in complying with the federal Americans with
590 Disabilities Act of 1990, the federal Rehabilitation Act of 1973, Section 504, and other
591 legislation and rules regarding access to county programs, facilities and services for people
592 with disabilities;
593 3. Serving as the county Americans with Disabilities Act coordinator relating to
594 public access;
595 4. Providing staff support to the county civil rights commission;
596 5. Serving as the county federal Civil Rights Act Title VI coordinator; and
597 6. Coordinating county responses to federal Civil Rights Act Title VI issues and
598 investigating complaints filed under Title VI.
599 I. The duties of the administrative office of information resource management
600 shall include the following:
601 1. Identifying and establishing short-range, mid-range and long-range objectives
602 for information technology investments in the county;
603 2. Preparing and recommending for council approval a county information
604 technology strategic plan and annually updating the plan;
605 3. Recommending business and technical information technology projects for
606 funding as part of the county's strategic planning process;
607 4. Recommending technical standards for the purchase, implementation and
608 operation of computing hardware, software and networks as part of the county's strategic
609 planning process;

610 5. Recommending countywide policies and standards for privacy, se~~curity~~ and
611 protection of data integrity in technology infrastructure, electronic commerce and
612 technology vendor relationships as part of the county's strategic planning process;
613 6. Recommending information technology service delivery models for the
614 information and telecommunications services division and the county's satellite
615 information technology centers;
616 7. Establishing a standard process for information technology project
617 management, including requirements for project initiation and review, parameters for
618 agency contracts with information technology vendors, and reporting requirements to
619 facilitate monitoring of project implementation;
620 8. Establishing criteria for determining which information technology projects
621 will be monitored centrally;
622 9. Monitoring project implementation when projects meet the established
623 criteria;
624 10. Releasing the funding for each phase of those projects subject to central
625 oversight based on successful reporting and completion of milestones;
626 11. Recommending budgetary changes in the funding of information technology
627 projects to the executive and council, as appropriate;
628 12. Recommending project termination, as appropriate;
629 13. Conducting postimplementation information technology project review; and
630 14. Reporting annually on information technology performance to the executive
631 and the council.

632 SECTION 12. Ordinance 11955, section 2, and K.C.C. 2.16.020 are ~~hereby~~
633 amended to read as follows:
634 **Executive branch of county government – Policy regarding organizational**
635 **structure.**
636 A. ((~~ORGANIZATION.~~))The organization of the executive branch, as described
637 in this section of the code, is intended to comply with Article 3 of the county charter.
638 Accordingly, the executive branch shall consist of:
639 1. The county executive;
640 2. The ((~~deputy county executive who shall be that officer fulfilling the duties~~
641 ~~and responsibilities of the position identified in the charter as~~))county administrative
642 officer;
643 3. Specific organizational units, classified "administrative offices" assigned to
644 the ((~~deputy county executive~~))county administrative officer, having a specified function
645 by which it will assist that officer in performing assigned responsibilities;
646 4. Specific organizational units, classified "executive departments" determined
647 by major assigned function or process((~~. Executive departments shall be categorized as~~
648 ~~follows:~~)); and
649 ((~~a. line departments, having the responsibility for the provision of specific~~
650 ~~governmental services to or for the residents of the county;~~))
651 ((~~b. staff departments, having the responsibility for the provision of~~
652 ~~administrative services to or for the various agencies of county government;~~))
653 5. Specific organizational units within departments and administrative offices,
654 where created by ordinance, classified "divisions" to which will be delegated the

655 responsibility of efficiently and effectively carrying out assigned departmental~~ or office
656 functions and duties.

657 B. ((~~STRUCTURE.~~))County agencies referenced in this chapter, and county
658 boards, commissions, committees and other multi-member bodies except the board of
659 appeals and the personnel board, shall individually and collectively constitute the
660 organizational structure of the executive branch of King County government.

661 C. ((~~UNIT TITLES.~~))Titles of agencies of the executive branch of county
662 government as used in this section shall be the official organizational unit titles. Where
663 necessary or appropriate, the clerk of the council is authorized to change the titles of
664 executive branch agencies where appearing in other ordinances or sections of the code to
665 conform with the unit titles used herein.

666 D. ((~~AUTHORITY TO ACT.~~))The director of each executive department, chief
667 officer of each administrative office, and manager of each division may exercise the
668 powers vested in that department, administrative office, or division. None of these
669 positions may exercise authority over another organizational unit for more than sixty days
670 without council approval by ordinance; provided, that this shall not be construed to limit
671 the authority of a department director or chief officer of an administrative office over
672 divisions within his or her department or office.

673 E. ((~~GENERAL SUPPORT BY AND DUTIES OF EXECUTIVE~~
674 ~~DEPARTMENTS AND ADMINISTRATIVE OFFICES.~~))To ensure accountability,
675 efficiency, internal control, and consistency, each executive department,
676 ((~~and~~))administrative office and division may provide administrative and technical
677 support to functions and duties for which other executive departments,

((~~or~~))administrative offices or divisions have primary responsibility. Such ~~support~~ shall be provided ((~~at the departmental level and~~)) in conjunction with the departments, offices or divisions that have primary responsibility for the functions and duties. Such support may include, but is not limited to, the following:

1. Human resources and payroll;
2. Budget preparation and submittal, and financial and fiscal management;
3. Information, communication, media and community relations, printing, graphics, mail, records management and public disclosure;
4. Facilities and leased space maintenance and management;
5. Program analysis, and contract and performance evaluation and review;
6. Information systems and technology development;
7. Grants management; and
8. Liaison with county and external auditors.

To assist ((~~the departments~~))executive agencies to properly perform their assigned functions and duties, executive ((~~departments~~))agencies may establish and maintain contacts with state and federal agencies that regulate or provide financial assistance to the programs for which the ((~~departments~~))agencies are responsible, monitor state and federal legislative initiatives, and provide input to and on the county's legislative agenda through processes prescribed by the council.

To ensure the county complies with applicable state and federal laws, regulations and requirements, ((~~departments~~))executive agencies may undertake duties and functions as may be assigned by the executive and not assigned to another ((~~departments~~))agency by the council.

701 F. ((~~CITIZEN ADVISORY COMMITTEES.~~))Except as otherwise ~~assigned~~ by
702 the council, all executive ((~~departments~~))agencies shall provide support services to
703 citizen advisory committees that are established by the council.
704 SECTION 13. Ordinance 12075, section 3, as amended, and K.C.C. 2.16.025 are
705 hereby amended to read as follows:
706 **County executive ((~~and deputy county executive~~)).** The county executive ((~~and~~
707 ~~deputy county executive~~))shall manage and be fiscally accountable for the office of
708 budget, the office of regional planning and policy((~~, the office of human resources~~
709 ~~management~~))and the office of cultural resources.
710 A. The office of budget functions and responsibilities shall include, but not be
711 limited to:
712 1. Planning, preparing and managing, with emphasis on fiscal management and
713 control aspects, the annual operating and capital improvement budgets;
714 2. Preparing forecasts of and monitor revenues;
715 3. Monitoring expenditures and work programs in accordance with Section 475
716 of the King County Charter;
717 4. Developing and preparing expenditure plans and ordinances to manage the
718 implementation of the operating and capital improvement budgets throughout the fiscal
719 year;
720 5. Developing and using performance indicators to monitor and evaluate the
721 effectiveness and efficiency of county agencies;
722 6. Formulating and implementing financial policies regarding revenues and
723 expenditures for the county and other applicable agencies;

7. Performing program analysis, and contract and performance evaluation review; and

8. Monitoring revenue, expenditures, work program and performance indicator data and reporting on such data to provide sufficient information to the executive and to the council.

B. The office of regional planning and policy functions and responsibilities shall include, but not be limited to:

1. Managing and coordinating the implementation by departments of Growth Management Act requirements;

2. Developing proposed policies to address strategic planning, regional planning, economic development and housing planning;

3. Developing and overseeing the county((-))wide program for implementation of the county's comprehensive plan including coordinating:

a. the implementation of plans which are developed by departments;

b. the collection and analysis of land development, population, housing, natural resource enhancement, and economic activity data to aid decision making and to support implementation of county plans and programs, including benchmarks; and

c. the preparation of interlocal agreements between ((~~and/or among~~)) <u>any combination of</u> the county, cities and providers of necessary urban services such as sewer and water as needed to address common planning issues;

4. Coordinating county and regional planning with public and private agencies;

5. Managing programs and developing projects that promote economic development, assist communities and businesses in creating economic opportunities,

promote a diversified regional economy, promote job creation with the emphasis on family-wage jobs and improve county asset management;

6. Developing and managing housing programs and projects that implement Growth Management Act policies and have not been assigned to a department;

7. Providing assistance to other county departments to determine if real property or other assets may be managed for economic development purposes or administered in a manner that will provide revenue to the county;((~~and~~))

8. Managing children and family programs and provide administrative support to the children and family commission((~~.~~));

9. Managing the boost, apprenticeship and business development programs including the following functions:

a. administering the discrimination and affirmative action in employment by contractors', subcontractors' and vendors' policies under K.C.C. chapter 12.16;

b. administering the boost program for the use of small economically disadvantaged businesses on county contracts under K.C.C. chapter 4.19; and

c. administering the federal Americans with Disabilities Act of 1990 and federal Rehabilitation Act of 1973, Section 504, policies related to obligations of contractors with the county; and

10. Serving as the disadvantaged business enterprise liaison officer for federal Department of Transportation and other federal grant program purposes.

C. The executive may assign or delegate budgeting and strategic planning functions to employees in the office of the executive but shall not assign or delegate those functions to any departments.

770 ((~~D. The administrative office of human resources management shall manage and~~
771 ~~be fiscally accountable for the personnel services division, the employee benefits and~~
772 ~~well-being division, and the labor relations division. The director of the office, with the~~
773 ~~concurrence of the deputy county executive, may assign and reassign functions within the~~
774 ~~office and divisions under the office.~~
775 ~~1. Subject to assignment and reassignment by the director of the office, the~~
776 ~~functions of the personnel services division include:~~
777 ~~a. developing proposed and administer adopted policies and procedures for~~
778 ~~employment (recruitment, examination and selection), classification and compensation,~~
779 ~~and salary administration;~~
780 ~~b. developing proposed and administering adopted human resources policy;~~
781 ~~c. providing technical and human resources information services support; and~~
782 ~~d. developing and administering training and organizational development~~
783 ~~programs, including centralized employee and supervisory training and other employee~~
784 ~~development programs.~~
785 ~~2. Subject to assignment and reassignment by the director of the office, the~~
786 ~~functions of the employee benefits and well-being division include:~~
787 ~~a. administering insured and noninsured benefits programs, including health~~
788 ~~care benefits, leave programs, deferred compensation and other special benefits, such as~~
789 ~~dependent care assistance and wellness and work/family programs;~~
790 ~~b. develop and administer diversity management and employee relations~~
791 ~~programs, including affirmative action plan development and administration,~~
792 ~~management and supervisory diversity training and conflict resolution;~~

~~c. developing and administering workplace safety programs, including inspection of work sites and dissemination of safety information to employees to promote workplace safety; and~~

~~d. administering the county's self-funded industrial insurance/worker's compensation program, as authorized by Title 51, RCW.~~

~~3. Subject to assignment and reassignment by the director of the office, the functions of the labor relations division include:~~

~~a. representing county agencies in the collective bargaining process as required by chapter 41.56 RCW.~~

~~b. representing county agencies in labor arbitrations, appeals and hearings including those set forth chapter 41.56 RCW and required by K.C.C. Title 3;~~

~~c. administering labor contracts and provide consultation to county agencies regarding the terms and implementation of negotiated labor agreements;~~

~~d. advising the executive and council on overall county labor and employee policies;~~

~~e. providing labor relations training for county agencies, executive, council and others;~~

~~f. overseeing the county's unemployment compensation program; and~~

~~g. developing and maintaining databases of information relevant to the collective bargaining process.~~))

((~~E~~))D. The ((~~administrative~~))office of cultural resources shall plan, manage and be responsible for administering the county cultural programs, including, but not limited to, arts, heritage and historic preservation.

816 SECTION 14. Ordinance 11955, section 9, as amended, and K.C.C. 2~~.16.0~~45 are
817 hereby amended to read as follows:
818 **Department of natural resources and parks – duties – divisions.** A. The
819 department is responsible to manage and be fiscally accountable for the waste water
820 treatment division, water and land resources division, ((~~and~~))solid waste division and
821 parks and recreation division. The department shall manage, design, develop, operate,
822 maintain and enhance the geographic information systems for the county and other
823 contracting agencies. The department shall administer and implement the requirements
824 ((~~of sections 201 and 208~~))of the federal Clean Water Act, federal Endangered Species
825 Act, and other federal and state laws and regulations ((~~applicable~~))related to such
826 requirements. The department shall perform the metropolitan water pollution abatement
827 function (herein referred to as "the water quality program") as set forth in
828 chapter 35.58 RCW, K.C.C. Title 28 and other federal and state laws and regulations
829 applicable to such function; provided, that financial planning for and administration of
830 the water quality program shall be conducted consistent with financial policies approved
831 by the council. The department shall coordinate the county's National Pollutant
832 Discharge Elimination System (NPDES) municipal stormwater permit program. The
833 department shall provide the support to the county's participation in the regional water
834 supply planning process including the development of reclaimed water and the review of
835 local utility district plans for conformance with county plans and policies, and shall
836 participate in the process of preparing coordinated water system plans to ensure
837 conformance with county plans and policies. The department shall designate as natural
838 resource lands those county owned lands that serve important natural resource functions,

839 including but not limited to benefiting and protecting natural drainage systems~~, drainage~~
840 basins, flood control systems, eco systems, water quality, ground water, fisheries and
841 wildlife habitat, and other natural resource purposes. ((~~The department shall provide~~
842 ~~support services to the Commission for Marketing Recyclable Materials as established in~~
843 ~~K.C.C. 10.20.~~))The department will act to ensure integration of environmental programs
844 across utility and resource functions and to balance stewardship with economic
845 development issues. To ensure integration and balanced stewardship through the
846 director's office the department shall oversee strategic planning using staff resources
847 budgeted in the department's divisions. Strategic planning may include, but not be
848 limited to: integration of land and water resource protection; coordination of
849 groundwater, water reuse and water supply plan approval; development of new funding
850 approaches for resource protection; establishment of new partnerships with businesses,
851 community organizations and citizens; and better coordination of sewerage and flood
852 control facilities to prevent water quality degradation.

853 B. ((~~WASTE WATER TREATMENT DIVISION.~~))The duties of the waste
854 water treatment division shall include the following:

855 1. Administering the functions and programs related to the operation,
856 maintenance, construction, repair, replacement and improvement of the metropolitan
857 sewerage system and the financing thereof;

858 2. Administering the county's sewage disposal agreements with cities and
859 special districts;

860 3. ((~~Provide~~))Providing planning for the water quality capital program;
861 ((~~provide~~))providing design, engineering and construction management services related

to the water quality ((~~and surface water management~~))capital programs inclu~~ding ne~~w facilities development and maintenance of the existing infrastructure; and ((~~provide~~))providing support services such as project management, environmental review, permit and right-of-way acquisitions, scheduling and project control((~~.~~)); and

4. Regulating industrial discharges into the metropolitan sewerage system.

The council may assign responsibility for services ancillary to and in support of the operation and maintenance of the metropolitan water pollution abatement system under chapter 35.58 RCW, including, but not limited to, human resources, accounting, budgeting, finance, engineering, fleet administration, maintenance, laboratory, monitoring, inspection and planning, as it determines appropriate.

C. ((~~WATER AND LAND RESOURCES DIVISION.~~))The duties of the water and land resources division shall include the following:

1. ((~~Propose and/or update~~)) Proposing or updating, or both, and ((~~implement~~))implementing adopted policies, plans and programs relating to water and land resources, ((~~agriculture,~~)) open space ((~~forestry~~)) and other natural resources which protect fisheries, natural resources, water quality, ground water, and which solve and prevent drainage problems;

2. ((~~Respond~~))Responding to major river floods ((~~and provide comprehensive solutions to local~~))and addressing drainage problems in unincorporated portions of the county as provided in K.C.C. Title 9, the Surface Water Management Program, in K.C.C. chapter 20.12, the King County Flood Hazard Reduction Plan Policies, and other policies established by the council;

3. Within available resources, ((~~maintain~~))maintaining major river ch~~annels~~, and surface and storm drainage systems and lands((~~as deemed necessary~~)) to minimize ((~~county liability from flooding~~))flood hazards and protect fisheries resources, drainage systems and lands, and water quality;

4. ((~~Provide~~))Providing coordination and technical assistance within the county and other governments to assist in setting and implementing priorities for water and land resources, including sample collection, laboratory services, monitoring, ((~~and~~))analysis ((~~of data~~))and other activities to ((~~evaluate~~))protect, enhance and evaluate the quality of land, habitat and water resources in the county;

((~~5. Review local utility district plans for conformance with King County plans and policies, and participate in the process of preparing coordinated water system plans to insure conformance with King County plans and policies;~~))

(~~6~~))5. ((~~Plan~~))Planning the surface water management capital program, ((~~including new facilities development and maintenance of the existing infrastructure~~)) providing design, engineering and construction management services related to the surface water management capital program including new facilities development and maintenance of the existing infrastructure, and providing support services such as project management, environmental review, permit and right-of-way acquisitions, scheduling and project control;

((~~7~~))6. ((~~Prepare~~))Preparing standards for storm water management facilities that are constructed as part of land development;

((~~8~~))7. ((~~Provide~~))Providing technical assistance and education to businesses and the general public to encourage environmental stewardship((~~ and reclamation and reuse programs~~));

((~~9~~))8. ((~~Implement~~))Implementing the county park, open space, trails, agriculture, forestry, and other natural resources acquisition programs, including planning, site selection, financing, acquisition, project budget management, and purchasing fee and less than fee interests;

((~~10. Develop, implement and coordinate agriculture and forestry support activities and economic development programs to enhance the continued economic viability of agriculture and forestry in the county;~~))

((~~11~~))9. ((~~Monitor and protect~~))Monitoring and protecting the county's real property and development rights interests acquired through the ((~~Farmlands Preservation Act,~~))Conservation Futures and other open space and natural resource programs ensuring to the greatest extent practicable that subsequent county land use policies remain compatible with the acquired interests;

((~~12. Develop and implement policies, plans and programs relating to current use taxation of open space, agriculture and timberlands as provided in RCW 84.34 and K.C.C. 20.36; and~~))

((~~13~~))10. ((~~Prepare and implement~~))Preparing and implementing the management plans for protection and use of the natural resource values of county owned lands, including natural resource lands, dedicated and deeded open space lands and lands acquired by the county as a condition of land development approval, and determine appropriate means to execute such management plans((~~.~~)); and

928 11. Administering, operating and maintaining those lands designated ~~as natural~~
929 resource lands, using any work forces as appropriate.
930 12. The office of rural and resource lands shall be a distinct functional unit of the
931 division reporting directly to the water and land resources division manager. The office
932 shall plan, manage and be responsible for administering the county's rural and resource
933 lands programs including, but not limited to, agriculture, farmlands preservation, current
934 use taxation programs, forestry, noxious weeds, terrestrial wildlife and habitat, rural
935 economic development, and encouraging environmental stewardship.
936 D. ((~~SOLID WASTE DIVISION. ~~))The duties of the solid waste division shall
937 include the following:
938 1. ((~~Manage and operate~~))Managing and operating the county's comprehensive
939 solid waste program on a self-supporting basis;
940 2. ((~~Administer~~))Administering the county's solid waste interlocal agreements
941 with cities and towns;
942 3. ((~~Divert~~))Diverting as much material as possible from disposal in a manner
943 which reduces the overall costs of solid waste management to county residents and
944 businesses, conserves resources, protects the environment, and strengthens the county's
945 economy;
946 4. ((~~Manage and be~~))Managing and being accountable for all transfer station
947 operations and landfills, as well as the transportation of waste between county facilities;
948 5. ((~~Procure and maintain~~))Procuring and maintaining all capital and operating
949 equipment specific to the solid waste function;

950 6. ((~~Provide~~))Providing planning, design, engineering and construction
951 management services related to the solid waste capital program including new facilities
952 development and maintenance of existing infrastructure;
953 7. ((~~provide~~))Providing support services such as project management,
954 environmental review, permit acquisitions, scheduling and project control; and
955 8. Actively ((~~pursue~~))pursuing all revenue sources in an effort to maintain the
956 lowest possible rate structure for the benefit of county residents.
957 E. The duties of the parks and recreation division shall include the following:
958 1. Managing and being fiscally responsible for property management,
959 maintenance, recreation and aquatics functions;
960 2. Operating and maintaining the county parks and trails systems, and
961 maintaining the natural resource lands at the direction of the water and land resources
962 division, using any work forces as appropriate;
963 3. Developing and maintaining an operational master plan and develop and
964 monitor a capital improvement plan as defined in K.C.C. chapter 4.04;
965 4. Providing policy direction for the development of specific active park and
966 recreation CIP master plans and projects with assistance from project managers in the
967 facilities management division;
968 5. Coordinating with other departments and divisions as appropriate in the
969 preparation of county environmental documents or responses to environmental
970 documents from other governmental entities;
971 6. Coordinating with other departments and divisions as appropriate in the
972 preparation of grant applications for park and open space acquisition;

973 7. Developing, managing and being responsible for recreational pro~~grams~~ and
974 services, including, but not limited to, interpretive programming, that promote
975 appreciation and understanding of active county parks;
976 8. Developing, managing and being responsible for programs that promote the
977 safe enjoyment of county-owned swimming pools and guarded swim beaches; and
978 9. Planning, organizing, scheduling and administering the annual King County
979 Fair, off-season programs and use of the county fairgrounds with guidance from the King
980 County Fair Board.
981 SECTION 15. Ordinance 11955, section 5, as amended, and K.C.C. 2.16.055 are
982 hereby amended to read as follows:
983 **Department of development and environmental services - duties – divisions.**
984 A. The department is responsible to manage and be fiscally accountable for the building
985 services division, land use services division, and administrative services division. The
986 director of the department shall be the county planning director, building official, fire
987 marshal, zoning adjuster, and the responsible official for purposes of administering the
988 State Environmental Policy Act, and may delegate those functions to qualified
989 subordinates. The department shall be responsible for regulating the operation,
990 maintenance and conduct of county licensed businesses, except taxicab and for-hire
991 drivers and vehicles.
992 B. ((~~BUILDING SERVICES DIVISION.~~))The building services division shall
993 be responsible for ensuring consistent and efficient administration of environmental,
994 building and land use codes and regulations for commercial and residential projects by

995 means of permit review and approval, construction inspections and public information.
996 The duties of the division shall include the following:
997 1. Permit center and public information;
998 2. Building plan and application review, including fire, fire-flow, building,
999 mechanical, barrier-free, energy, security and other uniform code reviews;
1000 3. Site review, including engineering and sensitive areas review of permit
1001 applications;
1002 4. Inspections, including new-construction inspections for compliance with site,
1003 fire and building code requirements; and
1004 5. Pursue and resolve code violations, including preparing for administrative or
1005 legal actions, evaluating the division's success in obtaining compliance with King County
1006 rules and regulations and designing measures to improve compliance.
1007 C. ((~~LAND USE SERVICES DIVISION.~~))The land use services division shall
1008 be responsible for the effective processing and timely review of land development
1009 proposals, including zoning variance and reclassification, master drainage plans,
1010 variances from the surface water design manual and the King County road standards,
1011 sensitive area, subdivision, right-of-way use, urban planned development, clearing and
1012 grading, shoreline, special use and conditional use applications. The duties of the
1013 division shall include the following:
1014 1. Permit center and public information;
1015 2. Plan review, including the review of applications for compliance with
1016 shorelines, sensitive areas, subdivision and other zoning regulations, road standards and

variances from the surface water design manual, as well as community plans ~~and utility~~ comprehensive plans;

3. Engineering review and inspection, including the review of clearing and grading applications and review of engineering plans for compliance with adopted road and drainage standards and specifications;

4. Development inspection, including inspection of construction activity to ensure compliance with approved plans and codes;

5. Develop and assist in implementing local and subarea specific plans for urban and rural areas, consistent with the comprehensive plan;

6. Develop proposed policies to address long-range comprehensive land use planning and analyze and provide proposed updates to the comprehensive plan on an annual basis;

7. Develop proposed county plans, programs and policies and implement regulations on environmental issues, including environmentally sensitive areas and mineral resources; and serve as the contact for cities and agencies, providing appropriate research in support of county initiatives on these issues;

8. Administer the State Environmental Policy Act and act as lead agency, including making the threshold determinations, determining the amount of environmental impact and reasonable mitigation measures, and coordinating with other departments and divisions in the preparation of county environmental documents or in response to environmental documents from other agencies; and

9. Monitor the cumulative effects of the county's comprehensive plan and other plans, policies and laws intended to protect natural and community resources while

1040 permitting development and growth, and providing periodic status reports to the
1041 executive and council.

1042 D. ((~~ADMINISTRATIVE SERVICES DIVISION.~~))The administrative services
1043 division shall provide support services throughout the department, including personnel
1044 and payroll support, budget support, financial services, information services, facilities
1045 management and support, and records management and program analysis services.

1046 SECTION 16. Ordinance 14005, section 3, and K.C.C. 2.16.0755 are hereby
1047 amended to read as follows:

1048 **Office of information resource management – chief information officer.** The
1049 office of information resource management shall be directed by a chief information
1050 officer (CIO). The CIO shall be appointed by the executive and confirmed by the
1051 council. The CIO shall report to the county executive and advise all branches of county
1052 government on technology issues. The CIO shall report to the county administrative
1053 officer on administrative and management matters. The CIO shall provide vision and
1054 coordination in technology management and investment across the county. The CIO
1055 shall attend regularly executive cabinet meetings as a non-voting member and advisor on
1056 technology implications of policy decisions. The CIO shall meet regularly with business
1057 managers for the assessor, council, prosecutor, superior court, district court and sheriff to
1058 advise on technology implications of policy decisions. The CIO shall advise all county
1059 elected officials, departments and divisions on technology planning and project
1060 implementation. The duties of the CIO also shall include the following:

1061 A. Overseeing the information technology strategic planning office and
1062 production of a county information technology strategic plan;

1063 B. Overseeing the central information technology project management~~ office~~ and
1064 monitoring of approved technology projects;
1065 C. Recommending business and technical information technology projects for
1066 funding;
1067 D. Recommending technical standards for the purchase, implementation and
1068 operation of computer hardware, software and networks;
1069 E. Recommending countywide policies and standards for privacy, security and
1070 protection of data integrity in technology infrastructure, electronic commerce and
1071 technology vendor relationships;
1072 F. Recommending information technology service delivery models for the
1073 information and telecommunications services division and the county's satellite
1074 information technology centers;
1075 G. Managing the internal service fund of the office of information resource
1076 management; and
1077 H. Providing annual performance review to the executive and council.
1078 SECTION 17. Ordinance 13263, section 42, and K.C.C. 2.16.097 are hereby
1079 amended to read as follows:
1080 **Civil fines and civil penalties – write offs.** A. Receivable civil fines, civil
1081 penalties and abatement costs assessed pursuant to Title 23 may be written off by the
1082 director of the department of development and environmental services, with the
1083 concurrence of the ((~~director of the department of finance (as defined in K.C.C. chapter~~
1084 ~~2.16)~~))county administrative officer, under the following circumstances:

1. When the costs of the effort to collect the civil fine or penalty exce~~eds the~~ recoupable fines and penalties, or

2. When the civil fine, penalty or abatement cost is determined to be uncollectable in the foreseeable future.

B. The director shall document the circumstances under which a decision was made to write off a civil fine, penalty or abatement cost.

SECTION 18. Ordinance 11955, section 12, and K.C.C. 2.16.100 are hereby amended to read as follows:

Career service exemptions. A. Exemptions from the requirements of the career service personnel system shall be consistent with the provisions of Section 550, and Sections 350.10 and 350.20 of the King County Charter. Key subordinate units, as determined by the county council, and departmental divisions shall be considered to be executive departments; and divisions of administrative offices shall be considered to be administrative offices for the purpose of determining the applicability of the charter provisions.

B. Accordingly, the county administrative officer, directors, chief officers, managers and supervisors of departments, administrative offices, divisions, key subordinate units as determined by the county council, and other units of government as required by law, shall be exempt from the requirements and provisions of the career service personnel system.

C. ((~~In this regard, t~~))The following are determined by the council to be key subordinate units due to the nature of the programs involved and their public policy implications, and appointments thereto shall be subject to confirmation by the council:

1. The manager((s)) of the ((~~following~~))public defense division((s)); ~~and~~

((~~a. public defense division; and~~))

((~~b. minority/women's business enterprises and contract compliance division.~~))

2. The chief information officer of the administrative office of information resource management.

((~~2. County project coordinators or managers of the following limited term county projects:~~

~~a. Harborview medical center 1987 and prior-year bond project.~~

~~b. phase one regional justice center project.~~

~~c. open space bond acquisition project.~~))

D. In addition, if the following positions are authorized within executive departments or administrative offices, an administrative assistant and a confidential secretary for each director, division manager, chief officer of an administrative office and supervisor of a key subordinate unit as determined by the county council shall be exempt from the requirements and provisions of the career service personnel system.

SECTION 19. Ordinance 11955, section 13, as amended, and K.C.C. 2.16.110 are hereby amended to read as follows:

Appointment and confirmation of exempt officials. A. The county executive shall appoint the ((~~deputy county executive~~))county administrative officer and the director of each executive department, except the departments of assessment, public safety and judicial administration. The county executive shall also appoint the manager of the youth detention facility through a competitive search process that includes participation by the superior court judges.

1131 B. The ((~~deputy county executive~~))county administrative officer shall appoint the
1132 division managers and chief officers of each administrative office in the department of
1133 executive services, except the chief information officer.
1134 C. The director of each executive department, at the discretion of the county
1135 executive, shall appoint exempt employees of his or her department as provided in Section
1136 550 of the King County Charter.
1137 D. 1. All appointments by the county executive shall be subject to confirmation by
1138 a majority of the county council except exempt personnel assigned to his or her personal
1139 staff.
1140 2. All appointments to positions of division manager or chief officer of an
1141 administrative office not made by the county executive shall be subject to approval by the
1142 county executive.
1143 E. 1. All individuals appointed by the county executive, under Section 340.40 of
1144 the King County Charter, shall serve in an acting capacity, unless confirmed by the council.
1145 The executive is authorized to appoint a person to serve in an acting capacity to fill a
1146 position requiring council confirmation for a period of no greater than one hundred fifty
1147 days. The executive shall notify the council within ninety days concerning the status of his
1148 or her search for qualified candidates for appointment to the vacant position. Thereafter,
1149 the individual may continue serving in an acting capacity for successive sixty-day periods
1150 only with approval by motion of the county council. The council shall grant at least one
1151 successive sixty-day extension if the executive certifies to the council's satisfaction that the
1152 executive is actively pursuing a search for qualified candidates for appointment to the
1153 vacant position. If no appointment is transmitted to the council for confirmation during the

authorized period, the position shall be considered vacant for purposes of exercise of any authority given to the position pursuant to ordinance and no salary shall be paid for the position while it is so vacant.

2. Within seven calendar days of any executive appointment that is subject to council confirmation, the executive shall deliver written notice of said appointment to the council accompanied by a proposed motion confirming the ((individual))appointment.

3. Upon the receipt of the notification by the executive of an appointment, accompanied by the proposed motion, the council shall act to consider confirmation of the appointment within ninety days. Approval of the introduced motion by a majority of the council shall constitute confirmation of the appointee. Once confirmed, the appointee is no longer serving in an acting capacity.

4. In considering the confirmation of executive appointments to offices of management level responsibility, the council shall base its review on the ability of the appointee to meet the following criteria:

a. a demonstrated reputation for integrity and professionalism((.));

b. a commitment to and knowledge of the responsibilities of the office((.));

c. a history of demonstrated leadership, experience and administrative ability((.));

d. the ability to work effectively with the executive, the council, other management, public agencies, private organizations and citizens((.)); and

e. a demonstrated sensitivity to and knowledge of the particular needs and problems of minorities and women.

1176 5. The appointee, prior to review of the appointment by the council, shall submit
1177 to the chair of the council:
1178 a. a full and complete resume of ((~~his/her~~))his or her employment history, to
1179 include references attesting to the stated employment experiences((~~.~~)); and
1180 b. a signed statement acknowledging that the council's confirmation process
1181 may require the submittal of additional information relating to the background and
1182 expertise of the appointee.
1183 6. Upon receipt of an executive appointment, the chair or his or her delegate,
1184 subject to the council's rules of procedure, shall notify council members of the
1185 appointment and attempt to allow a minimum of one work week for individual members
1186 to submit written questions to the reviewing committee.
1187 It is understood that written inquiries submitted to the reviewing committee, by
1188 individual council members, may require a written response from the appointee or the
1189 executive, in matters pertaining to the process of appointment and other pertinent
1190 employment policies of King County.
1191 SECTION 20. Ordinance 11955, section 11, as amended, and K.C.C. 2.16.140
1192 are hereby amended to read as follows:
1193 **Department of transportation – duties – divisions.** A. The department of
1194 transportation is responsible to manage and be fiscally accountable for the road services
1195 division, transit division, ((~~and~~))fleet administration division and airport division. The
1196 department shall perform the metropolitan public transportation function as authorized in
1197 chapter 35.58 RCW, K.C.C. Title 28 and other applicable laws, regulations and
1198 ordinances; provided, that financial planning for and administration of the public

transportation function shall be conducted consistent with financial policies as may be adopted by the council. The department shall administer the county roads function as authorized in applicable sections of Titles 36 and 47 RCW and other laws, regulations and ordinances as may apply. The department's functions include, but are not limited to, the activities set forth in subsections B through ((~~D~~))E of this section for each division, administration of grants and the coordination of transportation planning activities with other county agencies and outside entities to integrate transportation planning and land use planning.

B. The road services division is responsible to design, construct, maintain and operate a comprehensive system of roadways and other transportation facilities and services to support a variety of transportation modes for the safe and efficient movement of people and goods and delivery of services. The duties of the division shall include the following:

1. Designing, constructing and maintaining county roads, bridges and associated drainage facilities;

2. Designing, installing and maintaining county traffic signs, markings and signals;

3. Designing, installing and maintaining bicycle and pedestrian facilities;

4. Managing intergovernmental contracts or agreements for services related to road maintenance and construction and to other transportation programs supporting the transportation plan;

1220 5. Inspecting utilities during construction and upon completion for compliance
1221 with standards and specifications; assuring that public facilities disturbed due to
1222 construction are restored;
1223 6. Performing detailed project development of roads capital improvement
1224 projects that are consistent with the transportation element of the county's
1225 Comprehensive Plan, and coordinating such programming with other county departments
1226 and divisions assigned responsibilities for Comprehensive Plan implementation;
1227 7. Incorporating into the roads capital improvement program those projects
1228 identified in the transportation needs report, community plans, related functional plans
1229 and elsewhere consistent with the county's Comprehensive Plan;
1230 8. Preparing, maintaining and administering the county road standards;
1231 9. Preparing and administering multi-year roads maintenance and capital
1232 construction plans and periodic updates; and
1233 10. Administering the transportation concurrency and mitigation payment
1234 programs.
1235 C. 1. The transit division is responsible for the operation and maintenance of a
1236 comprehensive system of public transportation services in King County. The duties of
1237 the division shall include the following:
1238 a. providing all necessary customer services including telephone and other
1239 customer information and support systems; managing sales and distribution of fare
1240 media, research, market strategies and marketing functions;

1241 b. implementing programs, policies and strategies for the public transit in King
1242 County; developing and scheduling new products and service and managing contract
1243 services;
1244 c. developing and implementing transportation programs under the Americans
1245 with Disabilities Act of 1990 (ADA) including preparing policy recommendations and
1246 service models and contracting for the delivery of service;
1247 d. delivering and managing transit service in the county including service
1248 quality and service communication functions;
1249 e. managing and maintaining the transit system infrastructure, including trolley
1250 power distribution and overhead systems, bases, customer facilities, and the radio
1251 communication and data system;
1252 f. maintaining transit rolling stock including all revenue vehicle fleets and
1253 those vehicles required to support the operation of the transit system, except such
1254 vehicles as may be included in the motor pool; managing a central stores function, unit
1255 repair facilities and all purchasing activities relative to the procurement of the revenue
1256 vehicle fleet;
1257 g. managing the design, engineering and construction management functions
1258 related to the transit capital program including new facilities development and
1259 maintenance of existing infrastructure; providing support services such as project
1260 management, environmental review, permit and right-of-way acquisitions, schedule and
1261 project control functions;
1262 h. managing rideshare operations functions including vanpool, carpool, and
1263 regional ride matching programs; and

1264 i. preparing and administering public transportation service and supporting
1265 capital facility plans and periodic updates.
1266 2. The council may assign responsibility for services ancillary to and in support
1267 of the operation and maintenance of the metropolitan public transportation system under
1268 chapter 35.58 RCW, including, but not limited to, human resources, accounting,
1269 budgeting, finance, engineering, fleet administration, maintenance, laboratory,
1270 monitoring, inspection and planning, as it determines appropriate.
1271 D. The duties of the fleet administration division shall include the following:
1272 1. Acquiring, maintaining and managing the motor pool and equipment
1273 revolving fund for fleet vehicles and equipment including, but not limited to, vehicles for
1274 the ((~~departments of parks and cultural resources, natural resources, construction and~~
1275 ~~facilities~~)) department of natural resources and parks, facilities management division, and
1276 transportation ((~~non-revenue~~)) nonrevenue vehicles. Transportation department vehicles
1277 determined by the director to be intricately involved in or related to providing public
1278 transportation services shall not be part of the motor pool;
1279 2. Establishing rates for the rental of equipment and vehicles;
1280 3. Establishing terms and charges for the sale of any material or supplies which
1281 have been purchased, maintained or manufactured with money from the equipment
1282 revolving fund;
1283 4. Managing training programs, stores function and vehicle repair facilities;
1284 ((~~and~~))
1285 5. Administering the county alternative fuel program and take-home assignment
1286 of county vehicles policy((~~.~~)); and

1287 6. Inventorying, monitoring losses and disposing of county personal property in
1288 accordance with K.C.C. chapter 4.56.
1289 E. The airport division is responsible for managing the maintenance and
1290 operations of the King County international airport. The duties of the division shall
1291 include the following:
1292 1. Developing and implementing airport programs under state and federal law
1293 including preparing policy recommendations and service models;
1294 2. Managing and maintaining the airport system infrastructure;
1295 3. Managing, or securing services from other divisions, departments or entities
1296 to perform, the design, engineering and construction management functions related to the
1297 airport capital program including new facilities development and maintenance of existing
1298 infrastructure; providing support services such as project management, environmental
1299 review, permit and right-of-way acquisitions, schedule and project control functions; and
1300 4. Preparing and administering airport service and supporting capital facility
1301 plans and periodic updates.
1302 SECTION 21. Ordinance 12341, section 1, and K.C.C. 2.16.250 are hereby
1303 amended to read as follows:

1304 **Continuation of authorizations and duties, and changes to names of**
1305 **departments, divisions, offices, and director and manager positions in the King**
1306 **County Code.** ((~~A.~~)) From time to time, the council establishes, abolishes, combines or
1307 divides administrative offices, ((~~and~~))executive departments and divisions. The King
1308 County Code is not always timely updated to reflect these changes in organization.
1309 Except as specifically provided in the ordinances effecting such organizational changes to

departments, ((~~and~~))offices and divisions, the authorizations and duties assigned to the previous departments, ((~~and~~))offices and divisions, and associated officials, shall continue to be exercised and performed by appropriate departments, ((~~and~~))offices and divisions, and the associated officials, in the current executive branch organization.

((~~B. The names of executive departments and administrative offices, and associated director and manager positions, are used throughout the King County Code. To the extent the names of departments and offices, and associated officials, are affected by organizational changes in the executive branch, it may be necessary to revise provisions of the King County Code. Accordingly, in consultation with the executive, the clerk of the council shall identify each department, office, official's name in the King County Code that is not accurate with respect to the current executive branch organization and determine the appropriate name based on the assignment of authorizations and duties within the executive branch. In the event the clerk is unable to determine the appropriate name for a particular authorization or duty, she/he shall report the circumstances to the chair of the council. The chair of the council shall either make the determination or seek a determination from the council. Such determination shall be followed by the clerk in revising the King County Code. The clerk is authorized to make name changes in the King County Code to accurately reflect the assignment of authorization and duties within the executive branch. The clerk shall issue revisions to the King County Code consistent with the provisions of this section.~~))

SECTION 22. Ordinance 13623, section 1, and K.C.C. 2.36.055 are hereby amended to read as follows:

1332 **King County emergency management committee.** A. The King County
1333 emergency management advisory committee is hereby established. The committee shall
1334 act in an advisory capacity to the county executive, council and emergency management
1335 division on emergency management matters and facilitate the coordination of regional
1336 emergency planning in King County.

1337 B. The committee shall be composed of members who represent the following
1338 emergency management interests, with each interest having one member except for the
1339 Suburban Cities Association, which may have three members:

1340 1. The Central Region Emergency Medical Services and Trauma Care Council;
1341 2. Cities with populations larger than one hundred thousand;
1342 3. Electric and gas utilities;
1343 4. The financial community;
1344 5. The King County Fire Chiefs Association;
1345 6. The King County Fire Commissioners Association;
1346 7. The King County Police Chiefs Association;
1347 8. Local emergency planning committees;
1348 9. The Port of Seattle;
1349 10. Private industry;
1350 11. The Puget Sound Educational Service District;
1351 12. The Seattle/King County Chapter of the American Red Cross;
1352 13. Water-sewer districts;
1353 14. The Suburban Cities Association;
1354 15. The Washington Association of Building Officials;

1355 16. The King County ((~~deputy~~))executive or his or her designee;

1356 17. The King County department of natural resources; and

1357 18. The King County department of transportation road services and transit

1358 divisions.

1359 C. The scope and charge of the committee is to:

1360 1. Advise King County on emergency management issues and facilitate

1361 coordination of regional emergency planning in King County;

1362 2. Assist King County in the development of programs and policies concerning

1363 emergency management; and

1364 3. Review and comment on proposed emergency management rules, policies or

1365 ordinances before the adoption of the rules, policies or ordinances.

1366 D. 1. The county executive shall appoint regular members of the committee,

1367 subject to confirmation by county council motion.

1368 2. Individuals serving as members of the committee shall be the chair of the

1369 association or designee if an association or agency is named as a member. This includes

1370 the Suburban Cities Association, which shall designate the individuals to serve as its

1371 representative members.

1372 3. Individuals serving the committee from industry groups shall be recruited

1373 with the assistance of the industry.

1374 4. A member of the committee shall serve a term of three years or until the

1375 member's successor is appointed and confirmed as provided in this section. The terms of

1376 office shall be staggered consistent with K.C.C. chapter 2.28.

1377 5. Memberships are not limited as to numbers of terms, but members ~~shall~~
1378 participate in a reappointment process every three years. Reappointment is subject to
1379 confirmation by county council.
1380 6. A vacancy shall be filled for the remainder of the term of the vacant position
1381 in the manner described in the initial appointment.
1382 E. 1. The committee shall elect a committee member as chair by a majority vote
1383 of committee members. The term of the chair is one year.
1384 2. The committee shall adopt appropriate bylaws, including quorum
1385 requirements.
1386 F. The emergency management division shall provide ongoing administrative
1387 support to the committee.
1388 G. Members of the committee shall serve without compensation.
1389 SECTION 23. Ordinance 11417, section 6, and K.C.C. 2.40.040 are hereby
1390 amended to read as follows:
1391 **Duties.** The commission shall advise the council and executive on agricultural
1392 polices and programs, including, but not limited to:
1393 A. Existing and proposed legislation and regulations affecting commercial
1394 agriculture;
1395 B. Land use issues as they impact agriculture;((~~and,~~))
1396 C. Ways to maintain, enhance and promote agriculture and agricultural products
1397 in the region((~~.~~)); and
1398 D. Livestock regulation implementation and monitoring duties set forth in
1399 K.C.C. chapter 21A.30.

1400 SECTION 24. Ordinance 12075, section 12, and K.C.C. 2.40.050 are ~~hereby~~
1401 amended to read as follows:
1402 **Staffing and rules of procedures.** In recognition of the duties described in
1403 K.C.C. 2.40.040, the director((s)) of the department((s)) of natural resources and parks((
1404 ~~and cultural resources, development and environmental services and community and~~
1405 ~~human services~~)) shall be responsible for the staffing and operation of the commission.
1406 The commission shall elect officers and shall adopt such administrative procedures as are
1407 required to accomplish the purposes of this section.
1408 SECTION 25. Ordinance 12014, section 2, and K.C.C. 3.04.017 are hereby
1409 amended to read as follows:
1410 **Definitions.** All words shall have their ordinary and usual meanings except those
1411 defined in this section which shall have, in addition, the following meanings. In the event
1412 of conflict, the specific definitions set forth in this section shall presumptively, but not
1413 conclusively, prevail.
1414 A. "Accomplice" means a person who with knowledge that an action will promote
1415 or facilitate the commission of a crime or violation of an ordinance:
1416 1. Solicits, commands, encourages, or requests another person to commit it; or
1417 2. Aids or agrees to aid such other person in planning or committing it.
1418 B. "Compensation" means anything of economic value, however designated,
1419 which is paid, granted or transferred, or is to be paid, granted or transferred for, or in
1420 consideration of, personal services to any person.
1421 C. "County action" means any action on the part of the county, including, but not
1422 limited to:

1. Any decision, determination, finding, ruling or order; and

2. Any grant, payment, award, license, contract, transaction, sanction, or approval, or the denial thereof, or the failure to act with respect thereto. "County action" shall not include actions of the county's judicial branch but shall include employees of the department of judicial administration.

D. "County employee" or "employee" means any individual who is appointed as an employee by the appointing authority of a county agency, office, department, council, board, commission or other separate unit or division of county government, however designated, but does not include employees of the county's judicial branch. The term "county employee" also includes county elected officials and members of county boards, commissions, committees, or other multi-member bodies, but does not include officials or employees of the county's judicial branch but does include employees of the department of judicial administration.

E. "Department" means:

1. In the executive branch, an executive department or administrative office which reports to the executive or the ((~~deputy county executive~~))county administrative officer, as applicable;

2. The department of assessments;

3. The office of the prosecuting attorney;

4. In the legislative branch, the council together with any subordinate legislative branch agency;

5. The department of judicial administration((~~.~~)); and

6. The department of public safety.

1446 F. "Doing business with the county" or "transactions with the county" ~~means~~ to
1447 participate in any proceeding, application, submission, request for ruling or other
1448 determination, contract, claim, case, or other such particular matter which the county
1449 employee or former county employee in question believes, or has reason to believe:
1450 1. Is, or will be, the subject of county action; or
1451 2. Is one to which the county is or will be a party; or
1452 3. Is one in which the county has a direct and substantial proprietary interest.
1453 G. "Gift" means anything of economic value, but shall not include campaign
1454 contributions regulated by the provisions of ((~~C~~))chapter 42.17 RCW, the charter and
1455 ordinances implementing them, informational materials exclusively for official or office
1456 use, memorials, trophies, and plaques of no commercial value, gifts of $20.00 or less for
1457 bona fide, non-recurring, ceremonial occasions or any gifts which are not used and which
1458 within thirty days after receipt are returned to the donor, or donated to a charitable
1459 organization without seeking a tax deduction.
1460 H. "Immediate family" means a county employee's spouse, domestic partner,
1461 employee's child or the child of an employee's domestic partner, and other dependent
1462 relatives if living in his or her household.
1463 I. "Ombudsman" means the director of the office of citizen complaints
1464 established pursuant to Section 260 of the charter and K.C.C. chapter 2.52, or his or her
1465 designee.
1466 J. "Participate" means, in connection with a transaction involving the county, to be
1467 involved in a county action personally and substantially as a county employee either

1468 directly, or through others through approval, disapproval, decision, recommendation, the
1469 rendering of advice, investigation, or otherwise.
1470 K. "Person" means any individual, partnership, association, corporation, firm,
1471 institution, or other entity, whether or not operated for profit. The term does not include
1472 governmental units of the State of Washington or the United States unless so specified.
1473 L. "Respondent" means the person against whom a complaint is filed or an
1474 investigation is conducted.
1475 M. "Retaliatory action" means any action by a supervisor or other employee which
1476 is intended to embarrass or to harass any person as a result of such person having filed a
1477 written complaint with the office of citizen complaints or having raised privately or
1478 publicly any concern or question regarding an actual or apparent violation of the provisions
1479 of this chapter.
1480 N. "Thing of value" means anything of tangible worth which is not compensation
1481 or a gift.
1482 SECTION 26. Ordinance 12014, section 3, and K.C.C. 3.04.030 are hereby
1483 amended to read as follows:
1484 **Conflict of interest**. No county employee shall engage in any act which is in
1485 conflict with the performance of official duties. A county employee shall be deemed to
1486 have a conflict of interest if the employee directly or indirectly:
1487 A. Receives or has any financial interest in any purchase, sale or lease to or by the
1488 county of any service or property when such financial interest was received or obtained
1489 with the prior knowledge that the county intended to purchase, sell or lease such property
1490 or service;

1491 B. Is beneficially interested, directly or indirectly, in any contract, sale~~, lease,~~
1492 option or purchase that may be made by, through, or under the supervision of the
1493 employee, in whole or in part, or accepts, directly or indirectly, any compensation, gift or
1494 thing of value from any other person beneficially interested therein;
1495 C. Accepts or seeks for others, directly or indirectly, any employment, travel
1496 expense, service, information, compensation, gift or thing of value on more favorable terms
1497 than those granted to other county employees or the public generally, from any person,
1498 doing business, or seeking to do business with the county for which the employee has
1499 responsibility or with regard to which he or she may participate, provided that this
1500 subsection shall not apply to the receipt by elected officials, or by employees who are
1501 supervised directly by an elected official, of meals, refreshments or transportation within
1502 the boundaries of the county when given in connection with meetings with constituents or
1503 meetings which are informational or ceremonial in nature;
1504 D. Accepts, directly or indirectly, any gift, favor, loan, retainer, entertainment,
1505 travel expense, compensation or other thing of value from any person doing business or
1506 seeking to do business with the county when such acceptance may conflict with the
1507 performance of the employee's official duties.
1508 A conflict shall be deemed to exist where a reasonable and prudent person would
1509 believe that the gift, compensation, thing of value, or more favorable terms, was given for
1510 the purpose of obtaining special consideration or to influence county action.
1511 The financing of the conduct of county election campaigns shall continue to be
1512 governed by the provisions of ((~~RCW~~-))chapter 42.17 RCW and the provisions of the
1513 charter and ordinances;

1514 E. Participates in, influences, or attempts to influence, directly or indirectly, the
1515 selection of, or the conduct of business or a transaction with a person doing or seeking to
1516 do business with the county if the employee has a financial interest in or with said person;
1517 F. Discusses or accepts an offer of future employment with any person doing or
1518 seeking to do business with the county if either:
1519 1. The employee knows or has reason to believe that the offer of employment was
1520 or is intended, in whole or in part, directly or indirectly, as compensation or reward for the
1521 performance or nonperformance of a duty by the employee during the course of county
1522 employment or to influence county action pertaining to the business, or
1523 2. The employee has responsibility for a matter upon which the person is doing or
1524 seeking to do business with the county unless the employee has first disclosed in writing to
1525 his or her appointing authority that the employee intends to discuss future employment with
1526 a specific person and the appointing authority has designated, in a memorandum filed with
1527 the ombudsman and the clerk of the council, a method of providing for an alternative
1528 decisionmaker with regard to matters involving such person for which the employee
1529 otherwise would have responsibility;
1530 G. Within one year of entering county employment awards a county contract or
1531 participates in a county action benefiting a person that formerly employed him or her
1532 provided, that participation other than contract award may be authorized in a memorandum
1533 by the appointing authority following written disclosure by the affected employee and that
1534 such authorization shall be filed with the ombudsman and the clerk of the council;

1535 H. Is an employee, agent, officer, partner, director or consultant of any ~~person~~
1536 doing or seeking to do business with the county, unless such relationship has been
1537 disclosed as provided by this chapter;
1538 I. Engages in or accepts compensation, employment or renders services for any
1539 person or a governmental entity other than the county when such employment or service is
1540 incompatible with the proper discharge of official duties or would impair independence of
1541 judgment or action in the performance of official duties. In addition, the following
1542 employees must obtain the prior written consent of their highest ranking supervisor
1543 authorizing either new or continued employment, or the acceptance of any compensation or
1544 any thing of value for services performed outside King County government:
1545 1. The ((~~deputy county executive~~))county administrative officer, the chief officer
1546 of each executive department or administrative office as defined by the provisions of the
1547 charter, the manager of each division of such department or office, and all persons who
1548 report directly to such individuals;
1549 2. All non-elected council employees, provided that the personal staff of each
1550 individual councilmember shall obtain such consent from such councilmember;
1551 3. All non-elected employees of the prosecuting attorney;
1552 4. All non-elected employees of the department of judicial administration;
1553 5. All non-elected employees of the department of assessments.
1554 If such employment or service is deemed by the highest-ranking supervisor to pose
1555 a conflict of interest, the employee immediately shall divest such employment and failure
1556 to do so shall be grounds for dismissal;

1557 J. Enters into a business relationship outside county government with any other
1558 employee for whom he or she has any supervisory responsibility;
1559 K. Enters into a business relationship outside county government with any person
1560 with regard to a matter for which the employee has responsibility as a county employee;
1561 L. Appears on behalf of a person before any regulatory governmental agency, or
1562 represents a person in any action or proceeding against the interest of the county in any
1563 litigation to which the county is a party, unless the employee has a personal interest in the
1564 litigation and this personal interest has been disclosed to the regulatory governmental
1565 agency or adjudicating individual or body. A county council member may appear before
1566 regulatory governmental agencies on behalf of constituents in the course of his or her duties
1567 as a representative of the electorate or in the performance of public or civic obligations;
1568 however, no official or employee shall accept a retainer or compensation, or any gift or
1569 thing of value that is contingent upon a specific action by a county agency;
1570 M. Directly or indirectly possesses a substantial or controlling interest in any
1571 person which does or seeks to do business with the county, without disclosing such interest
1572 as provided by this chapter. A substantial interest is an interest that exceeds one-tenth of
1573 one percent of the outstanding securities of the person; or, if the interest is in an
1574 unincorporated business concern, exceeds one percent of the net worth of such concern; or
1575 the financial interest of a person exceeds five percent of the net worth of the employee and
1576 his or her immediate family;
1577 N. As a county council member has a financial or other private interest in any
1578 legislation or other matter coming before the council, and fails to disclose such an interest
1579 on the records of the county council. This provision shall not apply if the county council

member disqualifies himself or herself from voting by stating the nature and ~~extent of~~ such interest. Any other employee who has a financial or other private interest, and who participates in an action or proposed action of the county council and fails to disclose on the records of the county council the nature and extent of such interest, shall be deemed in violation of this chapter;

O. Has an interest in any property being considered for revaluation by the county board of appeals and equalization or has a personal interest or connection with another person's petition for revaluation while:

1. An elected county official,

((~~2. Deputy county executive and his/her confidential secretary,~~))

((~~3~~))2. The executive's administrative assistants and office manager,

((~~4~~))3. County councilmembers' executive secretaries,

((~~5~~))4. County administrative officer, ((~~his/her~~))his or her administrative assistants and ((~~his/her~~))his or her confidential secretary,

((~~6~~))5. Chief officer of each executive department, ((~~his/her~~))his or her administrative assistants, and ((~~his/her~~))his or her confidential secretary,

((~~7~~))6. Chief officer of each administrative office, ((~~his/her~~))his or her administrative assistants, and ((~~his/her~~))his or her confidential secretary,

((~~8~~))7. Council administrator, ((~~his/her~~))his or her administrative assistants, and ((~~his/her~~))his or her secretary,

((~~9~~))8. The ombudsman and ((~~his/her~~))his or her staff,

((~~10~~))9. All employees of the department of assessments,

((~~11~~))10. All employees assigned to the board of equalization and/or ~~the board~~ of appeals,

((~~12~~))11. Any other county employee who has direct contact with the board of appeals and equalization in the carrying out of his or her duties,((~~and~~))

((~~13~~))12. Member of the county board of appeals and/or board of equalization, and

((~~14~~))13. Clerk of the council((~~, his/her~~))and his or her secretaries;

All persons listed in 1. through 13. of this subsection((~~s 1-14 above~~)) O, who wish to appeal to the county board of equalization on a matter of property revaluation shall be governed by the procedure set forth in K.C.C. 3.04.040;

P. As an appointive member of a board or commission, has a close relative serving on the same board or commission. For the purposes of this subsection, close relative is defined as:

Husband	Wife
Father	Father-in-law
Mother	Mother-in-law
Brother	Brother-in-law
Sister	Sister-in-law
Son-in-law	Daughter-in-law
Niece	Nephew
Grandparent	Grandchild
Uncle	Aunt
Child	Child of domestic partner

Domestic partner

1615

1616 In addition, the relatives of a domestic partner shall be considered close relatives to
1617 the same extent such relatives would be included in this ((~~paragraph~~)) subsection if the
1618 employee and the domestic partner were married.

1619 Q. Discloses or uses for the personal benefit of the employee or his or her
1620 immediate family any information acquired in the course of official duties which is not
1621 available as a matter of public knowledge or public record;

1622 R. Acts as an accomplice in any act by an immediate family member which, if such
1623 act were performed by the employee would be prohibited by ((~~the provisions of~~
1624 ~~paragraphs~~)) subsection A, B, C, D, E, F, G, H, J, K, M, N, O or Q of this section;
1625 provided, however, that it shall not be a conflict of interest for such family member to enter
1626 into a bona-fide contract of employment which is not intended to influence the action of the
1627 county employee;

1628 S. ((~~The provisions of paragraphs~~)) Subsection B, E((~~,~~)) and N of this section are
1629 not violated by the possession by an employee of a financial interest in a person or other
1630 entity which is not a substantial interest as defined by ((~~paragraph~~)) subsection M of this
1631 section.

1632 SECTION 27. Ordinance 1308, section 6, as amended, and K.C.C. 3.04.050 are
1633 hereby amended to read as follows:

1634 **Statement of financial and other interests.** A. All candidates for county
1635 elective office, except for judicial candidates, and nominees for appointment to county
1636 boards and commissions, within two weeks of becoming a candidate or nominee, and all

1637 elected officials who are defined as county employees under K.C.C. 3.04.017~~, paid~~ in
1638 whole or in part by county funds shall file with the division of records and elections a
1639 code of ethics statement of financial and other interests as defined in this section. These
1640 requirements may be satisfied by filing with the division of records and elections a copy
1641 of the report required to be filed by RCW 42.17.240, if this report contains an original
1642 signature of the person filing the report. The division of records and elections shall
1643 forward a copy of such statements, reports and forms to the board of ethics within 10
1644 days of their receipt.

1645 B. Within ten days of employment or appointment and on or before April 15 of
1646 each year thereafter, the following employees shall file a written statement of financial
1647 and other interests, as defined in this section, with the board of ethics: all employees
1648 appointed by the county executive; all employees appointed by the ((~~deputy county~~
1649 ~~executive~~))county administrative officer or department directors and who are subject to
1650 the approval of the county executive; all employees of the council; and such additional
1651 employees as may be determined in accordance with criteria adopted by the board of
1652 ethics under subsection C of this section.

1653 C. The board of ethics shall adopt by rule criteria for determining which
1654 employees, in addition to those designated in subsection B of this section, are required to
1655 complete and file statements of financial and other interests. The criteria must consider
1656 the association between the duties and responsibilities of employees and the conflict of
1657 interest provisions in K.C.C. 3.04.030.

1658 D. The statement of financial and other interests required to be filed ~~under~~ this
1659 section must include the following information of which the employee has, or reasonably
1660 should have, knowledge for the reporting year:
1661 1. Compensation, gifts and things of value:
1662 a. the name of each person engaged in a transaction, as defined by K.C.C.
1663 3.04.017F, with King County in which the employee may participate or has responsibility
1664 for, from whom the employee or a member of the employee's immediate family received
1665 any compensation, gift or thing of value; and
1666 b. the name of the individual who received the compensation, gift or thing of
1667 value and the individual's relationship to the employee;
1668 2. Financial interests:
1669 a. the name of each person engaged in a transaction, as defined by K.C.C.
1670 3.04.017F, with King County in which the employee may participate or has responsibility
1671 for, in whom the employee or a member of the employee's immediate family possessed a
1672 financial interest; and
1673 b. the name of the individual who possessed the financial interest and the
1674 individual's relationship to the employee;
1675 3. Positions:
1676 a. the name of each person engaged in a transaction, as defined by K.C.C.
1677 3.04.017F, with King County in which the employee may participate or has responsibility
1678 for, with whom the employee or a member of the employee's immediate family held a
1679 position;

1680 b. the name of the individual who held the position and the individual's
1681 relationship to the employee; and
1682 c. the title of the position; and
1683 4. Real property:
1684 a. real property, listed by street address, assessor parcel number or legal
1685 description that was either involved in or the subject of an action by King County, in
1686 which the employee or a member of the employee's immediate family possessed a
1687 financial interest;
1688 b. the name of the individual who possessed the financial interest and the
1689 individual's relationship to the employee; and
1690 c. the name of the King County department involved in the transaction.
1691 Property for which the only county action was valuation for tax purposes does not
1692 have to be reported except by those employees of the department of assessments and the
1693 board of appeals who are required to file a report. The use the individual made of the real
1694 property, such as recreation, personal residence or income, does not have to be reported.
1695 E. For purposes of the statements of financial and other interests required to be
1696 filed annually, the "reporting year" means the preceding calendar year. For purposes of
1697 the statements of financial and other interests to be filed within ten days of employment
1698 or appointment, the "reporting year" means the preceding twelve calendar months.
1699 F. An individual filing a statement of financial affairs under subsection A of this
1700 section shall swear that the statement is a complete copy of the statement filed under state
1701 law and that the information contained in the statement is true and accurate. A county

1702 employee filing a statement of financial and other interests under subsection ~~B of~~ this
1703 section shall swear that the information in the statement is true and accurate.
1704 G. The financing of election campaigns shall continue to be governed by other
1705 applicable local, state, and federal laws, and not by the provisions of this chapter.
1706 H. Filing of the written statement of financial and other interests, as defined in
1707 this section, does not relieve the employee of the duty to notify his or her supervisor of a
1708 potential conflict of interest as required by K.C.C. 3.04.037.
1709 I. The board may adopt rules and regulations by which affected employees may
1710 request suspension or modification of the requirements to disclose financial and other
1711 interests set forth in this section if the literal application of the requirements would cause
1712 a manifestly unreasonable hardship and the suspension or modification would not
1713 frustrate the purposes of this chapter.
1714 J. The board of ethics may adopt necessary and appropriate rules, regulations and
1715 forms related to completing, filing, maintaining and disclosing statements of financial
1716 and other interests under this section. The board, if adopting the rules, regulations and
1717 forms, shall adopt them as provided in K.C.C. chapter 2.98.
1718 SECTION 28. Ordinance 1321, section 5, as amended, and K.C.C. 3.04.110 are
1719 hereby amended to read as follows:
1720 **Board of ethics - Income disclosure.** The board of ethics shall adopt and
1721 promulgate rules and regulations delineating personnel employed by the county, not
1722 included in the county code of ethics, who shall be required to complete and file statements
1723 of disclosure of income and investments. The statements of elected officials, candidates,
1724 department directors, division managers, the((~~deputy county executive~~)) county

1725 administrative officer, chief officers of administrative offices and the county ~~executive~~'s
1726 administrative assistants shall be public record. All other statements shall not be made
1727 public without written approval of the board of ethics.

1728 SECTION 29. Ordinance 12014, section 31, and K.C.C. 3.12.330 are hereby
1729 amended to read as follows:

1730 **Administration - Responsibility.** The executive shall be responsible for the
1731 administration of the county personnel system in accordance with the policies and
1732 standards established by this chapter, which shall constitute the personnel rules of the
1733 county. The director as the executive's designee shall be responsible to administer the
1734 personnel system and directly-related affairs of the county to include collective
1735 bargaining; provided, that such a role will not infringe on the authority of the ((~~deputy~~
1736 ~~county executive, as the~~))county administrative officer((~~,~~)) to exercise supervisory
1737 authority on those matters not directly relating to the formal administration of the
1738 county's personnel system; provided further, that the equal employment officer and
1739 program, to include the affirmative action program, shall be directly responsible to the
1740 county administrative officer in all applicable affairs in which there has not been a
1741 formally defined relationship, by virtue of council action or personnel guideline, between
1742 said office and the director.

1743 SECTION 30. Ordinance 12943, section 14, and K.C.C. 3.12A.020 are hereby
1744 amended to read as follows:

1745 **Definitions.** The definitions set forth in K.C.C. chapter 3.12 are hereby
1746 incorporated in this chapter. Words not defined in K.C.C. chapter 3.12 or in this chapter

1747 shall have their ordinary and usual meanings. In the event of conflict, the specific
1748 definitions set forth in this chapter shall presumptively, but not conclusively, prevail.
1749 A. "Committee" means the career service review committee which shall consist of
1750 the following three permanent members: the((~~deputy~~)) county executive or his or her
1751 designee; the chief officer of the office of budget ((~~and strategic planning~~))or successor
1752 organizational unit, or his or her designee; and the ~~director~~ manager of the((~~office of~~))
1753 human resources management division or successor organizational unit, or his or her
1754 designee; and one member representing the department whose body of work and/or
1755 employees are then under review.
1756 SECTION 31. Ordinance 12014, section 56, as amended, and K.C.C. 3.24.170 are
1757 hereby amended to read as follows:
1758 **Reimbursement of moving expenses for certain employees.** A. Within the
1759 executive branch, including the department of judicial administration, the((~~director~~))
1760 manager of the human resources management division may authorize in writing at the
1761 written request of the appointing authority reimbursement for reasonable and necessary
1762 moving expenses to the following categories of county employees:
1763 1. Persons whose appointments require council confirmation and who have been
1764 so confirmed.
1765 2. Persons appointed by the((~~deputy county executive~~)) county administrative
1766 officer to exempt positions.
1767 3. Persons appointed by the directors of executive departments to exempt
1768 positions.

1769 B. Within the legislative branch, the department of assessments, the ~~department~~
1770 of public safety, the office of the prosecuting attorney, and district and superior courts,
1771 the presiding elected official may authorize, in writing, the reasonable and necessary
1772 moving expenses of employees appointed within their agencies.

1773 C. Reimbursement shall be authorized provided that prior to the appointment the
1774 appointing authority agreed to the reimbursement of moving expenses as necessary to
1775 obtain the services of a particular individual.

1776 D. Confidential secretaries, and other exempt clerical positions, shall be excluded
1777 from the provisions of this section.

1778 E. Total reimbursement shall not exceed six thousand dollars and reimbursement
1779 for specific expenses shall be subject to the limitations provided for throughout this
1780 chapter. Reimbursement will be authorized within the budgetary constraints of the
1781 employing department, agency or office.

1782 F. Authorized moving expenses shall be reimbursable from departure until such
1783 time as possessions arrive in the county, unless such expenses have been otherwise
1784 reimbursed. Costs incurred in travel other than those related to direct travel to the place
1785 of new residence will be considered nonreimbursable.

1786 SECTION 32. Ordinance 12077, section 13, and K.C.C. 3.30.040 are hereby
1787 amended to read as follows:

1788 **Authority to approve take-home vehicle assignments.** The fleet administration
1789 division of the department of transportation shall be the executive agency in charge of
1790 implementing the provisions of this chapter. ((~~Fleet administration~~))The division shall:

1791 A. Develop the administrative rules to implement the provisions of this
1792 chapter((.));
1793 B. Evaluate all take-home vehicle assignment requests from executive departments
1794 and administrative offices; and
1795 C. Approve and monitor take-home vehicle assignments ((~~including the take-home~~
1796 ~~vehicle assignments from or to the department of parks and cultural resources, the solid~~
1797 ~~waste division of the department of natural resources, and the airport division of the~~
1798 ~~department of construction and facility management~~))requested by executive departments
1799 and administrative offices.
1800 SECTION 33. Ordinance 12076, section 8, and K.C.C. 4.08.005 are hereby
1801 amended to read as follows:
1802 **Definitions**. As used in this chapter, the following terms shall have the following
1803 meanings:
1804 A. "((~~Director of finance~~))Manager" means the ((~~director of the department of~~
1805 ~~finance~~))manager of the finance and business operations division.
1806 B. "Chief budget ((~~and strategic planning~~))officer" means that individual
1807 designated by the executive to perform the budgeting((~~and strategic planning~~))functions
1808 assigned to the executive under K.C.C. chapter 2.16.
1809 C. "First tier fund" means each fund listed or described as a first tier fund in
1810 K.C.C. chapter 4.08.
1811 D. "Fund manager" means that person holding or exercising the powers of the
1812 position or office specified in K.C.C. chapter 4.08 as the manager for each fund. As to
1813 any fund created for which no fund manager is designated, the ((~~director of the~~

1814 ~~department of finance~~))manager of the finance and business operations division ~~shall~~ be
1815 deemed to be the fund manager.
1816 E. "Second tier fund" means each fund listed or described as a second tier fund in
1817 K.C.C. chapter 4.08.
1818 SECTION 34. Ordinance 12076, section 9, as amended, and K.C.C. 4.08.015 are
1819 hereby amended to read as follows:
1820 **First tier funds and designated fund managers.** A. First tier funds and fund
1821 managers are as follows:

Fund No.	Fund Title	Fund Manager
103	County Road	Dept. of Transportation
104	Solid Waste Landfill Post Closure Maintenance	Dept. of Natural Resources and Parks
109	Recorder's O & M	Dept. of ((~~Information & Administrative Services~~))Executive Services
111	Enhanced-911 Emergency Tel System	Dept. of ((~~Information & Administrative Services~~))Executive Services
112	Mental Health	Dept. of Community & Human Services
115	Road Improvement Guaranty	Dept. of Transportation
119	Emergency Medical Services	Dept. of Public Health
121	Surface Water Management	Dept. of Natural Resources and Parks
122	Automated Fingerprint Identification System	Dept. of Public Safety
125	Bridge Replacement	Dept. of Transportation

128	Local Hazardous Waste	Dept. of Public Health~~——~~
129	Youth Sports Facilities Grant	Dept. of Natural Resources and Parks((~~& Cultural Resources~~))
131	Noxious weed control fund	Dept. of Natural Resources and Parks
134	Development and Environmental Services	Dept. of Development & Environmental Svcs
164	Two-Tenths Sales Tax Revenue Receiving	Dept. of Transportation
165	Public Transit Self Insurance	Dept. of Transportation
305	Police Field Fac Const 1987	Dept. of Public Safety
309	Neighborhood Parks & Open Space	Dept. of ((~~Construction & Facility Management~~))Executive Services
312	HMC Long Range CIP	Dept. of ((~~Construction & Facility Management~~))Executive Services
313	Health Department Clinic Projects Const	Dept. of ((~~Construction & Facility Management~~))Executive Services
315	Conservation Futures Levy	Dept. of Natural Resources and Parks
316	Parks, Rec. & Open Space	Dept. of ((~~Construction & Facility Management~~))Executive Services
318	Surface & Storm Water Mgmt Const	Dept. of Natural Resources and Parks
319	Youth Svcs Detention Facility Const	Dept. of ((~~Construction & Facility Management~~))Executive Services

320	One Percent for Art	((~~Dept. of Parks &~~))Office of Cultural Resources
322	Housing Opportunity Acquisition	Dept. of Community & Human Services
326	1990 Series B Youth Detention Facility	Dept. of ((~~Construction & Facility Management~~))Executive Services
327	Equipment and Building Acquisition	Dept. of ((~~Finance~~))Executive Services
329	SWM CIP Construction 1992-1997	Dept. of Natural Resources and Parks
330	River and Flood Control Const 1961	Dept. of Natural Resources and Parks
331	Long-term leases	Dept. of ((~~Construction & Facility Management~~))Executive Services
333	Health Centers Construction	Dept. of ((~~Construction & Facility Management~~))Executive Services
334	Capital Acqn and County Fac Renovation	Budget Organization in Executive Office
335	Youth Services Facilities Construction	Dept. of ((~~Construction & Facility Management~~))Executive Services
336	Arterial Highway Development	Dept. of Transportation
338	Airport Construction	Dept. of ((~~Construction & Facility Management~~))Transportation
339	Working Forest 1995 B	Dept. of Natural Resources and Parks
340	Parks CIP	Dept. of Natural Resources and Parks
340-3	Urban Reforestation & Habitat Restoration	Dept. of Natural Resources and Parks

341	Arts and Historic Preservation Capital	((~~Dept. of Parks &~~))~~Office of~~ Cultural Resources
342	Major Maintenance Reserve	Dept. of ((~~Construction & Facility Management~~))Executive Services
343	Core GIS Capital Project	Dept of ((~~Information & Administrative Services~~))Natural Resources and Parks
346	Regional Justice Center Construction	Dept. of ((~~Construction & Facility Management~~))Executive Services
347	Emergency Communications System	Dept. of ((~~Information & Administrative Services~~))Executive Services
349	Parks Facilities Rehabilitation	Dept. of ((~~Construction & Facility Management~~))Executive Services
350	Open Space Acquisition	Dept. of Natural Resources and Parks
368-0	Real Estate Excise Tax Capital Summary Fund	Dept. of ((~~Finance~~))Executive Services
381	Solid Waste Cap Equip Recovery	Dept. of Natural Resources and Parks
383	Solid Waste Environmental Reserve	Dept. of Natural Resources and Parks
384	Farmland and Open Space Acquisition	Dept. of Natural Resources and Parks
385	Renton Maintenance Fac Const	Dept. of Transportation
386	County Road Construction	Dept. of Transportation
387	HMC Construction	Dept. of ((~~Construction & Facility Management~~))Executive Services

388	Jail Renovation & Construction	Dept. of ((~~Construction & Facility Management~~))Executive Services
390	Solid Waste Construction	Dept. of Natural Resources and Parks
391	Solid Waste Landfill Reserve	Dept. of Natural Resources and Parks
394	Kingdome CIP	((~~Stadium~~))Dept. of Executive Services
395	Building Repair & Replace	Dept. of ((~~Construction & Facility Management~~))Executive Services
396	HMC Building Repair and Replacement	Dept. of ((~~Construction & Facility Management~~))Executive Services
404	Solid Waste Operating	Dept. of Natural Resources and Parks
429	Airport Operating	Dept. of ((~~Construction & Facility Management~~))Transportation
448	Stadium Management	((~~Stadium~~))Dept. of Executive Services
461	Water Quality	Dept. of Natural Resources and Parks
464	Public Transportation	Dept. of Transportation
542	Safety & Workers' Compensation	((~~Office of Human Resources Management~~))Dept. of Executive Services
543	Transit nonrevenue vehicle rental and revolving fund	Dept. of Transportation
544	Wastewater equipment rental and revolving fund	Dept. of Transportation

550	Employee Benefits Program	((~~Office of Human Resources Management~~))Dept. of Executive Services
551	Facilities Management	Dept. of ((~~Construction & Facility Management~~))Executive Services
552	Insurance	Dept. of ((~~Information & Administrative Services~~))Executive Services
557	Public Works Equipment Rental	Dept. of Transportation
558	Motor Pool Equipment Rental	Dept. of Transportation
559	Purchasing Stores	Dept. of ((~~Finance~~))Executive Services
560	Printing/Graphic Arts Services	Dept. of ((~~Information & Administrative Services~~))Executive Services
622	Judicial Administration Trust and Agency	Dept. of Judicial Administration
624	School District Impact Fee	Budget Organization in Executive Office
674	Refunded Ltd GO Bond Rdmp.	Dept. of ((~~Finance~~))Executive Services
675	Refunded Unltd GO Bond	Dept. of ((~~Finance~~))Executive Services
676	H&CD Escrow	Dept. of ((~~Finance~~))Executive Services
693	Deferred Compensation	((~~Office of Human Resources Management~~))Dept. of Executive Services
696	Mitigation Payment System	Dept. of Transportation
843	DMS Limited GO Bonds	Dept. of ((~~Finance~~))Executive Services

890	ULID Assessment - 1981	Dept. of Transportation~~——~~
3643	Transit cross-border lease financing fund	Dept. of ((~~Finance~~))Executive Services
((—))3690	Transfer of development credit (TDC) bank fund	Dept. of Natural Resources and Parks
((—))1370	Clark Contract administration fund	Budget ((~~Office~~)) Organization in Executive Office
((—))5470	Office of information resource management operating fund	Dept. of ((~~Information & Administrative Services~~)) Executive Services
((—))3780	Information and telecommunications capital improvement fund	Dept. of ((~~Information & Administrative Services~~)) Executive Services

B. The following shall also be first tier funds:

1. All funds now or hereafter established by ordinance for capital construction through specific road improvement districts, utility local improvement districts or local improvement districts. The director of the department of transportation shall be the fund manager for transportation-related funds. The director of the department of natural resources and parks shall be the fund manager for utility-related funds.

2. All county funds that receive original proceeds of borrowings made pursuant to Chapter 216, Washington Laws of 1982, as now existing or hereafter amended, to the extent of the amounts then outstanding for such borrowings for that fund. For purposes of this subsection, the director of the county department or office primarily responsible for expenditures from that fund shall be the fund manager.

1833 3. Any other fund as the council may hereinafter prescribe by ordin~~ance to~~ be
1834 invested for its own benefit. County funds shall be treated as provided in K.C.C.
1835 4.10.110 unless a designation is made by the council.

1836 SECTION 35. Ordinance 12076, section 10, as amended, and K.C.C. 4.08.025 are
1837 hereby amended to read as follows:

1838 **Second tier funds and designated fund managers**. Second tier funds and fund
1839 managers are as follows, except to the extent that all or a portion of any listed fund is a
1840 first tier fund by virtue of any other provision of this chapter or other ordinance:

1841 **Second Tier Funds**

Fund No.	Fund Title	Fund Manager
001	Current Expense	Budget Organization in Executive Office
102	Criminal Justice	Budget Organization in Executive Office
105	River Improvement	Dept. of Natural Resources and Parks
106	Veterans' Relief	Dept. of Community & Human Services
107	Developmental Disabilities	Dept. of Community & Human Services
108	Civil Defense	Dept. of Public Safety
116	Arts and Cultural Education Program	Office of Cultural Resources
117	Arts and Cultural Development	Office of Cultural Resources
120	Treasurer's O & M	Dept. of ((~~Finance~~))Executive Services
126	Alcohol & Substance Abuse Services	Dept. of Community & Human Services
180	Public Health	Dept. of Public Health
182	Inter-County River Improvement	Dept. of Natural Resources and Parks
214	Miscellaneous Grants	Dept. of ((~~Finance~~))Executive Services

224	Youth Employment Programs	Dept. of Community & ~~Human~~ Services
246	Community Dev Block Grant	Dept. of Community & Human Services
553	Computer and Communication Services	Dept. of ((~~Information & Administrative Services~~))Executive Services
661	Deceased Effects	Dept. of ((~~Finance~~))Executive Services
662	Real Prop Title Assurance	Dept. of ((~~Finance~~))Executive Services
663	Treasurer's Prop Tax Refund	Dept. of ((~~Finance~~))Executive Services
664	Prop Tax Foreclosure Sale Excess	Dept. of ((~~Finance~~))Executive Services
666	Real Prop Advance Tax Collection	Dept. of ((~~Finance~~))Executive Services
668	Ad Valorem Tax Refund	Dept. of ((~~Finance~~))Executive Services
669	Certificate of Redemption LID assmt	Dept. of ((~~Finance~~))Executive Services
670	Undistributed Taxes	Dept. of ((~~Finance~~))Executive Services
672	Cert/redemption Real Prop	Dept. of ((~~Finance~~))Executive Services
673	Miscellaneous Tax Distribution	Dept. of ((~~Finance~~))Executive Services
677	Property Tax Suspense	Dept. of ((~~Finance~~))Executive Services
678	King County Fiscal Agent	Dept. of ((~~Finance~~))Executive Services
697	Mailroom Prop Tax Refund	Dept. of ((~~Finance~~))Executive Services
698	Miscellaneous Agency	Dept. of ((~~Finance~~))Executive Services
699	Assessment Distribution/Refund	Dept. of ((~~Finance~~))Executive Services
840	Limited GO Bond Redemption	Dept. of ((~~Finance~~))Executive Services
850	Unlimited GO Bond Redemption	Dept. of ((~~Finance~~))Executive Services
851	Stadium GO Bond Redemption	Dept. of ((~~Finance~~))Executive Services

1842 SECTION 36. Ordinance 12076, section 7, and K.C.C. 4.08.030 are ~~hereby~~
1843 amended to read as follows:
1844 **Accounting funds - Creation authority - Ordinance review.** A. The council
1845 shall create by ordinance all accounting funds for which the council exercises
1846 appropriation authority. The county auditor shall review ordinances that establish such
1847 accounting funds for consistency with basic fund classification and accounting principles.
1848 B. The ((~~director of the department of finance~~)) manager of the finance and
1849 business operations division may establish accounting funds for which appropriations are
1850 not required or which are mandated by state law or regulations and sub-funds and
1851 accounts as may be necessary to meet legal, administrative and accounting requirements;
1852 provided, that such funds, sub-funds and accounts shall be established consistent with
1853 generally accepted accounting principles and requirements established by state law and
1854 regulations. For all such funds, sub-funds and accounts, the ((~~director of the department~~
1855 ~~of finance~~)) manager of the finance and business operations division shall be the fund
1856 manager unless otherwise provided by ordinance.
1857 SECTION 37. Ordinance 12076, section 11, and K.C.C. 4.08.035 are hereby
1858 amended to read as follows:
1859 **Fund manager duties and responsibilities - Delegation.** Fund managers, for
1860 both first and second tier funds, have the following duties and responsibilities:
1861 A. Each fund manager shall review, determine the appropriateness and approve
1862 all expenditures from each fund for which ((~~he/she~~))he or she is the designated fund
1863 manager.

1864 B. Each fund manager shall inform the manager of the finance and bu~~siness~~
1865 operations division regarding the availability of funds for investment as provided in
1866 K.C.C. chapter 4.10.
1867 C. Each fund manager may delegate part or all of their duties and responsibilities
1868 to the following; provided, that to be effective, each delegation shall be in writing
1869 identifying the extent and scope of the duties and responsibilities being delegated:
1870 1. Employees subordinate to and in the same department as the fund manager;
1871 and
1872 2. Directors or managers in other departments but only for discrete elements or
1873 activities related to a fund and for amounts within such fund.
1874 SECTION 38. Ordinance 3521, section 1, and K.C.C. 4.08.040 are hereby
1875 amended to read as follows:
1876 **Sewer ULID construction fund.** There is created a new fund entitled the "Sewer
1877 ULID Construction Fund No. 389." Upon creation of a successful sewer ULID, the
1878 Sewer ULID Construction Fund will be reimbursed for any contributions. No project
1879 expenditures can be made from the Sewer ULID Construction Fund without an ordinance
1880 creating a specific Sewer ULID Construction Fund.
1881 ((~~B. Each fund manager shall inform the director of the department of finance~~
1882 ~~regarding the availability of funds for investment as provided in K.C.C. 4.10.~~))
1883 ((~~C. Each fund manager may delegate part or all of their duties and~~
1884 ~~responsibilities to the following; provided, that to be effective, each delegation shall be in~~
1885 ~~writing identifying the extent and scope of the duties and responsibilities being delegated:~~

1886 ~~1. Employees subordinate to and in the same department as the fund manager;~~

1887 ~~and~~

1888 ~~2. Directors or managers in other departments but only for discrete elements or~~

1889 ~~activities related to a fund and for amounts within such fund.~~))

1890 SECTION 39. Ordinance 12076, section 15, and K.C.C. 4.08.070 are hereby

1891 amended to read as follows:

1892 **King County worker's compensation fund**. A. There is hereby established,

1893 under the provisions of chapter 51.14 RCW, a self insurance reserve fund which shall be

1894 known as the King County Worker's Compensation Fund. Said fund shall serve as the

1895 depository and serving account of funds necessary to fulfill those purposes contained in

1896 chapter 51.14 RCW.

1897 B. This fund is intended to collect and disburse moneys to carry out the functions

1898 of the Safety and Worker's Compensation program, and funds shall not be attached for

1899 other purposes, unless such action is expressly approved by the council.

1900 C. Industrial insurance rates shall be established such that sufficient revenues shall

1901 accrue to the fund to pay for the cost of the program functions and to maintain an excess of

1902 current and other assets over liabilities, excluding estimated claims settlements. Such rates

1903 shall take into consideration, but need not be limited to, the following factors: past losses

1904 for each industrial insurance classification, the number of hours worked in each

1905 classification, and estimated claims settlements for injury claims.

1906 D. The ((~~director~~))manager of the ((~~office of~~))human resources management

1907 division is hereby authorized to transfer from the budget of each county department and

agency at the end of each fiscal quarter a sum of money that represents the amount of money previously budgeted for payment of state industrial insurance.

E. The executive is hereby authorized to obtain for the county whatever bond is required by law to become a self-insurer under ((~~C~~))chapter 51.14 RCW.

F. It is intended that the policies contained in this chapter be applied to the Worker's Compensation Fund beginning in 1982.

G. The fund shall seek to maintain an excess of current and other assets over liabilities, excluding estimated claims settlements, equal to or greater than the sum of each individual reserve established for all injury claims on file as estimated by the ((~~director~~))manager of the((~~office of~~)) human resources management division. Any funds accumulated beyond this requirement may be applied in establishing industrial insurance rates.

SECTION 40. Ordinance 12076, section 16, and K.C.C. 4.08.090 are hereby amended to read as follows:

Park facilities rehabilitation fund. A new capital fund is hereby created entitled Park Facilities Rehabilitation Fund, providing for the receipt of revenues and disbursement of expenditures for park rehabilitation. Cash balances in said fund not needed for immediate expenditure shall be invested for the benefit of the fund, pursuant to the first paragraph of RCW 36.29.020, and such procedures and limitations contained in county ordinance. Such investments shall not negate or affect the authority of the ((~~director of the department of finance~~)) manager of the finance and business operations division, under the guidance of the executive finance committee, to include the retained cash balance in the fund as part of the residual treasury cash invested under the second paragraph of

RCW 36.29.020, as now or hereafter amended, for the benefit of the county ~~Current~~ Expense Fund.

SECTION 41. Ordinance 12076, section 17, and K.C.C. 4.08.100 are hereby amended to read as follows:

Surface and storm water construction fund. A new capital fund is hereby created entitled Surface and Storm Water Construction Fund, providing for the receipt of revenues and the disbursement of expenditures for construction, engineering, planning, acquisition of land, and other related costs for the acquisition and development of drainage control facilities. Cash balances in said fund not needed for immediate expenditure shall be invested for the benefit of the fund, pursuant to the first paragraph of RCW 36.29.020, and such procedures and limitations contained in county ordinance. Such investments shall not negate or affect the authority of the ((~~director of the department of finance~~)) manager of the finance and business operations division, under the guidance of the executive finance committee, to include the retained cash balance in the fund as part of the residual treasury cash invested under the second paragraph of RCW 36.29.020, as now or hereafter amended, for the benefit of the county Current Expense Fund.

SECTION 42. Ordinance 12076, section 18, and K.C.C. 4.08.110 are hereby amended to read as follows:

Building repair and replacement fund. A new capital fund is hereby entitled Building Repair and Replacement Fund, providing for receipt of revenues and disbursement to appropriate capital funds for expenditures to repair and replace county buildings and building systems. Cash balances in said fund not needed for immediate expenditure shall be invested for the benefit of the fund, pursuant to the first paragraph of

RCW 36.29.020, and such procedures and limitations contained in county ordinance. Such investments shall not negate or affect the authority of the ((~~director of the department of finance~~)) manager of the finance and business operations division, under the guidance of the executive finance committee, to include the retained cash balance in the fund as part of the residual treasury cash invested under the second paragraph of RCW 36.29.020, as now or hereafter amended, for the benefit of the county Current Expense Fund.

SECTION 43. Ordinance 12076, section 19, and K.C.C. 4.08.130 are hereby amended to read as follows:

Northshore park and recreation service area. The ((~~director of the department of finance~~)) manager of the finance and business operations division is directed to serve as the treasurer of the Northshore Park and Recreation Service Area (PRSA) and to perform the functions designated in RCW 36.68.500 et seq. A local service area fund shall be established in the department of ((~~finance~~))executive services for the Northshore PRSA to be called the "Northshore PRSA Fund", which shall be managed as set forth in RCW 36.68.510.

SECTION 44. Ordinance 12076, section 20, and K.C.C. 4.08.140 are hereby amended to read as follows:

Enumclaw parks and recreation service area. The ((~~director of the department of finance~~)) manager of the finance and business operations division is directed to serve as the treasurer of the Enumclaw PRSA and to perform the functions designated in RCW 36.68.500 et seq. A local service area fund shall be established in the department of ((~~finance~~))executive services for the Enumclaw PRSA to be called the "Enumclaw PRSA Fund", which shall be managed as set forth in RCW 36.68.510.

1977 SECTION 45. Ordinance 12076, section 25, as amended, and K.C.C. ~~4.08.~~210
1978 are hereby amended to read as follows:
1979 **Landfill post-closure maintenance fund**. A. There is hereby created a Landfill
1980 Post-Closure Maintenance Fund. The fund balance may be used for all costs associated
1981 with landfill post-closure maintenance operations at county owned landfills, and all
1982 operations and maintenance costs related to closed solid waste disposal sites or handling
1983 facilities which the King County solid waste division owns or has custodial responsibility
1984 for.
1985 B. The director of the department of natural resources and parks shall be
1986 responsible for the administration of the Landfill Post-Closure Maintenance Fund
1987 including the preparation and issuance of operating procedures deemed necessary to
1988 ensure the proper administrative implementation of the policies governing the purpose
1989 and use of the fund.
1990 C. The Landfill Post-Closure Maintenance Fund shall be classified as a Special
1991 Revenue Fund. Monies collected in the Landfill Reserve Fund for landfill post-closure
1992 maintenance for landfills operated by King County shall be transferred into the Landfill
1993 Post-Closure Maintenance Fund at the time each landfill is closed. At such time as a
1994 landfill is closed, the executive shall present to the council an ordinance appropriating
1995 funds designated for its post-closure maintenance from the Landfill Reserve Fund to the
1996 Landfill Post-Closure Maintenance Fund, and appropriating from the Landfill Post-
1997 Closure Maintenance Fund monies for post-closure maintenance.

1998 D. All earnings derived from specific investment of funds accumulated in the
1999 Landfill Post-Closure Maintenance Fund shall be deposited and credited to the existing
2000 Landfill Post-Closure Maintenance Fund balance.

2001 E. The executive is hereby authorized to establish and activate a new Special
2002 Revenue Fund entitled "Landfill Post-Closure Maintenance Fund" for the purpose
2003 described in paragraph A of this section and in accordance with the specific policies
2004 contained in paragraphs B, C, and D of this section.

2005 SECTION 46. Ordinance 12076, section 32, and K.C.C. 4.08.280 are hereby
2006 amended to read as follows:

2007 **Solid waste capital equipment recovery fund.** A. There is hereby created a
2008 Solid Waste Capital Equipment Recovery Fund for the sole purpose of accumulating
2009 financial resources for the replacement of and major maintenance in lieu of purchase to
2010 replace solid waste rolling stock and stationary compactors purchased in 1979 and
2011 subsequent years on a timely and economic basis.

2012 B. The director of the department of natural resources and parks will be
2013 responsible for the administration of the Capital Equipment Recovery Fund including the
2014 preparation and issuance of operating procedures deemed necessary to insure the proper
2015 administrative implementation of the policies governing the purpose and use of the fund.

2016 C. The Solid Waste Capital Equipment Recovery Fund shall be classified as a
2017 capital fund. Establishment of annual and carry-over budgets against this fund, beginning
2018 in 1982, shall be in compliance with existing capital improvement programming
2019 guidelines and capital improvement budgeting procedures including subsequent changes
2020 and/or revisions to same.

2021 D. Annual appropriations of solid waste user fee revenues, beginning ~~1981,~~ shall
2022 be included in the solid waste operating budget for transfer to the Solid Waste Capital
2023 Equipment Recovery Fund to finance the replacement of and major maintenance in lieu
2024 of purchase to replace existing solid waste rolling stock and stationary compactors in
2025 future years. This annual appropriation shall be sufficient to maintain adequate
2026 replacement and major maintenance reserves. Transfers from the operating budget to the
2027 recovery fund will be made monthly.

2028 E. All earnings derived from specific investment of funds accumulated in the
2029 Solid Waste Capital Equipment Recovery Fund shall be deposited and credited to the
2030 Solid Waste Capital Equipment Recovery Fund. Receipts derived from the future sale of
2031 surplus solid waste equipment items for salvage values shall also be deposited in the
2032 Solid Waste Capital Equipment Recovery Fund.

2033 SECTION 47. Ordinance 11591, section 1, and K.C.C. 4.08.290 are hereby
2034 amended to read as follows:

2035 **Construction and facilities management internal service fund.** There is hereby
2036 adopted and approved the creation of the Construction and Facilities Management
2037 Internal Service Fund. The Construction and Facilities Management Internal Service
2038 Fund shall be classified as a first tier fund as described in K.C.C. 4.10.010. The
2039 ((~~director of the department of construction and facilities management~~))manager of the
2040 facilities management division shall be the fund manager. Uses of the fund shall be for
2041 the purposes of providing building operations, building maintenance, capital project
2042 construction and management, major building repair and renovation, building security,
2043 and public information with respect to county facilities.

2044 SECTION 48. Ordinance 12144, sections 1 and 2 , and K.C.C. 4.08.29~~5 are~~
2045 hereby amended to read as follows:
2046 **Radio communications services operating fund and radio communications**
2047 **services construction fund.** A. There is hereby created a Radio Communications
2048 Services Operating Fund and a Radio Communications Services Construction Fund.
2049 These funds shall be first tier funds as described in K.C.C. 4.10.020. The ((~~director of the~~
2050 ~~department of information and administrative services~~))manager of the information and
2051 telecommunications services division shall be the fund manager.
2052 B. The purpose of the Radio Communications Services Operating Fund is to
2053 provide for the revenues and operations of the radio communications services enterprise
2054 and to provide for the receipt and disbursement of revenue reserved for replacement of
2055 radios. The purpose of the Radio Communications Services Construction Fund is to
2056 provide for the receipt and disbursement of revenue reserved for implementation of the
2057 Capital Improvement Program administered by the radio communications services
2058 section.
2059 SECTION 49. Ordinance 14008, section 1, and K.C.C. 4.08.297 are hereby
2060 amended to read as follows:
2061 **Information and telecommunications capital improvement fund.** A. There is
2062 hereby created an information and telecommunications capital improvement fund,
2063 designated as fund number 378-1. The fund shall be a fist tier fund as defined in
2064 K.C.C. 4.08.005. The manager of the information and telecommunications services
2065 division ((~~of the department of information and administrative services~~))shall be the fund
2066 manager.

2067 B. The purpose of the information and telecommunications capital improvement
2068 fund is to account for the assets, liabilities, revenues, and expenditures of information
2069 technology capital projects managed by the information and telecommunications
2070 division((~~of the department of information and administrative services~~)).
2071 SECTION 50. Ordinance 13325, sections 5, 6 and 7, and K.C.C. 4.08.315 are
2072 hereby amended to read as follows:
2073 **Noxious weed control fund.** A. There is hereby created the noxious weed
2074 control fund which shall be used to support the activities of the King County noxious
2075 weed control board, with revenues from the noxious weed special assessment.
2076 B. The noxious weed control fund shall be a first tier fund as described in K.C.C.
2077 chapter 4.08. The noxious weed control fund shall be classified as a special revenue
2078 fund. The department of natural resources and parks shall be the fund manager of the
2079 noxious weed control fund.
2080 C. The proceeds of the special assessment imposed by K.C.C. 4.94.010 shall be
2081 credited to the noxious weed control fund and may only be used to support the activities
2082 of the King County noxious weed control board and the department of natural resources
2083 and parks to control noxious weeds.
2084 SECTION 51. Ordinance 13302, sections 1 and 2, and K.C.C. 4.08.325 are
2085 hereby amended to read as follows:
2086 **Transit cross-border lease financing fund.** There is hereby created a transit
2087 cross-border lease financing fund. This fund shall be a first tier fund as described in
2088 K.C.C. 4.10.010. The ((~~director of the department of finance~~))manager of the finance
2089 and business operations division shall be the fund manager. The purpose of the transit

cross-border lease financing fund is to provide for the revenues and expendit~~ures~~ associated with transit cross-border leasing activity and to allow for the clear identification of the benefits that will accrue to the public transportation program therefrom.

SECTION 52. Ordinance 13733, section 9, and K.C.C. 4.08.327 are hereby amended to read as follows:

Transfer of development credit (TDC) pilot program -- TDC bank fund authorization. The TDC bank fund is hereby established and shall be classified as a first tier fund with all investment proceeds credited to the fund. The fund shall be managed by the ((~~resource lands section in the~~))department of natural resources and parks or its successor. Appropriation authority of one million five hundred thousand dollars established in fund 3522, project 352320 in Ordinance 13340 shall be transferred by the executive to the TDC bank fund, in a new project.

SECTION 53. Ordinance 12076, section 33, and K.C.C. 4.10.010 are hereby amended to read as follows:

Definitions. As used in this chapter, the following terms shall have the following meanings:

A. "((~~Director of finance~~))Manager". The ((~~director of the department of finance~~))manager of the finance and business operations division.

B. "Chief budget((~~ and strategic planning~~)) officer": That individual designated by the executive to perform the budgeting ((~~and strategic planning~~))functions assigned to the executive under K.C.C. chapter 2.16.

2112 C. "First tier fund": Each county fund listed or described as a first tier ~~fund in~~
2113 K.C.C. chapter 4.08.
2114 D. "Fund manager": That person holding or exercising the powers of the position
2115 or office specified in K.C.C. chapter 4.08 as the manager for each fund and such persons to
2116 whom the fund manager has delegated duties and responsibilities as provided in
2117 K.C.C. chapter 4.08.
2118 E. "Residual treasury cash": Any cash in the custody or control of the ((~~department~~
2119 ~~of finance~~))finance and business operations division as to which no investment directive
2120 under the first paragraph of RCW 36.29.020, as now or hereafter amended, has been
2121 received by the ((~~director of the department of finance~~))manager of the finance and
2122 business operations division. Residual treasury cash includes county cash for which the
2123 fund manager has not directed a specific fund investment pursuant to this chapter.
2124 F. "Second tier fund": A fund that is not to be invested for its own benefit under
2125 the first paragraph of RCW 36.29.020 and listed as a second tier fund in
2126 K.C.C. chapter 4.08.
2127 SECTION 54. Ordinance 12076, section 34, and K.C.C. 4.10.040 are hereby
2128 amended to read as follows:
2129 **Maximum available for investment.** For each first tier fund designated in
2130 K.C.C. chapter 4.08, the maximum amount of funds available but not required for
2131 immediate expenditure which are to be invested pursuant to the first paragraph of
2132 RCW 36.29.020, as now or hereafter amended, is to be determined by the fund manager
2133 prospectively taking into consideration the need to maintain sufficient cash liquidity in the
2134 fund to meet current expenditure requirements. Each fund manager shall make such a

2135 determination for each fund no less often than weekly, nor more often than daily~~, and~~ shall
2136 promptly advise the ((~~director of the department of finance~~))manager of the finance and
2137 business operations division, in such manner and subject to such reasonable administrative
2138 constraints as the ((~~director of the department of finance~~))manager of the finance and
2139 business operations division shall establish, if there are funds to be invested, to invest such
2140 amounts from each fund, informing the ((~~director of the department of finance~~))manager of
2141 the finance and business operations division of the amount and maximum length of
2142 maturity appropriate for each investment, and such amounts are hereby authorized for
2143 investment under the first paragraph of RCW 36.29.020, as now or hereafter amended.
2144 Such investments shall be made and the lengths of their maturities selected by the ((~~director~~
2145 ~~of the department of finance~~))manager of the finance and business operations division in
2146 consultation with the executive finance committee. Consultation with the executive
2147 finance committee shall include, at a minimum, full disclosure of average invested and
2148 residual cash for each county fund. Such investments shall not negate or affect the
2149 authority of the ((~~director of the department of finance~~))manager of the finance and
2150 business operations division, under the guidance of the executive finance committee, to
2151 include the retained cash balance in the fund as part of the residual treasury cash invested
2152 under the second paragraph of RCW 36.29.020, as now or hereafter amended, for the
2153 benefit of the county Current Expense Fund.

2154 SECTION 55. Ordinance 12076, section 35, and K.C.C. 4.10.050 are hereby
2155 amended to read as follows:

2156 **Executive finance committee.** The executive finance committee is hereby
2157 confirmed as being the "county finance committee", referred to in RCW 36.29.020 and

2158 RCW 36.48.070, and shall be composed of the following: county executive, ((~~director of~~
2159 ~~the department of finance~~))manager of the finance and business operations division, chief
2160 budget ((~~and strategic planning~~))officer, and the chairperson of the county council. The
2161 executive finance committee shall be responsible for directing the ((~~director of the~~
2162 ~~department of finance~~))manager of the finance and business operations division in
2163 determining the maximum prudent extent to which residual treasury cash shall be invested
2164 pursuant to RCW 36.29.020 and this chapter. Actions of the committee shall be by
2165 majority vote except when the chairperson of the council determines such action constitutes
2166 a policy determination, as opposed to an administrative determination, which should be
2167 referred to the council. The chairperson of the council may defer action on the proposal
2168 until the council makes such policy determination regarding the proposed action.

2169 SECTION 56. Ordinance 7112, section 6, and K.C.C. 4.10.060 are hereby
2170 amended to read as follows:

2171 **Reports on investments.** The investment instruments in which county funds shall
2172 be invested shall be selected solely by the ((~~director of the department of finance~~))manager
2173 of the finance and business operations division or his or her designee and fully reported to
2174 the executive finance committee on a monthly basis at a minimum. Any losses on
2175 investments including all investments of the county treasury shall be reported by the
2176 ((~~director of finance~~))manager of the finance and business operations division to all
2177 members of the executive finance committee immediately upon discovery. Investments
2178 shall be chosen from those which are now or may hereafter be legally permitted, with the
2179 aim of maximizing return to the county while safeguarding county funds, providing the

2180 liquidity needed to meet county obligations in timely fashion, and complying ~~with such~~
2181 other county policy directives as now exist or may be hereafter adopted.

2182 SECTION 57. Ordinance 7112, section 7, and K.C.C. 4.10.070 are hereby
2183 amended to read as follows:

2184 **Investment earnings, losses and penalties.** Investment earnings and losses and
2185 any penalties for premature liquidation shall be allocated as follows:

2186 A. In the case of first tier funds, for those specific fund investments directed by the
2187 fund manager, an investment service fee equal to the maximum now or hereafter authorized
2188 by state law shall be deposited in the county current expense fund, and the balance of the
2189 maturing or liquidated investment, plus earnings if any, shall be deposited in the specific
2190 fund out of which the investment originated.

2191 As an alternative to premature liquidation of these specific fund investments, the
2192 executive finance committee may provide, on appropriate terms and conditions, for
2193 temporary interfund borrowing to cover unforeseen cash liquidity needs, and may provide
2194 for interfund purchases, at then market value, of investments in order to avoid penalties,
2195 provided that, the ((~~director of finance~~))manager of the finance and business operations
2196 division shall report to the executive finance committee any temporary interfund borrowing
2197 made to avoid liquidation of any investment instrument if such liquidation would have
2198 resulted in a loss of principal or interest. Terms and conditions should specify an interest
2199 rate and schedule of repayment.

2200 B. For all other county funds, and for residual treasury cash investments
2201 attributable to first tier funds, all earnings and losses and any penalties for premature

2202 liquidation shall be deducted from or deposited in the county current expense ~~fund and~~
2203 used for general county purposes.

2204 SECTION 58. Ordinance 7112, section 9, and K.C.C. 4.10.090 are hereby
2205 amended to read as follows:

2206 **Pooled investments.** At the direction of the executive finance committee, with the
2207 agreement of the fund manager, the ((~~director of finance~~))manager of the finance and
2208 business operations division or his or her designee, may pool monies for specific fund
2209 investments with other monies directed for specific fund investments by a fund manager
2210 under the first paragraph of RCW 36.29.020, as now or hereafter amended, monies in the
2211 residual treasury cash and monies directed for investment by other municipal corporations.
2212 Interest earnings and any losses shall be apportioned pro rata, after payment of investment
2213 service fees to the county current expense fund, to each of the funds participating in the
2214 pooled investment.

2215 SECTION 59. Ordinance 12076, section 36, as amended, and K.C.C. 4.10.110
2216 are hereby amended to read as follows:

2217 **New funds**. A. Whenever a new county fund shall be created, unless it is of a
2218 type described in K.C.C. 4.08.015, consideration shall be given to whether it should be a
2219 first tier fund, and the council shall consider the recommendation of the executive in this
2220 regard within 45 days of receiving such recommendation. Any fund as to which no
2221 specific action is or has been taken within 45 days to authorize specific fund investments
2222 under the first paragraph of RCW 36.29.020, as now or hereafter amended, shall be a
2223 second tier fund.

2224 B. Whenever a new county fund is established with direction that all surplus
2225 monies in the fund be invested for the benefit of that fund, or when such direction is
2226 given in connection with any county fund, such direction shall be deemed to mean only
2227 that monies available but not required for immediate expenditure shall be invested for
2228 that fund according to the procedures and limitations contained in this chapter, and such
2229 direction shall not negate or affect the authority of the ((~~director of the department of~~
2230 ~~finance~~))manager of the finance and business operations division, under the guidance of
2231 the executive finance committee, to include the retained cash balance in that fund as part
2232 of the residual treasury cash invested under the second paragraph of RCW 36.29.020, as
2233 now or hereafter amended, for the benefit of the county Current Expense Fund; except
2234 that if specific negative reference is made to this chapter and direction is expressly given
2235 that the Current Expense Fund shall not receive any earnings attributable to the fund in
2236 question, then and only then shall that particular fund be entitled to its proportionate
2237 share of any earnings resulting from residual treasury cash.

2238 C. In case direction shall be given that certain monies in a county fund be
2239 invested for the benefit of that fund, and no fund manager be provided for, then the
2240 director of the county department or office primarily responsible for expenditures from
2241 that fund shall be the fund manager.

2242 SECTION 60. Ordinance 12076, section 37, and K.C.C. 4.10.120 are hereby
2243 amended to read as follows:

2244 **Ratification of prior investments.** All prior actions of the executive finance
2245 committee and the ((~~director of the department of finance~~))manager of the finance and
2246 business operations division or ((~~his/her~~))his or her predecessor taken in connection with

2247 investment directives and policies, investment decisions, and the allocation of ~~investment~~
2248 earnings, as they relate to the investment of county funds, are hereby ratified.
2249 SECTION 61. Ordinance 7112, section 13, and K.C.C. 4.10.130 are hereby
2250 amended to read as follows:
2251 **Administrative rules.** The ((~~director of finance~~))manager of the finance and
2252 business operations division shall promulgate administrative rules pursuant to
2253 K.C.C. chapter 2.98 to implement this chapter. The rules shall be approved by the
2254 executive finance committee.
2255 SECTION 62. Ordinance 12076, section 41, and K.C.C. 4.14.030 are hereby
2256 amended to read as follows:
2257 **Financial service need survey.** The ((~~director of the department of~~
2258 ~~finance~~))manager of the finance and business operations division shall conduct a survey of
2259 the financial services needs of the county prior to initiating the procurement process. The
2260 survey shall be reviewed and updated prior to each subsequent procurement process.
2261 SECTION 63. Ordinance 12076, section 42, and K.C.C. 4.14.040 are hereby
2262 amended to read as follows:
2263 **Development and review of specifications.** The ((~~director of the department of~~
2264 ~~finance~~))manager of the finance and business operations division shall develop
2265 specifications stating the financial service needs of the county. Said specifications shall be
2266 reviewed and approved by the council prior to formally seeking proposals from banks.
2267 SECTION 64. Ordinance 12138, section 6, and K.C.C. 4.16.010 are hereby
2268 amended to read as follows:

2269 **Definitions.** Terms used in this chapter shall be given their common ~~and or~~dinary
2270 meaning except where otherwise declared or clearly apparent from the context.
2271 Additionally, the following definitions shall apply.
2272 A. The term "bid" or "proposal" as used throughout this chapter shall mean an
2273 offer to provide materials, equipment, supplies, or services, in response to a solicitation
2274 for bids or proposals issued by the county.
2275 B. The terms "bidder," "proposer" or "offeror" as used throughout this chapter
2276 shall mean any person, firm or corporation which formally submits a bid, proposal or
2277 offer to provide tangible personal property or services including expert personal,
2278 professional, technical, and consultant services, to the county in response to a solicitation
2279 for bids or proposals or request for qualifications issued by the county.
2280 C. The term "contract" as used throughout this chapter shall mean a mutually
2281 binding legal relationship or any modification thereof obligating a person, firm,
2282 corporation, partnership or group to provide tangible personal property or services to the
2283 county, and which obligates the county to pay therefor.
2284 D. The term "((~~director~~))manager" as used throughout this chapter shall mean the
2285 ((~~director of the department of finance~~))manager of the finance and business operations
2286 division.
2287 E. The term "metropolitan function" as used throughout this chapter shall mean
2288 those function(s) authorized by RCW 35.58.050, approved by the voters, and assumed by
2289 the county pursuant to RCW 36.56.010.
2290 F. The term "professional or technical services" as used throughout this chapter
2291 shall mean those services provided by independent contractors

((~~1~~))) 1. ((~~w~~))Within the scope of architecture, accounting, engineering~~,~~ landscape architecture, law, financial or administrative studies, feasibility studies of a scientific or technical nature, management advisory services and special project management for a defined period of time or result((~~,~~)) or other practice that requires specialized knowledge, advanced education or professional licensing or certification; and

((~~(2)~~))) 2. ((~~w~~))Where the primary service provided is mental or intellectual involving the consistent exercise of judgment and discretion or the provision of specialized skills.

G. The term "rolling stock" as used throughout this chapter shall mean revenue producing buses, vans, cars, railcars, locomotives, and trolley cars and buses.

H. The term "services", except for professional or technical services, as used throughout this chapter shall mean the furnishing of labor, time, or effort by ~~a~~ contractor, not involving the delivery of tangible personal property, other than reports which are merely incidental to the required performance.

I. The term "tangible personal property" as used throughout this chapter shall mean equipment, supplies, materials, goods, and rolling stock.

SECTION 65. Ordinance 12138, section 7, and K.C.C. 4.16.025 are hereby amended to read as follows:

Submittal and opening of bids and proposals. A. Sealed bids shall be received by the ((~~director~~))manager at such locations as the ((~~director~~))manager shall designate. Bids shall be submitted as follows: Bids shall be sealed and shall be mailed or delivered and received at the location designated by the ((~~director~~))manager up to the time and date specified on the invitation to bid, where such bids shall be time-recorded and

initialed by a county representative. After the expiration of the time for the ~~receipt~~ of bids, the bids will be publicly opened and read. The county reserves the right to reject any bid, any portion of any bid, or all bids and to waive immaterial irregularities or any other requirement in accordance with applicable law.

B. Proposals shall be received by the ((~~director~~))manager at such locations as the ((~~director~~))manager shall designate. Proposals shall be submitted as follows: Proposals shall be sealed and shall be mailed or delivered and received at the location designated up to the time and date specified in the request for proposal, where such proposals shall be time recorded and initialed by a county representative; provided however, that if the ((~~director~~))manager promulgates procedures by which proposals may be submitted electronically, and the request for proposal provides that proposals may be submitted in such a manner, the proposer may elect to submit its proposal either by the sealed or by the electronic manner. After expiration of the time for receipt of proposals, a submittal list shall be compiled and made public.

SECTION 66. Ordinance 12138, section 9, and K.C.C. 4.16.040 are hereby amended to read as follows:

Proprietary purchases. The competitive procurement provisions of this chapter shall not apply to the lease or purchase of tangible personal property or to services of any kind which are clearly and legitimately limited to a single source of supply or which involve special facilities or market conditions in which instances the lease or purchase price shall be established by direct negotiations by the ((~~director~~))manager. The executive shall approve such leases or purchases in excess of twenty-five thousand dollars.

2338 SECTION 67. Ordinance 12138, section 10, and K.C.C. 4.16.070 are ~~hereby~~
2339 amended to read as follows:
2340 **Petty cash purchases.** Various departments or agencies of the county regularly
2341 have requirements for minimal cost purchases, and the cost of competitive purchasing to
2342 the county in these instances is greater than the benefits. The ((~~director~~))manager shall
2343 establish a petty cash fund for open market purchases of miscellaneous items, total
2344 purchase price not to exceed one hundred dollars. Individual departments or agencies
2345 may effect these minimal cost purchases directly. The ((~~director~~))manager will authorize
2346 the reimbursement to each department, office or employee authorized to make such petty
2347 cash expenditures upon delivery of vendor's sales receipt. The authorized designee of the
2348 department or office will certify the vendor's paid sales receipt and deliver same for
2349 reimbursement.
2350 SECTION 68. Ordinance 12138, section 11, as amended, and K.C.C. 4.16.080
2351 are hereby amended to read as follows:
2352 **Rules and regulations for the solicitation and purchase of professional or**
2353 **technical service contracts.** A. The rules and regulations stipulated in this section shall
2354 apply only to professional or technical service contracts.
2355 B. Consultant contracts for preparation of environmental documents prepared as
2356 required by the state Environmental Policy Act, chapter 43.21C RCW, are exempt from
2357 the requirements of this chapter.
2358 C. Contracts for architect and engineering services shall be let in accordance with
2359 the requirements of chapter 39.80 RCW.

2360 D. In soliciting and recommending award of a professional or technic~~al serv~~ices
2361 contract having a value to the contractor in excess of twenty-five thousand dollars, the((
2362 ~~director~~)) manager shall have the operational responsibility to:
2363 1. Develop proposal specifications or a project description in the form of a
2364 request for proposal in concert with the requesting department or office.
2365 2. Develop, with the requesting department or office, the written criteria which
2366 will be used to determine which written proposal(s) shall be accepted as the basis for
2367 recommending contract award. Such determination at a minimum shall include:
2368 a. quality;
2369 b. known and documented expertise of the applicant;
2370 c. documentation, as required, and demonstration of the financial capability of
2371 the party to perform specified work;
2372 d. special consideration of the impact of affirmative action, including minority
2373 and women's business enterprise participation.
2374 3. Publicly advertise at least once the purpose, scheduled date, location, and
2375 time of a pre-proposal conference, or the name of a contact person from whom the project
2376 specifications shall be available. The purposes of prior notification shall be to distribute
2377 and discuss the project specifications in the form of a request for proposal to interested
2378 parties, and inform applicants of the stated time frame for submission.
2379 4. Recommend to the executive which proposal or proposals should be awarded
2380 a contract(s) as being in the best interests of the county.

2381 5. Be responsible to address all necessary comments to other proposers,
2382 interested parties or the general public regarding the decision by the county to contract
2383 for services from a party to the exclusion of other proposers.
2384 6. Include in contracts that provide for reimbursement of contractor travel and
2385 meal expenses a provision that limits such reimbursements to eligible costs based on the
2386 rates and criteria established in K.C.C. chapter 3.24.
2387 SECTION 69. Ordinance 10581, section 8, as amended, and K.C.C. 4.16.085 are
2388 hereby amended to read as follows:
2389 **Small works roster alternative to advertisement and competitive bidding.** A.
2390 There is hereby created a small works roster system, which shall operate as a uniform
2391 process to award contracts for public works projects with an estimated value of two
2392 hundred thousand dollars or less as an alternative, at the option of the county on a
2393 project-by-project basis, to formal advertisement and competitive bidding. The following
2394 procedures shall be followed in awarding all contracts using this roster system:
2395 1. Individual rosters within the system shall be composed of all contractors who
2396 have requested to be placed on the rosters and who are responsible and, where required
2397 by law, properly licensed to perform such work in this state;
2398 2. Bids may be solicited from all appropriate contractors on the appropriate
2399 small works roster or the county shall by invitation seek bids from at least five separate
2400 contractors on an appropriate roster. Such an invitation shall include an estimate of the
2401 scope and nature of the work to be performed as well as the materials and equipment to
2402 be furnished. However, if the estimated cost of the work is from one hundred thousand
2403 dollars to two hundred thousand dollars, and the county chooses to solicit bids from less

2404 than all appropriate contractors on the appropriate small works roster list, then the county
2405 must notify the remaining contractors that bids are being solicited. The ((~~director~~
2406))manager may select the most appropriate method of notifying such remaining
2407 contractors in compliance with RCW 39.04.155, now and as hereafter amended;
2408 3. Once a contractor on a roster has been offered an opportunity to submit a bid,
2409 that contractor shall not be offered another opportunity to submit a bid for any other
2410 contract utilizing that same roster until all other contractors on the roster have been
2411 afforded an opportunity to submit a bid;
2412 4. A contractor shall be removed, at the discretion of the manager, from a small
2413 works roster after being deemed nonresponsible to two consecutive invitations to bid; and
2414 5. All contracts shall be awarded to the contractor submitting the lowest
2415 responsible bid.
2416 B. The ((~~director~~))manager or his designee shall be responsible for the
2417 administration of the small works roster system and shall prepare and adopt the forms,
2418 administrative processes and operational procedures necessary to implement a small
2419 works roster system for different categories of anticipated work that complies fully with
2420 this section and all applicable requirements of state law, including those in
2421 RCW 36.32.235 and chapter 39.04 RCW.
2422 SECTION 70. Ordinance 3441, section 8, as amended, and K.C.C. 4.16.090 are
2423 hereby amended to read as follows:
2424 **Rules and regulations for the lease or purchase of tangible personal property**
2425 **and the purchase of services other than professional and/or technical consultant**
2426 **services.** The ((~~director~~))manager or the ((~~director's~~))manager's designee shall have

prepared and shall approve and advertise for bids of all county solicitations for ~~the~~ lease or purchase of tangible personal property and the purchase of services (other than professional and/or technical consultant services) in excess of twenty-five thousand dollars, and such solicitations shall be consistent with applicable state of Washington statutes, including RCW 36.32.245, RCW 36.32.253 and RCW 39.04.190. All purchases or contracts made by the ((~~director~~))manager or the((~~director's~~)) manager's designee shall be awarded to the lowest responsible bidder. Any or all bids may be rejected for good cause.

SECTION 71. Ordinance 12138, section 12, and K.C.C. 4.16.095 are hereby amended to read as follows:

Direct voucher. A. Direct voucher purchases by individual departments and offices shall not exceed two thousand five hundred dollars without approval by ordinance passed by the council.

B. It shall be the responsibility of the ((~~director~~))manager to report to the council no later than April 30th of each year direct voucher activity for the previous year on a department by department basis. Said report shall include, but not be limited to, an identification of problems regarding inappropriate use of direct vouchering and corrective actions implemented by the executive.

SECTION 72. Ordinance 12138, section 13, and K.C.C. 4.16.100 are hereby amended to read as follows:

Collusion. Regardless of whether bids or proposals have been solicited by the county for the purchase of tangible personal property or the performance of service(s), it shall be the duty of the ((~~director~~))manager to report to the executive any suspected

collusion and may order such suspected collusion reported to the proper federal authorities charged with enforcement of the federal anti((-))trust laws and to the Anti((-~~T~~))trust Division of the Office of the Attorney General of the state of Washington.

SECTION 73. Ordinance 12138, section 14, and K.C.C. 4.16.110 are hereby amended to read as follows:

Cooperative purchasing. The ((~~director~~))manager shall have authority to join with other units of government in cooperative purchasing when the best interests of the county would be served thereby; provided, that each of the participating units shall be separately invoiced by the vendors for such purchases and the county shall not be obligated for purchases other than those required for its own use. Whenever supplies, materials, equipment and services are purchased for the county by federal, state or local governments, such purchases may be accomplished in the manner prescribed by the provisions of applicable law, charter or chapter of such federal, state or local governments, rather than the provisions of this chapter.

SECTION 74. Ordinance 12076, section 45, and K.C.C. 4.16.130 are hereby amended to read as follows:

Special purpose revolving funds. The ((~~director~~))manager of the ((~~department of finance~~))finance and business operations division is hereby authorized to establish three funds for the purposes listed below and will reimburse such funds upon submittal of adequately documented disbursement records which must relate to the purpose of the respective fund. The following special purpose revolving funds are recognized as necessary to the legitimate operating needs of the county:

A. Employee Advance Travel Expense Revolving Fund.

2473 1. Custodian: ((~~Department of finance~~))Finance and business operat~~ions~~
2474 division.
2475 2. Purpose: To provide advances for employee travel expense in cases deemed
2476 to otherwise result in undue economic burden on the employee.
2477 B. Special Investigation Revolving Fund.
2478 1. Custodian: Department of public safety.
2479 2. Purpose: To provide cash funds for payments to non-employees as may
2480 occur in special investigation activities.
2481 C. Fraud Division Revolving Fund.
2482 1. Custodian: Office of the prosecuting attorney.
2483 2. Purpose: To provide cash funds for such purposes or payments to non-
2484 employees as may be incurred in fraud investigations.
2485 SECTION 75. Ordinance 12138, section 22, and K.C.C. 4.16.140 are hereby
2486 amended to read as follows:
2487 **((~~Director a~~))Authorization**. The ((~~director~~))manager is hereby authorized to
2488 take all actions necessary and appropriate to implement the policies and provisions set
2489 forth in this chapter, and to promulgate such rules, regulations and guidelines as the
2490 ((~~director~~))manager deems necessary to carry out the purposes or provisions of this
2491 chapter; provided, that such rules, regulations and guidelines shall be promulgated in
2492 compliance with K.C.C. chapter 2.98((~~, Rules of County Agencies~~)).
2493 SECTION 76. Ordinance 12138, section 16, and K.C.C. 4.16.142 are hereby
2494 amended to read as follows:

2495 **Qualification procedures**. The ((~~director~~))manager is hereby authorized to
2496 establish procedures for qualifying tangible personal property and services prior to
2497 procurement of such items. Under such procedures, only tangible personal property and
2498 services that are determined to meet the qualifying criteria will be acceptable in the
2499 subsequent procurement.

2500 SECTION 77. Ordinance 12138, section 19, and K.C.C. 4.16.155 are hereby
2501 amended to read as follows:

2502 **Negotiated procurements**. A. The provisions of this section shall apply to
2503 contracts or procurements for services and professional or technical services for
2504 departments and offices. In addition, the provisions of this section shall apply to
2505 contracts or procurements for tangible personal property acquired in furtherance of
2506 metropolitan functions. Unless otherwise provided herein, all other ordinances relating to
2507 procurement, bidding or contract procedures shall apply to contracts or procurements
2508 which are in furtherance of metropolitan functions. In the event there are inconsistencies
2509 between this section and any other ordinance, this section shall control.

2510 B. If the ((~~director~~))manager determines that soliciting competitive sealed bids is
2511 not in the best interest of the county, tangible personal property and services other than
2512 public works, the estimated cost of which is in excess of twenty-five thousand dollars,
2513 shall be let by contract under the following competitive sealed proposals procedures.

2514 1. The ((~~director~~)) manager shall cause a notice inviting statements of
2515 qualifications ((~~and/~~))or statements of proposals to be published in a newspaper of
2516 general circulation throughout King County. The notice shall state generally the tangible
2517 personal property or services to be purchased and shall call for statements of

2518 qualifications ((~~and/~~))or statements of proposals to be submitted to the county ~~on or~~
2519 before the day and hour named therein. The notice may be published in such additional
2520 newspapers or magazines and for such additional period of time as the ((~~director~~))
2521 manager shall deem to be in the best interest of the county. The request for statements of
2522 qualifications ((~~and/~~))or statements of proposals shall state the relative importance of
2523 price and all other evaluation factors.

2524 2. Discussions may be conducted with responsible offerors to determine either
2525 which proposals should be evaluated in more detail ((~~and/~~))or which offerors should be
2526 requested to enter into negotiations, or both. Negotiations may be conducted
2527 concurrently or sequentially. The county may request clarifications and consider minor
2528 adjustments in the proposals in order to better understand the proposals and to qualify
2529 them for further consideration; provided, that information discussed or obtained from one
2530 offeror shall not be disclosed to competing offerors during the discussions and
2531 negotiations. Except to the extent protected by state and/or federal laws and regulations,
2532 proposals shall be considered public documents and available for review and copying by
2533 the public after a decision to award the contract is made.

2534 3. Award shall be made, if at all, to a responsible offeror(((~~s~~))) or offerors
2535 whose proposal(((~~s) is/~~)) or proposals are determined to be the most advantageous to the
2536 county, taking into consideration price and the other established evaluation factors.

2537 SECTION 78. Ordinance 12138, section 20, and K.C.C. 4.16.165 are hereby
2538 amended to read as follows:

2539 **Federal or state assistance requirements.** When a procurement involves the
2540 expenditure of federal or state assistance, grant or contract funds, and the method of

2541 procurement required by such federal or state agency differs from the requirements of
2542 this chapter, the ((~~director~~)) manager shall conduct the procurement in accordance with
2543 the procedures required by this chapter unless the federal or state agency specifically
2544 requires otherwise.

2545 SECTION 79. Ordinance 12138, section 23, and K.C.C. 4.16.175 are hereby
2546 amended to read as follows:

2547 **Reports on contracts for professional or technical services.** A. Each year the
2548 ((~~director~~)) manager shall submit to the executive a report on contracts awarded for
2549 professional or technical services which exceeded ((~~$25,000~~)) twenty-five thousand
2550 dollars and for which other than capital funds were committed. The report shall cover the
2551 period July 1 of a year through June 30 of the following year. The report shall provide
2552 the following information for each contract included in the report:

2553 1. The name of the department and division for which the services were
2554 provided;

2555 2. The name of the project or program for which the services were provided;

2556 3. The name of the firm awarded the contract;

2557 4. The type of professional or technical services to be provided;

2558 5. Whether a competitive or sole source procurement process was used;

2559 6. The contract amount;

2560 7. The source of funding; and

2561 8. The starting and projected ending dates of performance.

2562 B. The executive shall include a copy of the report with the annual executive
2563 proposed budget submitted as required by ordinance and charter. The executive shall

also insure that detailed budget information for appropriation units includes t~~he am~~ount for projected professional and technical services contracts for the next budget year.

SECTION 80. Ordinance 13983, section 3, and K.C.C. 4.19.030 are hereby amended to read as follows:

Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

A. "Administrator" means the ((~~manager of the contract compliance and minority/women and disadvantaged business division in the department of finance~~))chief officer of the office of regional planning and policy.

B. "Economically distressed area" means a geographic area determined by the county council to require the use of incentives in order to stimulate economic activity and revitalize declining neighborhoods.

C. "Located within" the county or an economically distressed area means that a business that at least:

1. Has its primary offices or distribution points, other than residential or post office box, physically within the relevant boundaries;

2. Lists the address on a valid business permit as being within the relevant boundaries;

3. Has been doing business within the relevant boundaries for at least twelve months; and

4. Submits other proof of compliance with subsection C. 1 through 3 of this section as required by the administrator.

2586 D. "Small economically disadvantaged business" means that a business~~ and~~ the
2587 person or persons who own and control it are in a financial condition which puts the
2588 business at a substantial disadvantage in attempting to compete for public contracts. In
2589 assessing these financial conditions, the administrator shall substantially adopt the
2590 approach used by the federal Small Business Administration, but the administrator shall
2591 adjust the Small Business Administration dollar ceilings for various standard business
2592 classifications and levels for owners' personal net worth to account for local market
2593 conditions. Initially, the dollar ceiling for standard business classifications shall be fifty
2594 percent of the 1999 Small Business Administration thresholds.

2595 SECTION 81. Ordinance 12076, section 46, and K.C.C. 4.20.020 are hereby
2596 amended to read as follows:

2597 **((~~Finance Director designated as c~~))County treasurer.** The ((~~director of the~~
2598 ~~department of finance~~)) manager of the finance and business operations division shall
2599 perform the duties specified by general law to be performed by the treasurer of the county
2600 in connection with the issuance, sale, delivery and payment of bonds of the county or bonds
2601 of political subdivisions or municipal corporations of the state located within the county.
2602 The ((~~director of the department of finance~~)) manager of the finance and business
2603 operations division shall be, by virtue of((~~his/her~~)) his or her office, the treasurer of the
2604 county and ((~~said director~~)) the manager may designate a bank or banks to act for and on
2605 ((~~his/her~~))his or her behalf as safekeeping agent, escrow agent or trustee in connection
2606 with the issuance of advance refunding bonds of the county, and shall perform all other
2607 functions prescribed by general law to be performed by the treasurer of the county unless
2608 otherwise specified by the Charter or by ordinance duly adopted pursuant to the Charter.

2609 SECTION 82. Resolution 9490 (part) and K.C.C. 4.36.010 are hereby ~~amended~~
2610 to read as follows:
2611 **((~~Payment to property agent~~)) Rental payments.** All rentals covering King
2612 County tax property and King County fee simple property shall be paid to the ((~~county real~~
2613 ~~property agent~~))manager of the facilities management division.
2614 SECTION 83. Resolution 9490 (part), as amended, and K.C.C. 4.36.020 are
2615 hereby amended to read as follows:
2616 **Record and deposit of collections.** The ((~~property agent~~))manager of the facilities
2617 management division shall keep a complete record of all rentals collected, crediting to each
2618 piece of property the amount of rentals received, and deposit with the ((~~county comptroller~~
2619))manager of the finance and business operations division all funds received at the close of
2620 business each Friday.
2621 SECTION 84. Ordinance 12076, section 47, and K.C.C. 4.42.040 are hereby
2622 amended to read as follows:
2623 **Staffing.** The office of cultural resources ((~~division of the department of parks and~~
2624 ~~cultural resources~~))shall be responsible for staff support for the Arts and Cultural
2625 Education program in accordance with the provisions of this chapter.
2626 SECTION 85. Ordinance 9279, section 9, and K.C.C. 4.42.070 are hereby
2627 amended to read as follows:
2628 **Responsibility.** The King County Special Projects Program shall be a separate
2629 program under the direction of the office of cultural resources ((~~division~~))with
2630 recommendations from both the King County Arts Commission and the King County
2631 Landmarks and Heritage Commission.

2632 A. The duties and authorities of the office of cultural resources ((~~division~~))shall be
2633 the following:
2634 1. Develop guidelines and eligibility criteria for the King County Special Projects
2635 Program.
2636 2. Submit project proposals to the King County Arts Commission or the King
2637 County Landmarks and Heritage Commission as applicable for review and eligibility
2638 determination of all project proposals.
2639 3. Submit project proposals for approval and appropriation by the council.
2640 4. Annually report program results to the King County executive and King
2641 County council.
2642 5. Review, evaluate and account for expenditures of funds.
2643 B. The cost of administering the King County Special Projects Program shall be
2644 minimal.
2645 SECTION 86. Ordinance 12076, section 49, and K.C.C. 4.42.100 are hereby
2646 amended to read as follows:
2647 **Cultural facilities program**. A. The Cultural Facilities Program shall be
2648 administered by the ((~~director of the department of parks and~~))office of cultural resources
2649 under the direction of the executive and in accordance with guidelines and policies
2650 established by the council. The program shall consist of grants responding to priorities
2651 established by the council, reviewed annually, to performing arts, visual arts, heritage and
2652 cultural organizations.
2653 B. Beginning January 1, 1992, and through December 31, 2000, at least seventy
2654 percent of the revenue allocated to the Education and Cultural Development Fund shall

be expended on the King County Cultural Facilities Program, provided that at ~~least~~ twenty percent of the King County Cultural Facilities Program revenue allocation shall be earmarked for heritage programs and administered by the King County Landmarks and Heritage Commission.

C. Beginning January 1, 2001, and through December 31, 2012, pursuant to Ordinance 9279, at least thirty-two percent of the Education and Cultural Development Fund shall be expended on the King County Cultural Facilities Program and shall be earmarked for arts facilities and fixed assets and administered by the King County Arts Commission or its successor commission.

D. The funds allocated to the Cultural Facilities Program shall be used only for the purchase, design, construction, and remodeling of performing arts, visual arts, heritage, and cultural facilities, and for the purchase of fixed assets that will benefit art, heritage, and cultural organizations.

E. Funds may be spent on providing assistance for planning and improvement of cultural facilities, providing for the preservation and restoration of cultural facilities otherwise eligible for funding pursuant to this chapter, and providing funds to cultural organizations to comply with Section 504 of the Federal Rehabilitation Act of 1973, as amended.

F. Funds received under this section may be used for payment of principal and interest on bonds issued for capital projects. The ((~~director of the department of finance~~))manager of the finance and business operations division will manage the program's debt to ensure continued high credit quality, access to credit markets, and financial flexibility. All of the program's debt management activities will be conducted to

maintain at least the current credit ratings assigned to the county's debt by the ~~major~~ credit rating agencies and to maintain an adequate debt service coverage ratio. Long term debt will not be used to support operating expenses. The ((~~director of the department of finance~~))manager of the finance and business operations division will develop and maintain a central system for all debt-related records which will include all official statements, bid and other procurement documents, ordinances, indentures, leases, etc., for all of the program's debt and will accurately account for all interest earnings in debt-related funds. These records will be designed to ensure that the program is in compliance with all debt covenants and with state and federal laws.

G. Eligible applicants shall include performing arts, visual arts, heritage and cultural organizations. Eligible applicants must be financially stable and have at least the following:

1. A legally constituted and working board of directors;

2. A record of artistic, heritage, or cultural accomplishments;

3. At least a two-year operating history;

4. Demonstrated ability to maintain net current liabilities at less than thirty percent of general operating expenses;

5. Demonstrated ability to sustain operational capacity subsequent to completion of projects or purchase of machinery and equipment; and

6. Evidence of an independent financial review of the organization.

SECTION 87. Ordinance 12076, section 50, and K.C.C. 4.44.010 are hereby amended to read as follows:

2700 **Authority to sell county tax title property**. The ((~~property services~~))facilities
2701 management division of the department of((~~ construction and facility~~
2702 ~~management~~))executive services is authorized to conduct sales of all county tax title
2703 property.

2704 SECTION 88. Ordinance 12076, section 51, and K.C.C. 4.52.010 are hereby
2705 amended to read as follows:

2706 **Procedure for - When.** Whenever, on the first day of January of any year, two
2707 installments of any local improvement assessment are delinquent, or the final installment
2708 thereof has been delinquent for more than one year, the ((~~director of the department of~~
2709 ~~finance~~))manager of the finance and business operations division, shall, on or before the
2710 first day of October of such year, proceed with foreclosure of such assessments or
2711 installments thereof in accordance with state law.

2712 SECTION 89. Ordinance 12045, section 21, and K.C.C. 4.56.030 are hereby
2713 amended to read as follows:

2714 **Inventory documentation and surplus personal property sales procedures.**
2715 The ((~~property services~~))fleet administration division of the department of transportation
2716 shall keep documentation of the county personal property inventory.

2717 A. The ((~~property services~~))fleet administration division shall review the
2718 department and agency inventory reports and investigate any large or unusual lost, stolen
2719 or unlocatable inventory amounts. The division shall compare current year amounts with
2720 previous years and to what is currently on hand. "Large" shall mean any dollar amount
2721 equal to, or in excess of, the current capitalization rate.

B. The personal property inventory shall include all items with a capi~~talization~~ rate of $1,000. All weapons shall continue to be capitalized.

C. One employee in each department or agency shall be designated as the department's or agency's inventory contact. Property disposal in any department or agency shall be initiated by the inventory contact and approved by the department director or agency head. Documentation shall require the signatures of both the inventory contact and the department director or agency head, as applicable, on the disposition forms sent to the ((~~property services~~))fleet administration division. No transactions will be valid without both signatures.

D. The employees in the ((~~personal property branch of the property services~~))fleet administration division who are involved in the inventorying and disposing of county personal property, as designated by the manager of the fleet administration division, and members of their immediate families shall be prevented from purchasing or otherwise participating in the purchase of surplus personal property.

E. At each sale a bidder sign-up sheet shall be posted to indicate whether the bidder is employed by the county, and, if so, in which department or agency, or whether any member of their immediate family is employed by the county and, if so, in which department or agency.

F. The ((~~property services~~))fleet administration division will maintain comprehensive documentation of all personal property sales, including those items specified in RCW 36.32.210, as amended, and will document each deletion or change that is made to the final property sale listing.

2744 SECTION 90. Ordinance 12045, section 20, and K.C.C. 4.56.035 are ~~hereby~~
2745 amended to read as follows:
2746 **Accountability for county personal property**. County employees shall be held
2747 accountable and responsible for all of the various personal property assigned to them
2748 during the course of their employment with the county.
2749 A. Written documentation, by employee, of all changes in assigned capitalized
2750 items from the department or agency inventory reports will be recorded at the time of the
2751 occurrence and kept in each county department or agency.
2752 B. The ((~~property services~~))fleet administration division shall provide a report of
2753 losses to the county council, ((~~deputy county executive~~))county administrative officer
2754 and office of risk management((~~ division~~)).
2755 C. The ((~~property services~~))fleet administration division shall recommend to the
2756 department or agency director or manager corrective action for all capitalized items lost
2757 or misplaced due to employee negligence or misconduct.
2758 D. If the director or manager determines an employee to be negligent in
2759 ((~~his/her~~))his or her care of the property assigned to ((~~him/her~~))him or her or if a
2760 terminated employee fails to return personal property assigned to ((~~him/her~~))him or her,
2761 then the county may pursue any remedy available at law for recovery of loss of property.
2762 If a career service employee is disciplined, that employee has the right to the full
2763 protection of the county disciplinary-grievance process as established by applicable union
2764 bargaining agreements and the county code provisions and administrative guidelines for
2765 the career service.

2766 E. The fleet administration division shall be the sole agency responsi~~ble for~~
2767 inventorying and disposing of county personal property.
2768 SECTION 91. Ordinance 12045, section 3, and K.C.C. 4.56.040 are hereby
2769 amended to read as follows:
2770 **Sales of personal property - Value exceeding five thousand dollars.** If the
2771 item or lot of surplus personal property carries a depreciated value of not less than five
2772 thousand dollars and not more than two hundred fifty thousand dollars in the current
2773 inventory, a survey committee will be convened to estimate the market value of an item
2774 of personal property, and the committee shall then advise the date, location and manner
2775 of sale that is likely to be the most advantageous to the county. The originating
2776 department, the manager of the ((~~property services~~))fleet administration division, and the
2777 director((~~,~~))of the department of~~((construction and facility management~~)) transportation
2778 are to be represented on each survey committee that is convened. When the survey
2779 committee determines that an item or lot of surplus personal property carries a
2780 depreciated value of two hundred fifty thousand dollars or more, the county executive
2781 shall not dispose of said personal property without prior approval by motion of the
2782 council. The motion approved by the council shall state concisely a description of the
2783 item or lot of surplus personal property and procedures to be followed by the executive in
2784 disposing of the personal property through sale.
2785 SECTION 92. Ordinance 12045, section 2, and K.C.C. 4.56.050 are hereby
2786 amended to read as follows:
2787 **((~~Director, department of construction and facility management; property~~**
2788 **~~services division~~))Responsibilities and powers.** ((~~Subject to the delegation of~~

2789 ~~authority by the director, the property services~~))The managers of the fleet administration
2790 and facilities management divisions shall have the responsibilities and powers assigned to
2791 ((~~the~~))their respective divisions in K.C.C. chapter 4.56, as amended.
2792 SECTION 93. Ordinance 12045, section 4, as amended, and K.C.C. 4.56.060 are
2793 hereby amended to read as follows:
2794 **((~~Property services division~~))Real property - Responsibilities.** A. Except as
2795 otherwise provided in this chapter, the ((~~property services~~))facilities management
2796 division, acting under the supervision of the ((~~director, department of construction and~~
2797 ~~facility management~~))county administrative officer, shall be the sole organization
2798 responsible for the administrative processes of acquiring, disposing, inventorying, leasing
2799 and managing real property, the legal title of which rest in the name of the county, or
2800 which the county manages in a trust capacity.
2801 ((~~B. The property services division shall be the sole agency responsible for~~
2802 ~~inventorying and disposing of county personal property.~~))
2803 (~~C~~))B. Open space, trail, park, agriculture and other natural resource real
2804 properties shall be acquired by the department of natural resources and parks, unless the
2805 executive directs the ((~~property services~~))facilities management division to make such
2806 acquisitions.
2807 ((~~D~~))C. Real property and interests in real property necessary for the
2808 metropolitan public transportation and metropolitan water pollution abatement functions
2809 shall be acquired and managed by the departments of transportation and natural resources
2810 and parks, respectively, as set forth in this chapter, unless the executive directs the

2811 ((~~property services~~))facilities management division to make such acquisitions ~~and/or~~
2812 manage such properties.
2813 ((~~E~~))D. County departments shall be responsible for maintaining all real property
2814 for which they are the custodian.
2815 SECTION 94. Ordinance 12045, section 5, as amended, and K.C.C. 4.56.070 are
2816 hereby amended to read as follows:
2817 **((~~Property services~~))Facilities management division, county departments -**
2818 **Responsibilities and powers in declaring county real property surplus.** A. The
2819 ((~~property services~~))facilities management division shall no later than the end of the first
2820 quarter of the calendar year, maintain and update a current inventory of all county titled
2821 real property with detailed information as to current departmental custodianship and as to
2822 the characteristics that determine its economic value and potential uses; provided, that all
2823 county roads shall be excluded from the provision of this section.
2824 B. No later than June 30th of each calendar year, each department shall submit a
2825 report to the ((~~property services~~))facilities management division on the status of all real
2826 property for which the department is the custodian and include in the report any change
2827 in use or status since the previous year's report.
2828 C. County departments shall be required, no later than June 30th of every third
2829 calendar year beginning with 1996, to justify departmental retention of all real property
2830 for which the department is the custodian to the ((~~property services~~))facilities
2831 management division.
2832 1. If in the judgment of the ((~~property services~~))facilities management division
2833 a county department cannot justify the retention of real property for which it is the

custodian or if a department determines that real property is surplus to its nee~~ds, the~~ ((~~property services~~))facilities management division shall determine whether any other county department has a need for the property that is related to the provision of essential government services, including but not limited to services for the public health, public safety, or services related to transportation, water quality, surface water or other utilities. If the property is not needed for the provision of essential government services, the ((~~property services~~))facilities management division shall then determine if the parcel is suitable for affordable housing. If it is deemed suitable for housing the county shall first attempt to make it available or use it for affordable housing pursuant to K.C.C. 4.56.085 or 4.56.100. Suitable for affordable housing for the purpose of this section means the parcel is located within the Urban Growth Area, zoned residential and the housing development is compatible with the neighborhood. If the property is not deemed suitable for the purposes described above, then it shall be determined whether any other department has a need for the parcel.

2. If another department can demonstrate a need for said real property, custodianship of such real property shall be transferred to that department without any financial transaction between present and future custodial organizations, except as required by RCW 43.09.210, as amended, or under grants.

3. If no other department can demonstrate a need for such real property, said real property shall be declared surplus to the future foreseeable needs of the county and may be disposed of as set forth in this chapter.

D. The ((~~property services~~))facilities management division shall review and make recommendations to the executive for uses other than the sale of surplus real

property prior to a decision by the executive to dispose of such properties ~~through~~ sale. Other possible uses that shall be considered by the division in accordance with the provisions of this chapter, are:

1. Exchanges for other privately or publicly owned lands that meet the county's land needs;

2. Lease with necessary restrictive covenants;

3. Use by other governmental agencies;

4. Retention by the county if the parcel is classified as floodplain or slide hazard property;

5. Use by nonprofit organizations for public purposes; and

6. Long-term lease or sale for on-site development of affordable housing.

E. The ((~~property services~~))facilities management division in consultation with the office of ((~~budget and strategic planning~~))regional planning and policy and the department of community and human services shall, no later than the third quarter of the calendar year, submit a report to the council identifying surplus county real property suitable for the development of affordable housing. Affordable housing for the purpose of this chapter means residential housing that is rented or owned by a person:

1. Who is from a special needs population and whose monthly housing costs, including utilities other than telephone, do not exceed thirty percent of the household's monthly income; or

2. Who qualifies as a very low-income, low-income, or moderate-income household as those terms are defined in RCW 43.63A.510.

2879 SECTION 95. Ordinance 12045, section 6, and K.C.C. 4.56.075 are ~~hereby~~
2880 amended to read as follows:
2881 **Financial investment properties**. A. The ((~~property services~~))facilities
2882 management division shall determine which real properties within the inventory of
2883 county-owned properties are defined by this section. These properties are currently not
2884 needed for county use but are held to provide a financial return to the county. It is the
2885 ultimate objective of the county to dispose of this type of property. Disposal should not
2886 occur until optimal market conditions exist for maximizing financial return to the county.
2887 B. All properties within this category shall have an initial value established by an
2888 appraisal or, in lieu of this appraisal, a value shall be established by the((~~property~~
2889 ~~services~~)) facilities management division.
2890 C. Except as provided in ((~~paragraph~~)) subsection E of this section, all properties
2891 with values of less than ((~~$500,000~~)) five hundred thousand dollars shall be revalued by
2892 the ((~~property services~~)) facilities management division every three years from when the
2893 initial value was established until the property is disposed of. If a property increases in
2894 value to more than $500,000 it is subject to the provisions in ((~~paragraph~~)) subsection D
2895 of this section.
2896 D. All properties with values of greater than ((~~$500,000~~)) five hundred thousand
2897 dollars shall be valued by an independent appraiser. Except as provided in ((~~paragraph~~))
2898 subsection E of this section, these properties shall be revalued every three years from
2899 when the initial value was established.

2900 E. When existing leases provide for rental adjustments at greater than ~~three~~ year
2901 intervals, the reevaluations required by ((~~paragraphs~~)) subsections C and D of this section
2902 shall be performed no more than one year prior to the scheduled rental adjustment.
2903 F. All appraisals shall address the following factors:
2904 1. Current market conditions and trends which affect the value of the property;
2905 2. Potential market conditions;
2906 3. Value of any improvements on the property;
2907 4. Impact on property value of temporary and permanent encumbrances upon
2908 the property such as leases, easements and any other arrangement which encumbers any
2909 portion of the property; and
2910 5. Any other factors which, in the professional judgment of the appraiser, affect
2911 the value of the property.
2912 G. A proposal to dispose of a property in this category shall be based upon an
2913 appraisal which has been performed within the past twelve months. A property shall be
2914 sold if analysis of its income producing potential and current market sales conditions
2915 demonstrates that a greater return to the public will be provided through sale of this
2916 property.
2917 H. Properties in this category shall be disposed of through a public auction
2918 process or through listing with a real estate listing service. In no case shall a property be
2919 sold for less than its appraised value. This value shall be established by an independent
2920 appraisal which has been completed within six months of the sale of this property.

2921 I. In order to ensure that properties in this category that are retained ~~by the~~ county
2922 provide the optimal return, all lease renewals and extensions shall be authorized by
2923 ordinance.

2924 SECTION 96. Ordinance 12394, section 3, and K.C.C. 4.56.085 are hereby
2925 amended to read as follows:

2926 **Public/private development projects on or with county property.** A. The
2927 office of ((~~budget and strategic planning~~))regional planning and policy shall assist the
2928 department of ((~~construction and facilities management~~))executive services to determine
2929 the potential public/private uses of county owned real and personal property.

2930 B. The department of ((~~construction and facilities management~~))executive
2931 services shall assist county departments in capital facilities planning and, in collaboration
2932 with the office of ((~~budget and strategic planning~~))regional planning and policy,
2933 investigate the feasibility of, and when feasible, facilitate, public/private partnerships in
2934 the use of county property, pursuant to K.C.C. 4.56.070. These investigations shall
2935 include such actions as:

2936 1. Prepare market and financial feasibility studies, hold public meetings, and
2937 prepare recommendations;

2938 2. Brief the executive and council;

2939 3. Solicit developer proposals;

2940 4. Select the developer;

2941 5. Obtain council approval;

2942 6. Negotiate the developer agreement; and

2943 7. Monitor the development and use of assets.

2944 C. The office of ((~~budget and strategic planning~~))regional planning ~~and~~ policy
2945 shall provide assistance to other county departments to determine if real property or other
2946 assets may be managed for economic development purposes or administered in a manner
2947 that will provide revenue to the county.

2948 SECTION 97. Ordinance 12045, section 10, as amended, and K.C.C. 4.56.100
2949 are hereby amended to read as follows:

2950 **Sale of property - Public auction or sealed bid.** A. All sales of real and
2951 personal property shall be made to the highest responsible bidder at public auction or by
2952 sealed bid except when:

2953 1. County property is sold to a governmental agency;

2954 2. The county executive has determined an emergency to exist; or the county
2955 council, by ordinance, has determined that unique circumstances make a negotiated direct
2956 sale in the best interests of the public;

2957 3. County real property is traded for real property of similar value, or when
2958 county personal property is traded for personal property of similar value;

2959 4. The ((~~property services~~))facilities management division has determined that
2960 the county will receive a greater return on real property when it is listed and sold through
2961 a residential or commercial real estate listing service;

2962 5. County personal property is traded in on the purchase of another article;

2963 6. Property has been obtained by the county through the proceeds of grants or
2964 other special purpose funding from the federal or state government, wherein a specific
2965 public purpose((~~(s) is~~)) or purposes are set forth as a condition of use for ((~~such~~)) the
2966 property, ((~~said~~)) that purpose((~~(s)~~)) or purposes to be limited to the provision of social

and health services or social and health service facilities as defined in chapter ~~43.83~~D RCW, and it is deemed to be in the best interest of the county, in each instance, upon recommendation by the county executive and approval by the county council, that in order to fulfill ((~~said~~)) the condition of use, the county may sell or otherwise convey the property in some other manner consistent with the condition of use; provided, that in the event such property is conveyed pursuant to the provisions of this subdivision, the conveyee((~~(s)~~)) or conveyees shall be limited to private, nonprofit corporations duly organized according to the laws of the state of Washington, which nonprofit corporations are exempt from taxation under 26 U.S.C. ((§)) Sec. 501(c) as amended, and which nonprofit corporations are organized for the purpose of operating social and health service facilities as defined by chapter 43.83D RCW;

7. The county property is sold for on-site development of affordable housing which provides a public benefit, provided that the developer has been selected through a request for proposals;

8. It is deemed to be in the public interest to restrict the use of the project for provision of social or health services or such other public purposes as the county deems appropriate((~~.~~)); or

9. The ((~~property services~~))facilities management division for real property and the fleet administration division for personal property, in consultation with the county executive and the county council, may, in the best interests of the county, donate or negotiate the sale of either county surplus personal ((~~and/~~)) property or real property, or both, with bona fide nonprofit organizations wherein the nonprofit organizations provide services to the poor and infirm or with other governmental agencies with whom

reciprocal agreements exist. Such transactions will be exempt from the requirements of fair market value, appraisal, and public notice. The((~~property services~~)) facilities management division or fleet administration division, as applicable, also may, in the best interest of the county, procure services to support King County in lieu of payment with nonprofit organizations who provide services which will benefit the public. Such transactions are based upon the recommendation of the ((~~property services~~))facilities management division or fleet administration division, as applicable, and the department having custodianship of the property. The ((~~property services~~))facilities management division or fleet administration division, as applicable, shall maintain a file of appropriate correspondence or such information which leads to a recommendation by the division to the county executive and the county council to undertake such transactions, and such information shall be available for public inspection at the ((~~property services~~))facilities management division or fleet administration division, as applicable. The ((~~property services~~))facilities management division or fleet administration division, as applicable, may also seek reimbursement from the benefiting organization for the administrative costs of processing the surplus property.

B. The county may, if it deems such action to be for the best public interest, reject any and all bids, either written or oral, and withdraw the property from sale. The county may then renegotiate the sale of withdrawn property, providing the negotiated price is higher than the highest rejected bid.

C. Whenever the procedures of a grant agency having an interest in real or personal property requires disposition in a manner different from the procedures set forth

3012 in this chapter, the property shall be disposed of in accordance with the proce~~dures~~
3013 required by this chapter unless the grant agency specifically requires otherwise.

3014 SECTION 98. Ordinance 12045, section 11, and K.C.C. 4.56.115 are hereby
3015 amended to read as follows:

3016 **Temporary and permanent easements on county property**. A. The executive
3017 is authorized to execute utility easements, bills of sale or related documents necessary for
3018 the installation, operation and maintenance of utilities to county property, provided that
3019 the documents are reviewed and approved by the custodial department or agency and the
3020 ((~~property services~~))facilities management division. Temporary and permanent
3021 easements for utility purposes other than service to county property may be granted by
3022 the executive if such easements will not interfere with or hinder the use of the property by
3023 the custodial department or agency; provided that such utility easements that exceed
3024 ((~~$30,000~~)) thirty thousand dollars in value shall be subject to prior approval by the
3025 council. Any other permanent easements granted by the county shall be subject to prior
3026 approval by the council.

3027 B. The executive is authorized to relinquish any easements granted to the county
3028 which are determined to be surplus to the county's foreseeable needs or to trade an
3029 easement for real property or easements of a similar nature and value, provided that
3030 relinquishments of easements where the county spent more than $30,000 in their
3031 acquisition shall be subject to prior approval by the council.

3032 SECTION 99. Ordinance 12045, section 12, and K.C.C. 4.56.130 are hereby
3033 amended to read as follows:

3034 **Disposition of sale proceeds.** A. The county organizations responsib~~le for~~
3035 conducting sales shall be reimbursed for advertising, postage and selling fees, if any,
3036 from the proceeds of the sale. The ((~~director of finance~~))manager of the finance and
3037 business operations division is authorized to establish such funds and accounts necessary
3038 to deposit sale proceeds until final disposition. The balance of the proceeds shall be
3039 deposited into the proper county fund or account, as directed by the ((~~property services~~
3040))facilities management division, the fleet administration division or the county council,
3041 as applicable.

3042 B. In no case shall the title be transferred until the purchase price has been fully
3043 paid.

3044 SECTION 100. Ordinance 12045, section 13, as amended, and K.C.C. 4.56.140
3045 are hereby amended to read as follows:

3046 **Intergovernmental sales and leases of real property**. A. The county may
3047 dispose of or lease county real property to another governmental agency and may acquire
3048 property for the county from another governmental agency by negotiation, upon such
3049 terms as may be agreed upon and for such consideration as may be deemed by the county
3050 to be adequate.

3051 B. Prior to intergovernmental disposal of real property with an estimated value
3052 greater than the amount set forth in RCW 39.33.020, as amended, public notice and
3053 hearing shall be provided in accordance with ((~~said~~))such statute.

3054 SECTION 101. Ordinance 12045, section 14, as amended, and K.C.C. 4.56.150
3055 are hereby amended to read as follows:

3056 **Authority to lease or rent county real property.** A. If it appears that ~~it is~~ for
3057 the best interests of the county and the people thereof, the county may lease any county
3058 real property and its appurtenances for a year or a term of years under the limitations and
3059 restrictions and in the manner provided in this chapter.

3060 B. The county may lease such county real property and its appurtenances whether
3061 such property was acquired by tax deed under foreclosure proceedings for nonpayment of
3062 taxes or whether held or acquired in any other manner.

3063 C. Any lease executed under the authority of the provisions of this section creates
3064 a vested interest and a contract binding upon the county and the lessee.

3065 D. The county may enter into rental agreements for a term less than one year,
3066 including month-to-month rental agreements, on terms and conditions that are in the best
3067 interest of the county. All such rental agreements are subject to approval by the
3068 executive based on recommendations of the ((~~property services~~))facilities management
3069 division. Rental agreements for a term less than one year are exempt from the appraisal
3070 and notice requirements pertaining to leases for a year or more; provided, that the
3071 ((~~property services~~))facilities management division shall maintain a file of appropriate
3072 correspondence or such information which leads to a recommendation by the ((~~property~~
3073 ~~services~~))facilities management division to the county executive to enter into such an
3074 agreement. Such information shall be available for public inspection at the ((~~property~~
3075 ~~services~~))facilities management division for one year after termination of such tenancies.

3076 E. The county may, in the best interests of the county, enter into agreements for
3077 the use of county property with bona fide nonprofit organizations, with another
3078 governmental agency when the property is to be used for a medical training and research

3079 facility connected with a county hospital, or wherein the nonprofit organization~~n or~~
3080 governmental agency is either to use the property for affordable housing, make
3081 improvements to the county property and/or provide services which will benefit the
3082 public. Such agreements will be exempt from the requirements of fair market value,
3083 appraisal, and notice. Such agreements are subject to the approval of the executive,
3084 based upon recommendation of the ((~~property services~~))facilities management division
3085 and the department having custodianship of the property subject to the agreement,
3086 provided that the ((~~property services~~))facilities management division shall maintain a file
3087 of appropriate correspondence or such information which leads to a recommendation by
3088 the division to the county executive to enter into such an agreement. Such information
3089 shall be available for public inspection at the ((~~property services~~))facilities management
3090 division for one year after termination of such tenancies.

3091 F. For rental or lease agreements, including concession agreements, on county
3092 parks or open space properties, the natural resources and parks ((~~and cultural resources~~
3093))department shall have the authorities and responsibilities specified in ((~~paragraphs~~))
3094 subsections D and E of this section for the ((~~property services~~))facilities management
3095 division.

3096 SECTION 102. Ordinance 12045, section 15, as amended, and K.C.C. 4.56.160
3097 are hereby amended to read as follows:

3098 **Manner of awarding lease or rental agreement.** A. Except as provided in
3099 ((~~paragraphs D and E of~~)) K.C.C. 4.56.150 D and E, and ((~~paragraphs~~)) subsections D
3100 and E of this section, fair market rental value, as defined in K.C.C. 4.56.010, shall be the

3101 basis for all leases of county real property. All leases will be awarded upon ~~the best~~
3102 terms and conditions available to the county.
3103 B. Except as provided in ((~~paragraphs~~)) subsections D and E of this section, when
3104 the county authorizes a new lease, or the renewal of a lease once executed and delivered,
3105 the ((~~property services~~)) facilities management division shall make an appraisal of the fair
3106 market rental value of such property, and such fair market rental value will serve as the
3107 basis for the new lease or renewal. After ((~~said~~)) the review, the manager of the
3108 ((~~property services~~))facilities management division shall determine whether the new
3109 lease, or renewal of an existing lease, is to be awarded by competitive bidding or by
3110 negotiation with interested parties without bidding. New leases shall be awarded by
3111 competitive bidding unless the manager of the ((~~property services~~))facilities management
3112 division determines it is advantageous to the county to negotiate without bidding. In the
3113 event the county negotiates the award of lease contracts, the ((~~property services~~
3114))facilities management division shall submit to the executive the reasons for
3115 recommending award through negotiation rather than competitive bidding. At the option
3116 of the executive, competitive bidding may be required. The county shall give notice of
3117 its intention to execute a lease by publishing a notice in a legal newspaper at least once a
3118 week for the term of two weeks. The notice so published shall adequately describe the
3119 property to be leased and shall contain a notice that a copy of the lease is available for
3120 public inspection at the ((~~property services~~))facilities management division. Such notice
3121 requirement shall not apply to leases or renewals awarded through competitive bidding or
3122 ((~~pursuant to the provisions of paragraphs~~)) in accordance with subsections D and E of
3123 this section. Every new lease, or extension, modification or renewal of a lease, once

3124 executed and delivered, shall be signed or caused to be signed by the county ~~executive~~, in
3125 accordance with Section 320.20 of the King County Charter, following analysis and
3126 recommendations of the manager of the ((~~property services~~))facilities management
3127 division and the county department having custodianship of the property. After awarding
3128 of the new lease, modification, extension or renewal, a copy of the instrument as
3129 executed and delivered shall be available for public inspection at the ((~~property services~~
3130))facilities management division.

3131 C. When the county elects to lease its property pursuant to public bidding, the
3132 county shall advertise to the extent which the county deems necessary to effect an
3133 advantageous lease. Such advertising shall include publishing a notice in a legal
3134 newspaper at least once a week for three consecutive weeks, the last notice to appear no
3135 more than five days prior to the date of the auction or bid opening. When a lease of
3136 county real property is awarded through competitive bidding, the lease shall be awarded
3137 to the highest responsible bidder; provided, that whenever there is reason to believe that
3138 the highest acceptable bid is not the best rental obtainable, all bids may be rejected and
3139 the county may call for new bids or enter into direct negotiations to achieve the best
3140 possible rental. Each bid, with the name of the bidder, shall be recorded by the ((~~property~~
3141 ~~services~~))facilities management division, and each record, with the name and address of
3142 the successful bidder and the amount of the successful bid, shall, after the awarding of the
3143 lease, be open to public inspection at the((~~property services~~)) facilities management
3144 division. In determining the highest responsible bidder, in addition to rental, the
3145 following elements shall be given consideration:

3146 1. The financial responsibility of the bidder, and references therefor;

3147 2. The previous and existing compliance by the bidder with the term~~s of o~~ther
3148 leases of county real property and the laws relating thereto; and
3149 3. Such other information as may be secured relevant to the decision to award
3150 the lease.
3151 D. If property was obtained by the county through the proceeds of grants or other
3152 special purpose funding from either the federal or state government, or both, in which a
3153 specific public purpose((~~(s) is~~)) or purposes are set forth as a condition of use for such
3154 property, the purpose((~~(s)~~)) or purposes to be limited to the provision of social and health
3155 services or social and health services facilities as defined in chapter 43.83D RCW, and
3156 upon recommendation by the county executive and approval by the county council, the((
3157 ~~property services~~)) facilities management division may obtain and lease out the property
3158 pursuant to such terms and conditions as are consistent with said purposes; provided, that
3159 in the event such property is leased pursuant to the provisions of this subsection, the
3160 lessee(s) shall be limited to private, nonprofit corporations duly organized according to
3161 the laws of the state of Washington, which are exempt from taxation under 26 U.S.C.
3162 Section 501(b) as amended and which are organized for the purpose of operating social
3163 and health services facilities as defined by chapter 43.83D RCW.
3164 E. If the county desires to have a building for its use erected on land owned or to
3165 be acquired by the county, the ((~~property services~~))facilities management division may
3166 lease the land for a reasonable rental; provided, that the county shall lease back the
3167 building or a portion thereof for the same term as established for the land lease. The
3168 leases shall include the following provisions:

1. No part of the cost of construction of the building shall ever be or ~~become~~ an obligation of King County;

2. King County shall have a prior right to occupy any or all of the building upon payment of rent as agreed upon by the parties, which rent shall not exceed prevailing rates for comparable space;

3. During any time that all or any portion of the building is not required for occupancy by King County, the lessee of the land may rent the unneeded portion to suitable tenants approved by King County; and

4. Upon expiration of the leases, all buildings and improvements on the land shall become the property of King County.

SECTION 103. Ordinance 12045, section 16, and K.C.C. 4.56.170 are hereby amended to read as follows:

Applications for lease. A. Applications to lease county real property shall be submitted to the ((~~property services~~))facilities management division((~~ of the department of construction and facility management~~)).

B. The right is reserved by the county to require that a deposit of a reasonable amount accompany all applications or bids to lease county real property. If a deposit is required, all deposits upon the same lease shall be of equal amount. The deposit shall be in the form of a certified check or cashier's check, or may be paid in cash. In case the lands applied for are leased at the time of application, the deposit shall be returned to the applicant; but if the party making application fails or refuses to comply with the terms of ((~~his/her~~))his or her application and to execute the lease, the deposit shall be forfeited to the county, and deposited in the current expense fund.

3192 SECTION 104. Ordinance 12192, section 1, and K.C.C. 4.56.195 are ~~hereby~~
3193 amended to read as follows:
3194 **Disposition of surplus vanpool vehicles from the metropolitan public**
3195 **transportation function by negotiated direct sale.** In addition to disposing of surplus
3196 vanpool vehicles from the metropolitan public transportation function by public auction or
3197 sealed bid as provided elsewhere in this chapter, the county may dispose of such vehicles
3198 by negotiated direct sale if the ((~~property services~~))fleet administration division
3199 determines such disposition method will likely yield higher returns to the county than the
3200 public auction or sealed bid methods.
3201 A. The county may use the services of a broker under contract to the county to
3202 conduct such negotiated direct sales. If such sale will be conducted by a broker, the broker
3203 shall be selected and a contract awarded in accordance with the negotiated procurement
3204 policies set forth in K.C.C. chapter 4.16. The provisions of the broker contract shall include
3205 the following:
3206 1. The broker shall provide notice to the public of the availability of the vehicles;
3207 2. The broker shall receive a commission as negotiated with the county and set
3208 forth in the broker contract;
3209 3. The term of the broker contract may be for greater than one year but shall not
3210 exceed three years; and
3211 4. The county reserves the right to transfer or sell vehicles outside of the broker
3212 contract to governmental, quasi-governmental and social service agencies and other parties
3213 selected by the executive or the council, as applicable, and in the event of such transfers or
3214 sales, shall owe no commission or other payments to the broker except to the extent the

broker has incurred costs related to vehicles provided to the broker but subsequently withdrawn from the broker by the county.

B. Drivers of vanpool vehicles, as consideration for driving the vehicles, shall receive a credit against the purchase price of vanpool vehicles. The credit for drivers shall not exceed ((~~$1,000~~)) one thousand dollars based on a credit of ((~~$20~~)) twenty dollars for each month as a driver. The ((~~director of~~))manager of the transit division of the department of transportation shall determine the credit earned by each driver and submit such determination to the manager of the ((~~property services~~))fleet administration division.

SECTION 105. Ordinance 12076, section 52, and K.C.C. 4.57.010 are hereby amended to read as follows:

Authorization to negotiate and enter into contracts, general authority. The executive or the director of the department of natural resources and parks((~~ and cultural resources~~)), if designated by the executive, is authorized on behalf of the county to negotiate and enter into concession contracts with private non((-))profit organizations for the express purpose of utilizing existing county park facilities to provide recreational opportunities to the public. The private non((-))profit organization will have the primary responsibility for operating, managing((~~,~~)) and maintaining the facility during the term of the contract.

SECTION 106. Ordinance 10326, section 2, and K.C.C. 4.62.020 are hereby amended to read as follows:

Provision of relevant material. The department of natural resources and parks((~~, planning, and resources~~)) shall provide in a timely manner any codes, plans, maps((~~,~~)) and

3238 other relevant material which will aid the assessor in determining the true and ~~fair~~ value of
3239 real property in King County and any possible reductions in assessed valuation derived
3240 from environmental constraints.

3241 SECTION 107. Ordinance 10326, section 3, and K.C.C. 4.62.030 are hereby
3242 amended to read as follows:

3243 **Exchange and transfer of information.** The department of natural resources and
3244 parks((~~, planning, and resources~~)) and the King County assessor shall work together to
3245 devise a compatible and efficient format for the exchange and transfer of information.

3246 SECTION 108. Ordinance 12076, section 55, as amended, and K.C.C. 4.64.030
3247 are hereby amended to read as follows:

3248 **((~~Finance department r~~))Responsibilities on petitions.** If the ((~~director of the~~
3249 ~~department of finance~~))manager of the finance and business operations division receives a
3250 petition from the assessor with an indication by the assessor that the provisions of RCW
3251 84.69.020 or ((~~RCW~~)) 84.60.050 have been satisfied and if the ((~~director~~))manager
3252 determines that the petition was filed within the time limits set forth in RCW 84.69.030, the
3253 ((~~director~~))manager shall grant the petition and issue a tax refund to the petitioner. If the
3254 ((~~director~~))manager receives a petition involving issues outside of the assessor's statutory
3255 responsibilities, that therefore has not been reviewed to determine whether the provisions
3256 of RCW 84.69.020 were satisfied, the ((~~director~~))manager shall make such a review. After
3257 review, if the ((~~director~~))manager finds that the provisions of RCW 84.69.020 are satisfied
3258 and that the petition was timely filed, the ((~~director~~))manager shall grant the petition and
3259 issue a tax refund to the petitioner. If either the assessors' office or the ((~~department of~~
3260 ~~finance~~))finance and business operations division finds that the provisions of RCW

3261 84.69.020 have been met, but the petition has not been filed within the time per~~iod~~ set forth
3262 in RCW 84.69.030, the ((~~department of finance~~))finance and business operations division
3263 shall forward the petition, accompanied by a motion for the council's action, to the clerk of
3264 the council. For those petitions involving issues within the assessor's statutory
3265 responsibilities, the assessor shall forward to the council a recommendation as to whether
3266 the council should exercise its discretion to waive the statutory time limits and grant the
3267 petition for refund on the council's own motion. For those petitions involving issues
3268 outside of the assessor's statutory responsibilities, the ((~~department of finance~~))finance and
3269 business operations division shall forward to the council a recommendation as to whether
3270 the council should exercise its discretion to waive the statutory time limits and grant the
3271 petition for refund on the council's own motion.

3272 SECTION 109. Ordinance 12076, section 56, and K.C.C. 4.68.010 are hereby
3273 amended to read as follows:

3274 **Certification of nondelinquent property tax account required for building and**
3275 **land development permits.** The applicant for any of the permits listed below shall be
3276 required to provide certification from the ((~~director of the department of finance~~))manager
3277 of the finance and business operations division that property taxes for the subject property
3278 are not delinquent prior to county issuance of said permit. The certification shall be
3279 obtained by the applicant from the ((~~director of the department of finance~~))manager of the
3280 finance and business operations division.

3281 SECTION 110. Ordinance 12076, section 59, and K.C.C. 4.84.020 are hereby
3282 amended to read as follows:

3283 **Adoption of registration system.** The county adopts the following system of
3284 registering the ownership of its bonds and obligations.
3285 A. Registration Requirement. All bonds and obligations offered to the public,
3286 having a maturity of more than one year and issued by the county after June 30, 1983, on
3287 which the interest is intended to be exempt from federal income taxation, shall be
3288 registered as to both principal and interest as provided in this chapter.
3289 B. Method of Registration. The registration of all county bonds and obligations
3290 required to be registered shall be carried out either by:
3291 1. a book entry system of recording the ownership of the bond or obligation on
3292 the books of the county or the fiscal agencies, whether or not a physical instrument is
3293 issued; or
3294 2. by recording the ownership of the bond or obligation and requiring as a
3295 condition of the transfer of ownership of any bond or obligation the surrender of the old
3296 bond or obligation and either the reissuance of the old bond or obligation or the issuance of
3297 a new bond or obligation to the new owners. No transfer of any bond or obligation subject
3298 to registration requirements shall be effective until the name of the new owner and the new
3299 owner's mailing address, together with such other information deemed appropriate by the
3300 registrar, shall be recorded on the books of the registrar.
3301 C. Denominations. Except as may be provided otherwise by the ordinance
3302 authorizing their issuance, registered bonds or obligations may be issued and reissued in
3303 any denomination up to the outstanding principal amount of the bonds or obligations of
3304 which they are a part. Such denominations may represent all or a part of a maturity or

3305 several maturities and on reissuance may be in smaller amounts than the individual
3306 denominations for which they are reissued.

3307 D. Appointment of Registrar. Unless otherwise provided in the ordinance
3308 authorizing the issuance of registered bonds or obligations, the ((~~director of the department~~
3309 ~~of finance~~))manager of the finance and business operations division of King County shall
3310 be the registrar for all registered interest-bearing warrants, installment contracts, interest-
3311 bearing leases and other registered bonds or obligations not usually subject to trading and
3312 the fiscal agencies shall be the registrar for all other county bonds and obligations.

3313 E. Duties of Registrar.

3314 1. The registrar shall serve as the county's authenticating trustee, transfer agent,
3315 registrar and paying agent for all registered bonds and obligations for which he, she, or it
3316 serves as registrar and shall comply fully with all applicable federal and state laws and
3317 regulations respecting the carrying out of those duties.

3318 2. The rights, duties, responsibilities and compensation of the registrar shall be
3319 prescribed in each ordinance authorizing the issuance of the bonds or obligations, which
3320 rights, duties, responsibilities and compensation shall be embodied in a contract executed
3321 by the ((~~director of the King County department of finance~~))manager of the finance and
3322 business operations division and the registrar. Except in instances when the fiscal agencies
3323 serve as registrar, the county adopts by reference the contract between the state finance
3324 committee of the State of Washington and the fiscal agencies in lieu of executing a separate
3325 contract and prescribing by ordinance the rights, duties, obligations and compensation of
3326 the registrar. When the ((~~director of the King County department of finance~~))manager of

3327 the finance and business operations division serves as registrar, a separate cont~~ract sh~~all not
3328 be required.
3329 3. In all cases when the registrar is not the fiscal agencies and the obligation is
3330 assignable, the ordinance authorizing the issuance of the registered bonds or obligations
3331 shall specify the terms and conditions of:
3332 a. making payments of principal and interest;
3333 b. printing any physical instruments, including the use of identifying numbers or
3334 other designation;
3335 c. specifying record and payment dates;
3336 d. determining denominations;
3337 e. establishing the manner of communicating with the owners of the bonds or
3338 obligations;
3339 f. establishing the methods of receipting for the physical instruments for payment
3340 of principal, the destruction of such instruments and the certification of such destruction;
3341 g. registering or releasing security interests, if any; and
3342 h. such other matters pertaining to the registration of the bonds or obligations
3343 authorized by such ordinance as the county may deem to be necessary or appropriate.
3344 SECTION 111. Ordinance 14006, section 2, and K.C.C. 4.98.010 are hereby
3345 amended to read as follows:
3346 **Fee - technology learning center use.** The council, after proper notice having
3347 been given to the public, authorizes the((~~director of the department of information and~~
3348 ~~administrative services~~)) manager of the information and telecommunications services
3349 division to establish a fee for the use of the technology learning center, as follows:

Service	Rate
Technology learning center room usage per day (or fractional part thereof)	$290.00

SECTION 112. Ordinance 13923, section 4, and K.C.C. 4.100.020 are hereby amended to read as follows:

Policies - convenience and transaction fees. A. Requests to accept electronic payments must be initiated by the affected department or agency. A department or agency is not required to accept electronic payments for any service it provides.

B. A department or agency may accept electronic payments for a service it offers, only if the person making the payment bears the transaction fee in such an amount as determined by the ((~~finance department~~))finance and business operations division in accordance with state law.

C. A department or agency may absorb the costs associated with electronic payment transactions, only if the council has given its approval to do so and absorption of the transaction fees does not conflict with state law, this chapter or established county policy.

D. A department or agency may accept electronic payments for tax payments, including interest, penalties and other amounts associated with taxes, only if the person making the payment bears the transaction fee in such an amount as determined by the((~~finance department~~)) finance and business operations division in accordance with state law.

E. A department or agency may accept electronic payments for specified nontax payments, including but not limited to code enforcement fines and penalties, special

3373 assessments, school and road mitigation payments, and fines, restitution and interest
3374 imposed by courts, only if the person making the payment bears the transaction fee in
3375 such an amount as determined by the ((~~finance department~~))finance and business
3376 operations division in accordance with state law.

3377 F. If a department or agency collects payments to be shared with another state or
3378 government agency, the department or agency may absorb the cost of the transaction
3379 fees, only if the benefits to the county are greater than the transaction fees, as determined
3380 by the head of the department or agency, and if approved by the council. A department
3381 or agency that collects those types of payments may enter into negotiation with other
3382 state or governmental agencies regarding the sharing of transaction fees, unless the share
3383 of payment collected to be paid to the other agency is specified by state law.

3384 G. The ((~~finance department~~))finance and business operations division shall
3385 develop and administer a comprehensive countywide request for proposal for credit card
3386 services. The ((~~finance department~~))finance and business operations division shall
3387 award and administer agreements for the services. A department or agency may not enter
3388 into such an agreement without the written consent of the ((~~director of the finance~~
3389 ~~department~~))manager of the finance and business operations division.

3390 H. Electronic payments may be accepted in person, over the phone, by fax, by
3391 mail, or through the Internet, as determined appropriate by the head of each department
3392 and agency and as is consistent with this chapter and any agreement for electronic
3393 payment services.

3394 I. Convenience fees may be added to electronic payments processed through an
3395 interactive voice response system or through the Internet. The convenience fee may be

3396 calculated to cover any transaction costs borne by the department or agency ~~and may~~
3397 include a fee for expedited transaction processing. A department or agency may not
3398 impose a convenience fee unless the ((~~director of the finance department~~))manager of the
3399 finance and business operations division has approved the fee.
3400 J. A department accepting electronic payments shall include transaction fees in
3401 its annual budget unless the customer pays the transaction fees.
3402 SECTION 113. Ordinance 13923, section 5, and K.C.C. 4.100.030 are hereby
3403 amended to read as follows:
3404 **Initiating acceptance - council approval for absorbing costs.** A. A department
3405 or agency may initiate the acceptance of electronic payments without council approval,
3406 only if the person making the payment bears the transaction fee in such an amount as
3407 determined by the ((~~finance department~~))finance and business operations division in
3408 accordance with state law.
3409 B. A department or agency wishing to absorb the costs associated with electronic
3410 payment transactions shall receive council approval to do so. The process for receiving
3411 council approval is as follows:
3412 1. The department or agency must submit to the budget office and to the
3413 ((~~finance department~~))finance and business operations division a formal request to initiate
3414 acceptance of electronic payments along with a business analysis which, at a minimum,
3415 describes any combination of the service or services and product or products for which
3416 the electronic payment option is to be offered, assesses the benefits of absorbing the
3417 transaction costs associated with these payments, projects the annual fiscal impact of
3418 absorbing transaction costs over a three-year horizon, documents legal or contractual

3419 obligations that would be affected by acceptance of electronic payments and adequately
3420 cites or includes as attachments any documentation supporting its business analysis. The
3421 council encourages the executive to develop an electronic payment business analysis
3422 template for use by interested agencies; and

3423 2. If the budget office agrees that absorbing the transaction costs serves the best
3424 interests of the county, and if the ((~~finance department~~))finance and business operations
3425 division confirms that the proposal meets its electronic payment processing protocol, the
3426 executive may transmit an appropriation request to the council. The transmittal package
3427 must include the department or agency business analysis on which the original request is
3428 based. The council encourages submittal of the electronic payment appropriation
3429 requests as part of the annual budget.

3430 SECTION 114. Ordinance 1888, article 1, section 2, and K.C.C. 6.01.010 are
3431 hereby amended to read as follows:

3432 **Definitions.** For the purpose of all business license ordinances the words and
3433 phrases used herein, unless the context otherwise indicates, shall have the following
3434 meanings:

3435 A. "Certificate" means any certificate or renewal of certificate issued pursuant to
3436 any business license ordinance;

3437 B. "Director" means for taxicabs and for-hire drivers and vehicles the manager of
3438 the ((~~general~~)) records, elections and licensing services division, ((~~King County~~))
3439 department of executive ((~~administration~~)) services, or his or her duly authorized
3440 representative. For all other business licenses, "director" means the director of the
3441 department of development and environmental services, or his or her duly authorized
3442 representative;

3443 C. "License" means any license or renewal of license issued pursuant ~~to any~~
3444 business license ordinance;
3445 D. "Licensee" means any person to whom a license or renewal of license has
3446 been issued pursuant to any business license ordinance;
3447 E. "Permit" means any permit or renewal of permit issued pursuant to any
3448 business license ordinance;
3449 F. "Person" means any individual, partnership, firm, joint stock company,
3450 corporation, association, trust, estate or other legal entity;
3451 G. "Registrant" means any person to whom a registration or renewal of
3452 registration has been issued pursuant to any business license ordinance;
3453 H. "Registration" means any registration or renewal of registration issued
3454 pursuant to any business license ordinance.
3455 SECTION 115. Ordinance 1492, section 23, and K.C.C. 6.24.180 are hereby
3456 amended to read as follows:
3457 **Advertisements - Solicitation of business.** A. Every advertisement by a
3458 licensee advertising or soliciting business shall contain ((~~his~~))the company name and
3459 address as they appear in the records of the ((~~Department of Executive Administration,~~
3460 ~~General Services Division~~))department of development and environmental services.
3461 B. Licensees, in their promotional literature and oral sales presentations to
3462 members of the public, shall not claim any relationship or affiliation with any official or
3463 semiofficial law enforcement organization. Such literature or sales presentation shall be
3464 accompanied by an accurate and clear description of the services which the licensee does
3465 in fact offer or provide.

3466 C. Solicitors performing oral sales presentations to members of the ~~public~~ shall
3467 not carry visible weapons.
3468 SECTION 116. Ordinance 1710, section 5, and K.C.C. 6.27.050 are hereby
3469 amended to read as follows:
3470 **Application - Review - Hearing.** A. Each application for a right-of-way
3471 franchise shall be reviewed by the following agencies prior to submission to the King
3472 County council for hearing and decision:
3473 1. King County ((~~property and purchasing division, department of executive~~
3474 ~~administration~~))department of executive services; and
3475 2. King County department of ((~~public works~~))transportation.
3476 B. In addition, each application for a right-of-way franchise by sewer and water
3477 districts and water distributors shall be submitted to the utilities technical review
3478 committee. Approval by that committee is required prior to any submission of the
3479 application to the council for approval. Approval shall be forthcoming if all criteria
3480 outlined in ((~~Section~~))K.C.C. 6.27.060 are met.
3481 C. In accordance with RCW 36.55.040, the council shall set a time and a place
3482 for a public hearing on each franchise application which has been reviewed in accordance
3483 with subsections A and B of this section. The county shall post notice of such hearing in
3484 three public places fifteen days before the hearing and publish notice twice in some daily
3485 newspaper in the county not less than five days before the hearing.
3486 SECTION 117. Ordinance 10159, section 3, as amended, and K.C.C. 6.27A.010
3487 are hereby amended to read as follows:

3488 **Definitions.** For the purpose of this chapter, the following terms, phrases, words
3489 and their derivations shall have the meanings given herein. When not inconsistent with
3490 the context, words used in the present tense include the future, words in the plural
3491 number include the singular number, and words in the singular number include the plural
3492 number. The words "shall" and "will" are mandatory, and "may" is permissive. Words
3493 not defined herein shall be given the meaning set forth in the Cable Act. Words not
3494 defined in this chapter or the Cable Act shall be given their common and ordinary
3495 meaning.

3496 A. Abandonment means failure by the franchisee to operate the entire cable
3497 system for ten (10) consecutive days without just cause. Just cause shall include
3498 circumstances beyond the franchisee's control, such as natural disasters and material
3499 breakdown of the system that is not the result of the franchisee's fault or negligence.

3500 B. Access channel means any channel or bandwidth on a cable system set aside
3501 for public, educational and/or governmental use.

3502 C. Basic cable service means any service tiers which include the retransmission
3503 of local television broadcast signals.

3504 D. Bulk rate means a rate charged to an owner of a structure or parcel of land
3505 containing multiple dwelling units in return for the provision of cable service to those
3506 units.

3507 E. Cable Act means the Cable Communications Policy Act of 1984, codified at
3508 47 U.S.C.((~~§§~~)) Sec.s 521 et seq., and as hereafter may be amended.

3509 F. Cable manager means the manager of the ((~~cable office~~))information and
3510 telecommunications services division.

3511 G. Cable office means the King County ((~~office of cable communications, an~~
3512 ~~office of the King County department of executive administration~~))information and
3513 telecommunications services division.
3514 H. Cable rules means rules promulgated by the King County ((~~department of~~
3515 ~~executive administration~~))information and telecommunications services division for the
3516 purpose of administering the terms and requirements of this chapter.
3517 I. Cable service means the transmission of video or other service over a cable
3518 system to subscribers together with any subscriber interaction provided in connection
3519 with such service.
3520 J. Cable system means a facility, consisting of a set of closed transmission paths
3521 and associated signal generation, reception and control equipment that is designed to
3522 provide cable service that includes video programming and that is provided to subscribers
3523 within King County. A cable system does not include:
3524 1. a facility that serves only to retransmit the television signals of one or more
3525 television broadcast stations;
3526 2. a facility that serves only subscribers in one or more multiple unit dwellings
3527 under common ownership, control, or management, unless such facility uses any public
3528 right-of-way;
3529 3. a facility of a common carrier that is subject, in whole or in part, to the
3530 provisions of Title II of the Communications Act of 1934, codified at 47 U.S.C. ((§)) Sec
3531 201 et seq., except that such facility will be considered a cable system to the extent it is
3532 used in the transmission of video programming directly to subscribers; or

3533 4. any facilities of any electric utility used solely for operating its el~~ectric u~~tility
3534 systems.
3535 K. Channel means a portion of the electromagnetic frequency spectrum which is
3536 used in a cable system and which is capable of delivering a television channel (as
3537 television channel is defined by the FCC by regulation).
3538 L. Commercial rate means a rate charged to a business in return for the provision
3539 of cable service to that business.
3540 M. Council means the King County council.
3541 N. County means the King County government or its officers, employees or
3542 authorized agents while acting within the scope of their official duties.
3543 O. Disabled subscriber means a subscriber with a physical or mental impairment
3544 that substantially limits one or more of the major life activities of such individual.
3545 P. Senior Citizen subscriber means a subscriber sixty-five years of age or over.
3546 Q. Equitable price means the price that a willing buyer would pay to a willing
3547 seller for a going concern, less any value attributed to the franchise itself, less the amount
3548 of harm to the community, and less any expenses incurred by the county as result of the
3549 actions giving rise to the revocation.
3550 R. Executive means the King County executive, as established by Article 3 of the
3551 King County Charter, or his designee.
3552 S. Fair market price means the price that a willing buyer would pay to a willing
3553 seller for a going concern, less any value attributed to the franchise itself.
3554 T. FCC means the Federal Communications Commission and any legally
3555 appointed, designated or elected agent or successor.

3556 U. Franchise means the right granted by the county to a franchisee to ~~construct~~,
3557 reconstruct, repair, maintain and operate a cable system over, on, along, or under any
3558 public rights-of-way within all or specified areas within unincorporated areas of the
3559 county. The term does not include any license or permit required by other laws,
3560 ordinances or rules of the county for the privilege of transacting and carrying on a
3561 business within the county, or for construction, reconstruction, repair or maintenance on,
3562 over or under or use of any public rights-of-way.

3563 V. Franchise agreement means a document entered into between the county and a
3564 franchisee that sets forth the terms and conditions under which the franchise will be
3565 exercised.

3566 W. Franchisee means any person granted a franchise pursuant to this chapter who
3567 has entered into a franchise agreement with King County.

3568 X. Gross revenues means the annual gross revenue of the franchisee from all
3569 sources in the operation of the cable communications system, excluding any bad debt,
3570 sales tax, excise tax, or other taxes collected for direct pass-through to local, state or
3571 federal government.

3572 Y. Installation means the connection and/or activation of the system from feeder
3573 cable to subscriber terminals.

3574 Z. Institutional network means a voice, data and/or video communications
3575 system, whether physically integrated with a cable system or not, that is constructed,
3576 operated or maintained by a franchisee, whose transmissions are principally available to
3577 persons other than cable televisions subscribers.

3578 AA. Interconnect means the sharing of video, audio and/or data trans~~missio~~ns
3579 between two or more cable systems, institutional networks and/or users.
3580 BB. Minority persons means African-Americans, Hispanics, Mexican-
3581 Americans, Asian-Americans, Pacific Islanders, American Indians and Alaska Natives.
3582 CC. Person means any individual, corporation, partnership, limited partnership,
3583 association, joint venture, organization, or any other legal entity of any kind, and any
3584 lawful trustee, successor, assignee, transferee or personal representative thereof.
3585 DD. Public rights-of-way means the surface of and the space along, above and
3586 below any street, road, highway, freeway, lane, sidewalk, alley, court, boulevard,
3587 parkway, drive, utility easement((,)) and road right-of-way now or hereafter held or
3588 administered by the county.
3589 EE. State means the State of Washington
3590 FF. Subscriber means any person who legally receives cable service delivered
3591 over the cable system.
3592 GG. Transfer means any transaction in which:
3593 1. an ownership or other interest in a franchisee is transferred from one person
3594 to another person so that control of the franchisee is transferred, or.
3595 2. the rights held by the franchisee under a franchise agreement are transferred
3596 or assigned, in whole or in part, to another person.
3597 Provided, the transfer of ownership or other interest in a franchisee between
3598 members of the same immediate family shall not be a transfer for the purpose of this
3599 chapter so long as the county is notified of the fact of the transfer of ownership or other
3600 interest no later than fourteen (14) days prior to the transfer of ownership or other

3601 interest, except where the transfer of ownership or other interest occurs due to death or
3602 disability, in which case the county shall be notified within fourteen (14) days after the
3603 transfer of ownership or other interest. The franchisee shall insure that its insurance
3604 coverage and all other commitments continue in force without interruption and provide
3605 evidence of the same to the county.

3606 For the purposes of this provision, a transfer shall be deemed to be between
3607 members of the same family if the transferee is the spouse, parent, sibling, adopted or
3608 natural child or other lineal descendant of the transferor, or if the transferee is a trust
3609 established for the benefit of such a person or for the benefit of the transferor. If the
3610 ownership or other interest in the franchisee is held by the trustee of a trust, then a
3611 transfer shall be deemed to be between members of the same family if the transferee is
3612 the spouse, parent, sibling, adopted or natural child or other lineal descendant of any
3613 other beneficiary of the trust, or any trust created for the benefit of such a person.

3614 Provided further that, the transfer of ownership or other interest in a franchisee in
3615 connection with an internal reorganization or internal merger to a direct or indirect
3616 parent, subsidiary or affiliated entity under common control with the franchisee shall not
3617 be a transfer for the purpose of this chapter so long as:

3618 1. the county is notified of the proposed transfer no later than thirty (30) days
3619 prior to the transfer of ownership or other interest;

3620 2. the transferee shall insure that insurance coverage and all other commitments
3621 under the franchise agreement continue in force and without interruption and provide
3622 evidence to the same of the county no later than thirty (30) days prior to the proposed
3623 transfer; and

3624 3. there is no increased risk of liability to the county or non((-))perfo~~rmanc~~e of
3625 the terms of the franchise agreement.
3626 HH. Two-way capability means the capacity for two-way transmission, over the
3627 cable system.
3628 II. "Video programming vendor" means a person engaged in the production,
3629 creation, or wholesale distribution of video programming for sale.
3630 SECTION 118. Ordinance 10159, section 16, as amended, and K.C.C. 6.27A.140
3631 are hereby amended to read as follows:
3632 **Rates.** A. A franchisee must charge uniform prices throughout the geographic
3633 area in which cable service is provided over its cable system, except that different rates
3634 may be offered to commercial rate subscribers, and provided further that reduced rates
3635 may be offered to:
3636 1. new subscribers,
3637 2. subscribers adding a service that they have not previously received, or
3638 3. disabled, senior citizen, low income or bulk rate subscribers.
3639 To the extent provided by federal law, a franchisee may change its rates and
3640 charges only if it has given a minimum of thirty (30) calendar days prior written notice to
3641 subscribers and the cable office.
3642 B. The county may regulate rates except to the extent it is prohibited from doing
3643 so by state or federal law. Any regulated rate shall be adopted by ordinance and shall be
3644 processed in accordance with the provisions of ((~~section~~))K.C.C. 20.24.070((~~ of the King~~
3645 ~~County code~~)). The cable office shall promptly notify the hearing examiner of any
3646 proposed rate changes. The director of the department of executive

3647 ((~~administration~~))services is authorized to issue an order to toll the effective ~~date of~~
3648 proposed rates in accordance with the provisions of the FCC rules and to take any other
3649 action necessary to implement rate regulation. The director of the department of
3650 executive ((~~administration~~))services shall adopt rules governing the regulation of rates
3651 that:

3652 1. are consistent with the FCC's regulations,

3653 2. provide a reasonable opportunity for consideration of the views of interested
3654 parties, and

3655 3. establish procedures analogous to those set forth by the FCC governing
3656 requests that proprietary information produced in the course of a rate proceeding be
3657 treated as confidential, to the extent permitted by law.

3658 SECTION 119. Ordinance 10159, section 25, and K.C.C. 6.27A.230 are hereby
3659 amended to read as follows:

3660 **Enforcement remedies.** A. The county may seek legal and/or equitable relief
3661 from any court of competent jurisdiction in the event a person violates this chapter, the
3662 cable rules, a franchise agreement, or applicable federal, state or local law. In addition,
3663 the county has the right to impose any one or combination of the following remedies:
3664 collect liquidated damages as provided for in the franchise agreement, assess civil
3665 penalties in an amount up to one hundred ((~~100~~)) dollars per violation, require corrective
3666 action to remedy the violation, and/or revoke the franchise and franchise agreement.
3667 Each day a violation continues may be considered an additional violation. Any remedy
3668 or remedies set forth in this section may be:

3669 1. recovered by legal action filed in King County superior court by the
3670 prosecuting attorney on behalf of King County; or
3671 2. imposed by an administrative notice and order issued pursuant to this chapter
3672 by the director of the King County department of executive ((~~administration~~))services,
3673 provided that only the county executive shall have the authority to revoke a franchise and
3674 franchise agreement.
3675 B. In determining which remedy or remedies are appropriate, the county shall
3676 take into consideration the nature of the violation and the harm caused by it, the nature of
3677 the remedy required in order to remedy such harm and prevent further violations, and
3678 such other matters as the cable office determines are appropriate.
3679 C. Failure of the county to enforce any requirements of this chapter, the cable
3680 rules, the franchise agreement or applicable law shall not constitute a waiver of the right
3681 to enforce that requirement, or subsequent violations of the requirement, or to seek
3682 appropriate enforcement remedies, nor shall it relieve a franchisee of the obligation to
3683 comply with any requirement.
3684 D. A person's payment of liquidated damages or penalties or the county's
3685 imposition of any remedy shall not relieve the person of the obligation to comply with the
3686 requirements of this chapter, the cable rules, a franchise agreement, an order of the
3687 county or applicable law.
3688 E. Any sum recovered by the county from the required security fund or letter of
3689 credit under the terms of this section shall not be a limitation upon the liability of the
3690 franchise to the county and shall not constitute an election of remedies.

3691 F. In the event of any dispute between the franchisee and the county ~~arising~~ out
3692 of this chapter, the cable rules or the franchise agreement, the franchisee shall pursue and
3693 exhaust all available administrative remedies pursuant to law prior to pursuing any
3694 appropriate legal action.

3695 G. The revocation or forfeiture of any franchise shall not affect any of the
3696 county's rights under the franchise or under any provision of law.

3697 H. No enforcement remedy shall be imposed except in accordance with due
3698 process of law.

3699 SECTION 120. Ordinance 10159, section 28, and K.C.C. 6.27A.260 are hereby
3700 amended to read as follows:

3701 **Administration.** A. This chapter shall be implemented by means of
3702 administrative rules adopted by the King County department of executive
3703 ((~~administration~~))services in accordance with the provisions of K.C.C. chapter 2.98.
3704 These rules shall, at a minimum, contain requirements for applications for new franchises
3705 and franchise renewals, modifications and transfers, insurance coverage, security funds,
3706 letters of credit, restoration bonds, minimum facilities, service and line extensions,
3707 payment of franchise fees, reports and records, customer service, use of public rights-of-
3708 way, technical standards, and price arbitration. All rules shall comply with the intent of
3709 this chapter and with applicable federal, state((,)) and local law. All such rules shall have
3710 the force of law.

3711 B. This chapter, the cable rules, and all franchise agreements shall be
3712 administered and enforced by the cable office. The functions of the cable office shall be
3713 to:

3714 1. implement cable policy, this chapter, the cable rules((,)) and ~~franchise~~
3715 agreements;
3716 2. facilitate the resolution of complaints received from any person;
3717 3. supervise government programming with respect to PEG operations or
3718 coordinate with any PEG access management authority designated by the county;
3719 4. provide public information;
3720 5. monitor cable policy and related developments in other jurisdictions and
3721 make recommendations for changes to county cable television policy;
3722 6. develop and maintain productive relationships with franchisees, other cable
3723 system operators, and interested community groups to assure responsiveness to the needs
3724 and interests of the community;
3725 7. provide staff assistance to any cable-related advisory committee or regulatory
3726 agency hereafter established.
3727 SECTION 121. Ordinance 10498, section 1, and K.C.C. 6.64.010 are hereby
3728 amended to read as follows:
3729 **Definitions.** For the purposes of this chapter and unless the context plainly
3730 requires otherwise, the following definitions apply:
3731 A. "Affiliated representative" means the individual within the service
3732 organization who has the authority to file special rates and contract agreement rates and
3733 charges for a group of affiliated taxicabs, and who is designated as the individual
3734 responsible for the receipt of any correspondence or notices pertaining to the service
3735 organization or the taxicabs or for-hire vehicles operating within the service organization.
3736 B. "Affiliated taxicab" means a taxicab associated with a service organization.

3737 C. "Alcohol" means a mixture containing no less than eighty-five per~~cent~~
3738 methanol, ethanol or other alcohols, in any combination, by volume.

3739 D. "Alternative fuel" means a means for propulsion by other than gasoline or
3740 diesel fuel and shall include:

3741 1. Alcohol.

3742 2. Duel energy.

3743 3. Electricity.

3744 4. Natural gas.

3745 5. Propane.

3746 6. Human powered.

3747 E. "Approved mechanic facility" means a garage or repair facility who employs
3748 mechanics who have successfully passed the examinations of, and met the experience
3749 requirements prescribed by the National Institute for Automotive Service Excellence, and
3750 who have been awarded Certificates in Evidence of Competence satisfactory to the
3751 director, and who are Authorized Emission Specialists certified by the Washington
3752 Department of Ecology, and none of whom are the owner, lessee, or driver of a taxicab,
3753 or for-hire vehicle or the employee of a taxicab or for-hire vehicle company, and none of
3754 whom have a financial interest in a taxicab or for-hire vehicle or taxicab or for-hire
3755 vehicle company.

3756 F. "Contract agreement rate" means the rate specified in a written agreement
3757 signed by both parties in advance of the dispatch of a taxicab or for-hire vehicle for the
3758 services identified in the contract.

3759 G. "Director" means the director of the King County department of executive
3760 ((~~administration~~)) services and his or her duly appointed representatives.
3761 H. "Dual energy" means capable of being operated using an alternative fuel and
3762 gasoline or diesel fuel.
3763 I. "Engage in the business of operating a taxicab or vehicle for hire" means the
3764 pickup and transportation of any fare paying passenger from a point within the
3765 geographical confines of unincorporated King County, whether or not the vehicle is
3766 dispatched from a taxicab stand or office within any other municipal corporation, and
3767 whether or not the ultimate destination or route of travel is within the confines of
3768 unincorporated King County; provided, that nothing in this chapter shall be construed to
3769 apply to taxicabs or for-hire vehicles licensed by any other municipal corporation and
3770 transporting passengers from a point within the licensing municipality to a destination
3771 outside thereof, whether or not the ultimate destination or route traveled is within
3772 unincorporated King County.
3773 J. "For-hire driver" means any person in control of, operating or driving a taxicab
3774 or for-hire vehicle and includes a lease driver, owner/operator, or driver of taxicabs or
3775 for-hire vehicles as an employee.
3776 K. "For-hire vehicle" means and includes every motor vehicle used for the
3777 transportation of passengers for hire, and not operated exclusively over a fixed and
3778 definite route, except:
3779 1. Taxicabs;
3780 2. Passenger vehicles carrying passengers on a noncommercial enterprise basis;
3781 3. Vehicles or operators expressly exempt by RCW from county regulation;

3782 4. Operators of charter boats.

3783 L. "He" means and includes in all references either he or she.

3784 M. "His" means and includes in all references either his or her.

3785 N. "Independent taxicab" means a taxicab that is not affiliated with a service
3786 organization.

3787 O. "Lease driver" means a for-hire driver who is an independent contractor/sole
3788 proprietor and who has a taxicab for-hire vehicle lease contract or other form of
3789 agreement with a taxicab or for-hire vehicle owner or service organization.

3790 P. "Lessor" means an owner of a taxicab or for-hire vehicle who leases, by
3791 contract or other form of agreement, to a lease driver as defined in this section.

3792 Q. "Licensee" means all applicants, including for-hire drivers, vehicle owners,
3793 and service organizations including the affiliated representative required to license under
3794 the provisions of this chapter.

3795 R. "Motor vehicle" means every motorized vehicle by or upon which any person
3796 may be transported or carried upon a public street, highway or alley; provided, that
3797 vehicles used exclusively upon stationary rail tracks or propelled by use of overhead
3798 electric wires shall not come under the provisions of this chapter.

3799 S. "Service organization" means a group of taxicabs owned or operated by the
3800 same or various owners and using the same color scheme, trade name, dispatch services,
3801 and having an affiliated representative.

3802 T. "Special rate" means discounted rates for senior citizens and disabled.

3803 U. "Taxicab" means every motor vehicle used for the transportation of passengers
3804 for hire, where the route traveled or destination is controlled by a customer and the fare is

3805 based on an amount recorded and indicated on a taximeter, or on a special fare ~~rate~~ or
3806 contracted agreement as permitted by this chapter.
3807 V. "Taxicab vehicle owner" means the registered owner of the vehicle as defined
3808 by RCW 46.04.460 as now or hereafter amended.
3809 W. "Taximeter" means any instrument or device by which the charge for hire of a
3810 passenger carrying vehicle is measured or calculated either for the distance traveled by
3811 such vehicle or for waiting time, or for both, and upon which such calculated charges
3812 shall be indicated by means of figures.
3813 SECTION 122. Ordinance 8659, section 2, and K.C.C. 6.72.020 are hereby
3814 amended to read as follows:
3815 **Definitions.** A. "Director" means the ((~~manager of the general services division,~~
3816 ~~King County department of executive administration~~))director of the department of
3817 development and environmental services or his or her duly authorized representative.
3818 B. "Minor" means any individual who is less than 18 years old.
3819 C. "Retailer" means any person, firm, association, company, partnership or
3820 corporation who operates a store, stand, booth, concession or other place at which sales
3821 are made to purchasers for consumption or use.
3822 D. "Sales conducted in person" means payment for the purchase of the tobacco
3823 item is received directly and in person from the purchaser by the seller or his employee.
3824 Tobacco vending machines which are located in plain view of the seller or his employee
3825 and controlled by an electronic device activated by the seller or his or her employee, upon
3826 the buyer's presentation of acceptable identification as required in
3827 ((~~Section~~))K.C.C. 6.72.040, shall be deemed "sales conducted in person."

3828 E. "Tobacco vending machine" means and includes any machine or ~~device~~
3829 designated for or used for the vending of cigarettes, cigars, tobacco or tobacco products
3830 upon the insertion of coins, trade checks or slugs.

3831 SECTION 123. Ordinance 1603, section 1, and K.C.C. 6.76.010 are hereby
3832 amended to read as follows:

3833 **Definitions.** The following words and terms, unless a different meaning clearly
3834 appears from the context, shall mean as follows:

3835 A. "Charitable" means and includes the words patriotic, philanthropic, social
3836 service, welfare, benevolent, educational, civic or fraternal, either actual or purported;
3837 provided, such term shall not include "religious" and "religion," which terms shall be given
3838 their commonly accepted definitions;

3839 B. "Contributions" means and includes alms, food, clothing, money, credit,
3840 subscription, property, financial assistance or other thing of value and including any
3841 donations under the guise of a loan of money or property;

3842 C. "Direct gift" means and includes an outright contribution of food, clothing,
3843 money, credit, property, financial assistance or other thing of value to be used for a
3844 charitable or religious purpose and for which the donor receives no consideration or thing
3845 of value in return;

3846 D. "Director" means the ((~~manager of the business license division of general~~
3847 ~~services of the county of King~~)) director of the department of development and
3848 environmental services, or his or her duly authorized representative;

3849 E. "Person" means any individual, firm, partnership, corporation, company,
3850 association or joint stock association, church, religious sect, religious denomination,

3851 society, organization or league, and includes any trustee, receiver, assignee, agent or other
3852 similar representative thereof;
3853 F. "Promoter" means any person who promotes, manages, supervises, organizes or
3854 attempts to promote, manage, supervise or organize a campaign of solicitation, but shall not
3855 include either a bona fide full-time salaried officer or employee of a charitable organization
3856 whose salary or other compensation is not computed on funds raised or to be raised, or a
3857 temporary employee who is employed to contact volunteer workers by telephone but who
3858 may not himself solicit contributors directly;
3859 G. "Sale and benefit affair" means and includes, but is not limited to, athletic or
3860 sports event, bazaar, benefit, campaign, circus, dance, drive, entertainment, exhibition,
3861 exposition, party, performance, picnic, sale, social gathering, theater or variety show, which
3862 the public is requested to patronize or attend or to which the public is requested to make a
3863 contribution for any charitable or religious purpose connected therewith;
3864 H. "Solicit" and "solicitation" mean the request within the county directly or
3865 indirectly of money, credit, property, financial assistance or other thing of value on the plea
3866 or representation that such money, credit, property, financial assistance or other thing of
3867 value will be used for a charitable or religious purpose, and include:
3868 1. Any oral or written request,
3869 2. The distribution, circulation, mailing, posting or publishing of any handbill,
3870 written advertisement of publication,
3871 3. The making of any announcement to the press, by radio or television, by
3872 telephone or telegraph concerning an appeal, assemblage, athletic or sports event, bazaar,
3873 benefit, campaign, circus, contest, dance, drive, entertainment, exhibition, exposition,

party, performance, picnic, sale, social gathering, theater or variety show, which ~~the~~ public is requested to patronize or to which the public is requested to make a contribution for any charitable or religious purpose connected therewith,

4. The sale of, offer or attempt to sell any advertisement, advertising space, book, card, chance, coupon, device, magazine, membership, subscription, ticket, admission, article or other thing in connection with which any appeal is made for any charitable or religious purpose, or where the name of any charitable or religious organization, association or person is used or referred to in any such appeal or where in connection with any such sale, any statement is made that the whole or any part of the proceeds from any such sale will go or be donated to any charitable or religious purpose.

A "solicitation" shall be deemed completed when made, whether or not the person making the same received any contribution or makes any sale referred to in this section.

SECTION 124. Ordinance 5225, section 2 (part), as amended, and K.C.C. 7.08.010 are hereby amended to read as follows:

Generally. All persons using King County owned and operated park and recreation facilities shall pay the service fees, which include taxes, where applicable, set forth in the following schedules in this chapter, effective January 1, 1987. Specific service fees may also be established administratively by the parks and recreation division of the department of natural resources and parks ((~~division~~))within the range of charges authorized by this chapter.

SECTION 125. Ordinance 6798, section 1, as amended, and K.C.C. 7.12.010 are hereby amended to read as follows:

Definitions. Whenever used in this chapter the following terms shall ~~be~~ defined as herein indicated:

A. "Aircraft" means any machine or device designed to travel through the air including but not limited to: airplanes, helicopters and balloons;

B. "Alcoholic beverages" or "liquor" includes the four varieties of liquor defined as alcohol, spirits, wine and beer, all fermented, spirituous, vinous, or malt liquor, and all other intoxicating beverages, and every liquor, solid or semisolid or other substance, patented or not, containing alcohol, spirits, wine or beer; all drinks or drinkable liquids and all preparations or mixtures capable of human consumption. Any liquor, semisolid, solid or other substance which contains more than one percent alcohol by weight shall be conclusively deemed to be intoxicating;

C. "Associated marine area" means any water area within one hundred feet of any "King County trail, open space, park area" or "marine facility" such as a dock, pier, float, buoy, log boom, or other object which is part of a "King County park area", provided that such area does not include private property;

D. "Boat" means any contrivance up to sixty-five feet in length overall, used or capable of being used as a means of transportation on water.

E. "Camper" means a motorized vehicle containing sleeping and/or housekeeping accommodations, and shall include a pickup truck with camper, a van-type body, a converted bus, or any similar type vehicle;

F. "Camping" means erecting a tent or shelter or arranging bedding or both for the purpose of, or in such a way as will permit remaining overnight, or parking a trailer, camper, or other vehicle for the purpose of remaining overnight;

G. "Campsite" means designated camping sites which are designated ~~for the~~ use of tent campers, and which have no water and/or electrical facilities available for hookup to a trailer or a camper;

H. "Discrimination" means any action or failure to act, whether by single act or part of a practice, the effect of which is to adversely affect or differentiate between or among individuals or groups of individuals, because of race, color, religion, national origin, age, sex, marital status, parental status, sexual orientation, the presence of any sensory, mental or physical handicap, or the use of an animal guide by a blind or deaf or otherwise physically or mentally challenged person;

I. "Department" means ((~~any division of~~))the King County department of natural resources and parks((~~ and cultural resources department~~)).

J. "Division" means the parks and recreation division of the department of natural resources and parks;

((~~j~~))K. "Facility" or "facilities" means any building, structure, or park area operated by the King County ((~~parks and cultural resources~~))department of natural resources and parks;

((~~K~~))L. "Facility manager" or "manager" means a duly appointed employee of the King County department of natural resources and parks((~~ and cultural resources department employee~~));

((~~L~~))M. "King County open space, trail or park area" means any area under the ownership, management, or control of the ((~~parks and cultural resources~~))department of natural resources and parks;

3941 ((~~M~~))N. "Director" means ((~~department~~))director of the King County((~~(natural~~
3942 ~~resources and parks division) parks and cultural resources~~)) department of natural
3943 resources and parks;
3944 ((~~N~~))O. "Motor vehicle" means any self-propelled device capable of being moved
3945 upon a road, and in, upon, or by which any persons or property may be transported or
3946 drawn, and shall include, but not be limited to, automobiles, trucks, motorcycles, motor
3947 scooters, jeeps or similar type four-wheel drive vehicles, and snowmobiles, whether or
3948 not they can be legally operated upon the public highways;
3949 ((~~O~~))P. "Person" means all persons, groups, firms, partnerships, corporations,
3950 clubs, and all associations or combination of persons whenever acting for themselves or
3951 as an agent, servant, or employee;
3952 ((~~P~~))Q. "Rocket" means any device containing a combustible substance which
3953 when ignited propels the device forward;
3954 ((~~Q~~))R. "Trail" means any path, track, or right-of-way designed for use by
3955 pedestrians, bicycles, equestrians, or other non-motorized modes of transportation;
3956 ((~~R~~))S. "Trailer" means a towed vehicle which contains sleeping or housekeeping
3957 accommodations; and
3958 ((~~S~~))T. "Trailer site" means a designated camping site which has water and/or
3959 electrical facilities available for hookup, and which is designed for the use of persons
3960 with trailers or campers.
3961 SECTION 126. Ordinance 6798, section 69, as amended, and K.C.C. 7.12.690
3962 are hereby amended to read as follows:

3963 **Responsibilities**. Park safety is the responsibility of both the department of
3964 public safety and the department of natural resources and parks((~~, cultural and natural~~
3965 ~~resources~~)). Specific responsibilities include the following:
3966 A. ((~~Parks, cultural and natural resources department~~))Department of natural
3967 resources and parks:
3968 1. Enforcing rules of conduct set forth in the ordinance for which department
3969 personnel have appropriate authority.
3970 2. Developing and implementing public awareness programs regarding the
3971 purpose of the facilities and the rules governing their use.
3972 3. Encouraging voluntary compliance with rules based on awareness.
3973 4. Training department personnel in the appropriate use of administrative
3974 sanctions as a means of park rule enforcement.
3975 5. Notification of law enforcement officers who have primary jurisdiction in a
3976 particular geographic area whenever department personnel observe violations of park
3977 rules requiring further law enforcement authority or other violations of local, state, or
3978 federal laws; whenever there is an emergency requiring law enforcement assistance; or
3979 whenever they need assistance in executing their responsibilities pursuant to this chapter.
3980 B. Public safety department:
3981 1. Deputizing and training of personnel authorized to issue citations for
3982 infractions and misdemeanor offenses.
3983 2. Providing supplementary patrols in natural resources and parks facilities as
3984 jointly determined by the director of the department of natural resources and parks((~~,~~

3985 ~~cultural and natural resources~~)) and the ((~~director of the department of public~~
3986 ~~safety~~))county sheriff.
3987 3. Responding, as appropriate, to requests from department personnel for
3988 assistance in situations beyond their capacity or authority to act.
3989 SECTION 127. Resolution 36164, as amended, and K.C.C. 7.16.010 are hereby
3990 amended to read as follows:
3991 **Lease for recreation use**. It is the policy of King County to accept the dedication
3992 of land for open space and recreational uses, provided it meets park criteria, or in the
3993 opinion of the ((~~planning agency~~))department of natural resources and parks, the land
3994 represents a desirable or necessary open space, and that in accepting the dedication the
3995 county does not accept responsibility for maintenance unless or until the land is
3996 developed to a standard acceptable to the county and provided further that by the
3997 dedication King County is given the right to lease the lands for open space or recreation
3998 use and development to duly constituted neighborhood or community organizations or
3999 special districts who would be responsible for development or maintenance.
4000 SECTION 128. Ordinance 9163, section 2, as amended, and K.C.C. 9.04.020 are
4001 hereby amended to read as follows:
4002 **Definitions**. The following definitions shall apply in the interpretation and
4003 enforcement of this chapter:
4004 A. "Adjustment" means a department approved variation in the application of the
4005 requirements of K.C.C. 9.04.050 and the Surface Water Design Manual to a particular
4006 project in accordance with K.C.C. 9.04.050C. The term adjustment replaces "variance"
4007 which had been used in prior editions of the Surface Water Design Manual.

4008 B. "Applicant" means a property owner or a public agency or public ~~or private~~
4009 utility which owns a right-of-way or other easement or has been adjudicated the right to
4010 such an easement pursuant to RCW 8.12.090, or any person or entity designated or
4011 named in writing by the property or easement owner to be the applicant, in an application
4012 for a development proposal, permit or approval.

4013 C. "Basin" means a drainage area which drains either to the Cedar, Green,
4014 Snoqualmie, Skykomish or White rivers, or the drainage areas which drain directly to
4015 Puget Sound.

4016 D. "Basin Plan" means a plan and all implementing regulations and procedures
4017 including, but not limited to, capital projects, public education activities and land use
4018 management adopted by ordinance for managing surface and storm water management
4019 facilities and features within individual subbasins.

4020 E. "Closed depression" means an area which is low-lying and either has no, or
4021 such a limited, surface water outlet that during storm events the area acts as a retention
4022 basin, with more than five thousand square feet at overflow elevation.

4023 F. "Construct or modify" means to install a new drainage pipe or ditch or make
4024 improvements to an existing drainage pipe or ditch (other than routine maintenance,
4025 repair or emergency modifications, excluding driveway culverts installed as part of
4026 single-family residential building permits) that either serves to concentrate previously
4027 unconcentrated surface and storm water runoff, or serves to increase, decrease and/or
4028 redirect the conveyance of surface and storm water runoff.

4029 G. "Conveyance system" means the drainage facilities and features, both natural
4030 and constructed, which collect, contain and provide for the flow of surface and storm

water from the highest points on the land down to a receiving water. The natural elements of the conveyance system include swales and small drainage courses, streams, rivers, lakes and wetlands. The constructed elements of the conveyance system include gutters, ditches, pipes, channels and most flow control and water quality treatment facilities.

H. "Department" means the department of natural resources and parks or its successor organization.

I. "Development" means any activity that requires a permit or approval, including, but not limited to, a building permit, grading permit, shoreline substantial development permit, conditional use permit, special use permit, zoning variance or reclassification, subdivision, short subdivision, urban planned development, binding site plan, site development permit or right-of-way use permit.

J. "Director" means the director of the department of natural resources and parks, or any duly authorized representative of such director.

K. "Drainage" means the collection, conveyance, containment and/or discharge of surface and storm water runoff.

L. "Drainage facility" means a constructed or engineered feature that collects, conveys, stores or treats surface and storm water runoff. Drainage facilities shall include, but not be limited to, constructed or engineered streams, pipelines, channels, ditches, gutters, lakes, wetlands, closed depressions, flow control or water quality treatment facilities, erosion and sediment control facilities and other structures and appurtenances that provide for drainage.

4053 M. "Drainage review" means an evaluation by King County staff of a proposed
4054 project's compliance with the drainage requirements in the Surface Water Design Manual.
4055 N. "Erosion and sediment control" means any temporary or permanent measures
4056 taken to reduce erosion, control siltation and sedimentation and ensure that sediment-
4057 laden water does not leave the site.
4058 O. "Financial guarantee" means a form or financial security posted to ensure
4059 timely and proper completion of improvements, to ensure compliance with the King
4060 County Code, and/or to warranty materials, workmanship of improvements and design.
4061 Financial guarantees include assignments of funds, cash deposit, surety bonds and/or
4062 other forms of financial security acceptable to the director of the department of
4063 development and environmental services. For the purposes of this chapter, the terms
4064 performance guarantee, maintenance guarantee and defect guarantee are considered sub-
4065 categories of financial guarantee.
4066 P. "Flow control facility" means a drainage facility designed to mitigate the
4067 impacts of increased surface and storm water runoff generated by site development
4068 pursuant to the drainage requirements in this chapter. Flow control facilities are designed
4069 either to hold water for a considerable length of time and then release it by evaporation,
4070 plant transpiration and/or infiltration into the ground or to hold runoff for a short period
4071 of time and then release it to the conveyance system.
4072 Q. "Full drainage review" means the basic evaluation required by K.C.C.
4073 9.04.030 for any proposed project that:
4074 1. Adds five thousand square feet or more of new impervious surface;

2. Is located in a landslide hazard drainage area as mapped in the Surface Water Design Manual and adds two thousand square feet or more of new impervious surface; or

3. Is a redevelopment project proposing five hundred thousand dollars or more of site improvements which creates five thousand square feet or more of contiguous pollutant-generating impervious surface through any combination of new and/or replaced impervious surface.

R. "High-use site" means a commercial, industrial or road intersection site that generates a higher than average number of vehicle turnovers or has other characteristics that generate the potential for chronic oil accumulation. High use sites include:

1. Commercial or industrial sites subject to:

a. an expected daily traffic count greater than one hundred vehicles per one thousand square feet of gross building area;

b. petroleum storage or transfer in excess of one thousand gallons per year, not including routine fuel oil storage or transfer; or

c. use, storage or maintenance of a fleet of twenty-five or more diesel vehicles each weighing over ten tons; or

2. Road intersections with average daily traffic counts of twenty-five thousand vehicles or more on the main roadway and fifteen thousand or more vehicles on any intersecting roadway (excluding pedestrian or bicycle use improvement projects).

S. "Hydraulically connected" means connected through surface flow or water features such as wetlands or lakes.

T. "Impervious surface" means a hard surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to

development, and/or a hard surface area which causes water to run off the sur~~face in~~ greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roofs, walkways, patios, driveways, parking lots, storage areas, areas which are paved, graveled or made of packed or oiled earthen materials or other surfaces which similarly impede the natural infiltration of surface and storm water. Open uncovered flow control or water quality treatment facilities shall not be considered as impervious surfaces.

U. "Improvement" means streets (with or without curbs or gutters), sidewalks, crosswalks, parking lots, water mains, sanitary and storm sewers, drainage facilities, street trees and other appropriate items.

V. "Lake management plan" means a plan describing the lake management recommendations and requirements adopted by public rule for managing water quality within individual lake basins.

W. "Large site drainage review" means the evaluation required by K.C.C. 9.04.030 for any proposed project that:

1. Has an urban plan development ((UPD), as defined in K.C.C. 21A.06.1340) land use designation in the King County Comprehensive Plan land use map;

2. Would, at full buildout of the project site, result in fifty acres or more of new impervious surface within a drainage subbasin or a number of subbasins hydraulically connected across subbasin boundaries; or

3. Is on a site of fifty acres or more within the recharge area of a sole-source aquifer designated by the federal Environmental Protection Agency and depicted as such

on the areas highly susceptible to groundwater contamination map adopted as ~~part o~~f the King County Comprehensive Plan.

X. "Licensed civil engineer" means a person registered with the State of Washington as a professional engineer in civil engineering.

Y. "Master drainage plan" means a comprehensive drainage control plan intended to prevent significant adverse impacts to the natural and constructed drainage system, both on- and off-site.

Z. "Pollution-generating impervious surface" means an impervious surface considered to be a significant source of pollutants in surface and storm water runoff. Such surfaces include those subject to vehicular use or storage of erodible or leachable materials, wastes or chemicals and which receive direct rainfall or the run-on or blow-in of rainfall. Thus, a covered parking area would be included if runoff from uphill could regularly run through it or if rainfall could regularly blow in and wet the pavement surface. Metal roofs are also considered pollution-generating impervious surface unless they are treated to prevent leaching.

AA. "Pollution-generating pervious surface" means a nonimpervious surface with vegetative ground cover subject to use of pesticides and fertilizers. Such surfaces include, but are not limited to, the lawn and landscaped areas of residential or commercial sites, golf courses, parks and sports fields.

BB. "Preapplication" means either the meeting(((~~s) and/~~)) or meetings or form(((~~s~~))) or forms, or both, used by applicants for some development permits to present initial project intentions to the department of development and environmental services or its successor agency. Preapplication does not mean application.

4144 CC "Project" means any proposed action to alter or develop a site ~~which~~ may
4145 also require drainage review.
4146 DD. "Project site" means the portion of a site subject to proposed project
4147 activities, alterations and improvements including those required by this chapter.
4148 EE. "Redevelopment project" means a project that proposes to add, replace
4149 and/or alter impervious surface for purposes other than routine maintenance, resurfacing,
4150 regrading, or repair on a site that is already substantially developed (thirty-five percent or
4151 more existing impervious surface coverage).
4152 FF. "Runoff" means water originating from rainfall and other precipitation that is
4153 found in drainage facilities, rivers, streams, springs, seeps, ponds, lakes and wetlands as
4154 well as shallow ground water.
4155 GG. "Shared facility" means a drainage facility designed to meet one or more of
4156 the requirements of K.C.C. 9.04.050 for two or more separate projects contained within a
4157 basin as defined in K.C.C. 9.04.020. Shared facilities usually include shared financial
4158 commitments for those drainage facilities.
4159 HH. "Small site drainage review" means a simplified alternative to full drainage
4160 review required by K.C.C. 9.04.030 allowed for proposed single-family residential
4161 projects that add ten thousand square feet or less of new impervious surface.
4162 II. "Site" means the legal boundaries of the parcel or parcels of land for which an
4163 applicant has or should have applied for authority from King County to carry out a
4164 development activity including any drainage improvements required by this chapter.

JJ. "Subbasin" means a drainage area which drains to a water course ~~or water~~ body named and noted on common maps and which is contained within a basin as defined in K.C.C. 9.04.020.

KK. "Surface and storm water" means water originating from rainfall and other precipitation that is found in drainage facilities, rivers, streams, springs, seeps, ponds, lakes and wetlands as well as shallow ground water.

LL. "Surface Water Design Manual" means the manual (and supporting documents as appropriate) describing surface and storm water design and analysis requirements, procedures and guidance which has been formally adopted by rule under the procedures specified in K.C.C. chapter 2.98. The Surface Water Design Manual is available from the department of development and environmental services or the department of natural resources and parks, water and land resources division or their successor agencies.

MM. "Targeted drainage review" means an abbreviated evaluation required by K.C.C. 9.04.030 for certain types of proposed projects which are not subject to full or large site drainage review. Targeted drainage review may be required for some projects in small site drainage review.

NN. "Water quality treatment facility" means a drainage facility designed to reduce pollutants once they are already contained in surface and storm water runoff. Water quality treatment facilities are the structural component of best management practices (BMPs). When used singly or in combination, water quality facilities reduce the potential for contamination of surface and/or ground waters.

4187 SECTION 129. Ordinance 2281, section 6, as amended, and K.C.C. 9.04.070 are
4188 hereby amended to read as follows:
4189 **Engineering plans for the purposes of drainage review.** A. Where to submit.
4190 1. All engineering plans shall be submitted to the department of development
4191 and environmental services for review in accordance with the Surface Water Design
4192 Manual except those drainage plans developed by, or under the review of, the department
4193 of natural resources and parks for either surface and storm water capital improvement,
4194 repair, maintenance or restoration projects or other government agency projects that are
4195 linear in shape, such as roadways, railways, pipelines, utility lines and trails. If
4196 engineering plans are returned for any reason, they shall be returned to the applicant.
4197 2. All master drainage plans, if required, shall be submitted to the department of
4198 development and environmental services for review in accordance with the specifications
4199 in the Surface Water Design Manual. The master drainage plan process should
4200 commence at the same time as the State Environmental Policy Act (SEPA) process.
4201 3. All drainage plans not subject to review by the department of development
4202 and environmental services pursuant to subsection 1 shall be reviewed by the department
4203 of natural resources and parks in accordance with K.C.C. 9.04.050. Project applicability
4204 and compliance with K.C.C. 9.04.050 shall be documented in writing and available for
4205 review.
4206 B. Expiration. The expiration time frames as specified in the Surface Water
4207 Design Manual shall apply to all permit and approval applications.
4208 C. Processing. All plans shall be processed in accordance with the review
4209 procedures specified in the Surface Water Design Manual.

4210 D. Contents. All submittal procedures, definitions and specifications ~~for the~~
4211 required contents of engineering plans are presented in the Surface Water Design
4212 Manual.
4213 SECTION 130. Ordinance 13191, section 10, and K.C.C. 9.04.115 are hereby
4214 amended to read as follows:
4215 **Drainage facilities accepted by King County for maintenance.** A. King
4216 County is responsible for the maintenance, including performance and operation, of
4217 drainage facilities which have formally been accepted for maintenance by the director.
4218 B. King County may assume maintenance of privately maintained drainage
4219 facilities only if the following conditions have been met:
4220 1. All necessary easements or dedications entitling the county to properly
4221 maintain the drainage facility have been conveyed to the county;
4222 2. The director has determined that the facility is in the dedicated public road
4223 right-of-way or that maintenance of the facility will contribute to protecting or improving
4224 the health, safety and welfare of the community based upon review of the existence of or
4225 potential for:
4226 a. flooding,
4227 b. downstream erosion,
4228 c. property damage due to improper function of the facility,
4229 d. safety hazard associated with the facility,
4230 e. degradation of water quality or in-stream resources, or
4231 f. degradation to the general welfare of the community; and

4232 3. The director has declared in writing acceptance of maintenance responsibility
4233 by the county. Copies of this document will be kept on file in the department of natural
4234 resources and parks, water and land resources division.
4235 C. The director may terminate the department's assumption of maintenance
4236 responsibilities in writing after determining that continued maintenance will not
4237 significantly contribute to protecting or improving the health, safety and welfare of the
4238 community based upon review of the existence of or potential for:
4239 1. Flooding,
4240 2. Downstream erosion,
4241 3. Property damage due to improper function of the facility,
4242 4. Safety hazard associated with the facility,
4243 5. Degradation of water quality or in-stream resources, or
4244 6. Degradation to the general welfare of the community.
4245 Copies of this document will be kept on file in the department of natural resources and
4246 parks, water and land resources division.
4247 D. A drainage facility which does not meet the criteria of this section shall
4248 remain the responsibility of the applicant required to construct the facility and persons
4249 holding title to the property for which the facility was required.
4250 SECTION 131. Ordinance 4938, section 12, as amended, and K.C.C. 9.04.140
4251 are hereby amended to read as follows:
4252 **Administration.** A. Administration.
4253 1. The director is authorized to promulgate and adopt administrative rules under
4254 the procedures specified in K.C.C. chapter 2.98, for the purpose of implementing and

4255 enforcing the provisions of this chapter. Adopted administrative rules are available to the
4256 public from the department of development and environmental services or the department
4257 of natural resources and parks, water and land resources division. This includes, but is
4258 not limited to, the Surface Water Design Manual.

4259 2. The director of department of development and environmental services is
4260 authorized to develop procedures for applying adopted rules and regulations during the
4261 review of permit applications for the development of land. These procedures may also be
4262 contained in the Surface Water Design Manual.

4263 B. Inspections. The director is authorized to make such inspections and take such
4264 actions as may be required to enforce the provisions of this chapter.

4265 C. Right of entry. Whenever necessary to make an inspection to enforce any of
4266 the provisions of this chapter, monitor for proper function of drainage facilities or
4267 whenever the director has reasonable cause to believe that violations of this chapter are
4268 present or operating on a subject property or portion thereof, the director may enter such
4269 premises at all reasonable times to inspect the same or perform any duty imposed upon
4270 the director by this chapter; provided that, if such premises or portion thereof is occupied,
4271 the director shall first make a reasonable effort to locate the owner or other person having
4272 charge or control of the premises or portion thereof and demand entry.

4273 D. Access. Proper ingress and egress shall be provided to the director to inspect,
4274 monitor or perform any duty imposed upon the director by this chapter. The director
4275 shall notify the responsible party in writing of failure to comply with this access
4276 requirement. Failing to obtain a response within seven days from the receipt of
4277 notification the director may order the work required completed or otherwise address the

4278 cause of improper access. The obligation for the payment of all costs that may ~~be~~
4279 incurred or expended by the county in causing such work to be done shall thereby be
4280 imposed on the person holding title to the subject property.

4281 SECTION 132. Ordinance 7590, section 1, as amended, and K.C.C. 9.08.010 are
4282 hereby amended to read as follows:

4283 **Definitions.** The following definitions shall apply in the interpretation and
4284 enforcement of this chapter:

4285 A. "Basin plan" means a plan and all implementing regulations and procedures
4286 including but not limited to capital projects, public education activities, land use
4287 management regulations adopted by ordinance for managing surface and storm water
4288 management facilities and features within individual subbasins.

4289 B. "County" means King County.

4290 C. "Department" means the department of natural resources and parks or its
4291 successor agency.

4292 D. "Developed parcel" means any parcel altered from the natural state by the
4293 construction, creation or addition of impervious surfaces.

4294 E. "Director" means the director of the department of natural resources and parks
4295 or its successor agency or the director's designee.

4296 F. "Division" means the department of natural resources and parks, water and
4297 land resources division or its successor agency.

4298 G. "Lake management plan" means the plan, and supporting documents as
4299 appropriate, describing the lake management recommendations and requirements which
4300 has been formally adopted by rule under the procedures specified in K.C.C. chapter 2.98.

Adopted lake management plans are available from the division and the department of development and environmental services. A synopsis of adopted lake management plans will be distributed to all Surface Water Design Manual subscribers as part of the manual's routine update process.

H. "Drainage facility" means the system of collecting, conveying, and storing surface and storm water runoff. Drainage facilities shall include but not be limited to all surface and storm water conveyance and containment facilities including streams, pipelines, channels, ditches, swamps, lakes, wetlands, closed depressions, infiltration facilities, retention/detention facilities, erosion/sedimentation control facilities and other drainage structures and appurtenances, both natural and constructed.

I. "Impervious surface" means a hard surface area which either prevents or retards the entry of water into the soil mantle as it entered under natural conditions prior to development, and/or a hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roofs, walkways, patios, driveways, parking lots, storage areas, areas which are paved, graveled or made of packed or oiled earthen materials or other surfaces which similarly impede the natural infiltration of surface and storm water. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces for the purpose of this chapter.

J. "Land use code" means restrictions on the type of development for a specific parcel of land as identified by records maintained by the King County department of assessments as modified or supplemented by information resulting from investigation by

the division. Land use codes are preliminary indicators of the extent of impervious surface and are used in the initial analysis to assign an appropriate rate category for a specific parcel.

K. "Maintenance" means the act or process of cleaning, repairing or preserving a system, unit, facility, structure or piece of equipment.

L. "Natural surface water drainage system" means such landscape features as rivers, streams, lakes and wetlands. This system circulates water in a complex hydrological cycle.

M. "Open space" means any parcel, property or portion thereof classified for current use taxation under K.C.C. chapter 20.36 and chapter 84.34 RCW, or for which the development rights have been sold to King County under K.C.C. chapter 26.04. This definition includes lands which have been classified as open space, agricultural or timber lands under criteria contained in K.C.C. chapter 20.36 and chapter 84.34 RCW.

N. "Parcel" means the smallest separately segregated unit or plot of land having an identified owner, boundaries and surface area which is documented for property tax purposes and given a tax lot number by the King County assessor.

O. "Person" means any individual, firm, company, association, corporation or governmental agency.

P. "Program" means the surface water management program as set forth in this chapter.

Q. "Rate category" means the classification in this chapter given to a parcel in the service area based upon the type of land use on the parcel and the percentage of impervious surface area contained on the parcel.

R. "Residence" means a building or structure or portion thereof, designed for and used to provide a place of abode for human beings. The term residence includes the term "residential" or "residential unit" as referring to the type of or intended use of a building or structure.

S. "Residential parcel" means any parcel which contains no more than three residences or three residential units which are within a single structure and is used primarily for residential purposes.

T. "Retention/detention facility" means a type of drainage facility designed either: to hold water for a considerable length of time and then release it by any combination of evaporation, plant transpiration and infiltration into the ground; or to hold runoff for a short period of time and then release it to the surface and storm water management system.

U. "Service area" means unincorporated King County.

V. "Storm water plan" means a King County ordinance specifying the storm water control facilities that will be funded by a bond issue.

W. "Surface and storm water management services" means the services provided by the surface water management program, including but not limited to basin planning, facilities maintenance, regulation, financial administration, public involvement, drainage investigation and enforcement, aquatic resource restoration, surface and storm water quality and environmental monitoring, natural surface water drainage system planning, intergovernmental relations and facility design and construction.

4368 X. "Subbasin" means a drainage area which drains to a water course ~~or water~~
4369 body named and noted on common maps and which is contained within a basin as
4370 defined in K.C.C. 9.04.020.
4371 Y. "Surface and storm water" means water originating from rainfall and other
4372 precipitation that is found in drainage facilities, rivers, streams, springs, seeps, ponds,
4373 lakes and wetlands as well as shallow ground water.
4374 Z. "Surface and storm water management system" means constructed drainage
4375 facilities and any natural surface water drainage features that do any combination of
4376 collection, storing, controlling, treating or conveying surface and storm water.
4377 AA. "Undeveloped parcel" means any parcel which has not been altered from its
4378 natural state by the construction, creation or addition of impervious surface.
4379 SECTION 133. Ordinance 7590, section 14, as amended, and K.C.C. 9.08.110
4380 are hereby amended to read as follows:
4381 **Surface water management fund.** All service charges shall be deposited in the
4382 surface water management fund in the ((~~office of~~))finance and business operations
4383 division which fund is hereby created to be used only for the purpose of paying all or any
4384 part of the cost and expense of providing surface water management services, or to pay or
4385 secure the payment of all or any portion of any issue of general obligation or revenue
4386 bond issued for that purpose. Moneys in the fund not needed for immediate expenditure
4387 shall be invested for the benefit of the surface water management fund pursuant to the
4388 first paragraph of RCW 36.29.020 and such procedures and limitations as are contained
4389 in county ordinance, but sufficient funds shall be transferred no later than the end of the
4390 fiscal year in which they were first appropriated for capital projects appropriated in the

4391 surface and storm water management construction fund beginning in fiscal year 1988.
4392 The program's funds balances and other financial resources will be invested
4393 conservatively to match strong security of principal with market rates of return. For
4394 investment purposes the director of the department of natural resources and parks is
4395 hereby designated the fund manager.

4396 SECTION 134. Ordinance 10636, section 3, as amended, and K.C.C. 9.12.015
4397 are hereby amended to read as follows:

4398 **Definitions**. The following definitions shall apply in the interpretation and
4399 enforcement of this chapter:

4400 A. "AKART" means an acronym for "all known, available, and reasonable
4401 methods of prevention, control, and treatment." AKART shall represent the most current
4402 methodology that can be reasonably required for preventing, controlling, or abating the
4403 pollutants associated with a discharge. The concept of AKART applies to both point and
4404 nonpoint sources of pollution.

4405 B. "Best management practices" or "BMPs" mean the best available and
4406 reasonable physical, structural, managerial, or behavioral activities, that when used singly
4407 or in combination, eliminate or reduce the contamination of surface and/or ground waters.

4408 C. "Chapter" means this chapter and any administrative rules and regulations
4409 adopted to implement this chapter.

4410 D. "Clean Water Act" means 33 U.S.C. 1251 et. seq., as amended.

4411 E. "County" means the municipality of King County.

4412 F. "Director" means the director of the King County department of ((~~public~~
4413 ~~works~~))natural resources and parks, other department directors specified in enforcement

procedures established pursuant to this chapter, or any duly authorized represe~~ntativ~~es of such directors.

G. "Discharge" means to throw, drain, release, dump, spill, empty, emit, or pour forth any matter or to cause or allow matter to flow, run, or seep from land or be thrown, drained, released, dumped, spilled, emptied, emitted or poured into water.

H. "Drainage facility" means the system that collects, conveys, and stores surface and storm water runoff. Drainage facilities shall include but not be limited to all surface and storm water conveyance and containment facilities including streams, pipelines, channels, ditches, swamps, lakes, wetlands, closed depressions, infiltration facilities, retention/detention facilities, erosion/sedimentation control facilities and other drainage structures and appurtenances, both natural and artificial.

I. "Farm management plan" means a comprehensive site-specific plan developed by the farm owner in cooperation with the King County Conservation District taking into consideration the land owners objectives while protecting water quality and related natural resources.

J. "Forest practices" means any activity conducted on or directly pertaining to forest land and relating to growing, harvesting, or processing timber, as defined in Chapter 222-16 Washington Administrative Code.

K. "Ground water" means all waters that exist beneath the land surface or beneath the bed of any stream, lake((,)) or reservoir, or other body of surface water, whatever may be the geological formation or structure in which such water stands or flows, percolates or otherwise moves.

4436 L. "National Pollutant Discharge Elimination System" or "NPDES" ~~means~~ the
4437 national program for controlling pollutants from point source discharges directly into
4438 waters of the ((~~U.S.~~)) United States under the Clean Water Act.
4439 M. "National Pollutant Discharge Elimination System permit" means an
4440 authorization, license, or equivalent control document issued by the Environmental
4441 Protection Agency or the Washington State Department of Ecology to implement the
4442 requirements of the NPDES program.
4443 N. "Person" means an individual, their agents or assigns; municipality; political
4444 subdivision; government agency; partnership; corporation; business; or any other entity.
4445 O. "Source control BMP" means a BMP intended to prevent contaminants from
4446 entering surface and storm water and/or ground water including the modification of
4447 processes to eliminate the production or use of contaminants. Source control BMPs can
4448 be either structural or non((-))structural. Structural source control BMPs involve the
4449 construction of a physical structure on site, or other type of physical modification to a
4450 site; for example, building a covered storage area. A non-structural source control BMP
4451 involves the modification or addition of managerial or behavioral practices; for example,
4452 using less toxic alternatives to current products or sweeping parking lots.
4453 P. "State Waste Discharge Permit" means an authorization, license, or equivalent
4454 control document issued by the Washington State Department of Ecology in accordance
4455 with Chapter 173-216 Washington Administrative Code.
4456 Q. "Storm Water BMP Manual" or "manual" means the manual (and supporting
4457 documents as appropriate) describing best management practices, design, maintenance,
4458 procedures, and guidance which has been approved by the King County council.

R. "Surface and storm water" means water originating from rainfall ~~and other~~ precipitation that is found in drainage facilities, rivers, streams, springs, seeps, ponds, lakes and wetlands as well as shallow ground water.

S. "Treatment BMP" means a BMP intended to remove contaminants once they are already contained in storm water. Examples of treatment BMPs include: oil/water separators, biofiltration swales, and wet-settling basins.

SECTION 135. Ordinance 10636, section 4, as amended, and K.C.C. 9.12.025 are hereby amended to read as follows:

Discharges into King County waters. A. Prohibited discharges.

1. It is unlawful for any person to discharge any contaminants into surface and storm water, ground water, or Puget Sound. Contaminants include, but are not limited, to the following:

a. trash or debris;

b. construction materials;

c. petroleum products including but not limited to oil, gasoline, grease, fuel oil, heating oil;

d. antifreeze and other automotive products;

e. metals in either particulate or dissolved form;

f. flammable or explosive materials;

g. radioactive material;

h. batteries;

i. acids, alkalis, or bases;

j. paints, stains, resins, lacquers, or varnishes;

k. degreasers and/or solvents;

l. drain cleaners;

m. pesticides, herbicides, or fertilizers;

n. steam cleaning wastes;

o. soaps, detergents, or ammonia;

p. swimming pool backwash;

q. chlorine, bromine, and other disinfectants;

r. heated water;

s. domestic animal wastes;

t. sewage;

u. recreational vehicle waste;

v. animal carcasses;

w. food wastes;

x. bark and other fibrous materials;

y. collected lawn clippings, leaves, or branches;

z. silt, sediment, or gravel;

aa. dyes (except as stated in subsection C.1. of this section);

bb. chemicals, not normally found in uncontaminated water;

cc. any hazardous material or waste, not listed above.

2. Illicit connections. Any connection, identified by the director, that could convey anything not composed entirely of surface and storm water directly to surface and storm water or ground water is considered an illicit connection and is prohibited with the following exceptions: connections conveying allowable discharges, connections

conveying discharges pursuant to an NPDES permit (other than an NPDES st~~orm w~~ater permit) or a State Waste Discharge Permit, and connections conveying effluent from onsite sewage disposal systems to subsurface soils.

B. Allowable discharges. The following types of discharges shall not be considered prohibited discharges for the purpose of this chapter unless the director ((~~of public works~~))determines that the type of discharge, whether singly or in combination with others, is causing significant contamination of surface and storm water or ground water:

1. Potable water;

2. Potable water line flushing;

3. Uncontaminated water from crawl space pumps or footing drains;

4. Lawn watering;

5. Residential car and boat washing;

6. Dechlorinated swimming pool water;

7. Materials placed as part of an approved habitat restoration or bank stabilization project;

8. Natural uncontaminated surface water or ground water;

9. Flows from riparian habitats and wetlands;

10. The following discharges from boats: engine exhaust, cooling waters, effluent from sinks, showers and laundry facilities and treated sewage from Type I and Type II marine sanitation devices;

11. Common practices for water well disinfection; and

12. Other types of discharges as determined by the director((~~ of public works~~)).

4528 C. Exceptions.

4529 1. Dye testing is allowable but requires verbal notification to the King County
4530 ((~~surface water management~~))water and land resources division at least one day prior to
4531 the date of test. The King County health department is exempt from this requirement.

4532 2. If a person has properly designed, constructed, implemented and is
4533 maintaining BMPs, and is carrying out AKART as required by this chapter, and
4534 contaminants continue to enter surface and storm water or ground water; or the person
4535 can demonstrate that there is no additional contaminants being discharged from the site
4536 above the background conditions of the water entering the site; that person shall not be in
4537 violation of subsection A. of this section. ((~~The said~~))Such person, however, is still
4538 liable for prohibited discharges through illicit connections, dumping, spills, improper
4539 maintenance of BMPs, or other discharges that allow contaminants to enter surface and
4540 storm water or ground water.

4541 3. Emergency response activities or other actions that must be undertaken
4542 immediately or within a time too short to allow full compliance with this chapter, to
4543 avoid an imminent threat to public health or safety, shall be exempt from this section.
4544 The director((~~of public works~~)) may specify actions that qualify for this exception in
4545 county procedures. The person responsible for emergency response activities should take
4546 steps to ensure that the discharges resulting from such activities are minimized to the
4547 greatest extent possible. In addition, this person shall evaluate BMPs and the site plan,
4548 where applicable, to restrict recurrence.

4549 SECTION 136. Ordinance 10636, section 5, as amended, and K.C.C. 9.12.035
4550 are hereby amended to read as follows:

Best management practices. A. Best management practices.

1. The King County ((~~surface water management~~))water and land resources division shall develop a Storm Water Best Management Practices Manual and present this manual to the King County council for approval. The manual shall present BMPs and procedures for existing facilities and activities and for new development activities not covered by the King County surface water design manual. At a minimum, the manual shall describe the types of regulated activities; the types of contaminants generated by each activity, and the contaminant's effect on water quality; the required source control BMPs and available treatment BMPs, including information on design and maintenance; allowable use of alternative BMPs; and a schedule for BMP implementation.

2. In applying the BMP manual, the director shall first require the implementation of source control BMPs. If these are not sufficient to prevent contaminants from entering surface and storm water or ground water, the director may require implementation of treatment BMPs, according to AKART. The King County ((~~surface water management~~))water and land resources division will provide, upon reasonable request, available technical assistance materials and information, and information on outside financial assistance options to persons required to comply with this chapter.

B. Exemptions.

1. Persons implementing BMPs through another federal, state, or local program will not be required to implement the BMPs prescribed in the county's manual, unless the director determines the alternative BMPs to be ineffective at reducing the discharge or contaminants. If the other program requires the development of a best management

4574 practices plan, the person shall make their plan available to King County upon request.
4575 Persons who qualify for exemptions include, but are not limited to, persons who are:
4576 a. required to obtain a general or individual NPDES permit for storm water
4577 discharges from the Washington State Department of Ecology;
4578 b. implementing and maintaining, as scheduled, a King Conservation District-
4579 approved farm management plan;
4580 c. permitted under a Washington State Department of Ecology NPDES general
4581 or individual permit for commercial dairy operations;
4582 d. implementing BMPs in compliance with K.C.C. 21A.30 - Development
4583 Standards: Animals, Home Occupation, Home Industry;
4584 e. implementing BMPs in compliance with the management program of the
4585 county's municipal NPDES permit;
4586 f. engaged in forest practices, with the exception of forest practices occurring
4587 on lands platted after January 1, 1960, or on lands being converted to another use, or
4588 where regulatory authority is otherwise provided to local government by RCW
4589 76.09.240; or
4590 g. identified by the director ((~~of public works~~))as being exempt from this
4591 section.
4592 2. Persons conducting normal single family residential activities will not be
4593 required to implement the BMPs prescribed in the county's manual, unless the director
4594 determines that these activities pose a hazard to public health, safety, or welfare;
4595 endanger any property; or adversely affect the safety and operation of county right-of-
4596 way, utilities, and/or other property owned or maintained by the county. The county

council intends to consider the application of BMPs to single family residentia~~l activ~~ities after completion of the Storm Water Best Management Practices Manual.

SECTION 137. Ordinance 10636, section 6, as amended, and K.C.C. 9.12.045 are hereby amended to read as follows:

Administration. The director is authorized to implement the provisions of this chapter. The director ((~~of public works~~))is authorized to promulgate and adopt administrative rules and regulations under the procedures specified in K.C.C. chapter 2.98 for the purpose of implementing and enforcing the provisions of this chapter. The director ((~~of public works~~))will coordinate the implementation and enforcement of this chapter with other departments of King County government.

SECTION 138. Ordinance 10636, section 7, as amended, and K.C.C. 9.12.050 are hereby amended to read as follows:

Enforcement. A. The director is authorized to carry out enforcement actions pursuant to the enforcement and penalty provisions of K.C.C. Title 23 and other enforcement provisions adopted by rule under the procedures of K.C.C. chapter 2.98.

B. The director shall gain compliance with this chapter by requiring the implementation of BMPs and, when necessary, AKART. The director shall initially rely on education and informational assistance as much as possible to gain compliance with this chapter, unless the director determines a violation is a result of a flagrant act that should be addressed through immediate penalties or poses a hazard as defined in the Hazards section.

C. The director((~~of public works~~)), in consultation with other departments of King County government, shall develop and implement additional enforcement

procedures. These procedures shall indicate how the county will investigate ~~and respond~~ to reports or instances of noncompliance with this chapter and shall identify by title the official(s) responsible for implementing the enforcement procedures.

D. The director is authorized to make such inspections and take such actions as may be required to enforce the provisions of this chapter. Such inspections shall be made in accordance with K.C.C. 23.08.040.

1. The director may observe best management practices or examine or sample surface and storm water or ground water as often as may be necessary to determine compliance with this chapter. Whenever an inspection of a property is made, the findings shall be recorded and a copy of the inspection findings shall be furnished to the owner or the person in charge of the property after the conclusion of the investigation and completion of the inspection findings.

2. When the director has made a determination under subsection 1 of this section that any person is violating this chapter, the director may require the violator to sample and analyze any discharge, surface and storm water, ground water, and/or sediment, in accordance with sampling and analytical procedures or requirements determined by the director. If the violator is required to complete this sampling and analysis, a copy of the analysis shall be provided to the King County ((~~surface water management~~))water and land resources division.

E. In addition to any other penalty or method of enforcement, the prosecuting attorney may bring actions for injunctive or other relief to enforce this chapter.

SECTION 139. Ordinance 8891, section 3, as amended, and K.C.C. 10.04.020 are hereby amended to read as follows:

4643 **Definitions.** The following definitions shall apply in the interpretation ~~and~~
4644 enforcement of this title:
4645 A. "Agricultural wastes" means non((-))dangerous wastes on farms resulting
4646 from the production of agricultural products including but not limited to manures and
4647 carcasses of dead animals weighing each or collectively in excess of fifteen pounds.
4648 B. "Asbestos-containing waste material" means any waste that contains asbestos.
4649 This term includes, but is not limited to, asbestos waste from control devices,
4650 contaminated clothing, asbestos waste material, materials used to enclose the work area
4651 during an asbestos project, and bags or containers that previously contained asbestos.
4652 C. "Ashes" means the residue including any air pollution control equipment flue
4653 dusts from combustion or incineration of material including solid wastes.
4654 D. "Bulky waste" means large items of refuse, such as appliances, furniture, and
4655 other oversize wastes which would typically not fit into reusable solid waste containers.
4656 E. "CDL" means construction, demolition and land clearing waste as defined in
4657 this chapter.
4658 F. "CDL receiving facility" means any properly licensed or permitted facility that
4659 is designated by the county as the facility to which non-recyclable CDL waste, including
4660 residual CDL waste, is required to be delivered pursuant to King County Code.
4661 G. "CDL recycling facility" means any properly licensed or permitted facility at
4662 which materials are removed from mixed CDL waste for the purpose of reuse or
4663 remanufacture.
4664 H. "CDL waste" means construction, demolition and land clearing waste as
4665 defined in this chapter.

I. "Certified hauler or certificated hauler" means any person engaged ~~in the~~ business of solid waste handling having a certificate granted by the Washington Utilities and Transportation Commission for that purpose.

J. "Charitable organization" means any organization which meets the following criteria: must be defined by the Internal Revenue Service as a 501(c)3 charitable organization; must be engaged as a primary form of business in the processing of abandoned goods for resale or reuse; and must have an account with the solid waste division.

K. "Clean mud and dirt" means mud and dirt that meet the soil cleanup standards of the Washington Administrative Code (WAC) 173-340-740 and WAC 173-340-745 as currently enacted and as hereafter amended.

L. "Clean soils and clean dredge spoils" means soils and dredge spoils which are not dangerous wastes or problem wastes as defined in this chapter.

M. "Clean wood" means stumps and branches over four inches in diameter and construction lumber free of paint, preservatives, metals, concrete, and other non-wood additives or attachments.

N. "Clean wood collection area" means an area used by county residents, businesses and institutions to deposit source separated clean wood.

O. "Commercial hauler" means any person, firm or corporation including but not limited to "certified hauler," as defined herein, collecting or transporting solid waste for hire or consideration.

P. "Compacted waste" means any solid waste whose volume is less than in the loose condition as a result of compression.

Q. "Construction, demolition, and land clearing (CDL) waste" means ~~any~~ recyclable or non-recyclable waste that results from construction, remodeling, repair or demolition of buildings, roads or other structures, or from land clearing for development, and requires removal from the site of construction, demolition or land clearing. Except where otherwise expressly provided, "CDL waste" or "county CDL waste" means CDL waste generated in the county jurisdiction. CDL waste includes, but is not limited to, the following listed materials:

1. "Construction waste" includes: wood, concrete, drywall, masonry, roofing, siding, structural metal, wire, insulation((,)) and other building material; and plastics, styrofoam, twine, baling and strapping materials, cans, buckets, and other packaging materials and containers. It also includes sand, rocks and dirt that are used in construction and that do not meet the definitions of clean mud and dirt or unacceptable waste.

2. "Demolition waste" includes concrete, asphalt, wood, masonry, roofing, siding, structural metal, wire, insulation, and other materials found in demolished buildings, roads, and other structures. It also includes sand, rocks and dirt that result from demolition and that do not meet the definitions of clean mud and dirt or unacceptable waste.

3. "Land clearing waste" includes natural vegetation and minerals such as stumps, brush, blackberry vines, tree branches, associated dirt and sand, tree bark, sod and rocks.

CDL waste does not include clean mud and dirt, contaminated soil, asbestos-containing waste material containing more than one percent of asbestos by weight,

unacceptable waste, or any other solid waste which does not meet the definition of CDL waste.

R. "Contaminated soil" is any soil that does not meet the soil cleanup standards of the Washington Administrative Code as currently enacted and as hereafter amended.

S. "Controlled solid waste" means all solid waste generated, collected or disposed within the unincorporated areas of King County and all solid waste generated, collected or disposed within any other jurisdiction with which a solid waste interlocal agreement, as defined herein, exists.

T. "County jurisdiction" means the geographic area for which King County government has comprehensive planning authority for solid waste management by law and/or by interlocal agreement.

U. "Dangerous wastes" means any solid waste designated as dangerous waste by the Washington State Department of Ecology under WAC 173-303.

V. "Designated interlocal forum" means a group of representatives of unincorporated King County and of incorporated cities and towns within King County designated by the council of King County and by interlocal agreement with the cities in King County to discuss solid waste issues and facilitate regional interlocal cooperation in solid waste management.

W "Disposal" means the discharge, deposit, injection, dumping, leaking, or placing of any solid waste into or on any land or water.

X. "Disposal facility" is a disposal site or interim solid waste handling facility. This includes, but is not limited to, transfer stations included as part of the county disposal system, landfills, incinerators, composting plants, and facilities for the recycling

or recovery of resources from solid wastes or the conversion of the energy ~~from such~~ wastes to more useful forms or combinations thereof.

Y. "Disposal site" means a site or sites approved by the council of King County where any final treatment, utilization, processing or disposition of solid waste occurs.

Z. "Disposal system" means the system of disposal facilities, rules and procedures established pursuant to this title.

AA. "Drop box facility" means a facility used for the placement of a detachable solid waste container, i.e., drop boxes, including the area adjacent for necessary entrance and exit roads, unloading, and turnaround areas. Drop box facilities normally serve the general public with loose loads and receive waste from off-site. Drop box facilities may also include containers for separated recyclables.

BB. "Division" means the solid waste division of the King County ((~~public works~~))department of natural resources and parks.

CC. "Energy resource recovery" means the recovery of energy in a usable form from mass burning or refuse derived fuel incineration, pyrolysis or any other means of using the heat of combustion of solid waste that involves high temperature (above 1200 degrees Fahrenheit) processing.

DD. "Garbage" means unwanted animal and vegetable wastes and animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food, swill, and carcasses of dead animals and of such a character and proportion as to be capable of attracting or providing food for vectors, except sewage and sewage sludge.

EE. "Hazardous wastes" means and includes, but is not limited to explosives, medical wastes, radioactive wastes, pesticides and chemicals which are potentially

4758 harmful to the public health or the environment. Unless otherwise defined by ~~the~~ King
4759 County board of health, such waste shall have the meaning as defined by the Washington
4760 State Department of Ecology and the Washington Administrative Code.

4761 FF. "Hazardous waste management plan" means a plan for managing moderate
4762 risk wastes, pursuant to RCW 70.105.220.

4763 GG. "Health department" means the Seattle-King County health department.

4764 HH. "Health officer" means the King County director of public health, or his or
4765 her authorized agent.

4766 II. "Industrial solid wastes" means waste by-products from manufacturing and
4767 fabricating operations such as scraps, trimmings, packing, and other discarded materials
4768 not otherwise designated as dangerous waste under Chapter 173-303 WAC.

4769 JJ. "Interim solid waste handling facility" means any interim treatment,
4770 utilization or processing site engaged in solid waste handling which is not the final
4771 disposal site. Transfer stations, drop boxes, baling and compaction sites, source
4772 separation centers, intermediate processing facilities, mixed waste processing facilities
4773 and treatment facilities are considered interim solid waste handling sites.

4774 KK. "Intermediate processing facility" means any facility that sorts mixed
4775 recyclables from source separation programs to divide them into individual component
4776 recyclable materials or to process them for marketing.

4777 LL. "King County Solid Waste Advisory Committee" means the committee
4778 formed pursuant to King County Ordinance 6862 and RCW Chapter 70.95 to advise the
4779 county on solid waste management planning, assist in the development of programs and

policies concerning solid waste management, and review and comment on the ~~plan~~ and other proposed solid waste management rules, policies or ordinance prior to adoption.

MM. "Landfill" means a disposal site or part of a site at which waste is placed in or on land and which is not a landspreading disposal facility.

NN. "Landspreading disposal facility" means a facility that applies sludge or other solid wastes onto or incorporates solid waste into the soil surface at greater than vegetative utilization and soil conditioners/immobilization rates.

OO. "Liquid" means a substance that flows readily and assumes the form of its container but retains its independent volume.

PP. "Littering" means to accumulate, or place, throw, deposit, put into or in any land or water or otherwise dispose of refuse including rubbish, ashes, garbage, dead animals, industrial refuse, commercial waste and all other waste material of every kind and description in any manner except as authorized by this chapter.

QQ. "Manager" means the manager of the solid waste division of the department of ((~~public works~~))natural resources and parks of King County.

RR. "Medical waste" means all waste so defined by the King County board of health rules and regulations.

SS. "Mixed CDL waste" means CDL waste containing both recyclable and non-recyclable CDL waste material that has not been separated.

TT. "Mixed municipal solid waste" means waste consisting of solid waste generated by residences, stores, offices, and other generators of wastes that are not industrial, agricultural, or CDL wastes.

4802 UU. "Mixed waste processing" means sorting of solid waste after coll~~ection~~ from
4803 the point of generation in order to remove recyclables from the solid waste to be
4804 disposed.
4805 VV. "Mobile yard waste facility" means a yard waste facility requiring no above-
4806 grade construction and established on a temporary basis. For the purposes of
4807 ((~~Section~~))K.C.C. 10.12.020, a mobile yard waste facility shall be considered to be a
4808 disposal site without scales.
4809 WW. "Moderate risk waste" means:
4810 1. any waste that exhibits any of the properties of hazardous waste but is exempt
4811 from regulation under RCW Chapter 70.105 solely because the waste is generated in
4812 quantities below the threshold for regulation, and
4813 2. any household wastes which are generated from the disposal of substances
4814 identified by the Department of Ecology as hazardous household substances.
4815 XX. "Multi-family structure" means any residential structure designed
4816 exclusively for occupancy by two or more families living independently of each other
4817 receiving solid waste collection service as an entire structure or complex and the structure
4818 or complex is billed for solid waste collection service as a whole and not by individual
4819 dwelling units.
4820 YY. Noncommercial user" means any person not engaged in the business of solid
4821 waste handling.
4822 ZZ. "Non-recyclable CDL waste" means any CDL waste that is not recyclable
4823 CDL Waste.

AAA. "Operating hours" means those times during which disposal facilities are normally open and available for the delivery of solid wastes.

BBB. "Person" means any individual, association, firm, corporation, partnership, political subdivision, municipality, government agency, industry, public or private corporation, or any other entity.

CCC. "Plan" means the coordinated comprehensive solid waste management plan for the county as required by ((~~RCW C~~))chapter 70.95 RCW.

DDD. "Problem wastes" means:

1. soils removed during the cleanup of a remedial action site, or a dangerous waste site closure or other cleanup efforts and actions and which contain harmful substances but are not designated dangerous wastes, or

2. dredge spoils resulting from the dredging of surface waters of the state where contaminants are present in the dredge spoils at concentrations not suitable for open water disposal and the dredge spoils are not dangerous wastes and are not regulated by the Federal Clean Water Act.

EEE. "Procurement policy" means the development and implementation of a policy which achieves the purchase of products made from recycled and/or recyclable goods.

FFF. "Receivers" means persons who will reuse recyclables and to whom source separated recyclables for which a market does not presently exist can be delivered at little or no cost in order to avoid landfilling the materials pending development of economic markets.

GGG. "Reclamation site" means a location used for the processing or ~~the~~ storage of recycled waste.

HHH. "Recyclable CDL waste" means CDL waste material that can be kept out of or recovered from CDL waste and reused or transformed into a reusable product. Recyclable CDL waste may consist of a single type of recyclable material or a mixture of two or more types of recyclable material. Material used to produce hog fuel is recyclable CDL waste.

III. "Recyclables" means any material that can be kept out of or recovered from solid waste and the resources therein be transformed and/or reused including, but not limited to, mixed paper, newsprint, cardboard, aluminum, glass, plastics, chemicals, oil, wood, compostable organics (food and yard debris), ferrous metal, and inorganics (rubble and inert material).

JJJ. "Recycling" means either source separation or the processing of solid waste mechanically or by hand to segregate materials for sale or reuse. Materials which can be removed through recycling include but are not limited to mixed paper, newsprint, cardboard, aluminum, glass, plastics, chemicals, oil, wood, compostable organics (food and yard debris), ferrous metal, and inorganics (rubble and inert material). Recycling does not include combustion of solid waste or preparation of a fuel from solid waste.

KKK. "Refuse" means garbage, rubbish, ashes, swill and all other putrescible and nonputrescible wastes, except sewage, from all public and private establishments and residences.

4867 LLL. "Regional approach" means the development and implementati~~on of a~~ solid
4868 waste management program in cooperation with municipalities in King County and with
4869 other counties within the Puget Sound area.

4870 MMM. "Regional direct" means any solid waste generated and collected in King
4871 County and transported to Cedar Hills disposal site by conventional long haul transfer
4872 vehicles from solid waste transfer stations or intermediate processing facilities permitted
4873 by Seattle-King County Health Department as provided for in K.C.C. 10.08.090 and the
4874 Board of Health's regulations.

4875 NNN. "Regulated refrigerant" means a class I or class II substance as listed in
4876 Title VI of the Federal Clean Air Act Amendments of 1990.

4877 OOO. "Residual CDL waste" means the non-recyclable waste remaining after
4878 recycling processes have removed recyclable waste.

4879 PPP. "Reuse" means the return of a commodity into the economic stream for use.

4880 QQQ. "Rubbish" means all nonputrescible wastes from all public and private
4881 establishments and from all residences.

4882 RRR. "Secured load" means a load of solid waste which has been secured or
4883 covered in the vehicle in a manner that will prevent any part of the solid waste from
4884 leaving the vehicle while the vehicle is moving.

4885 SSS. "Self-hauler" means all vehicles that are neither passenger licensed vehicles
4886 nor vehicles used by solid waste collection entities in their solid waste collection
4887 operations that are engaged in transporting wastes to disposal facilities.

4888 TTT. "Single family dwelling" means any residential unit receiving solid waste
4889 collection service as an individual unit and the dwelling is billed for solid waste
4890 collection service as an individual dwelling.

4891 UUU. "Solid waste" means all putrescible and nonputrescible solid and semisolid
4892 wastes, except wastes identified in WAC 173-304-015, including but not limited to
4893 garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes,
4894 abandoned vehicles or parts thereof, discarded commodities, sludge from wastewater
4895 treatment plants and septage from septic tanks, woodwaste, dangerous waste, and
4896 problem wastes. This includes all liquid, solid and semisolid materials which are not the
4897 primary products of public, private, industrial, commercial, mining and agricultural
4898 operations. Unrecovered residue from recycling operations shall be considered solid
4899 waste.

4900 VVV. "Solid waste collection entity" means every person or his lessees,
4901 receivers, or trustees, owning, controlling, operating or managing vehicles used in the
4902 business of transporting solid waste for collection and/or disposal for compensation
4903 including all certified haulers, or any city using its own employees, or any company
4904 operating pursuant to a contract with or franchise from a city performing solid waste
4905 collection services within the city.

4906 WWW. "Solid waste interlocal agreement" means an agreement between a city
4907 and the county for use of the King County disposal system for solid waste generated or
4908 collected within the city.

4909 XXX. "Solid waste management" means the systematic administration of
4910 activities which provide for the reduction in generated volume, source separation,

collection, storage, transportation, transfer, recycling, processing, treatment ~~and dis~~posal of solid waste. This includes public education and marketing activities.

YYY. "Source separation" means the process of separating recyclable materials from material which will become solid waste at its source.

ZZZ. "Suspect waste" means any waste the manager suspects may be unauthorized waste.

AAAA. "Swill" means every refuse accumulation of animal, fruit or vegetable matter, liquid or otherwise, that attends the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit and vegetables, except coffee grounds.

BBBB. "Trailer waste area" means a dedicated area where disposal vehicles shall utilize for hosing their containers, truck beds, and trailers following tipping of wastes.

CCCC. "Transfer station" means a staffed, fixed, supplemental collection and transportation facility used by persons and route collection vehicles to deposit collected solid waste from off-site into a larger transfer vehicle for transport to a permanent disposal site. It may also include recycling facilities.

DDDD. "Unacceptable waste" means any material for which the transportation or disposal would constitute a violation of any governmental requirement pertaining to health, safety, or the environment. Such material may include, but is not limited to, hazardous, extremely hazardous or dangerous waste as designated under Washington State or federal law, including but not limited to regulations contained in the Washington Administrative Code, now in effect or hereafter amended, or in the code of Federal regulations, now in effect or hereafter amended.

4933 EEEE. "Unauthorized waste" means waste which is waste not accepta~~ble for~~
4934 disposal at any or a specific disposal facility according to applicable rules and regulations
4935 or a determination of the manager.
4936 FFFF. "Uncompacted waste" means any solid waste in an uncompressed or loose
4937 condition.
4938 GGGG. "Unincorporated service area" means a geographical area of
4939 unincorporated King County designated to receive solid waste, recyclables, and yard
4940 waste collection services.
4941 HHHH "Unsecured load" means a load on a vehicle that is not securely fastened
4942 and protected by safety chains or other fastening devices, covered, tied down or
4943 otherwise secured so as to prevent the material from spilling, escaping, or being
4944 deposited outside the vehicle while vehicle is in motion.
4945 IIII. "Waste reduction" means reducing the amount or type of waste generated.
4946 JJJJ. "White goods" means major appliances, including refrigerators, freezers,
4947 heat pumps, air conditioners, stoves, ranges, dishwashers, washers, dryers, trash
4948 compactors, dehumidifiers, and other appliances specified by the manager.
4949 KKKK. "White goods collection area" means an area used by county residents to
4950 deposit source separated white goods.
4951 LLLL. "Woodwaste" means solid waste consisting of wood pieces or particles
4952 generated as a by-product resulting from the handling and processing of wood, including,
4953 but not limited to, hog fuel, sawdust, shavings, chips, bark, small pieces of wood, stumps,
4954 limbs and any other material composed largely of wood which has no significant
4955 commercial value at the time in question, (but shall not include slash developed from

4956 logging operations unless disposed of on a different site), and does not include wood
4957 pieces or particles containing chemical preservatives such as creosote,
4958 pentachlorophenol, or copper-chrome-arsenate.

4959 MMMM. "Yard waste" means a compostable organic material generated in yards
4960 or gardens, including but not limited to, leaves, grass, branches, prunings, and clippings
4961 of woody and fleshy plants and unflocked Christmas trees, but shall not include rocks,
4962 dirt or sod, concrete, asphalt, bricks, land clearing wastes, demolition wastes, woodwaste
4963 or food waste.

4964 NNNN. "Yard waste collection area" means an area used by county residents,
4965 businesses, and institutions to deposit source separated yard waste.

4966 SECTION 140. Ordinance 800, section 3, as amended, and K.C.C. 10.12.030 are
4967 hereby amended to read as follows:

4968 **Collection of fees.** A. All service fees collected pursuant to this chapter shall be
4969 collected in cash by site cashiers at the time of use; provided, that the manager of the
4970 King County solid waste division, department of ((~~public works~~))natural resources and
4971 parks may authorize a commercial or noncommercial user to be billed monthly for all
4972 solid waste delivered to either the transfer stations ((~~and/~~))or the final disposal sites, or
4973 both.

4974 B. The solid waste manager is authorized to adjust any solid waste service fee for
4975 purposes of minimizing cash holding requirements at solid waste facilities. The
4976 adjustment to the calculated fee shall not exceed twenty-five cents nor shall it have a
4977 significant impact on the revenue collected in the proposed rate period.

4978 C. Authorization of a commercial or noncommercial user's monthly ~~billing~~ shall
4979 result only from a request in advance for such service by the commercial or
4980 noncommercial user subject to the following provisions:
4981 1. No authorization shall be granted without the posting of an irrevocable
4982 payment bond secured by the commercial or noncommercial user in the name of the solid
4983 waste division and in an amount which is equal to the larger amount of the peak three
4984 consecutive months of user fee charges from the prior twelve months adjusted for rate
4985 changes or ((~~$3,500~~)) three thousand five hundred dollars. Within ((~~30~~)) thirty days of
4986 determining that the posted irrevocable payment bond is insufficient the manager shall
4987 give notice that a bond increase is required, except that no bond increase should be
4988 required if the change is less than ((~~$1,000~~)) one thousand dollars and the commercial or
4989 noncommercial user's payments have not been delinquent in the preceding twelve
4990 months.
4991 2. In the absence of the peak three consecutive months of user fee charges from
4992 the prior twelve months adjusted for rate changes, the irrevocable payment bond will be
4993 the greater of the commercial or noncommercial user of three months of user charges or
4994 ((~~$3,500~~)) three thousand five hundred dollars.
4995 3. The manager, having given notice to a commercial or noncommercial
4996 monthly billing user that their bond is inadequate based on actual usage, may suspend use
4997 privileges for a commercial or noncommercial user who fails to tender an increased bond
4998 within thirty days of notice.
4999 4. The manager shall, upon request, relieve a commercial user certified pursuant
5000 to chapter 81.77 RCW of the requirement for an irrevocable payment bond if it has not

5001 been delinquent in the preceding 12 months. If a monthly bill becomes delinquent by
5002 five days, the user shall post within thirty days of the delinquency an irrevocable bond
5003 equal to the larger of the peak three consecutive months of user fee charges from the prior
5004 twelve months adjusted for rate changes or ((~~$3,500~~)) three thousand five hundred
5005 dollars.

5006 5. The manager shall waive the irrevocable payment bond for the following
5007 governmental noncommercial users: A municipal corporation, governmental department,
5008 agency or commission or political subdivision when he or she approves its monthly
5009 billing request.

5010 D. All invoiced fees shall be received, payable to King County((,)) finance and
5011 business operations division, in monthly installments on or before the twenty-fifth day
5012 following the billing date as listed on the invoice. A late payment penalty equal to one
5013 and one-half percent of the delinquent unpaid balance compounded monthly, shall be
5014 assessed on the delinquent unpaid balance of those nongovernmental commercial and
5015 noncommercial accounts in arrears. The manager, having given seven days' notice, may
5016 suspend use privileges for a commercial or noncommercial user who fails to tender
5017 payment by the end of the billing month. Any invoiced fee or other service fee which
5018 remains unpaid ninety days after its due date may be remitted to a collection service
5019 agency which will exercise their best, prudent and lawful efforts to secure collection. An
5020 administrative fee of fifteen dollars will be added to all such unpaid account totals. This
5021 fee will be in addition to any late payment penalty or fee imposed by county ordinance.

5022 E. Effective July 1, 1991, users not having charging privileges and unable to pay
5023 disposal charges assessed at the disposal facility shall be issued a one-time payment

5024 invoice of dumping fees charged plus a handling fee of ((~~$10.00~~)) ten dollars. ~~Payment~~
5025 on this invoice shall be due within 7 days of issue and late payment penalties shall be
5026 charged consistent with subsection D ((~~above~~)) of this section.

5027 F. A noncommercial user may be authorized by the manager to be billed monthly
5028 for all solid waste delivered to the transfer stations and for final disposal sites; provided,
5029 that such noncommercial user is either:

5030 ((~~(1)~~)) 1. ((~~a~~))A municipal corporation, governmental department, agency or
5031 commission or political subdivision; or

5032 ((~~(2)~~)) 2. ((~~a~~))A person whose monthly service charges exceed one hundred
5033 dollars.

5034 G. Persons authorized for monthly billings shall receive one or more
5035 identification badges for the purpose of crediting charges. A fee of twenty-five dollars
5036 shall be charged the person to replace a lost or damaged card. No fee will be charged for
5037 replacement due to normal wear.

5038 SECTION 141. Ordinance 800 (part), as amended, and K.C.C. 10.12.060 are
5039 hereby amended to read as follows:

5040 **Enforcement.** The director of the department of ((~~public works~~))natural
5041 resources and parks is authorized to enforce the provision of this chapter, the ordinances
5042 and resolutions codified in it, and any rules and regulations promulgated thereunder
5043 pursuant to the enforcement and penalty provisions of K.C.C. Title 23.

5044 SECTION 142. Ordinance 9240, section 3, and K.C.C. 10.16.030 are hereby
5045 amended to read as follows:

5046 **Definitions.** The following terms shall have the assigned definitions ~~for all~~
5047 purposes under this chapter:
5048 A. "Building insulation" means a material, primarily designed to resist heat flow,
5049 which is installed between the conditioned volume of a building and adjacent
5050 unconditioned volumes or the outside. This term includes but is not limited to insulation
5051 products such as blanket, board, spray-in-place, and loose-fill that are used as ceiling,
5052 floor, foundation, and wall insulation.
5053 B. "Cement" means a powder-like manufactured mineral product, often referred
5054 to as "Portland cement," used in the manufacture of cement concrete.
5055 C. "Cement concrete" means concrete which contains cement.
5056 D. "Cement with fly ash or cement concrete with fly ash" means cement or
5057 cement concrete containing any amount of fly ash.
5058 E. "Contractor" means any person, group of persons, consultant, designing
5059 architect, association, partnership, corporation, or other type of business entity which has
5060 a contract with King County (including suppliers) or which serves in a subcontracting
5061 capacity with an entity having a contract with King County for the provision of goods
5062 and/or services.
5063 F. "Departments" shall refer to any executive department and administrative
5064 office as defined by King County ordinance or other applicable law and shall include all
5065 county agencies not associated with a department, the King County prosecuting attorney,
5066 the King County assessor, the King County sheriff and the King County council.

5067 G. "Designated products" means all products that have been or may be ~~identified~~
5068 pursuant to ((~~Section~~))K.C.C. 10.16.040 of this chapter as products that can be procured
5069 with significant levels of recovered materials.
5070 H. "Designing architect" means any architect or engineer performing
5071 architectural or engineering services for the county in connection with a county
5072 construction project and who is chiefly responsible for the project's design.
5073 I. "Director" means the director of the department of executive
5074 ((~~administration~~))services or the director's designee.
5075 J. "End use" means an intended final use of a product by a consumer which will
5076 not result in additional value being added to the product.
5077 K. "Fly ash" means the component of coal which results from the combustion of
5078 coal and is the finely divided mineral residue which is typically collected from boiler
5079 stack gases by electrostatic precipitator or mechanical collection devices.
5080 L. "Lubricating oils" means engine lubricating oils, hydraulic fluids, and gear
5081 oils, excluding marine and aviation oils.
5082 M. "Minimum content standards" means standards set by the county specifying
5083 the minimum level of recovered material and/or post-consumer material necessary for
5084 designated products to qualify as recycled products.
5085 N. "Mixed municipal solid waste" means waste consisting of solid waste
5086 generated by residences, stores, offices, and other generators of wastes that are not
5087 industrial, agricultural, or demolition wastes.
5088 O. "Paper and paper products" means all items manufactured from paper or
5089 paperboard.

5090 P. "Post-consumer material" means only those products generated by ~~a business~~
5091 or consumer which have served their intended end uses, and which have been separated
5092 or diverted from the solid waste stream for the purposes of collection, recycling and
5093 disposition.

5094 Q. "Post-consumer paper material" means:

5095 1. Paper, paperboard and fibrous wastes including corrugated boxes,
5096 newspapers, magazines, mixed waste paper, tabulating cards and used cordage from
5097 places like retail stores, office buildings and homes after the point at which they have
5098 passed through their end use as consumer items; and

5099 2. All paper, paperboard and fibrous wastes that enter and are collected as
5100 mixed municipal solid waste.

5101 R. "Purchasing contract" means any contract which is awarded by the county for
5102 the purchase of tangible goods.

5103 S. "Recovered material" means material and byproducts which have been
5104 recovered or diverted from solid waste, but does not include those materials and
5105 byproducts generated from, and commonly reused within, an original manufacturing
5106 process (such as mill broke or home scrap).

5107 T. "Recovered paper material" means paper waste generated after the completion
5108 of a papermaking process, such as post-consumer material, envelope cuttings, bindery
5109 trimmings, printing waste, cutting and other converting waste, butt rolls, and mill
5110 wrappers, obsolete inventories, and rejected unused stock. Recovered paper material,
5111 however, shall not include fibrous waste generated during the manufacturing process
5112 such as fibers recovered from waste water or trimmings of paper machine rolls (mill

broke), or fibrous byproducts of harvesting, extractive or woodcutting process~~es, or~~ forest residue such as bark.

U. "Recyclable product" means a product which, after its intended end use, can demonstrably and economically be diverted from the King County solid waste stream for use as a raw material in the manufacture of another product.

V. "Recycled designated product" means a product designated in or pursuant to ((~~Section~~)) K.C.C. 10.16.040 of this chapter that meets or surpasses:

((~~(1)~~)) 1. ((~~c~~))County minimum content standards((~~,~~)); and

((~~(2)~~)) 2. ((~~a~~))All other criteria for qualification as specif0ied in this chapter.

W. "Retread tire" means a worn automobile, truck, or other motor vehicle tire, excluding airplane tires, whose tread has been replaced.

X. "Reusable product" means a product that can be used several times for an intended end use before being discarded, such as a washable food or beverage container or a refillable ball point pen.

Y. "Solid waste" means all putrescible and nonputrescible solid and semisolid wastes, except wastes identified in WAC 173-304-015, including but not limited to garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, discarded commodities, sludge from wastewater treatment plants and septage from septic tanks, woodwaste, dangerous waste, and problem wastes. This includes all public, private, industrial, commercial mining and agricultural operations. Unrecovered residue from recycling operations shall be considered solid waste.

5135 Z. "User department" means a department that purchases any amount ~~of a~~ given
5136 designated product, except when the department has made no purchase within the current
5137 or preceding calendar year.

5138 SECTION 143. Ordinance 11949, section 5, and K.C.C. 10.22.035 are hereby
5139 amended to read as follows:

5140 **Waste reduction and recycling, findings and recommendations.** A. The
5141 council finds that existing county policies for waste reduction and recycling, which were
5142 set in 1988, have been valuable for guiding the efforts of King County, suburban cities
5143 and the private sector. These policies recognize that successful waste reduction and
5144 recycling efforts depend on changing the behavior of individuals and organizations rather
5145 than accommodating existing behavior. The policies include waste reduction and
5146 recycling goals of ((~~50%~~)) fifty percent by 1995, which should be attained, and of ((~~65%~~))
5147 sixty-five percent by 2000, which still appears to be attainable. These numeric goals
5148 have caused confusion, however, both because they combine the different concepts of
5149 waste reduction and waste recycling and because they do not explicitly account for goals
5150 other than waste diversion that the county seeks to achieve through its waste reduction
5151 and recycling programs.

5152 B. Based on these findings, the council describes the mission of King County's
5153 waste reduction and recycling programs as follows:

5154 1. To divert as much material as possible from disposal in a manner which
5155 reduces the overall costs of solid waste management to county residents and businesses,
5156 conserves resources, protects the environment and strengthens the county's economy((.)); and
5157

5158 2. To establish, enhance and assure utilization of methods for reusing ~~mat~~erials
5159 which would otherwise be disposed, and in particular to promote use of products
5160 manufactured from recycled materials, recommend policy to King County and other
5161 jurisdictions within the county as needed to enhance the development of markets for use
5162 of recycled and recyclable materials. The development of local markets shall be
5163 emphasized.

5164 C. The county should evaluate its success in achieving this mission through
5165 measures that are consistent with the following:

5166 1. The county seeks continuing decreases in the total amount of waste generated
5167 and disposed per county resident, acknowledging that this amount is affected by business
5168 activities, average household size and other external factors. Improved measures of
5169 waste reduction should be developed and proposed in the CSWMP update.

5170 2. The county seeks to recycle additional materials out of its disposal stream at
5171 least as long as such action is likely to create a long-term, net economic benefit compared
5172 to the costs of disposal. An analysis of the costs and benefits of recycling should include
5173 current and projected values for collection, hauling and processing costs and the return in
5174 commodity prices for recycled materials versus the current and projected costs of
5175 collection, hauling and disposal of the same materials. Improved measures of the net
5176 economic costs and benefits of recycling should be developed for targeted materials and
5177 proposed in the CSWMP update.

5178 3. Measures of actual recycling collection, both overall and for specific
5179 materials, should be improved based on reliable and consistent sources of information,
5180 and should be developed and proposed in the CSWMP update.

5181 4. The county should consider possible revisions to its ((~~65%~~)) sixty-~~five~~ percent
5182 waste reduction and recycling goal for 2000 in the CSWMP update, consistent with the
5183 measures developed under ((~~subparagraphs~~)) subsection B. 1((~~.—~~)) through 3((~~.~~)) of this
5184 section and the increases in waste reduction and recycling that are anticipated from
5185 implementing strategies developed under ((~~paragraph~~)) this subsection C((~~. of this~~
5186 ~~section~~)).

5187 ((~~C. The council accepts the current organizational separation of waste reduction~~
5188 ~~and recycling programs in the solid waste division and the King County commission for~~
5189 ~~marketing recyclable materials, but seeks overall county strategies for recyclable~~
5190 ~~materials and their markets that integrate the supply-side strategies of the division with~~
5191 ~~the demand-side strategies of the commission. At a minimum, the council seeks waste~~
5192 ~~reduction and recycling strategies under the following schedule:~~

5193 ~~1. Recycled office paper - proposal not later than the proposed 1996 budget~~
5194 ~~ordinance.~~

5195 ~~2. Recycled yard waste - proposal for use of unspent, previously appropriated~~
5196 ~~funds no later than the proposed 1996 budget ordinance; comprehensive proposal no later~~
5197 ~~than the CSWMP update.~~

5198 ~~3. Recycled wood waste - proposal no later than the CSWMP update.~~

5199 ~~4. Recycled food waste - proposal in the CSWMP update.~~

5200 ~~5. Enhanced waste reduction - proposal no later than the CSWMP update.~~))

5201 ((~~D. The council finds that, by the nature of the county's roles in markets for~~
5202 ~~recycled materials, private companies as well as other governments and private~~
5203 ~~foundations may have an interest in supporting activities undertaken both by the~~

5204 ~~recycling section of the solid waste division and the commission for marketing recyclable~~
5205 ~~materials. Though there almost certainly will remain activities of both agencies that the~~
5206 ~~county will wish to continue funding itself for the foreseeable future, the council~~
5207 ~~supports the efforts of both agencies to seek outside funding that furthers the county's~~
5208 ~~mission in waste reduction and recycling. To this end, the council supports the~~
5209 ~~following:~~
5210 ~~1. A motion providing criteria for council pre-approval of gifts, bequests and~~
5211 ~~donations to county recycling programs, consistent with K.C.C. 2.80;~~
5212 ~~2. Adding extra appropriation authority in annual budgets for the commission~~
5213 ~~and the division, provided that this authority can be used only if it is funded by recycling~~
5214 ~~grant or contract revenues of which the council receives prior notification.~~))
5215 SECTION 144. Ordinance 6862, section 1, and K.C.C. 10.28.010 are hereby
5216 amended to read as follows:
5217 **Establishment.** The King County Solid Waste Advisory Committee is hereby
5218 established to be comprised of a county((-))wide group of representatives of citizens,
5219 public interest groups, business, the waste management industry, ((~~and~~))local elected
5220 public officials, the recycling industry, manufacturers located in King County, and
5221 marketing and education interests to provide for coordination and information exchange
5222 between the groups about solid waste issues and to provide on-going public input and
5223 advice to King County on solid waste management issues including the marketing and
5224 use of recycled materials.
5225 SECTION 145. Ordinance 6862, section 2, as amended, and K.C.C. 10.28.020
5226 are hereby amended to read as follows:

5227 **Composition.** The King County solid waste advisory committee shall ~~be~~
5228 composed of at least nine and not more than ((~~seventeen~~))twenty members representing a
5229 balance of interests among the groups listed in K.C.C. 10.28.010. The members shall
5230 include one representative from each of the two bargaining units representing the greatest
5231 number of solid waste division employees. Representatives of the bargaining units may
5232 be county employees.

5233 SECTION 146. Ordinance 6862, sections 3 and 4 , and K.C.C. 10.28.030 are
5234 hereby amended to read as follows:

5235 **Scope and charge.** A. The King County Solid Waste Advisory Committee shall
5236 advise and make recommendations to the county executive on matters within their scope
5237 and charge.

5238 B. The scope and charge of the King County Solid Waste Advisory Committee
5239 shall be to:

5240 1. Advise King County on all aspects of solid waste management planning;

5241 2. Assist King County in the development of programs and policies concerning
5242 solid waste management;

5243 3. Review and comment on proposed solid waste management rules, policies, or
5244 ordinances prior to their adoption((.)); and

5245 4. Advise King County in the development of programs and policies that will
5246 establish, enhance and assure utilization of methods for reusing materials which would
5247 otherwise be disposed, and in particular to promote use of products manufactured from
5248 recycled materials. The Solid Waste Advisory Committee shall advise King County on
5249 methods to enhance the development of markets for use of recycled and recyclable

5250 materials. The Solid Waste Advisory Committee should emphasize develop~~ment of~~ local
5251 markets.
5252 SECTION 147. Ordinance 9464, section 2, and K.C.C. 11.06.020 are hereby
5253 amended to read as follows:
5254 **Membership.** The King County Animal Control Citizen's Advisory Committee
5255 shall be composed of eleven members who are residents of King County, and who
5256 represent a diversity of interests. Composition will include one representative from the
5257 Humane Society, Inc., Society for the Prevention of Cruelty to Animals of Seattle-King
5258 County; one representative from the Progressive Animal Welfare Society, Lynnwood,
5259 Washington; one representative of the Seattle-King County Veterinary Medical
5260 Association; two representatives from non-profit or professional organizations
5261 representing animal-related business interests; three citizens, nominated by the Suburban
5262 Cities Association, to represent municipalities which contract with King County for
5263 animal control services; and three citizens representing unincorporated King County. To
5264 the extent possible, the six citizen representatives should be selected to provide
5265 geographically balanced representation and a mix of pet owners and non-pet owners. The
5266 director of the King County department of executive ((~~administration~~)) services or
5267 ((~~his/her~~))his or her designee shall serve as an ex officio member of the committee.
5268 SECTION 148. Ordinance 5280, section 2, as amended, and K.C.C. 12.20.020
5269 are hereby amended to read as follows:
5270 **Definitions.** Definitions as used in this chapter, unless additional meaning clearly
5271 appears from the context, shall have the meanings subscribed:

5272 A. "Charging party" means any person alleging an unfair housing pra~~ctice~~ under
5273 this chapter.
5274 B. "Real estate-related transaction" means any of the following:
5275 1. The making or purchasing of loans or providing other financial assistance:
5276 a. for purchasing, construction, improving, repairing, or maintaining real
5277 property; or
5278 b. secured by real property.
5279 2. The selling, brokering, or appraising of real property.
5280 C. "Director" means the director of the county department of executive((
5281 ~~administration~~)) services or his or her designee.
5282 D. "Discriminate" means any action or failure to act, whether by single act or as
5283 part of a practice, the effect of which is to adversely affect or differentiate between or
5284 among individuals or groups of individuals, because or race, color, religion, national
5285 origin, age, sex, marital status, parental status, participation in the Section 8 program,
5286 sexual orientation, disability, or the use of a trained dog guide by a person with a
5287 disability.
5288 E. "Dwelling" and "dwelling unit" mean any building, structure, or portion
5289 thereof which is occupied as, or designed or intended for occupancy as, a residence by
5290 one or more families or individuals, and any vacant land which is offered for sale or lease
5291 for the construction or location thereon of any such building, structure, or portion thereof.
5292 F. "Senior citizens" means persons who are sixty-two years of age or older.
5293 G. "Housing accommodations" means any dwelling or dwelling unit, rooming
5294 unit, rooming house, lot or parcel of land in unincorporated King County which is used,

5295 intended to be used, or arranged or designed to be used as, or improved with, ~~a residential~~
5296 structure for one or more human beings.
5297 H. "Marital status" means the presence or absence of a marital relationship and
5298 includes the status of married, separated, divorced, engaged, widowed, single or
5299 cohabiting.
5300 I. "National origin" shall be interpreted to include ancestry.
5301 J. "Party" means the person charging or making a complaint or upon whose
5302 behalf a complaint is made alleging an unfair practice, the person alleged or found to
5303 have committed an unfair practice, or the department of executive
5304 ((~~administration~~))services.
5305 K. "Parental status" means being a parent, stepparent, adoptive parent, guardian,
5306 foster parent or other designated custodian of a minor child or children, which child or
5307 children shall permanently or temporarily occupy the real estate and includes any person
5308 who is pregnant or has initiated the legal process of securing custody of any individual
5309 who has not attained the age of 18 years.
5310 L. "Person" means one or more individuals, partnerships, associations,
5311 organizations, corporations, cooperatives, legal representatives, trustees and receivers or
5312 any group of persons; it includes any owner, lessee, proprietor, manager, agent or
5313 employee whether one or more natural persons; and further includes any political or civil
5314 subdivisions of the state and any agency or instrumentality of the state or of any political
5315 or civil subdivision thereof.
5316 M. "Aggrieved person" includes any person who:
5317 1. Claims to have been injured by a discriminatory housing practice;

5318 2. Believes that he or she will be injured by a discriminatory housing ~~prac~~tice
5319 that is about to occur.
5320 N. "Real property" includes but is not limited to buildings, structures, real estate,
5321 lands, tenements, leaseholds, interests in real estate cooperatives, condominiums, and
5322 hereditaments, corporeal and incorporeal, or any interest therein.
5323 O. "Real estate transaction" includes but is not limited to the sale, conveyance,
5324 exchange, purchase, rental, lease or sublease of real property.
5325 P. "Respondent" means any person who is alleged to have committed an unfair
5326 practice prohibited by this chapter.
5327 Q. "Sexual orientation" means male or female heterosexuality, bisexuality or
5328 homosexuality, and includes a person's attitudes, preferences, belief and practices
5329 pertaining to sex, but shall not include conduct which is a public or private nuisance or is
5330 unlawful under county, state or federal law.
5331 R. "Settlement discussions" and "conference, conciliation and persuasion" mean
5332 the attempted resolution of issues raised by a complaint, or by the investigation of such
5333 complaint, through informal negotiations involving the charging party, the respondent,
5334 and the director.
5335 S. "Disability" means, with respect to a person:
5336 1. A physical or mental impairment which substantially limits one or more of
5337 such person's major life activities, either temporarily or permanently,
5338 2. A record of having such an impairment, or

5339 3. Being regarded as having such an impairment, but such term does ~~not in~~clude
5340 current, illegal use of a controlled substance (as defined in section 102 of the Controlled
5341 Substances Act as of the date of passage of this section (21 U.S.C. 802)),
5342 4. Any other condition which is a disability under the Washington State Law
5343 Against Discrimination as it pertains to real estate (((~~RCW~~))chapter 49.60 RCW).
5344 T. "Use of a trained dog guide by a person with a disability" means the use of a
5345 "guide dog" as defined in RCW. 70.84.020 by a blind or hearing impaired person and/or
5346 the use of a "service dog" as defined in RCW 70.84.021 by a person with a physical
5347 disability.
5348 U. "Participation in the Section 8 program" means participating in a federal, state,
5349 or local government program in which a tenant's rent is paid partially by the government
5350 (through a direct contract between the government program and the owner or lessor of the
5351 real property), and partially by the tenant.
5352 SECTION 149. Ordinance 13263, section 53, and K.C.C. 12.20.150 are hereby
5353 amended to read as follows:
5354 **Fair housing code compliance.** Whenever a complaint has been filed pursuant to
5355 the provisions of K.C.C. chapter 12.20, the director of the department of executive
5356 ((~~administration~~))services, or his or her designee, shall initiate an investigation under the
5357 provisions of that chapter.
5358 Whenever a director has determined that a violation of the fair housing ordinance
5359 or any rules and regulations adopted thereunder is about to occur or has occurred, he or
5360 she shall issue an order pursuant to the provisions of K.C.C. chapter 12.20. With respect

5361 to violations of K.C.C. chapter 12.20, the notice, service and hearings provisions
5362 contained in K.C.C. chapter 12.20 shall control over K.C.C. Title 23.

5363 SECTION 150. Ordinance 8625, section 2, and K.C.C. 12.22.020 are hereby
5364 amended to read as follows:

5365 **Definitions.** When used in this chapter, unless the context otherwise requires:

5366 A. "Charging party" means any person alleging an act of discrimination in a
5367 place of public accommodation under this chapter.

5368 B. "Discrimination" or "discriminatory practice or act" means any action or
5369 failure to act, whether by a single act or part of a practice, the effect of which is to
5370 adversely affect or differentiate between or among individuals, because of race, color,
5371 religion, national origin, age, sex, marital status, parental status, sexual orientation, the
5372 presence of any sensory, mental or physical handicap, or the use of a trained dog guide by
5373 a blind, deaf or physically disabled person.

5374 C. "National origin" shall be interpreted to include ancestry.

5375 D. "Parental status" means being a parent, step-parent, adoptive parent, guardian,
5376 foster parent or custodian of a minor child or children, which child or children shall enter
5377 a place of public accommodation.

5378 E. "Person" means one or more individuals, partnerships, associations,
5379 organizations, cooperatives, legal representatives, trustees and receivers or any group of
5380 persons; it includes any owner, lessee, proprietor, manager, agent or employee whether
5381 one or more natural persons, or of any political or civil subdivision thereof.

5382 F. "Respondent" means any person who is alleged to have discriminated in a
5383 place of public accommodation.

5384 G. "Sexual orientation" means male or female heterosexuality, bi-sex~~uality~~ or
5385 homosexuality, and includes a person's attitudes, preferences, beliefs and practices
5386 pertaining to sex, but shall not include overt conduct which is a public or private nuisance
5387 or is unlawful under county, state or federal law.
5388 H. "Owner" includes persons who own, lease, sublease, rent, operate, manage,
5389 have charge of, control or have the right of ownership, possession, management, charge
5390 or control of real property on their own behalf or on behalf of another.
5391 I. "Place of public accommodations" shall mean and include any place, store or
5392 other establishment, either licensed or unlicensed which supplies goods or services to the
5393 general public and shall include, but not be limited to, the following types of services or
5394 facilities, to-wit: hotels, or other establishments which provide lodging to transient
5395 guests, restaurants, cafeterias, lunchrooms, lunch counters, soda fountains or other
5396 facilities principally engaged in selling or offering for sale food for consumption upon the
5397 premises, motion picture houses, theatres, concert halls, sport arenas, stadiums or other
5398 places of exhibition or entertainment, bowling alleys and amusement parks, all retail
5399 establishments, all transportation carriers and mobile home parks, barber shops, beauty
5400 shops, and bar or taverns or other facilities engaged in selling or offering for sale
5401 alcoholic beverages for consumption upon the premises, and shall include public burial
5402 facilities when such facilities are owned and operated by any cemetery corporation or
5403 burial association.
5404 J. "Director" means the director of the department of executive((~~administration~~))
5405 services.

5406 K. "Administrator" means the administrator of the ((~~affirmative action~~
5407 ~~program~~))office of civil rights in the department of executive ((~~administration~~))services.
5408 L. "Senior citizen" means, for purpose of this chapter, individuals as old or older
5409 than an age set for a senior category. The minimum age for the senior category may be
5410 set at 55 years or higher.
5411 SECTION 151. Ordinance 1198, sections 2 and 3 , as amended, and
5412 K.C.C. 12.44.250 are hereby amended to read as follows:
5413 **Lake Margaret restrictions.** It is unlawful to use or operate any internal
5414 combustion engines on Lake Margaret; provided, that nothing in this section shall be
5415 construed to prevent any public official or construction company from performing
5416 authorized duties.
5417 The department of ((~~public works~~))natural resources and parks shall have the
5418 responsibility of posting and maintenance of the signs. Sign shall read as follows:
5419 "INTERNAL COMBUSTION ENGINES PROHIBITED ON THIS LAKE, KING
5420 COUNTY CODE 12.44.250."
5421 SECTION 152. Ordinance 1239, sections 2 through 9 , as amended, and
5422 K.C.C. 12.44.260 are hereby amended to read as follows:
5423 **Lake Sawyer restrictions.** A. The following rules and regulations shall be
5424 adopted for use of motor-operated watercraft on Lake Sawyer:
5425 1. It is unlawful to use or operate any watercraft powered by an internal
5426 combustion engine on Lake Sawyer, except that the following engines will be permitted:
5427 a. Water-cooled outboard engines of stock manufacture or stock manufactured
5428 inboard engines with outboard drive units which vent all exhaust gases through the lower

drive unit in conjunction with cooling water and/or vent at a point on the drive ~~unit~~ which is under water at all times;

b. Direct drive inboard engines equipped with a muffler or silencer of sufficient size and capacity to effectively muffle and reduce noise as referenced in K.C.C. 12.87.170, K.C.C. 12.91.020 and WAC 173-70-040, as amended;

c. Air-cooled outboard or inboard engines of stock manufacture rated by the manufacturer at ten horsepower or less and equipped with mufflers to suppress exhaust noises.

The operation of watercraft powered by engines which are worn, damaged or modified in such a manner as to permit the noise level of exhaust gases or air intake devices to be increased above seventy-four decibels on the db(A) scale is prohibited.

2. Except as otherwise specifically provided for in this chapter, it is unlawful for any person to operate a motor-powered watercraft on Lake Sawyer in excess of eight miles per hour.

3. Watercraft will be permitted to operate at speeds not to exceed thirty-six miles per hour during the hours of 2:00 p.m. to 7:00 p.m. on Mondays through Fridays and from 11:00 a.m. to 3:00 p.m. on Saturdays, Sundays and holidays; provided, watercraft operating in excess of eight miles per hour with or without skier in tow shall remain at least two hundred feet from any and all shorelines and one hundred feet from other watercraft and persons; provided further, watercraft operating in excess of eight miles per hour shall proceed around the lake in a counterclockwise direction.

B. Water skiing on Lake Sawyer shall be regulated as follows:

1. No watercraft which has in tow a person on water skis, aquaplane~~, surf~~board or similar contrivance shall be operated or propelled unless such watercraft is occupied by at least two competent persons.

2. All water skiers shall take off and return to designated floats placed on the lake. Buoys shall be placed two hundred feet from shore around the lake.

3. No operator of a watercraft shall have in tow a person on water skis, aquaplane, surfboard or similar contrivance after sunset.

4. All persons being towed by watercraft shall wear personal flotation devices that are a type approved by the ((~~U.S.~~)) United States Coast Guard.

C. Any person who negligently operates any watercraft in a manner so as to endanger or be likely to endanger any person or property, or at a rate of speed greater than will permit him in the exercise of reasonable care to bring the watercraft to a stop within assured clear distance ahead, is guilty of negligent operation and a violation of this chapter.

D. Any person who operates any watercraft in a reckless manner so as to endanger the life or limb or damage the property of any person is guilty of the crime of reckless operation and a violation of this chapter.

E. It is unlawful for any person who is under the influence of intoxicating liquor or narcotic or habit-forming drugs to operate or be in physical control of any watercraft; further, it is unlawful for the owner of any watercraft or any person having such in charge or in control to authorize or knowingly permit the same to be operated by any person who is under the influence of intoxicating liquor, narcotic or habit-forming drugs.

5473 F. Unless specifically provided for in this chapter, all provisions of th~~e King~~
5474 County boating code as now exists, including operation of personal watercraft, or
5475 hereafter is amended will apply to all watercraft operating on Lake Sawyer.
5476 G. Any violation of this chapter shall be administered in a manner consistent with
5477 K.C.C. 12.44.570, as it currently reads or is revised.
5478 H. The director of the King County department of ((~~public works~~))natural
5479 resources and parks shall cause to be posted at all public and commercial access areas to
5480 Lake Sawyer a complete copy or reproduction of this section.
5481 SECTION 153. Ordinance 1468, sections 2 and 3 , as amended, and
5482 K.C.C. 12.44.280 are hereby amended to read as follows:
5483 **Steel Lake restrictions.** It is unlawful to use or operate any internal combustion
5484 engines on Steel Lake; provided, that nothing in this section shall be construed to prevent
5485 any public official or construction company from performing authorized duties.
5486 The department of ((~~public works~~))natural resources and parks shall have the
5487 responsibility of posting and maintenance of the signs. Signs shall read as follows:
5488 "INTERNAL COMBUSTION ENGINES PROHIBITED ON THIS LAKE, KING
5489 COUNTY CODE 12.44.280."
5490 SECTION 154. Ordinance 2086, section 1, and K.C.C. 12.44.300 are hereby
5491 amended to read as follows:
5492 **Lake Leota restrictions.** It is unlawful to use or operate any watercraft powered
5493 by either internal combustion engines or electric engines on Lake Leota; provided, that
5494 nothing in this section shall be construed to prevent any public official or construction
5495 company from performing authorized duties.

The department of ((~~public works~~))natural resources and parks is auth~~orized~~ to post and maintain the appropriate signs.

SECTION 155. Ordinance 2875, section 1, and K.C.C. 12.44.310 are hereby amended to read as follows:

North Lake restrictions. It is unlawful to use or operate any internal combustion engines on North Lake; provided, that nothing in this section shall be construed to prevent any public official or construction company from performing authorized duties. The department of ((~~public works~~))natural resources and parks is authorized to post and maintain the appropriate signs.

SECTION 156. Ordinance 3038 and K.C.C. 12.44.320 are hereby amended to read as follows:

Pipe Lake-Lake Lucerne restrictions. It is unlawful to use or operate any internal combustion engines on Pipe Lake-Lake Lucerne; provided, that nothing in this section shall be construed to prevent any public official or construction company from performing authorized duties. The ((~~Department of Public Works~~))department of natural resources and parks is authorized to post and maintain the appropriate signs.

SECTION 157. Ordinance 4965, section 1, and K.C.C. 12.44.330 are hereby amended to read as follows:

Spring Lake restrictions. It is unlawful to use or operate any internal combustion engine on Spring Lake, legally defined as: all the water of Spring Lake located in Section 31, Township 23 N., Range 6 E., W.M., in King County, Washington; provided, that nothing in this section shall be construed to prevent any public official or construction company from performing authorized duties. The ((~~Department of Public~~

~~Works~~))department of natural resources and parks shall have the responsibilit~~y of~~ posting and maintaining appropriate signs.

SECTION 158. Ordinance 4966, section 1, and K.C.C. 12.44.340 are hereby amended to read as follows:

Cottage Lake restrictions. It is unlawful to use or operate any internal combustion engines on Cottage Lake, legally defined as on Cottage Lake within Section 7, Township 26 N., Range 6 E., W.M., in King County, Washington; provided, that nothing in this section shall be construed to prevent any public official or construction company from performing authorized duties. The ((~~Department of Public Works~~))department of natural resources and parks shall have the responsibility of posting and maintaining appropriate signs.

SECTION 159. Ordinance 6015 and K.C.C. 12.44.610 are hereby amended to read as follows:

Shadow Lake Restriction. It is unlawful to use or operate any internal combustion engine on Shadow Lake, legally defined as "All the water of Shadow Lake, previously known as Spoon Lake, located in SE 1/4 of Section 7, Township 22N., Range 6E., W.M., in King County, Washington"; PROVIDED THAT, nothing in this section shall be construed to prevent any public official or construction company from performing authorized duties. The department of ((~~public works~~))natural resources and parks shall have the responsibility of posting and maintaining appropriate signs.

SECTION 160. Ordinance 6355 and K.C.C. 12.44.740 are hereby amended to read as follows:

Lake Desire Restriction. It is unlawful to use or operate any internal ~~comb~~ustion engine on Lake Desire, legally defined as "All the water of Lake Desire located in the SE 1/4 of Section 25 and East 1/2 of Section 36, Township 23N., Range 5 E, W.M., in King County, Washington"; PROVIDED THAT, nothing in this section shall be construed to prevent any public official or construction company from performing authorized duties. The department of((~~public works~~)) natural resources and parks shall have the responsibility of posting and maintaining appropriate signs.

SECTION 161. Ordinance 6384 and K.C.C. 12.44.750 are hereby amended to read as follows:

Shady Lake Restriction. It is unlawful to use or operate any internal combustion engine on Shady Lake, legally defined as "All the water of Shady Lake, also known as Mud Lake, located in the N. 1/2 of the N.E. 1/4 of Section 1, Township 22 North, Range 5 E., W.M., and in the S. 1/2 of the S.E. 1/4 of Section 36, Township 23 N., Range 5 E., W.M., in King County, Washington"; PROVIDED THAT, nothing in this section shall be construed to prevent any public official or construction company from performing authorized duties. The department of ((~~public works~~))natural resources and parks shall have the responsibility of posting and maintaining appropriate signs.

SECTION 162. Ordinance 6889 and K.C.C. 12.44.760 are hereby amended to read as follows:

Lake Joy Restriction. It is unlawful to use or operate any internal combustion engine on Lake Joy, legally defined as "All the waters of Lake Joy located in Section 26 and Section 35, Township 26 North, Range 7E, W.M., in King County, Washington;" PROVIDED THAT, nothing in this section shall be construed to prevent any public

5564 official or construction company from performing authorized duties. The department of
5565 ((~~public works~~))natural resources and parks shall have the responsibility of posting and
5566 maintaining appropriate signs.

5567 SECTION 163. Ordinance 6909 and K.C.C. 12.44.770 are hereby amended to
5568 read as follows:

5569 **Lake Walker Restriction.** It is unlawful to use or operate any internal
5570 combustion engine on Lake Walker, legally defined as "All the water of Lake Walker
5571 located in the Western half of Section 34, Township 21 North, Range 7E, W.M., in King
5572 County, Washington;" PROVIDED THAT, noting in this section shall be construed to
5573 prevent any public official or construction company from performing authorized duties.
5574 The department of ((~~public works~~))natural resources and parks shall have the
5575 responsibility of posting and maintaining appropriate signs.

5576 SECTION 164. Ordinance 8847 and K.C.C. 12.44.780 are hereby amended to
5577 read as follows:

5578 **Ronald Bog restrictions.** It is unlawful to use or operate any internal combustion
5579 engines or electric engines on Ronald Bog, legally defined as all the water of Ronald Bog
5580 located within Section 8, Township 26N, Range 4 East, W.M., in King County,
5581 Washington; provided that, nothing in this section shall be construed to prevent any
5582 public official or construction company from performing authorized duties. The
5583 department of ((~~public works~~))natural resources and parks shall have the responsibility
5584 of posting and maintaining appropriate signs.

5585 SECTION 165. Ordinance 9860 and K.C.C. 12.44.790 are hereby amended to
5586 read as follows:

Lake Dolloff restrictions. It is unlawful to use or operate any internal combustion engine on Lake Dolloff, legally defined as all the water of Lake Dolloff located within Section 10, Township 21 North, Range 4 East, W.M., in King County, Washington; provided that, nothing in this section shall be construed to prevent any public official or construction company from performing authorized duties. The department of ((~~public works~~))natural resources and parks shall have the responsibility of posting and maintaining appropriate signs.

SECTION 166. Ordinance 10311 and K.C.C. 12.44.800 are hereby amended to read as follows:

Lake Killarney restrictions. It is unlawful to use or operate any internal combustion engine on Lake Killarney, legally defined as all the water of Lake Killarney located within Sections 21, 22, 27 and 28, Township 21 North, Range 4 East, W.M., in King County, Washington; provided that, nothing in this section shall be construed to prevent any public official or construction company from performing authorized duties. The department of ((~~public works~~))natural resources and parks shall have the responsibility of posting and maintaining appropriate signs.

SECTION 167. Ordinance 10758 and K.C.C. 12.44.810 are hereby amended to read as follows:

Lake Holm restrictions. It is unlawful to use or operate any internal combustion engine on Lake Holm, legally defined as all the water of Lake Holm (formerly Neilson Lake) located within the SE 1/4 of Section 14, Township 21 North, Range 5 East, W.M., in King County, Washington; provided that, nothing in this section shall be construed to prevent any public official or construction company from performing authorized duties.

The department of ((~~public works~~))natural resources and parks shall have the responsibility of posting and maintaining appropriate signs.

SECTION 168. Ordinance 12433, section 1, and K.C.C. 12.44.820 are hereby amended to read as follows:

Lake Wilderness restrictions. A. It is unlawful to use or operate any internal combustion engine on Lake Wilderness, legally defined as all the water of Lake Wilderness lying within the East half of Section 21, Township 22 North, Range 6 East, W.M., West half of Section 22, Township 22 North, Range 6 East, W.M., and the Northwest quarter of Section 27, Township 22 North, Range 6 East, W.M., in King County, Washington; provided that, nothing in this section shall be construed to prevent any public official or construction company from performing authorized duties.

The department of ((~~public works~~))natural resources and parks shall have the responsibility of posting and maintaining appropriate signs.

B. Consistent with K.C.C. 12.44.070, no watercraft equipped with motor propulsion other than internal combustion shall be operated on Lake Wilderness at a speed in excess of eight miles per hour.

SECTION 169. Ordinance 4257, section 6, and K.C.C. 12.46.050 are hereby amended to read as follows:

Anchoring and mooring permit required. Any owner or master who desires to anchor or moor his vessel, watercraft or obstruction and who is not temporarily at anchor or moored in compliance with ((~~Section~~))K.C.C. 12.46.060, shall apply for and obtain from the director a conditional permit prior to anchoring or mooring such craft. Issuance

of such permit shall be subject to compliance with the following conditions, as determined by the director:

A. LESS THAN THIRTY DAYS DURATION.

1. The moorage or anchorage shall be compatible with the general public use of the requested area and with the existing land use and land use planning in the vicinity;

2. The moorage or anchorage shall not deprive or materially interfere with the reasonable water access of properties adjacent to or in the vicinity of the requested water area, nor shall the moorage or anchorage encroach on or over privately owned property without the consent of the property owner;

3. No public food sales or retail sales of any other kind, charged or donated admission, holding of animals or fowl, or storage of toxic chemicals or petroleum products (except for propulsion of the craft) shall be permitted without first having obtained all legally required inspections and permits, approvals or licenses from the public agencies with jurisdiction, including but not limited to the Seattle-King County ((~~D~~))department of ((~~P~~))public ((~~H~~))health; the King County ((~~D~~))departments of ((~~P~~))public ((~~S~~))safety, ((~~Public Works, Planning and Community Development, and Executive Administration;~~))natural resources and parks, development and environmental services and executive services, and the appropriate fire district;

4. Moorage or anchorage for purpose of residential use shall not be permitted;

5. The applicant shall provide to the director and maintain during the period of the permit a bond, cash deposit or sight irrevocable letter of credit from a reputable lending institution approved by the director in an amount specified by the director, but not to exceed five hundred thousand dollars, sufficient to cover the potential cost of

removal of the watercraft, vessel or obstruction in the event of sinking; and in ~~the~~ event of adjacent publicly owned structures, the cost of repair thereof in event of collision;

6. The applicant shall provide to the director written proof from the auditor or comptroller of the vessel's or watercraft's home port or principal place of business or use showing that all current taxes and assessments are paid; and

7. The applicant shall execute and deliver to the director upon a form supplied by the director an agreement in writing and acknowledged by the applicant to hold and save harmless the County of King from any and all claims, actions or damages of every kind and description which may accrue to, or be suffered by, any persons by reason of or related to the use and occupation of the waters by the permit holder.

B. THIRTY DAYS OR GREATER DURATION.

1. All conditions necessary for a permit of less than thirty days' duration must be met, except that the bond, cash deposit or sight irrevocable letter of credit from a reputable lending institution approved by the director shall not exceed one million dollars;

2. The applicant shall provide to the director a certificate of seaworthiness from a marine surveyor who is certified by the National Association of Marine Surveyors or from a person certified by a similar professional organization acceptable to the director, except this condition shall not apply to obstructions;

3. Maximum duration shall be three hundred sixty-five days, subject to renewal in accordance with ((~~Section~~))K.C.C. 12.46.090.

5676 C. DISCRETIONARY CONDITIONS. In addition to the mandatory ~~conditions~~
5677 specified above, the director may, within his reasonable discretion, require that any one
5678 or combination of the following conditions be met:
5679 1. That the applicant, prior to issuance of the permit, provide and maintain in
5680 full force and effect while the permit is in force, public liability insurance in an amount
5681 specified by the director sufficient to cover potential claims for bodily injury, death or
5682 disability and for property damage, which may arise from or be related to the applicant's
5683 use of the waters, naming the County of King as an additional insured;
5684 2. That the vessel, watercraft or obstruction connect its plumbing system to the
5685 nearest available county sanitary sewers;
5686 3. That the vessel, watercraft or obstruction permit the moorage of vessels or
5687 watercraft alongside and access thereto;
5688 4. That the vessel, watercraft or obstruction be removed as soon as privately
5689 owned or controlled moorage space becomes available; or
5690 5. Any other condition reasonably related to protecting the public safety, health
5691 or welfare.
5692 SECTION 170. Ordinance 2041, section 2, and K.C.C. 12.54.020 are hereby
5693 amended to read as follows:
5694 **Tax - Administration and collection.** The administration and collection of the
5695 tax imposed by this chapter shall be by the department of executive
5696 ((~~administration~~))services, ((~~office of~~))finance and business operations division, and
5697 pursuant to rules and regulations as may be adopted by the Washington State Gambling
5698 Commission.

5699 SECTION 171. Ordinance 5991, sections 1 and 2, and K.C.C. 12.68.7~~70 are~~
5700 hereby amended to read as follows:
5701 **Maple Valley.** The shooting of firearms is prohibited and a no shooting area is
5702 established comprising the following legally described area:
5703 The South 1/2 of the East 3/4 of Section 4, Township 22 N., Range 6 E., W.M.,
5704 lying Westerly of the center of the Cedar River; TOGETHER with and including the
5705 following Lots of Maple Valley Farms (Volume 27 of Plats, page 39): Lots 15, 16, 17
5706 and 18 ALSO Lots 19 through 28 of said Maple Valley Farms and their extension to the
5707 center of the Cedar River.
5708 The ((~~Department of Public Works~~))department of natural resources and parks is
5709 hereby instructed to install No Shooting Area signs on the perimeter of this area
5710 immediately.
5711 SECTION 172. Ordinance 10154, section 4, as amended, and K.C.C. 12.82.040
5712 are hereby amended to read as follows:
5713 **Clerk to send notice and file maps.** The clerk of the council shall send notice of
5714 adoption of each ordinance approving a map pursuant to ((~~section~~))K.C.C. 12.82.020 or
5715 K.C.C. 12.82.030 of this chapter to the clerks of the district and superior courts, the office
5716 of the prosecuting attorney, the department of ((~~public works~~))transportation, the
5717 department of public safety, the department of natural resources and parks, the police
5718 department of each jurisdiction within which each mapped school or park is located and
5719 the division of records,((~~and~~)) elections and licensing services as the custodian of official
5720 county records.

5721 SECTION 173. Ordinance 10393, section 1, as amended, and K.C.C. ~~12.82.~~070
5722 are hereby amended to read as follows:
5723 **Catholic Archdiocese.** The boundaries of drug-free zones surrounding the
5724 following schools as listed in Exhibits A - F located within the Catholic archdiocese are
5725 hereby adopted for:
5726 A. John F. Kennedy Memorial High School; and
5727 B. St. Francis of Assisi Elementary School;
5728 C. St. Bernadette Elementary School.
5729 D. Eastside Catholic High School.
5730 E. St. Luke School
5731 F. Holy Family School
5732 The maps produced by the county engineer of the location and boundaries of the drug-
5733 free zones surrounding these schools within the Catholic Archdiocese, as supported by
5734 Archdiocese endorsement, have been filed with the clerk of the council and are on file
5735 with the King County department of((~~ public works, roads and engineering~~))
5736 transportation, road services division and the King County department of executive
5737 ((~~administration~~))services, records, ((~~and~~))elections and licensing services division.
5738 SECTION 174. Ordinance 10508, section 1, and K.C.C. 12.82.080 are hereby
5739 amended to read as follows:
5740 **Federal Way School District.** The boundaries of drug-free zones surrounding
5741 the following schools as listed in Exhibits A - H located within the Federal Way School
5742 District are hereby adopted:
5743 A. Camelot Elementary School.

5744 B. Lake Dolloff Elementary and Kilo Junior High Schools.

5745 C. Lakeland Elementary School.

5746 D. North Lake Elementary School.

5747 E. Rainier View Elementary School.

5748 F. Valhalla Elementary School.

5749 G. Woodmont Elementary School.

5750 H. Thomas Jefferson High School.

5751 The maps produced by the county engineer of the location and boundaries of the drug-
5752 free zones surrounding these schools within the Federal Way School District, as
5753 supported by the Federal Way School District, are on file with the department of ((~~public~~
5754 ~~works, roads and engineering~~))transportation, road services division and the King County
5755 department of executive ((~~administration~~))services, records, ((~~and~~))elections and
5756 licensing services division.

5757 SECTION 175. Ordinance 10509, section 1, and K.C.C. 12.82.090 are hereby
5758 amended to read as follows:

5759 **Lake Washington School District.** The boundaries of drug-free zones
5760 surrounding the following schools as listed in Exhibits A - N-2 located within the Lake
5761 Washington School District are hereby adopted:

5762 A. Louisa May Alcott Elementary School.

5763 B-1 and B-2. Emily Dickinson Elementary and Evergreen Junior High Schools.

5764 C. Robert Frost Elementary School.

5765 D. Christa McAuliffe Elementary School.

5766 E. Margaret Mead Elementary School.

5767 F. John Muir Elementary School.

5768 G. Carl Sandburg Elementary School.

5769 H-1 and H-2. Samantha Smith Elementary School.

5770 I. Henry David Thoreau Elementary School.

5771 J-1 and J-2. Laura Ingalls Wilder Elementary School.

5772 K. Finn Hill Junior High School.

5773 L-1, L-2 and L-3. Inglewood Junior High School.

5774 M. Kamiakin Junior High School.

5775 N-1 and N-2. Site 86.

5776 The maps produced by the county engineer of the location and boundaries of the drug-
5777 free zones surrounding these schools within the Lake Washington School District, as
5778 supported by the Lake Washington School District, are on file with the department of
5779 ((~~public works, roads and engineering~~))transportation, road services division and the
5780 King County department of executive ((~~administration~~))services, records, ((~~and~~
5781))elections and licensing services division.

5782 SECTION 176. Ordinance 10689, section 1, and K.C.C. 12.82.100 are hereby
5783 amended to read as follows:

5784 **Kent School District.** The boundaries of drug-free zones surrounding the
5785 following schools as listed in Exhibits A - Y located within the Kent School District No.
5786 415 are hereby adopted:

5787 A. Carriage Elementary School.

5788 B. Cedar Valley Hill Elementary.

5789 C. Covington Elementary School.

D. Crestwood Elementary School.

E. Fairwood Elementary School.

F. Grass Lake Elementary School.

G. Horizon Elementary School.

H. Jenkins Creek Elementary School.

I. Lake Youngs Elementary School.

J. Martin Sortun Elementary School.

K. Meridian Elementary School.

L. Panther Lake Elementary School.

M. Park Orchard Elementary School.

N. Pine Tree Elementary School.

O. Ridgewood Elementary School.

P. Soos Creek Elementary School.

Q. Springbrook Elementary School.

R. Sunrise Elementary School.

S. Administration Center.

T. Mattson Junior High School.

U. Meeker Junior High School.

V. Meridian Junior High School.

W. Junior High Site No. 6.

X. Kentridge Senior High School.

Y. Kentwood Senior High School.

The maps produced by the county engineer of the location and boundaries of ~~the~~ drug-free zones surrounding these schools within the Kent School District No. 415, as supported by Kent School District No. 415, are on file with the department of((~~ public works, roads and engineering~~)) transportation, road services division and the King County department of executive ((~~administration~~))services, records, ((~~and~~))elections and licensing services division.

SECTION 177. Ordinance 10690, section 1, and K.C.C. 12.82.110 are hereby amended to read as follows:

Renton School District. The boundaries of drug-free zones surrounding the following schools as listed in Exhibits A - M located within the Renton School District No. 403 are hereby adopted:

A. Benson Hill Elementary School.

B. Campbell Hill Elementary School.

C. Cascade Elementary School.

D. Hazelwood Elementary School.

E. Lakeridge Elementary School.

F. Maplewood Heights Elementary School.

G. Renton Park Elementary School.

H. Sierra Heights Elementary School.

I. A. W. Dimmitt Middle School.

J. Lindbergh High School.

K. Renton Alternative School.

L. John A. Thompson School.

5835 M. Bryn Mawr Elementary School.

5836 The maps produced by the county engineer of the location and boundaries of the drug-
5837 free zones surrounding these schools within the Renton School District No. 403, as
5838 supported by Renton School District No. 403, are on file with the department of ((~~public~~
5839 ~~works, roads and engineering~~))transportation, road services division and the King County
5840 department of executive ((~~administration~~))services, records, ((~~and~~))elections and
5841 licensing services division.

5842 SECTION 178. Ordinance 10723 and K.C.C. 12.82.120 are hereby amended to
5843 read as follows:

5844 **Issaquah School District**. The boundaries of drug-free zones surrounding the
5845 following schools as listed in Exhibits A - K located within the Issaquah School District
5846 No. 411 are hereby adopted:

5847 A. Apollo Elementary School.

5848 B. Briarwood Elementary School.

5849 C. Cougar Ridge Elementary School.

5850 D. Challenger Elementary School.

5851 E. Discovery Elementary School.

5852 F. Maple Hills Elementary School.

5853 G. Sunny Hills Elementary School.

5854 H. Sunset Elementary School.

5855 I. Maywood Middle School.

5856 J. Pine Lake Middle School.

5857 K. Liberty Senior High School.

The maps produced by the county engineer of the location and boundaries of ~~the drug-~~ free zones surrounding these schools within the Issaquah School District No. 411, as supported by the Issaquah School District No. 411, are on file with the department of ((~~public works, roads and engineering~~))transportation, road services division and the King County department of executive ((~~administration~~))services, records, ((~~and~~))elections and licensing services division.

SECTION 179. Ordinance 10724 and K.C.C. 12.82.130 are hereby amended to read as follows:

Snoqualmie Valley School District. The boundaries of drug-free zones surrounding the following schools as listed in Exhibits A - F located within the Snoqualmie Valley School District No. 410 are hereby adopted:

A. Fall City Elementary School.

B. North Bend Elementary School.

C. Opstad Elementary School.

D. Chief Kanim Middle School.

E. Snoqualmie Elementary School, Snoqualmie Middle School and Mt. Si Athletic Fields.

F. Mt. Si. Senior High School.

The maps produced by the county engineer of the location and boundaries of the drug-free zones surrounding these schools within the Snoqualmie Valley School District No. 410, as supported by the Snoqualmie Valley School District No. 410, are on file with the department of ((~~public works, roads and engineering~~))transportation, road services

division and the King County department of executive ((~~administration~~))services, records, ((~~and~~))elections and licensing services division.

SECTION 180. Ordinance 10793, section 1, and K.C.C. 12.82.140 are hereby amended to read as follows:

Enumclaw School District. The boundaries of drug-free zones surrounding the school as listed in Exhibit "A" located within the Enumclaw School District No. 216 are hereby adopted:

A. Westwood Elementary School.

The maps produced by the county engineer of the location and boundaries of the drug-free zones surrounding this school within the Enumclaw School District 216, as supported by the Enumclaw School District 216, are on file with the department of ((~~public works, roads and engineering~~))transportation, road services division and the King County department of executive ((~~administration~~))services, records, ((~~and~~))elections and licensing services division.

SECTION 181. Ordinance 11006 and K.C.C. 12.82.150 are hereby amended to read as follows:

Shoreline School District. The boundaries of drug-free zones surrounding the following schools as listed in Exhibits "A" through "Q" located within the Shoreline School District are hereby adopted:

A. Briarcrest Elementary School and Shorecrest High School.

B. Brookside Elementary School.

C. Cedarbrook Elementary School.

D. Echo Lake Elementary School.

5903 E. Highland Terrace Elementary School.

5904 F. Park Elementary School.

5905 G. Meridian Park Elementary School.

5906 H. North City Elementary School.

5907 I. Parkwood Elementary School.

5908 J. Ridgecrest Elementary School.

5909 K. Sunset Elementary School.

5910 L. Syre Elementary School.

5911 M. Einstein Middle School.

5912 N. Kellogg Middle School.

5913 O. Shorewood High School.

5914 P. Shoreline Center.

5915 Q. Aldercrest Annex.

5916 The maps produced by the county engineer of the location and boundaries of the drug-
5917 free zones surrounding these schools within the Shoreline School District, as supported
5918 by the Shoreline School District, are on file with the department of ((~~public works, roads~~
5919 ~~and engineering~~))transportation, road services division and the King County department
5920 of executive ((~~administration~~))services, records, ((~~and~~))elections and licensing services
5921 division.

5922 SECTION 182. Ordinance 11040 and K.C.C. 12.82.160 are hereby amended to
5923 read as follows:

5924 **Tahoma School District.** The boundaries of drug-free zones surrounding the
5925 following schools as listed in Exhibits "A" through "G" located within the Tahoma
5926 School District No. 409 are hereby adopted:
5927 A. Cedar River Elementary School and Shadow Lake Elementary School.
5928 B. Glacier Park Elementary School.
5929 C. Lake Wilderness Elementary School.
5930 D. Rock Creek Elementary School and Central Services Center.
5931 E. Maple Valley High School and Maintenance and Transportation Center.
5932 F. Tahoma Junior High School.
5933 G. Tahoma Senior High School.
5934 The maps produced by the county engineer of the location and boundaries of the drug-
5935 free zones surrounding these schools within the Tahoma School District No. 409, as
5936 supported by the Tahoma School District No. 409, are on file with the department of
5937 ((~~public works, roads and engineering~~))transportation, road services division and the
5938 King County department of executive ((~~administration~~))services, records, ((~~and~~
5939))elections and licensing services division.
5940 SECTION 183. Ordinance 11080, section 1, and K.C.C. 12.82.180 are hereby
5941 amended to read as follows:
5942 **Riverview School District.** The boundaries of drug-free zones surrounding the
5943 following schools as listed in Exhibits "A" through "E" located within the Riverview
5944 School District No. 407 are hereby adopted:
5945 A. Carnation Elementary School.
5946 B. Cherry Valley Elementary School.

5947 C. Stillwater Elementary School.

5948 D. Tolt Middle School.

5949 E. Cedarcrest High School.

5950 The maps produced by the county engineer of the location and boundaries of the
5951 drug-free zones surrounding these schools within the Riverview School District No. 407,
5952 as supported by the Riverview School District, are on file with the department of ((~~public~~
5953 ~~works, roads and engineering~~))transportation, road services division and the King County
5954 department of executive ((~~administration~~))services, records, ((~~and~~))elections and
5955 licensing services division.

5956 SECTION 184. Ordinance 11979, section 1, and K.C.C. 12.82.190 are hereby
5957 amended to read as follows:

5958 **Vashon School District.** The boundaries of drug-free zones surrounding the
5959 following schools as listed in Exhibits "A" through "C" located within the Vashon School
5960 District No. 402 are hereby adopted:

5961 A. Burton Elementary School.

5962 B. Vashon School District No. 402 - Central Campus.

5963 C. Vashon Elementary School.

5964 The maps produced by the county engineer of the location and boundaries of the
5965 drug-free zones surrounding these schools within the Vashon School District No. 402, as
5966 supported by the Vashon School District No. 402, are on file with the department of
5967 ((~~public works, roads and engineering~~))transportation, road services division and the
5968 King County department of executive ((~~administration~~))services, records, ((~~and~~
5969))elections and licensing services division.

5970 SECTION 185. Ordinance 11991 and K.C.C. 12.82.200 are hereby amended to
5971 read as follows:
5972 **Snoqualmie Valley Christian School.** The boundaries of a drug-free zone
5973 surrounding the Snoqualmie Valley Christian School as shown in Exhibit "A" is hereby
5974 adopted.
5975 The map produced by the county engineer of the location and boundaries of the
5976 drug-free zone surrounding this school, as supported by the board of directors of the
5977 Snoqualmie Valley Christian School, is on file with the department of ((~~public works,~~
5978 ~~roads and engineering~~))transportation, road services division and the King County
5979 department of executive ((~~administration~~))services, records, ((~~and~~))elections and
5980 licensing services division.
5981 SECTION 186. Ordinance 11071, section 1, as amended, and K.C.C. 12.82.400
5982 are hereby amended to read as follows:
5983 **King County parks.** The boundaries of drug-free zones surrounding the
5984 following parks as listed in Exhibits "A" through "U" located within King County are
5985 hereby adopted:
5986 A. Hamlin Park.
5987 B. Richmond Beach Park.
5988 C. Big Finn Hill Park.
5989 D. White Center Park.
5990 E. Lakewood Park.
5991 F. Salmon Creek Park.
5992 G. Puget Sound Junior High Park.

5993 H. Skyway Park.

5994 I. Lake Geneva Park.

5995 J. Lake Meridian Park.

5996 K. Springwood Park.

5997 L. Lake Wilderness.

5998 M. O.O. Denny.

5999 N. Juanita Beach.

6000 O. Pine Lake.

6001 P. Beaver Lake.

6002 Q. Fort Dent.

6003 R. Tracy Owen Station.

6004 S. Petrovitsky.

6005 T. Richmond Highlands

6006 U. Si View.

6007 Copies of the county assessor's maps reproduced by the parks and recreation
6008 division which depict the location and boundaries of the drug-free zones surrounding
6009 these parks within King County, are on file with the parks and recreation division, and
6010 the department of executive ((~~administration~~))services, records, ((~~and~~)elections and
6011 licensing services division.

6012 SECTION 187. Ordinance 4307, section 2, as amended, and K.C.C. 13.24.020 are
6013 hereby amended to read as follows:

6014 **Approving official.** The director of the department of natural resources and
6015 parks, or the director's authorized designee, shall be the official designated by King

6016 County for the approvals required by RCW 57.16.010. Director approval shall ~~be~~ based
6017 on recommendations provided by department engineers and the Utilities Technical
6018 Review Committee.

6019 SECTION 188. Ordinance 1709, section 6, as amended, and K.C.C. 13.24.080 are
6020 hereby amended to read as follows:

6021 **Utilities technical review committee - creation and composition.** A utilities
6022 technical review committee is created consisting of the following representatives as
6023 appointed by the director of each department.

6024 A. Two representatives from the department of natural resources((~~, one from the~~
6025 ~~water and land resources division and one from the wastewater treatment division~~)) and
6026 parks;

6027 B. One representative from the department of transportation;

6028 C. One representative from the department of development and environmental
6029 services;

6030 D. One representative from the Seattle-King County department of public health;

6031 E. One representative from the office of regional policy and planning;

6032 F. One representative from the facilities management division of the department of
6033 ((~~construction and facility management, property services division~~))executive services; and

6034 G. One representative from the King County council staff.

6035 SECTION 189. Ordinance 1709, section 8, as amended, and K.C.C. 13.24.100 are
6036 hereby amended to read as follows:

6037 **Procedures.** A. Required copies of all sewer and water comprehensive plans shall
6038 be submitted to the King County ((~~division of water and land~~))department of natural

resources and parks. The ((~~division of water and land~~))department of natural resources and parks shall have the major responsibility for coordination and support for the utilities technical review committee.

B. Notice of the time and place of the utilities technical review committee meeting shall be provided to the applicant for comprehensive plan approval prior to the meeting.

C. The applicant shall have the right to attend or be represented at any and all meetings upon request.

SECTION 190. Ordinance 665, section 1, and K.C.C. 14.04.010 are hereby amended to read as follows:

Official road/street system. The county executive ((~~of King County~~))has been advised by the director of ((~~public works~~))transportation that the need exists for an official King County road/street system. This system will show, by maps and/or exhibits, the roads/streets for which King County has maintenance responsibility.

SECTION 191. Ordinance 665, section 5, and K.C.C. 14.04.050 are hereby amended to read as follows:

Revision of street exhibits. It shall be the responsibility of the director of ((~~public works~~))transportation, or his or her appointed representative to revise the King County road/street exhibits. Revisions shall be made as soon as practicable after any change occurs. The director of ((~~public works~~))transportation shall furnish annually a completely revised and current set of exhibits which shall be used for a period of one year as official designator of King County roads/streets.

SECTION 192. Ordinance 665, section 9, and K.C.C. 14.04.090 are hereby amended to read as follows:

6062 **Director's annual report.** The director of ((~~public works~~))transportation shall
6063 have an annual report prepared of the King County road/street system for study and
6064 recommendations. The report shall be submitted by the director on January 2nd or as
6065 soon thereafter as possible and practicable. The report must contain all additions and
6066 deletions to the road/street system. It must also include all physical changes, mileage in
6067 each county ((~~division~~))council district and any other information considered relevant to
6068 a concise and comprehensive representation of the King County road/street system.

6069 SECTION 193. Ordinance 5701, section 18, as amended, and K.C.C. 14.16.170
6070 are hereby amended to read as follows:

6071 **Enforcement and penalty.** The director of the department of ((~~public~~
6072 ~~works~~))transportation and the ((~~director of the department of public safety~~))county
6073 sheriff are authorized to enforce the provisions of this chapter and any rules and
6074 regulations promulgated thereunder.

6075 Any violation of this chapter is a traffic infraction and subject to a penalty of
6076 $250.

6077 SECTION 194. Ordinance 336 (part), as amended, and K.C.C. 14.20.020 are
6078 hereby amended to read as follows:

6079 **Department of ((~~public works~~))transportation to comply with standards.** The
6080 department of ((~~public works~~))transportation will comply with the Soil Conservation
6081 Service Standards, Specifications and Contracting Procedures when working in
6082 conjunction with the federal government on a project requiring such compliance.

6083 SECTION 195. Resolution 22903 (part), as amended, and K.C.C. 14.24.010 are
6084 hereby amended to read as follows:

6085 **Rules adopted.** Standards, rules and regulations pertaining to the construction of
6086 plat roads and the performance of other road construction work on King County rights-
6087 of-way are hereby adopted and approved by the King County council and made an
6088 integral part of this chapter. The department of ((~~public works~~))transportation shall print
6089 copies of said standards, rules and regulations and subsequent revisions and additions
6090 thereto, and make the same available to anyone proposing to do work on King County
6091 rights-of-way. It is also made the duty of the department of ((~~public~~
6092 ~~works~~))transportation to prepare and periodically update a county bonding schedule for
6093 use in determining appropriate construction, maintenance or restoration bonds for road
6094 and drainage facilities developed in compliance with adopted standards.

6095 SECTION 196. Resolution 22903 (part), as amended, and K.C.C. 14.24.020 are
6096 hereby amended to read as follows:

6097 **Enforcement.** The director of the department of ((~~public works~~))transportation is
6098 authorized to enforce the provision of this chapter, the ordinances and resolutions
6099 codified in it, and any rules and regulations promulgated thereunder pursuant to the
6100 enforcement and penalty provisions of K.C.C. Title 23.

6101 SECTION 197. Ordinance 4895, section 6, as amended, and K.C.C. 14.28.060 are
6102 hereby amended to read as follows:

6103 **Permit - Extended.** A. Upon filing of a complete application and payment of
6104 fee, the division may issue a permit authorizing the use of the county right-of-way for a
6105 designated use and for a period exceeding one year in duration.

6106 B. The applicant may be required to construct a road to specific standards which
6107 may include full compliance with adopted King County road standards, and may be

6108 required to post financial guarantees consistent with the provisions of Ordinance 12020
6109 for construction, restoration and maintenance. Construction work and all restoration
6110 work required by the permit shall be completed within one year of the permit's issuance.
6111 In addition, the division may set conditions to assure compliance of the permit with other
6112 adopted plans, county policies, and regulations.

6113 C. The department of ((~~public works~~))transportation shall place and maintain
6114 permanent sign(s) denoting the end of the county-maintained road.

6115 D. The applicant shall have sole responsibility for the safe construction, operation
6116 and maintenance of any improvements to the county right-of-way pursuant to the permit,
6117 until such time as the improvements are officially accepted for maintenance by King
6118 County.

6119 E. The permit applicant may be required to record a covenant running with the
6120 land and for the benefit of King County, which contains:

6121 1. A legal description of the lot or parcel to be served by the right-of-way use
6122 permits, limited or extended;

6123 2. A statement indicating that access to such parcel is across an unmaintained
6124 county right-of-way, that the county is not responsible for maintenance of the right-of-
6125 way and that responsibility for maintenance of the road rests jointly and equitably upon
6126 all permit holders;

6127 3. A statement that the owner(((~~s~~))) or owners of the parcel will not oppose
6128 participation in a county road improvement district, if formation of such a district is
6129 deemed necessary by King County;

6130 4. A prohibition against subdividing such parcel without obtaining ~~either~~ plat or
6131 short plat approval therefor, or if exempt from platting, a right-of-way use permit for the
6132 additional lots being created;
6133 5. A statement that the right-of-way use permit covenant is binding on the
6134 successors and assigns of the owner((~~(s)~~)) or owners; and
6135 6. The acknowledged signature((~~(s)~~)) or signatures of the owner((~~(s)~~)) or owners
6136 of such parcel.
6137 SECTION 198. Ordinance 4895, section 11, and K.C.C. 14.28.090 are hereby
6138 amended to read as follows:
6139 **Enforcement.** The director of the department of ((~~public works~~))transportation
6140 and the director of the department of ((~~planning and community~~
6141 ~~development~~))development and environmental services are authorized to enforce the
6142 provisions of this chapter, and any rules and regulations promulgated thereunder pursuant
6143 to the enforcement and penalty provisions of K.C.C. Title 23.
6144 SECTION 199. Ordinance 7025, section 5, and K.C.C. 14.30.025 are hereby
6145 amended to read as follows:
6146 **Inspection fee.** The permit applicant is required to pay an inspection fee at the
6147 rate of forty dollars per hour to the department of((~~ public works, roads and engineering~~
6148 ~~division~~)) transportation, for inspections necessary to establish compliance with the terms
6149 and conditions of each special use permit. The fees are in addition to any other county
6150 fees and are nonrefundable. The fees shall be collected in accordance with administrative
6151 procedures developed by the department of ((~~public works~~))transportation.

6152 SECTION 200. Resolution 9793 (part), as amended, and K.C.C. 14.32~~.220~~ are
6153 hereby amended to read as follows:
6154 **Enforcement.** The director of the department of ((~~public works~~
6155 ~~and~~))transportation is authorized to enforce the provision of this chapter, the ordinances
6156 and resolutions codified in it, and any rules and regulations promulgated thereunder
6157 pursuant to the enforcement and penalty provisions of K.C.C. Title 23.
6158 SECTION 201. Ordinance 129, section 1, as amended, and K.C.C. 14.40.015 are
6159 hereby amended to read as follows:
6160 **Procedure.** A. The zoning and subdivision examiner shall hold public hearings
6161 on vacations which have been recommended for approval by the department of((~~public~~
6162 ~~works~~)) transportation, and provide a recommendation to the King County council, as
6163 prescribed by RCW 36.87.060.
6164 B. In the event the report by the department of ((~~public works~~))transportation
6165 recommends denial of the vacation petition, the following shall be the operating
6166 procedure:
6167 1. Written notification shall be transmitted to the petitioner by the department of
6168 ((~~public works~~))transportation citing the rationale for the denial and indicating that the
6169 denial may be appealed to the zoning and subdivision examiner for hearing and
6170 recommendation to the council. A copy of the notice of denial shall be filed with the
6171 council clerk's office.
6172 2. The notice of denial shall be final unless the petitioner files a written appeal
6173 including a two hundred dollar administrative fee with the council clerk within thirty

6174 calendar days of the issuance of the notice of denial. The petitioner's written appeal shall
6175 specify the basis for the appeal and any arguments in support of the appeal.
6176 3. Any appeal filed by a petitioner shall be processed by the zoning and
6177 subdivision examiner in the same manner as vacations recommended for approval.
6178 SECTION 202. Ordinance 129, section 3, as amended, and K.C.C. 14.40.030 are
6179 hereby amended to read as follows:
6180 **Condition precedent.** The compensation determined to be paid shall be a
6181 condition precedent to the vacation of any county road and shall be paid to King County
6182 by petitioner within ninety days of receipt of the request for compensation prepared in
6183 accordance with K.C.C. 14.40.020. In the event of failure of the petitioner to pay such
6184 sum within ninety days, the petition for vacation shall be denied except that if a road
6185 proposed for vacation is bordered by more than one parcel of property and if the owners
6186 of some, but not all, of those parcels want to have those portions abutting their properties
6187 vacated and are willing to pay their prorated share of the required compensation, the
6188 department of ((~~public works~~))transportation may so modify the vacation request.
6189 SECTION 203. Ordinance 129, section 4, as amended, and K.C.C. 14.40.040 are
6190 hereby amended to read as follows:
6191 **Deposit.** Each petition for vacation of a road shall be accompanied by a cash
6192 deposit in an amount to be determined by the director of the department of ((~~public~~
6193 ~~works~~))transportation, which will be used to defray examination, report, publication,
6194 investigative and other costs connected with the application. Such deposit shall not be
6195 returned to the petitioner. When deemed necessary by the county executive, he or she
6196 may require an additional deposit to cover appraisal costs.

6197 SECTION 204. Ordinance 11187, section 1, and K.C.C. 14.42.010 are ~~hereby~~
6198 amended to read as follows:
6199 **Adoption.** A. "King County Road Standards," 1993 update, as amended by the
6200 council December 20, 1993, incorporated herein as Attachment A to Ordinance 11187
6201 with amended Sections 2.03, 2.20, 2.21, 3.02, 5.03 and 5.10 as Attachment B to
6202 Ordinance 11187 are hereby approved and adopted as the King County standards for road
6203 design and construction.
6204 B. Consistent with council's direction and intent in adopting these standards, the
6205 department of ((~~public works~~))transportation is hereby authorized to develop public rules
6206 and make minor changes to the drawings in order to better implement the standards and
6207 as needed to stay current with changing design and construction technology and methods.
6208 C. Consistent with council's direction and intent in adopting these standards, the
6209 department of ((~~public works~~))transportation will establish a committee consisting of
6210 county staff and representatives of the fire and emergency medical service and
6211 development communities. The committee will investigate alternative roadway widths
6212 and other road standard related issues that impact the ability to provide emergency fire
6213 and medical service to the public and report findings back to council by September 1994.
6214 SECTION 205. Ordinance 11790, section 1, and K.C.C. 14.44.055 are hereby
6215 amended to read as follows:
6216 **Emergency construction permits - Unfranchised utilities.** A. The((~~property~~
6217 ~~services~~)) facilities management division may issue right-of-way construction permits to
6218 unfranchised utilities under the following circumstances:

6219 1. When the Seattle-King County department of public health has determined
6220 that the proposed work is necessary to address a public health hazard; or
6221 2. When the ((~~roads~~))road services division((~~,~~)) of the department of((~~public~~
6222 ~~works~~)) transportation has determined that the proposed work is necessary to address
6223 actual or imminent damage to county right-of-way or to address hazards to users of
6224 county right-of-way.
6225 B. No right-of-way construction permit for sewer or water facility construction
6226 shall be issued unless the ((~~property services~~))facilities management division receives a
6227 determination from the chair of the utilities technical review committee that the proposed
6228 work is consistent with the King County Comprehensive Plan codified in K.C.C. Title 20
6229 and with K.C.C. 13.24.132, 13.24.134, 13.24.138 and 13.24.140.
6230 C. The permit applicant shall be required to meet all conditions of this chapter,
6231 except K.C.C. 14.44.050A and C.
6232 SECTION 206. Ordinance 1711, section 8, as amended, and K.C.C. 14.44.080 are
6233 hereby amended to read as follows:
6234 **Performance guarantee required.** Prior to final approval of all right-of-way
6235 construction permits, the department of ((~~public works~~))transportation shall determine the
6236 amount of the performance guarantee necessary to assure compliance with the approved
6237 construction plans, applicable state and local health and sanitation regulations, county
6238 standards for water mains and fire hydrants and to assure proper restoration of the road
6239 and the health and safety of the users of the road. The applicant shall submit the financial
6240 guarantee consistent with the provisions of K.C.C. Title 27A.

6241 SECTION 207. Ordinance 1711, section 9, and K.C.C. 14.44.090 are ~~hereby~~
6242 amended to read as follows:
6243 **Construction permit - Form.** The right-of-way construction permit granted
6244 shall be in a form approved by and be made subject to all reasonable and necessary terms
6245 and conditions imposed by the department of ((~~public works~~))transportation.
6246 SECTION 208. Ordinance 1711, section 10, and K.C.C. 14.44.100 are hereby
6247 amended to read as follows:
6248 **Notification by permittee of construction commenced.** The permittee is
6249 required to give oral or written notice of the date construction will begin to the following
6250 agencies: department of ((~~public works~~))transportation for all right-of-way construction;
6251 Seattle-King County department of public health for construction of waterworks (except
6252 for domestic service connections); and King County fire marshal for waterworks. Failure
6253 to give such notice is grounds for the revocation or suspension of the construction permit.
6254 SECTION 209. Ordinance 1711 (part), as amended, and K.C.C. 14.44.110 are
6255 hereby amended to read as follows:
6256 **Enforcement.** The director of the department of ((~~public works~~))transportation
6257 and the director of the Seattle-King County department of public health are authorized to
6258 enforce the provisions of this chapter, the ordinances codified in it, and any rules and
6259 regulations adopted hereunder pursuant to the enforcement and penalty provisions of
6260 K.C.C. Title 23.
6261 SECTION 210. Ordinance 4099, section 2, and K.C.C. 14.46.020 are hereby
6262 amended to read as follows:

6263 **Permit - Required - Exceptions.** All utility construction work and other uses
6264 performed upon, along, over, under or across any public place in King County shall
6265 require a permit to be issued by the ((~~real property~~))facilities management division((~~ of~~
6266 ~~the department of executive administration~~)); provided, that construction work
6267 undertaken by King County or under contract to King County or requested by King
6268 County due to new construction shall be exempted from this requirement. Utility
6269 construction work includes, but is not limited to, construction and maintenance of
6270 waterworks, gas pipes, telephone, telegraph and electric lines, sewers, cable television
6271 and petroleum products and any other such public and private utilities.

6272 SECTION 211. Ordinance 4099, section 3, and K.C.C. 14.46.030 are hereby
6273 amended to read as follows:

6274 **Permit - Issuance authority - Use.** The ((~~department of executive~~
6275 ~~administration, real property~~))facilities management division is authorized to issue
6276 revocable permits for all utility construction work and installation, and other uses upon,
6277 along, over, under or across any public place in King County. The permits shall be used
6278 to authorize an act or series of acts on King County owned real property which is not
6279 dedicated as right-of-way.

6280 SECTION 212. Ordinance 1503, section 1, and K.C.C. 14.48.010 are hereby
6281 amended to read as follows:

6282 **Designation.** Certain arterial highways and school bus routes in King County, to
6283 be identified and so designated by the director of ((~~public works~~))transportation, are
6284 declared snow emergency routes. Such snow emergency routes shall be the first roads
6285 and streets to be sanded and/or cleared of snow.

6286 SECTION 213. Ordinance 1503, section 2, and K.C.C. 14.48.020 are ~~hereby~~
6287 amended to read as follows:
6288 **Publication.** The director of ((~~public works~~))transportation shall issue a news
6289 bulletin to all newspapers of general circulation serving King County, a listing of all such
6290 snow emergency routes. Such listing of snow emergency routes shall be prepared and a
6291 news bulletin issued within two weeks of January 29, 1973, and thereafter annually, prior
6292 to the second Monday in November.
6293 SECTION 214. Ordinance 1503, section 3, and K.C.C. 14.48.030 are hereby
6294 amended to read as follows:
6295 **Snow emergency - Declaration authority - News bulletin.** The director of
6296 ((~~public works~~))transportation or his or her authorized representative is empowered to
6297 declare a snow emergency. The director shall establish guidelines for conditions which
6298 will warrant the declaring of a snow emergency.
6299 When a snow emergency is declared, the director shall issue an emergency news
6300 bulletin to all radio and television stations and newspapers serving King County, and to
6301 the ((~~director of public safety~~))county sheriff, so that there may be coordination for the
6302 deployment of personnel and equipment.
6303 SECTION 215. Ordinance 1503, section 4, and K.C.C. 14.48.040 are hereby
6304 amended to read as follows:
6305 **Coordination of snow removal activities with other jurisdictions.** The director
6306 of ((~~public works~~))transportation shall coordinate King County snow removal activities
6307 with federal, state, county and local jurisdictions located within or adjacent to King
6308 County for the purpose of continuity in clearing snow emergency routes.

6309 SECTION 216. Ordinance 3027, section 2, and K.C.C. 14.52.020 are ~~hereby~~
6310 amended to read as follows:
6311 **Sidewalk - Repair determination - Responsibility and costs.** Whenever a
6312 portion of any street or road, including any boulevard, avenue, lane or place, is improved
6313 by a sidewalk thereon, and the sidewalk shall have become unfit or unsafe for public
6314 travel, the department of ((~~public works~~))transportation may determine that the repair of
6315 that portion of sidewalk is necessary for the public safety and convenience. If the
6316 department does so find, the duty, burden and expense of repair shall be the responsibility
6317 of the abutting property owner; provided, that the abutting property owner shall not be
6318 charged with any costs of repair in excess of twenty-five percent of the valuation of the
6319 abutting property, exclusive of improvements.
6320 SECTION 217. Ordinance 3027, section 3, and K.C.C. 14.52.030 are hereby
6321 amended to read as follows:
6322 **Sidewalk - Notice to repair - Cost assessment.** Whenever the department of
6323 ((~~public works~~))transportation has determined that a portion of a sidewalk has become
6324 unfit or unsafe for public travel, the department shall serve a written notice on the owner
6325 of the abutting property, instructing the owner to repair the sidewalk in accordance with
6326 standard plans and specifications which shall be attached to the notice. The notice may
6327 be delivered in person to the owner, to the resident of the property, or by mail to the last
6328 known address of the property owner. If the owner is unknown, a copy of the notice shall
6329 be posted in a conspicuous place on the portion of the street where the improvements are
6330 to be made. The notice shall specify a reasonable time for such construction or
6331 reconstruction and shall also state that in the event the project is not completed within the

time period specified, the department of ((~~public works~~))transportation will proceed to have the improvements completed. Following completion, the department will report to the council an assessment roll showing the lots or parcels abutting the project and the name of the owner((~~(s)~~)) or owners. Upon expiration of the normal time for hearing protests as specified in RCW 36.88.090, the council shall assess the cost for the improvement against the abutting property owner which shall become a lien against the property if not paid.

SECTION 218. Ordinance 3027, section 4, and K.C.C. 14.52.040 are hereby amended to read as follows:

Planting strip maintenance. Maintenance of planting strips including trees, shrubbery, grass or other ground cover shall be the responsibility of the abutting property owner. Should the director of ((~~public works~~))transportation find that such property is not being properly maintained, a notice shall be forwarded as provided in ((~~Section~~))K.C.C. 14.52.030, specifying a reasonable time within which such maintenance shall be accomplished. If the owner fails to proceed, the department of ((~~public works~~))transportation will have the maintenance performed, and the cost will be assessed against the property owner as provided in ((~~Section~~)) K.C.C. 14.52.030.

SECTION 219. Ordinance 3027, section 5, and K.C.C. 14.52.050 are hereby amended to read as follows:

Sidewalk - Snow, ice and trash removal required when. It is unlawful for any person, firm or corporation owning real property within the unincorporated area to permit the accumulation of snow, ice, trash or any other matter on an existing sidewalk which impedes the normal flow of pedestrian traffic. In the event the property is owned by a

6355 person not a resident of King County, a reasonable period of time shall be provided for
6356 the owner or his agent to remove the material. If such removal is not accomplished
6357 within a reasonable period of time, the director of ((~~public works~~))transportation may
6358 have the sidewalk cleaned and the cost thereof shall be a lien on the property.

6359 SECTION 220. Ordinance 11617, section 50, and K.C.C. 14.75.110 are hereby
6360 amended to read as follows:

6361 **Funding of projects.** A. An MPS trust and agency fund is hereby created. This
6362 MPS fund shall be a first-tier fund as described in ((~~King County Code~~)) K.C.C.
6363 ((~~C~~))chapter 4.10. The director of the department of ((~~public works~~))transportation shall
6364 be the fund manager. MPS fees shall be placed in appropriate deposit accounts within the
6365 MPS fund.

6366 B. The MPS fees paid to the county shall be held and disbursed as follows:

6367 1. The fees collected for each MPS project shall be placed in a deposit account
6368 within the MPS fund;

6369 2. The ((~~roads and engineering~~))road services division is authorized to transfer
6370 the project fees held in the MPS fund to the CIP fund no less than once a year in the year
6371 following receipt of the fees;

6372 3. The non-MPS fee monies appropriated for the MPS project shall comprise
6373 both the public share of the project cost and an advancement of that portion of the private
6374 share that has not yet been collected in MPS fees;

6375 4. The first money spent by the department on an MPS project after a council
6376 appropriation shall be deemed to be the fees from the MPS fund;

6377 5. Fees collected after a project has been fully funded by means of one or more
6378 council appropriations shall constitute reimbursement to the county of the public monies
6379 advanced for the private share of the project. The public monies made available by such
6380 reimbursement shall be used to pay the public share of other MPS projects or to pay for
6381 smaller scale, growth-related projects that are not placed on the MPS Project List; and
6382 6. All interest earned on the MPS fees paid by developers shall be retained in
6383 the account and expended for the purpose or purposes for which the impact fees were
6384 imposed.
6385 C. MPS fees for transportation facility improvements shall be expended only in
6386 conformance with the transportation element of the King County Comprehensive Plan.
6387 D. MPS projects shall be funded by a balance between MPS fees and other
6388 sources of public funds, and shall not be funded solely by MPS fees.
6389 E. MPS fees shall be expended or encumbered for a permissible use within six
6390 years of receipt, unless there exists an extraordinary or compelling reason for fees to be
6391 held longer than six years. The department may recommend to the council that the
6392 county hold fees beyond six years in cases where extraordinary or compelling reasons
6393 exist. Such reasons shall be identified in written findings by the council.
6394 F. The department and the council may pool the MPS fees already collected from
6395 a development whenever appropriate to help finance a project with high priority among
6396 the projects impacted by the development.
6397 G. The department shall pool MPS fees whenever necessary to ensure that the
6398 fees are expended or encumbered for a permissible use within six (6) years of receipt.
6399 Pooling for such purpose shall be accomplished as follows:

1. The department shall determine which project has the highest priority among the projects for which MPS fees were collected for each such development, and the department shall transfer the MPS fees paid by the development to the budget of the project with the highest priority.

2. The department shall indicate in the TNR which projects have funds in their budget that have been pooled to ensure that they are expended or encumbered in a timely manner.

H. The department shall prepare an annual report on each MPS fee account showing the source and amount of all moneys collected, earned or received and transportation improvements that were financed in whole or in part by MPS fees.

SECTION 221. Ordinance 7444, section 8, and K.C.C. 15.90.080 are hereby amended to read as follows:

Organization of Board of Directors. Upon issuance of the charter, the county executive or his or her ((~~deputy~~))designee shall call an organizational meeting of the initial board of directors within ten days, giving at least three days' advance written notice to each, unless waived in writing. At such meeting, the board shall organize itself, may appoint officers, and select the place of business.

SECTION 222. Ordinance 1488, section 11, as amended, and K.C.C. 16.82.100 are hereby amended to read as follows:

Operating conditions and standards of performance. A. Any activity that will clear, grade or otherwise disturb the site, whether requiring a clearing or grading permit or not, shall provide erosion and sediment control (ESC) that prevents, to the maximum extent possible, the transport of sediment from the site to drainage facilities, water

resources and adjacent properties. Erosion and sediment controls shall be app~~lied as~~ specified by the temporary ESC measures and performance criteria and implementation requirements in the King County erosion and sediment control standards. Activities performed as Class I, II, III or IV Special forest practices shall apply erosion and sediment controls in accordance with chapter 76.09 RCW and Title 222 WAC.

B. Cuts and fills shall conform to the following provisions unless otherwise approved by the director.

1. Slope. No slope of cut and fill surfaces shall be steeper than is safe for the intended use and shall not exceed two horizontal to one vertical, unless otherwise approved by the director.

2. Erosion control. All disturbed areas including faces of cuts and fill slopes shall be prepared and maintained to control erosion in compliance with subsection A.

3. Preparation of ground. The ground surface shall be prepared to receive fill by removing unsuitable material such as concrete slabs, tree stumps, brush and car bodies.

4. Fill material. Except in an approved sanitary landfill, only earth materials which have no rock or similar irreducible material with a maximum dimension greater than eighteen inches shall be used.

5. Drainage. Provisions shall be made to:

a. prevent any surface water or seepage from damaging the cut face of any excavations or the sloping face of a fill;

b. carry any surface waters that are or might be concentrated as a result of a fill or excavation to a natural watercourse, or by other means approved by the department of ((~~public works~~))natural resources and parks;

6. Bench/terrace. Benches, if required, at least ten feet in width shal~~l be back~~-sloped and shall be established at not more than twenty-five feet vertical intervals to control surface drainage and debris. Swales or ditches on benches shall have a maximum gradient of five percent.

7. Access roads - maintenance. Access roads to grading sites shall be maintained and located to the satisfaction of the King County department of ((~~public works~~))transportation to minimize problems of dust, mud and traffic circulation.

8. Access roads - gate. Access roads to grading sites shall be controlled by a gate when required by the director.

9. Warning signs. Signs warning of hazardous conditions, if such exist, shall be affixed at locations as required by the director.

10. Fencing. Fencing, where required by the director, to protect life, limb and property, shall be installed with lockable gates which must be closed and locked when not working the site. The fence must be no less than five feet in height and the fence material shall have no horizontal opening larger than two inches.

11. Setbacks. The tops and the toes of cut and fill slopes shall be set back from property boundaries as far as necessary for safety of the adjacent properties and to prevent damage resulting from water runoff or erosion of the slopes.

The tops and the toes of cut and fill slopes shall be set back from structures as far as is necessary for adequacy of foundation support and to prevent damage as a result of water runoff or erosion of the slopes.

Slopes and setbacks shall be determined by the director.

12. Excavations to water-producing depth. All excavations must eit~~her be~~ made to a water-producing depth or grade to permit natural drainage. The excavations made to a water-producing depth shall be reclaimed in the following manner:

a. the depth of the excavations must not be less than two feet measured below the low-water mark.

b. all banks shall be sloped to the water line no steeper than three feet horizontal to one foot vertical.

c. all banks shall be sloped from the low-water line into the pond or lake with a minimum slope of three feet horizontal to one foot vertical to a distance of at least twenty-five feet.

d. in no event shall the term water-producing depth as herein used be construed to allow stagnant or standing water to collect or remain in the excavation.

e. the intent of this provision is to allow reclamation of the land which will result in the establishment of a lake of sufficient area and depth of water to be useful for residential or recreational purposes.

13. Hours of operation. Hours of operation, unless otherwise authorized by the director, shall be between seven a.m. and seven p.m.

SECTION 223. Ordinance 1488, section 12, as amended, and K.C.C. 16.82.110 are hereby amended to read as follows:

Land restoration. A. Upon the exhaustion of minerals or materials or upon the permanent abandonment of the quarrying or mining operation, all nonconforming buildings, structures, apparatus or appurtenances accessory to the quarrying and mining operation shall be removed or otherwise dismantled to the satisfaction of the director.

6491 This requirement shall not require land restoration on projects completed prior ~~to~~ January
6492 1, 1971, except those covered under previously existing zoning requirements.
6493 B. Final grades shall be such so as to encourage the uses permitted within the
6494 underlying zone classification.
6495 C. Grading or backfilling shall be made with nonnoxious, nonflammable,
6496 noncombustible and nonputrescible solids.
6497 D. Such graded or backfilled areas, except for roads, shall be sodded or surfaced
6498 with soil of a quality at least equal to the topsoil of the land areas immediately
6499 surrounding, and to a depth of at least four inches or a depth of that of the topsoil of land
6500 areas immediately surrounding if less than four inches.
6501 E. Such topsoil as required by subdivision D. shall be planted with trees, shrubs,
6502 legumes or grasses, and said flora shall be so selected as to be indigenous to the
6503 surrounding area.
6504 F. Graded or backfilled areas shall be reclaimed in a manner which will not allow
6505 water to collect and permit stagnant water to remain. Suitable drainage systems approved
6506 by the department of ((~~public works~~))natural resources and parks shall be constructed or
6507 installed if natural drainage is not possible.
6508 G. Waste or soil piles shall be leveled and the area treated as to sodding or
6509 surfacing and planting as required in ((~~subdivisions~~)) subsections D. and E. of this
6510 section.
6511 SECTION 224. Ordinance 9614, section 103, as amended, and K.C.C. 16.82.150
6512 are hereby amended to read as follows:

6513 **Clearing standards.** A. For clearing and grading permits issued under ~~this~~
6514 chapter, the current clearing standards contained in this section and in the following
6515 regulations shall apply:
6516 1. The Sensitive Areas Code, K.C.C. chapter 21A.24, and its adopted
6517 administrative rules;
6518 2. Property-specific development standards pursuant to K.C.C. chapter 21A.38;
6519 3. Critical drainage area designations identified by adopted administrative rule;
6520 and
6521 4. Wildlife habitat corridors pursuant to K.C.C. chapter 21A.14.
6522 B. Within sensitive areas designated pursuant to K.C.C. chapter 21A.24, uses
6523 shall be limited to those specified in that chapter. Within any other areas subject to
6524 clearing restrictions referenced or contained in this section, the following uses are
6525 allowed under a clearing permit:
6526 1. Timber harvest in accordance with a timber harvest management plan and
6527 clearing permit approved by the department of development and environmental services
6528 or a successor agency. That department shall promulgate administrative rules specifying
6529 the contents of, and the submittal requirements and approval criteria for, timber harvest
6530 management plans in consultation with the department of natural resources <u>and parks</u>
6531 prior to any permit approvals for timber harvest within these tracts or easements;
6532 2. Passive recreation uses and related facilities, including pedestrian and bicycle
6533 trails, nature viewing areas, fishing and camping areas, and other similar uses that do not
6534 require permanent structures, provided that cleared areas and/or areas of compacted soils
6535 associated with these uses and facilities do not exceed eight percent of the area of the

tract or easement. Within wildlife habitat corridors, trail widths shall be the minimum allowed under adopted trail standards and no other recreation uses shall be permitted in the one hundred fifty foot minimum width of the corridor;

3. Utilities and utility easements, including surface water facilities, provided that such uses are within or adjacent to existing road or utility easements whenever possible. Within wildlife habitat corridors, existing or multiple utility uses within established easements shall be allowed within the one hundred fifty foot minimum width of the corridor. Development of new utility corridors shall be allowed within wildlife habitat corridors only when multiple uses of existing easements are not feasible and the utility corridors are sited and developed using county-approved best management practices to minimize disturbance; and

4. Removal of dangerous and or damaged trees.

C. For the RA (Rural Area) zoned areas in either the Bear Creek Basin, Issaquah Creek basin, the Soos Creek basin, the May Creek basin, the East Sammamish Community Planning Area or the Bear Creek Community Planning Area:

1. Clearing shall be limited to a maximum of thirty-five percent of the lot or plat area or the amount legally cleared prior to the effective date of any clearing regulations in effect at the time of the clearing, whichever is greater, except under conditions specified below:

a. Clearing shall be limited to a maximum of sixty percent of the lot or plat area if the approved permit requires flow control and water quality facilities in accordance with standards set forth in the applicable adopted basin plan and the King County Surface Water Design Manual;

b. In the Soos Creek basin, clearing shall be limited to a maximum of eighty percent of the lot or plat area, except in designated Regionally Significant Resource Areas where clearing shall be limited to a maximum of sixty-five percent of the lot or plat area. Buffers for all sensitive areas designated under K.C.C. Title 21A and sensitive areas except for submerged lands may be counted towards meeting the requirement. Building permits for single-family residential building on individual lots shall be exempt from the clearing limit in the Soos Creek basin;

c. Clearing required for the construction of access, utilities and septic systems to serve any lots 1.25 acres or smaller in size shall not be counted towards the thirty-five percent maximum clearing standard;

d. On individual lots smaller than twenty thousand square feet, up to seven thousand square feet may be cleared; and

e. Clearing standards for Urban Planned Developments and Mineral zoned properties will be determined through their own designated review processes.

2. For subdivisions and short subdivisions, portions of the plat that are required to remain uncleared shall be retained in one or more open space tracts, with all developable lots sited on the portions of the plat approved to be cleared. Sensitive areas designated under K.C.C. Title 21A shall be recorded separately from tracts mandated by this regulation, but may be counted towards meeting these requirements. Tracts mandated by this regulation may be retained by the subdivider, conveyed to residents of the subdivision, or conveyed to a third party. Open space tracts shall be shown on all property maps and shall be protected by covenants, approved by the county, that restrict their uses to those listed in K.C.C. 16.82.150B. All open space tracts established

6582 pursuant to this regulation shall be clearly marked with at least one sign per buildable lot
6583 adjoining the tract indicating that the tract is permanent, dedicated open space.
6584 3. For individual lots, the clearing limits shall be applied at the time of building
6585 permit application unless the lot is within a subdivision that has been approved with other
6586 conditions to meet the standard established in ((~~paragraph~~)) subsection C.2 of this
6587 section. In cases where conditions are applied to the subdivision, individual lots shall be
6588 exempt from the clearing restrictions in ((~~paragraph~~)) subsection C.1 of this section. The
6589 uses and restrictions on the uncleared portions of individual lots shall be those specified
6590 in K.C.C. 16.82.150B. Sensitive areas designated under K.C.C. Title 21A may be
6591 counted towards meeting requirements on individual lots.
6592 4. The subdivision or permitting of building on parcels that are cleared in
6593 violation of the regulations in effect at the time of the clearing shall be subject to
6594 conditions requiring the restoration of trees and understory vegetation on at least sixty-
6595 five percent of the plat or lot, or, where applicable, on the percentage of the site that was
6596 to remain uncleared under ((~~paragraph~~)) subsection C.1 of this section. A restoration
6597 plan shall be required of permit applicants, and shall be subject to the approval of the
6598 department of development and environmental services. That department shall prepare
6599 administrative rules regarding the review and approval of restoration plans in
6600 consultation with the department of natural resources and parks before approving
6601 subdivision or building permits for parcels cleared in violation of applicable clearing
6602 regulations. The administrative rules shall also specify when a restoration plan will be
6603 deemed sufficient to forego the six year moratorium on permitting authorized in K.C.C.
6604 16.82.140.

5. In the Bear Creek basin and the Bear Creek Community Planning ~~Area,~~ the requirements of ((~~paragraphs~~)) subsections C.1 through ((~~C~~))4 of this section shall be modified or waived by the director for proposed projects that meet the following conditions:

a. The project shall consist of one or more of the following uses:

(1) Government services listed in K.C.C. 21A.08.060,

(2) Educational services listed in K.C.C. 21A.08.050,

(3) Parks as listed in K.C.C. 21A.08.040 when located adjacent to an existing or proposed school,

(4) Libraries listed in K.C.C. 21A.08.040, and

(5) Road projects;

b. The project site shall not be located in a designated regionally significant resource area except for utility corridors that can demonstrate no feasible alternative;

c. The project shall clear the minimum necessary to accommodate the proposed use which includes all the allowed ballfields, playfields, other facilities, and spaces proposed by the public agency to carry out its public function; and

d. The project shall meet the on-site flow control and water quality standards set forth in the applicable adopted basin plan and the Surface Water Design Manual.

The modification or waiver shall not exempt the project from any other code provisions which may apply. The director's decision may be appealed to the zoning and subdivision examiner pursuant to K.C.C. chapter 20.24, provided that any such appeal must be consolidated with an appeal, if any, heard by the examiner on the merits of the proposed project.

6. In the Issaquah Creek basin, the Soos Creek basin and the East Sammamish Community Planning Area, the following standards shall apply:

a. In the regionally significant resource areas, except for utility corridors that can demonstrate no feasible alternative, the requirements of ((~~paragraphs~~)) subsections C.1 through ((~~C~~))4 shall apply; and

b. In areas outside of the regionally significant resources areas, projects that consist of one or more of the uses identified in C5(a)(1) to (4) shall be exempt from the requirements of ((~~paragraphs~~)) subsections C.1 through ((~~C~~))4.

D. Construction projects can be a significant contributor of pollution to streams and wetlands. Therefore, from October 1 through March 31, in the Bear Creek Community Planning Area, the Northshore Community Planning Area, the East Sammamish Community Planning Area and the Soos Creek and Hylebos Creek basins:

1. Clearing and grading shall only be permitted if shown to the satisfaction of the director that silt-laden runoff exceeding standards in the King County Surface Water Design Manual will be prevented from leaving the construction site through a combination of the following:

a. site conditions including vegetative coverage, slope, soil type and proximity to receiving waters;

b. limitations on activities and the extent of disturbed areas; and

c. proposed erosion and sedimentation control measures.

2. The director shall set forth in writing the basis for approval or denial of clearing or grading during this period.

3. Clearing and grading will be allowed only if there is installation and maintenance of an erosion and sedimentation control plan approved by the department which shall define any limits on clearing and grading or specific erosion and sediment control measures required during this period. Alternate best management practices may be approved or required on-site by the inspector.

4. If, during the course of construction, silt-laden runoff exceeding standards in the King County Surface Water Design Manual leaves the construction site or if clearing and grading limits or erosion and sediment control measures shown in the approved plan are not maintained, a notice of violation shall be issued.

5. If the erosion and sediment control problem defined in the violation is not adequately repaired within twenty-four hours of the notice of violation, then a notice and order may be issued by the inspector to install adequate erosion and sediment control measures to stop silt-laden runoff from leaving the site. The notice and order may also require the contractor to discontinue any further clearing or grading, except for erosion and sediment control maintenance and repair, until the following March 31.

6. The following activities are exempt from the seasonal clearing and grading requirements of this subsection:

a. Routine maintenance and necessary repair of erosion and sediment control facilities;

b. Routine maintenance of public facilities or existing utility structures as provided by K.C.C. 21A.24.050B;

6671 c. Activities where there is one hundred percent infiltration of surface water
6672 runoff within the site in approved and installed erosion and sedimentation control
6673 facilities;
6674 d. Typical landscaping activities of existing single family residences that do
6675 not require a permit;
6676 e. Class I, II, III and IV Special forest practices;
6677 f. Mineral extraction activities on sites with approved permits; and
6678 g. Public agency response to emergencies that threaten the public health, safety
6679 and welfare.
6680 SECTION 225. Ordinance 5770, section 302, and K.C.C. 18.12.020 are hereby
6681 amended to read as follows:
6682 **Applicability - Land Use Management and Transportation.** The King County
6683 ((~~Department of Planning, and Community Development; the Planning Division, the~~
6684 ~~Building and Land Development Division; the King County Zoning and Subdivision~~
6685 ~~Examiner; the Department of Public Works and other County~~))departments and agencies
6686 charged with land use and transportation responsibilities shall, to the extent feasible,
6687 consider the goals, policies and programs of the King County Energy Management
6688 Program when making land use and transportation decisions and recommendations.
6689 SECTION 226. Ordinance 9153, as amended, and K.C.C. 20.12.430 are hereby
6690 amended to read as follows:
6691 **King County Transportation Plan.** A. The King County Transportation Plan
6692 consists of the following elements:

1. Policy element, consisting of the transportation-related policies from the King County Comprehensive Plan 1985, and the transit/ridesharing/rail policy actions.

2. The arterial functional classification report changes [Exhibit A to Ordinance 11170].

3. The transportation priority process.

4. The annual transportation needs report.

5. The implementation strategy report, as amended.

B. The council finds that the King County Transportation Plan environmental impact statement is adequate to support adoption of the King County Transportation Plan.

C. The King County Transportation Plan, dated October 1989, is adopted as the functional plan implementing the transportation policies established by the King County Comprehensive Plan. As an amplification and augmentation of the King County Comprehensive Plan, it constitutes official county policy with regard to surface transportation issues.

D. The King County Transportation Plan's elements dealing with "Transportation Needs Report" and "Arterial Functional Classification" shall be subject to an annual review and update process preparatory to the capital improvement program budgeting process. Updates shall incorporate community plan revisions, additional functional plan elements, other local and regional transportation plans and studies, and other information available to the county road engineer, and shall include public review and information in the annual review of the updates. The department of ((~~public works~~))transportation shall provide an update report to the executive and council on these elements before

6715 finalization of the roads capital improvement program budget identifying possible
6716 changes to the needs lists or arterial classifications, and why these changes are needed.
6717 E. The Transportation Plan shall be implemented through:
6718 1. Adoption of an annual six year capital improvement program.
6719 2. Application of the Road Adequacy Standards, K.C.C. Title 14.
6720 3. Application of the mitigation payment system, K.C.C. Title 14.
6721 4. Mitigation of transportation impacts as required and authorized under the
6722 State Environmental Policy Act.
6723 5. Road maintenance and traffic operating improvements.
6724 6. Pursuit of additional funding sources at the local, state and federal levels
6725 whenever possible.
6726 7. Participation by the county in regional efforts to enhance bus transit usage
6727 and development of a rail/high capacity transit system.
6728 8. Establishment of a system for reviewing proposed developments for their
6729 impacts on equestrian, pedestrian and bicycle traffic and requiring mitigation when
6730 adverse impacts will occur.
6731 9. Development of transportation system management techniques, zoning code
6732 changes, and road improvements to enhance the use of transit and increase vehicle
6733 occupancy.
6734 10. Coordination of plans, projects, programs and policies with other
6735 governments.
6736 SECTION 227. Ordinance 4461, section 2, as amended, and K.C.C. 20.24.080
6737 are hereby amended to read as follows:

6738 **Final decisions by the examiner.** A. The examiner shall receive and ~~examine~~
6739 available information, conduct open record public hearings and prepare records and
6740 reports thereof, and issue final decisions, including findings and conclusions, based on
6741 the issues and evidence in the record, which shall be appealable to superior court as
6742 provided by K.C.C. 20.24.240, or to other designated authority in the following cases:
6743 1. Appeals from the decisions of the administrator for short subdivisions,
6744 including those variance decisions of the road engineer made pursuant to
6745 K.C.C. 14.42.060 with regard to road circulation in the subject short divisions;
6746 2. Appeals of all Type 2 land use decisions with the exception of appeals of
6747 shoreline permits including shoreline variances and conditional uses which are appealable
6748 to the state shoreline hearings board;
6749 3. Appeals from citations, notices and orders and stop work orders issued
6750 pursuant to K.C.C. Title 23 or Title 1.08 of the rules and regulations of the King County
6751 board of health;
6752 4. Appeals from decisions regarding the abatement of a nonconformance;
6753 5. Appeals from decisions of the director of the department of natural resources
6754 and parks on requests for rate adjustments to surface and storm water management rates
6755 and charges;
6756 6. Appeals from department of public safety seizures and intended forfeitures,
6757 when properly designated by the chief law enforcement officer of that department as
6758 provided in RCW 69.50.505;
6759 7. Appeals from notices and certifications of junk vehicles to be removed as a
6760 public nuisance as provided in K.C.C. Title 21A and K.C.C. chapter 23.10;

6761 8. Appeals from the department's final decisions regarding transportation
6762 concurrency, mitigation payment system and intersection standards provisions of
6763 K.C.C. Title 14;
6764 9. Appeals from decisions of the Interagency Review Committee regarding
6765 sending site applications for certification pursuant to K.C.C. chapter 21A.55, Transfer of
6766 Residential Development Credits((.)); and
6767 10. Other applications or appeals which the council may prescribe by ordinance.
6768 B. The examiner's decision may be to grant or deny the application or appeal, or
6769 the examiner may grant the application or appeal with such conditions, modifications and
6770 restrictions as the examiner finds necessary to make the application or appeal compatible
6771 with the environment and carry out applicable state laws and regulations, including
6772 chapter 43.21C RCW, and the regulations, policies, objectives and goals of the
6773 comprehensive plan, the community plans, subarea or neighborhood plans, the
6774 zoning code, the subdivision code and other official laws, policies and objectives of
6775 King County. In case of any conflict between the King County Comprehensive Plan and
6776 a community, subarea or neighborhood plan, the King County Comprehensive Plan shall
6777 govern.
6778 SECTION 228. Ordinance 1076, section 3, as amended, and K.C.C. 20.36.030
6779 are hereby amended to read as follows:
6780 **Applications.** An owner of farm and agricultural land desiring current use
6781 assessment under chapter 84.34 RCW shall make application to the county assessor and
6782 an owner of open space land desiring assessed valuation under the public benefit rating
6783 system or an owner of timber land desiring current use assessment shall make application

6784 to the county council by filing an application with the department natural resources and
6785 parks. The application shall be upon forms supplied by the county and shall include such
6786 information deemed reasonably necessary to properly classify an area of land under
6787 chapter 84.34 RCW with a notarized verification of the truth thereof.

6788 SECTION 229. Ordinance 10511, section 7, as amended, and K.C.C. 20.36.100
6789 are hereby amended to read as follows:

6790 **Criteria for approval - public benefit rating system for open space land.** A.
6791 Rating system. To be eligible for open space classification under the public benefit rating
6792 system, property must contain one or more priority open space resources. These
6793 resources are ranked as high priority, medium priority and low priority resources and are
6794 based on the adopted King County Open Space Plan referenced in K.C.C. 20.12.380.
6795 High priority resources receive five points each, medium priority resources receive three
6796 points each and low priority resources receive one point each. Property can receive a
6797 maximum of thirty points from no more than six open space priority resources. In
6798 addition, bonus points and super bonus points may be awarded pursuant to K.C.C.
6799 20.36.100B and ((~~K.C.C. 20.36.100~~))C and a property can achieve a maximum of fifty-
6800 two points through the rating system and the bonus system. Portions of property may
6801 also qualify for open space designation. Complete definitions of each resource, sources
6802 and eligibility standards are fully described in the summary report adopted by reference
6803 by K.C.C. 20.36.150. The department of natural resources and parks shall have
6804 administrative authority to interpret issues relating to the priority resource definitions and
6805 eligibility standards outlined in the summary report.

6806 1. High priority resources - five points each.

a. Active or passive recreation area.

b. Property under option for purchase as park, recreation, open space land or CIP mitigation site.

c. Aquifer protection area.

d. Shoreline: "Conservancy" environment.

e. Scenic resource, viewpoint or view corridor.

f. Surface water quality buffer area.

g. Open space close to urban or growth area.

h. Significant plant, wildlife or salmonid habitat area.

i. Significant aquatic ecosystem.

j. Historic landmark/archaeological site: designated site.

k. Trail linkage.

l. Urban or growth area open space.

m. Farm and agricultural conservation land.

n. Forest stewardship land.

2. Medium priority resources - three points each.

a. Public land or right-of-way buffer.

b. Special native plant site.

c. Natural shoreline environment.

d. Geological feature.

e. Eligible historic landmark or archaeological site.

f. Buffer to designated historic landmark/archaeological site.

g. Special animal site.

3. Low priority resource - one point.

a. Buffer to eligible historic/archaeological site.

B. Bonus System. Property qualifying in the specific high, medium or low priority categories may receive up to twenty-two bonus points if the following additional qualifications are met:

1. Resource restoration - five points.

2. Bonus surface water quality buffer - three or five points.

3. Contiguous parcels under separate ownership - two points.

4. Conservation or Historic Preservation Easement in perpetuity - five points.

5. Bonus public access points.

a. Unlimited public access - five points.

b. Limited public access - sensitive area - five points.

c. Limited public access - three points.

C. Super bonus system. Property with at least one high priority resource and which allows unlimited public access, or limited public access if due to resource sensitivity, and which conveys a conservation, historic preservation, or trail easement in perpetuity, in a form approved by the county, shall be automatically eligible for current use value at ((~~10%~~)) ten percent of market value.

SECTION 230. Ordinance 12969, section 1, and K.C.C. 20.36.150 are hereby amended to read as follows:

Public benefit rating system report adopted. The requirements and resources dated December 1997, detailing the public benefit rating system and attached to Ordinance 12969 is hereby approved and adopted and by this reference made a part

hereof. A copy of this document may be obtained from the ((~~resource lands section of the~~))department of natural resources and parks.

SECTION 231. Ordinance 10870, section 177, and K.C.C. 21A.06.685 are hereby amended to read as follows:

Level of service ("LOS"), traffic. Level of service ("LOS") traffic: a quantitative measure of traffic congestion identified by a declining letter scale (A-F) as calculated by the methodology contained in the 1985 Highway Capacity Manual Special Report 209 or as calculated by another method approved by the department of ((~~public works~~))transportation. LOS "A" indicates free flow of traffic with no delays while LOS "F" indicates jammed conditions or extensive delay.

SECTION 232. Ordinance 10870, section 330, as amended, and K.C.C. 21A.08.030 are hereby amended to read as follows:

A. Residential land uses.

KEY
P-Permitted Use
C-Conditional Use
S-Special Use

	RESOURCE			RESIDENTIAL				COMMERCIAL/ INDUSTRIAL				
ZONE	AGRICULTURE	FORESTRY	MINERAL	RURAL	URBAN RESERVE	URBAN SEPARATED	RESIDENCE	NEIGHBORHOOD	BUSINESS	COMMUNITY	RURAL BUSINESS	OFFICE	INDUSTRY

SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	DWELLING UNITS, TYPES:												
*	Single detached	P C13	P2		P C13	P C13	P C13	P C13					
*	Townhouse				C4	C4	P C12	P	P3	P3	P3	P3	
*	Apartment				C4	C4	P5 C4	P	P3	P3	P3	P3	
*	Mobile home park				S14		C8	P					
	GROUP RESIDENCES:												
*	Community residential facility-I				C	C	C	P	P3	P3	P3	P3	

*	Community residential facility-II							P	P3	P3	P3	P3	
*	Dormitory				C6	C6	C6	P					
*	Senior citizen assisted housing					P4	P4	P	P3	P3	P3	P3	
	ACCESSORY USES:												
*	Residential accessory uses	P7	P7		P7	P7	P7	P7	P7	P7	P7	P7	
*	Home occupation	P	P		P	P	P	P	P	P	P	P	
*	Home industry	C			C	C	C						
	TEMPORARY LODGING:												
7011	Hotel/motel (1)									P	P	P	
*	Bed and breakfast guesthouse	P9 C10			P10	P10	P10	P10	P10	P11	P11		
7041	Organization hotel/lodging houses										P		

GENERAL CROSS REFERENCES: Land Use Table Instructions, see ~~K.C.~~C. 21A.08.020 and 21A.02.070;

Development Standards, see K.C.C. 21A.12 through 21A.30;

General Provisions, see K.C.C. 21A.32 through 21A.38;

Application and Review Procedures, see K.C.C. 21A.40 through 21A.44;

(*)Definition of this specific land use, see K.C.C. 21A.06.

B. Development conditions.

1. Except bed and breakfast guesthouses.

2. In the forest production district, the following conditions apply:

a. Site disturbance associated with development of any new residence shall be limited to three acres. Site disturbance shall mean all land alterations including, but not limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage disposal systems, and driveways. Additional site disturbance for raising livestock, up to the smaller of thirty-five percent of the lot or seven aces, may be approved provided that a farm management (conservation) plan is prepared pursuant to the requirements of K.C.C. chapter 21A.30. Animal densities shall be based on the area devoted to animal care and not the total area of the lot;

b. A forest management plan shall be required for any new residence in the forest production district, which shall be reviewed and approved by the King County department of natural resources <u>and parks</u> prior to building permit issuance; and

c. A fire protection plan for the subject property is required and shall be reviewed and approved by the Washington state department of natural resources with the concurrence of the fire marshal for each residential use. This plan shall be developed in

6883 such a manner as to protect the adjoining forestry uses from a fire that might originate
6884 from the residential use. This plan shall provide for setbacks from existing forestry uses
6885 and maintenance of approved fire trails or other effective fire line buffers on perimeters
6886 with forest land.

6887 3. Only as part of a mixed use development subject to the conditions of K.C.C.
6888 chapter 21A.14, except that in the NB zone on properties with a land use designation of
6889 commercial outside of center (CO) in the urban areas, stand-alone townhouse
6890 developments are permitted subject to K.C.C. 21A.12.040, 21A.14.030, 21A.14.060 and
6891 21A.14.180.

6892 4. a. Only in a building listed on the National Register as an historic site or
6893 designated as a King County landmark subject to the provisions of K.C.C. 21A.32.

6894 b. In the R-1 zone, apartment units are permitted, provided that:

6895 (1) the proposal shall be subject to a conditional use permit when exceeding
6896 base density,

6897 (2) at least fifty percent of the site is constrained by unbuildable sensitive
6898 areas. For purposes of this section, unbuildable sensitive areas shall include wetlands,
6899 streams and slopes forty percent or steeper and associated buffers; and

6900 (3) the density does not exceed a density of eighteen units per acre of net
6901 buildable area as defined in K.C.C. 21A.06.797; or

6902 c. In the R-4 through R-8 zones, apartment units are permitted, provided that
6903 the proposal shall be subject to a conditional use permit when exceeding base density,
6904 and provided that the density does not exceed a density of eighteen units per acre of net
6905 buildable area as defined in K.C.C. 21A.06.797.

6906 5. Apartment units are permitted outright as follows:

6907 a. In the R-1 zone when at least fifty percent of the site is constrained by
6908 unbuildable sensitive areas which for purposes of this section, includes wetlands, streams
6909 and slopes forty percent or steeper and associated buffers, and provided that the density
6910 does not exceed a density of eighteen units per acre of net buildable area as defined in
6911 K.C.C. 21A.06.797; or

6912 b. In the R-4 through R-8 zones, provided that the density does not exceed
6913 eighteen units per acre of net buildable area as defined in K.C.C. 21A.06.797.

6914 6. Only as an accessory to a school, college, university or church.

6915 7. a. Accessory dwelling units:

6916 (1) only one accessory dwelling per primary single detached dwelling unit;

6917 (2) only in the same building as the primary dwelling unit on an urban lot that
6918 is less than ten thousand square feet in area, on a rural lot that is less than the minimum
6919 lot size, or on a lot containing more than one primary dwelling;

6920 (3) the primary dwelling unit or the accessory dwelling unit shall be owner
6921 occupied;

6922 (4)(a) one of the dwelling units shall not exceed a floor area of one thousand
6923 square feet except when one of the dwelling units is wholly contained within a basement
6924 or attic, and

6925 (b) when the primary and accessory dwelling units are located in the same
6926 building, only one entrance may be located on each street side of the building;

6927 (5) one additional off-street parking space shall be provided;

6950 (2) no storage of aviation fuel except that contained in the tank or ~~tanks~~ of the
6951 aircraft.
6952 c. Buildings for residential accessory uses in the RA and A zone shall not
6953 exceed five thousand square feet of gross floor area, except for buildings related to
6954 agriculture or forestry.
6955 8. Mobile home parks shall not be permitted in the R-1 zones.
6956 9. Only as an accessory to the permanent residence of the operator, and:
6957 a. Serving meals to paying guests shall be limited to breakfast; and
6958 b. There shall be no more than five guests per night.
6959 10. Only as an accessory to the permanent residence of the operator, and:
6960 a. Serving meals to paying guests shall be limited to breakfast; and
6961 b. The number of persons accommodated per night shall not exceed five,
6962 except that a structure that satisfies the standards of the Uniform Building Code as
6963 adopted by King County for R-1 occupancies may accommodate up to ten persons per
6964 night.
6965 11. Only if part of a mixed use development, and subject to the conditions of
6966 K.C.C. 21A.08.030 B.10.
6967 12. Townhouses are permitted, but shall be subject to a conditional use permit if
6968 exceeding base density.
6969 13. Required before approving more than one dwelling on individual lots,
6970 except on lots in subdivisions, short subdivisions or binding site plans approved for
6971 multiple unit lots, and except as provided for accessory dwelling units in
6972 K.C.C. 21A.08.030B.7.

6928 (6) the accessory dwelling unit shall be converted to another permitted use or
6929 shall be removed if one of the dwelling units ceases to be owner occupied; and
6930 (7) an applicant seeking to build an accessory dwelling unit shall file a notice
6931 approved by the department of executive services, ((~~with the~~))records, ((~~and~~))elections
6932 and licensing services division, which identifies the dwelling unit as accessory. The
6933 notice shall run with the land. The applicant shall submit proof that the notice was filed
6934 before the department shall approve any permit for the construction of the accessory
6935 dwelling unit. The required contents and form of the notice shall be set forth in
6936 administrative rules. If an accessory dwelling unit in a detached building in the Rural
6937 zone is subsequently converted to a primary unit on a separate lot, neither the original lot
6938 or the new lot may have an additional detached accessory dwelling unit constructed
6939 unless the lot is at least twice the minimum lot area required in the zone.
6940 (8) accessory dwelling units and accessory living quarters are not allowed in
6941 the F zone.
6942 (9) in the A zone, one accessory dwelling unit is allowed on any lot under
6943 twenty acres in size, and two accessory dwelling units are allowed on lots that are twenty
6944 acres or more, provided that the accessory dwelling units are occupied only by farm
6945 workers and the units are constructed in conformance with the State Building Code.
6946 b. One single or twin engine, noncommercial aircraft shall be permitted only
6947 on lots that abut, or have a legal access that is not a county right-of-way, to a waterbody
6948 or landing field, provided there is:
6949 (1) no aircraft sales, service, repair, charter or rental; and

14. No new mobile home parks are allowed in a rural zone.

SECTION 233. Ordinance 10870, section 337, as amended, and K.C.C. 21A.08.100 are hereby amended to read as follows:

A. Regional land uses.

KEY
P-Permitted Use
C-Conditional Use
S-Special Use

		RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL				
	ZONE	AGRICULTURE	FOREST	MINERAL	RURAL	URBAN RESERVE	URBAN RESERVE	URBAN RESERVE	NEIGHBORHOOD	BUSINESS	CBUSMIUNITY	BUSINESS	OFFICE	INDUSTRIAL
SIC#	**SPECIFIC LAND USE**	**A**	**F**	**M**	**RA**	**UR**	**R1-8**	**R12-48**	**NB**	**CB**	**RB**	**O**	**I(15)**
*	Jail						S	S	S	S	S	S	S
*	Jail Farm/Camp	S	S		S	S							

*	Work Release Facility				S19	S19	S	S	S	S	S	S	
*	Public Agency Animal Control Facility		S		S	S					S		P
*	Public Agency Training Facility		S		S3					S3	S3	S3	C4
*	Hydroelectric Generation Facility		C14 S		C14 S	C14 S	C14 S						
*	Non-hydroelectric Generation Facility	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	P12 S
*	Communication Facility (17)	C6c S	P		C6c S	C6c S	C6c S	C6c S	C6c S	P	P	P	P
*	Earth Station	P6b C	P		C6a S	C6a S	C6a S	C6a S	P6b C	P	P	P	P
13	Oil and Gas Extraction	S	C	P	S	S	S	S	S	S	S	S	C
*	Energy Resource Recovery Facility		S	S	S	S	S	S	S	S	S	S	S
*	Soil Recycling Facility		S	S	S								C
*	Landfill		S	S	S	S	S	S	S	S	S	S	S
*	Transfer Station			S	S	S	S	S	S	S	S		P
*	Wastewater Treatment Facility				S	S	S	S	S	S	S	S	C

*	Municipal Water Production	S	P13 S	S	S	S	S	S	S	S	S	S	S
*	Airport/Heliport	S7	S7		S	S	S	S	S	S	S	S	S
*	Transit Bus Base						S	S	S	S	S	S	P
*	School Bus Base				C5 S20	C5 S	CP5 S	C5 S	S	S	S	S	P
7948	Racetrack				S8	S8	S8	S8	S8	S8	S8	S8	S
*	Fairground									S	S		S
8422	Zoo/Wildlife Exhibit (2)		S9		S9	S	S	S		S	S		
7941	Stadium/Arena										S		S
8221-8222	College/University (1)	P10	P10		P10 C11 S18	P10 C11 S18	P10 C11 S	P10 C11 S	P10 C11 S	P	P	P	P
*	Zoo animal breeding facility	P16	P16		P16								

GENERAL CROSS REFERENCES:

Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070;

Development Standards, see K.C.C. 21A.12 through 21A.30;

General Provisions, see K.C.C. 21A.32 through 21A.38;

Application and Review Procedures, see K.C.C. 21A.40 through 21A.44;

(*) Definition of this specific land use, see K.C.C. 21A.06.

6977 B. Development conditions.

6978 1. Except technical institutions. See vocational schools on general services land
6979 use table, K.C.C. 21A.08.050.

6980 2. Except arboretum. See K.C.C. 21A.08.040, recreation/cultural land use table.

6981 3. Except weapons armories and outdoor shooting ranges.

6982 4. Except outdoor shooting range.

6983 5. Only in conjunction with an existing or proposed school.

6984 6. a. Limited to no more than three satellite dish antennae.

6985 b. Limited to one satellite dish antenna.

6986 c. Limited to tower consolidations.

6987 7. Limited to landing field for aircraft involved in forestry or agricultural
6988 practices or for emergency landing sites.

6989 8. Except racing of motorized vehicles.

6990 9. Limited to wildlife exhibit.

6991 10. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.

6992 11. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
6993 21A.32.

6994 12. Limited to cogeneration facilities for on-site use only.

6995 13. Excluding impoundment of water using a dam.

6996 14. Limited to facilities that comply with the following:

6997 a. Any new diversion structure shall not:

6998 (1) exceed a height of eight feet as measured from the streambed; or

6999 (2) impound more than three surface acres of water at the normal maximum
7000 surface level;
7001 b. There shall be no active storage;
7002 c. The maximum water surface area at any existing dam or diversion shall not
7003 be increased;
7004 d. An exceedance flow of no greater than fifty percent in mainstream reach
7005 shall be maintained;
7006 e. Any transmission line shall be limited to a:
7007 (1) right-of-way of five miles or less; and
7008 (2) capacity of two hundred thirty KV or less;
7009 f. Any new, permanent access road shall be limited to five miles or less; and
7010 g. The facility shall only be located above any portion of the stream used by
7011 anadromous fish.
7012 15. For I-zoned sites located outside the urban growth area designated by the
7013 King County Comprehensive Plan, uses shown as a conditional or special use in K.C.C.
7014 21A.08.100A, except for waste water treatment facilities, shall be prohibited. All other
7015 uses, including waste water treatment facilities, shall be subject to the provisions for rural
7016 industrial uses in K.C.C. chapter 21A.12.
7017 16. The operator of such a facility shall provide verification to the department of
7018 natural resources and parks or its successor organization that the facility meets or exceeds
7019 the standards of the Animal and Plant Health Inspection Service of the United States
7020 Department of Agriculture and the accreditation guidelines of the American Zoo and
7021 Aquarium Association.

7022 17. The following provisions of the table apply only to major communication
7023 facilities minor communication facilities shall be reviewed in accordance with the
7024 processes and standard outlined in K.C.C. chapter 21A.26.
7025 18. Only for facilities related to resource-based research.
7026 19. Limited to work release facilities associated with natural resource-based
7027 activities.
7028 20. Limited to projects which do not require or result in an expansion of sewer
7029 service outside the urban growth area, unless a finding is made that no cost-effective
7030 alternative technologies are feasible, in which case a tightline sewer sized only to meet
7031 the needs of the school bus base and serving only the school bus base may be used.
7032 Renovation, expansion, modernization or reconstruction of a school bus base is permitted
7033 but shall not require or result in an expansion of sewer service outside the urban growth
7034 area, unless a finding is made that no cost-effective alternative technologies are feasible,
7035 in which case a tightline sewer sized only to meet the needs of the school bus base.
7036 SECTION 234. Ordinance 10870, section 364, as amended, and
7037 K.C.C. 21A.14.040 are hereby amended to read as follows:
7038 **Lot segregations - clustered development.** If residential lot clustering is
7039 proposed, the following provisions shall be met:
7040 A. In the R zones, any designated open space tract resulting from lot clustering
7041 shall not be altered or disturbed except as specified on recorded documents creating the
7042 open space. Open spaces may be retained under ownership by the subdivider, conveyed
7043 to residents of the development, or conveyed to a third party. If access to the open space
7044 is provided, the access shall be located in a separate tract;

7045 B. In the RA zone:

7046 1. No more than eight lots of less than two and one-half acres shall be allowed
7047 in a cluster;

7048 2. No more than eight lots of less than two and one-half acres shall be served by
7049 a single cul-de-sac street;

7050 3. Clusters containing two or more lots of less than two and one-half acres,
7051 whether in the same or adjacent developments, shall be separated from similar clusters by
7052 at least one hundred twenty feet;

7053 4. The overall amount, and the individual degree of clustering shall be limited to
7054 a level that can be adequately served by rural facilities and services, including, but not
7055 limited to, on-site sewage disposal systems and rural roadways;

7056 5. A fifty-foot Type II landscaping screen, as defined in K.C.C. 21A.16.040,
7057 shall be provided along the frontage of all public roads. The planting materials shall
7058 consist of species that are native to the Puget Sound region. Preservation of existing
7059 healthy vegetation is encouraged and may be used to augment new plantings to meet the
7060 requirements of this section;

7061 6. Except as provided in subsection B.7 of this section, open space tracts created
7062 by clustering in the RA zone shall be designated as permanent open space. Acceptable
7063 uses within open space tracts are passive recreation, with no development of facilities,
7064 and natural-surface pedestrian and equestrian foot trails; and

7065 7. In the RA zone a resource land tract may be created through a cluster
7066 development in lieu of an open space tract. The resource land tract may be used as a
7067 working forest or farm if the following provisions are met:

a. Appropriateness of the tract for forestry or agriculture has been determined by the King County department of natural resources and parks;

b. The subdivider shall prepare a forest management plan, which must be reviewed and approved by the King County department of natural resources and parks, or a farm management (conservation) plan, if such is required pursuant to K.C.C. 21A.30, which must be developed by the King Conservation District. The criteria for management of a resource land tract established through a cluster development in the RA zone shall be set forth in a Public Rule. The criteria must assure that forestry or farming will remain as a sustainable use of the resource land tract and that structures supportive of forestry and agriculture may be allowed in the resource land tract. The criteria must also set impervious surface limitations and identify the type of buildings or structures that will be allowed within the resource land tract;

c. The recorded plat or short plat shall designate the resource land tract as a working forest or farm;

d. Resource land tracts that are conveyed to residents of the development shall be retained in undivided interest by the residents of the subdivision or short subdivision;

e. A homeowners association shall be established to assure implementation of the forest management plan or farm management (conservation) plan if the resource land tract is retained in undivided interest by the residents of the subdivision or short subdivision;

f. The subdivider shall file a notice with the King County department of executive services, records,((~~and~~)) elections and licensing services division. The required contents and form of the notice shall be set forth in a Public Rule. The notice

7091 shall inform the property owner or owners that the resource land tract is designated as a
7092 working forest or farm, which must be managed in accordance with the provisions
7093 established in the approved forest management plan or farm management (conservation)
7094 plan;

7095 g. The subdivider shall provide to the department proof of the approval of the
7096 forest management plan or farm management (conservation) plan and the filing of the
7097 notice required in subsection B.7.f of this section before recording of the final plat or
7098 short plat; and

7099 h. The notice shall run with the land; and

7100 C. In the R-1 zone, open space tracts created by clustering required by
7101 K.C.C. 21A.12.030 shall be located and configured to create urban separators and
7102 greenbelts as required by the Comprehensive Plan, or subarea plans or open space
7103 functional plans, to connect and increase protective buffers for environmentally sensitive
7104 areas as defined in K.C.C. 21A.06.1065, to connect and protect wildlife habitat corridors
7105 designated by the Comprehensive Plan and to connect existing or planned public parks or
7106 trails. King County may require open space tracts created under this subsection to be
7107 dedicated to an appropriate managing public agency or qualifying private entity such as a
7108 nature conservancy. In the absence of such a requirement, open space tracts shall be
7109 retained in undivided interest by the residents of the subdivision or short subdivision. A
7110 homeowners association shall be established for maintenance of the open space tract.

7111 SECTION 235. Ordinance 11168, section 3, and K.C.C. 21A.30.045 are hereby
7112 amended to read as follows:

7113 **Animal regulations - Livestock - Farm management plans.**

A. To achieve the maximum density allowances using a farm manage~~ment~~ (conservation) plan, the plan must be developed according to the following criteria:

1. The plan must be developed by the King Conservation District, unless the ((~~Livestock Oversight Committee~~))King County Agriculture Commission certifies other qualified persons or companies to prepare such plans.

2. The plan shall require site-specific management measures for minimizing non-point pollution from agricultural activities including but not limited to:

a. livestock watering, wetland and stream corridor management;

b. grazing and pasture management;

c. confinement area management

d. manure management

3. The plan shall be implemented within a timeframe established in the plan and maintained such that non-point pollution attributable to livestock-keeping is minimized.

4. A monitoring plan shall be developed as part of the farm management plan, and implemented to demonstrate no significant impact to water quality and salmonid fisheries habitat. Monitoring data shall be available to the ((~~Livestock Oversight Committee~~))King County Agriculture Commission.

B. Farm management plans (FMPs) shall, at a minimum:

1. Generally seek to achieve a ((~~25~~)) twenty-five-foot buffer of diverse, mature vegetation between grazing areas and the ordinary high water mark of all class 1 and 2 streams and any naturally occurring pond and the wetland edge of any class 1 or 2 wetland on the site, using buffer averaging where necessary to accommodate existing structures. No buffer for class 1 or 2 streams shall be less than 10 feet. The plan must include best

management practices which avoid having manure accumulate in or within 10 ~~feet of~~ class 3 streams; provided that forested lands being cleared for grazing areas shall comply with the sensitive areas ordinance setbacks for class l, 2 and 3 streams and class 1 and 2 wetlands.

2. Assure that drainage ditches on the site do not channel animal waste to such streams and wetlands.

3. Achieve an additional ((~~20~~)) twenty-foot buffer downslope of any confinement areas within ((~~200~~)) two hundred feet of class 1 and 2 streams. This requirement may be waived for existing confinement areas on lots of ((~~2.5~~)) two and one-half acres or less in size if:

a. A minimum buffer of 25 feet of diverse, mature vegetation is achieved;

b. Manure within the confinement area is removed daily during the winter season (October 15 to April 15), and stored ((~~per~~)) in accordance with K.C.C. 21A.30.060D;

c. Additional BMPs, as recommended by the KCD, are implemented and maintained.

4. Include a schedule for implementation.

C. A copy of the final plans shall be provided to the clerk of the council within 60 days of completion.

D. The completed plan may be appealed to the zoning and subdivision examiner pursuant to the provisions of K.C.C. 20.24.080. The appeal must be filed within 30 days of being received by the clerk. Appeals may be filed only by the property owner or four members of the ((~~Livestock Oversight Committee~~))King County Agriculture Commission.

Any plan not appealed shall constitute primae facie evidence of compliance ~~with the~~ regulatory provisions of K.C.C. 9.12.035.

SECTION 236. Ordinance 11168, sections 6 - 8, and K.C.C. 21A.30.064 are hereby amended to read as follows:

Animal regulations - Livestock - Livestock((~~ oversight committee~~)) regulation implementation and monitoring.

A. ((~~Within 90 days of adoption of this ordinance, King County shall establish a Livestock Oversight Committee comprised of representatives from county, state and federal agencies with expertise in the area of water quality and habitat impact of livestock, affected tribes, commercial and hobby farms, consumers and the environmental community. The Livestock Oversight Committee shall have a maximum of eleven members~~))In order to evaluate the effectiveness of county livestock regulations, the King County Agriculture Commission shall appoint an Agriculture Commission Livestock Committee to evaluate emerging livestock husbandry issues to recommend appropriate policies, regulations and support programs.

B. The ((~~Livestock Oversight Committee~~))King County Agriculture Commission shall:

1. ((~~Oversee funding mechanisms and recommend to the county council funding schedules for programs that implement and e~~))Evaluate the effectiveness of farm management plans and management standards, including but not limited to the need for implementation assistance funding, education and monitoring, as provided for in this section;

7182 ((~~2. Monitor and review farm management plans, by watershed basin, for~~
7183 ~~consistency with the objectives of this chapter;~~))
7184 ((~~3~~))2. ((~~Provide guidance regarding changes required~~))Review the
7185 recommendations of the Livestock Committee and the Livestock Interdisciplinary Team
7186 when formulating proposals to ensure that goals of this legislation are being met;
7187 ((~~4. Review the efficacy of performance standards and management measures,~~
7188 ~~and determine how and where they could best be applied in King County; and~~))
7189 ((~~5~~))3. Provide a link between government experts and the livestock owners
7190 who must implement this legislation((~~.~~));
7191 ((~~6~~))4. Certify the use of experts to prepare farm management plans, if a
7192 property owner chooses not to work with the King Conservation District((~~.~~)); and
7193 ((~~7. Recommend to the District the use of additional expertise such as fisheries~~
7194 ~~biologists in the development of farm management plans.~~))
7195 5. Provide recommendations and guidance as necessary to the King County
7196 Agriculture Commission on livestock issues in regards to duties assigned to the
7197 Agriculture Commission.
7198 C. ((~~The Livestock Oversight Committee shall be provided professional staff and~~
7199 ~~experts in the field to ensure that the best information is available to King County council~~
7200 ~~as the elements of the livestock density legislation are implemented, and shall be staffed~~
7201 ~~by the cooperative extension office.~~))The Livestock Committee may make
7202 recommendations to the King County Agriculture Commission regarding the need for
7203 additional funding mechanisms to support implementation of livestock management
7204 practices, and livestock waste management solutions.

((~~D. The Livestock Oversight Committee shall, within 180 days of adoption of Ordinance 11168, make recommendations to the metropolitan King County council as to the need for additional funding mechanisms to support the work of the committee, implementation of livestock management techniques, and livestock waste management solutions.~~))

((~~E~~))D. King County shall utilize as high a percentage of any funds available as possible to provide cost-sharing assistance to farmers in implementation of farm management plans (per K.C.C. 21A.30.050). ((~~The amount to be used for implementation shall be determined by the Livestock Oversight Committee and approved by the metropolitan King County council.~~))Assistance to farmers should be allocated to encourage early implementation, by providing greater support to farmers who participate in the first years of the program, and less support in the out years. If follow-up monitoring or a complaint indicates that enforcement procedures are required, and it is determined that farm management plans have not been implemented, funding will be withdrawn and repayment required.

((~~F~~))E. Monitoring is a critical element in the evaluation of the effectiveness of farm management practices in minimizing non-point pollution in streams and wetlands. ((~~Within 180 days of adoption of Ordinance 11168, the Livestock Oversight Committee~~))As such, the department of natural resources and parks shall develop and implement a management practice monitoring strategy((~~, with the assistance of the King Conservation District, Soil Conservation Service, the metropolitan services department/water quality division, the surface water management division and affected tribes~~)) to identify emerging trends and implementation issues.

((~~G~~))F. King County shall utilize a percentage of any funds raised by one of the mechanisms developed pursuant to this section to monitor farm management plans and management standards, to provide information regarding the efficacy of the management measures being implemented. This information shall be used to demonstrate the value of such plans to other farmers, and shall be reported to the ((~~Livestock Oversight Committee~~))King County Agriculture Commission, for use in development of improved standards for the livestock density legislation.

((~~H. Both the Livestock Oversight Committee and the conservation district shall be subject to audit to determine where performance efficiencies and improvements can be achieved.~~))

SECTION 237. Ordinance 11168, section 14, and K.C.C. 21A.30.075 are hereby amended to read as follows:

Livestock interdisciplinary team((s)). In order to ensure that livestock standards and management plans are customized as much as possible to the stream conditions in each of the various streams, the ((~~county executive~~))King County Agriculture Commission will, in cooperation with the Washington State Department of Fisheries and the Muckleshoot Indian Tribe, the Snoqualmie Indian Tribe, and other affected Indian tribes, establish a livestock interdisciplinary team((~~s~~)) consisting of 3 members((~~ each~~)), with expertise in fisheries, water quality and animal husbandry, to make specific recommendations to the Conservation District and livestock owners adjacent to the streams with regard to buffer needs throughout the parts of each stream which have livestock operations adjoining such streams. The team((~~s~~)) shall take into account the recommendations of the adopted Basin Plans((~~,~~)) and WRIA recommendations, and shall work with the ((~~stream steward for the~~

7251 ~~stream being evaluated~~))department of natural resources and parks to develop ~~the~~
7252 recommendations. The ((~~recommendations~~))findings of the interdisciplinary team shall be
7253 reported to the ((~~Livestock Oversight Committee~~))King County Agriculture Commission,
7254 which shall assist in the dissemination of the recommendations to owners in the basin.
7255 ((~~These teams~~))The team shall work initially on those stream systems in which specific
7256 problems have been identified and are believed to be livestock related((~~: Newaukum~~
7257 ~~Creek, Soos Creek, the Upper Green River and Bear Creek~~)).
7258 SECTION 238. Ordinance 10870, section 583, as amended, and
7259 K.C.C. 21A.39.020 are hereby amended to read as follows:
7260 **UPD permit - Application/review process.** A. King County shall accept an
7261 application for an UPD permit only in areas designated urban by the comprehensive plan
7262 and contained within the boundaries of UPD Special District Overlays designated by a
7263 community plan or comprehensive plan, provided that density transfer from adjacent
7264 rural lands is allowed as provided for in K.C.C. ((~~C~~))chapter 21A.36.
7265 B. A UPD permit application, or modifications of an approved UPD permit
7266 which requires council review, shall be reviewed pursuant to the hearing examiner
7267 process outlined in K.C.C. 21A.42, provided that:
7268 1. The review of the UPD permit application shall not be completed until
7269 applicable sewer and/or water comprehensive utility plans or plan amendments are
7270 identified; and
7271 2. A UPD permit may be processed concurrently with any application for a
7272 subsequent development approval implementing the UPD permit.

7273 C. A processing memorandum of understanding (MOU) shall be adopted
7274 containing any of the following elements:
7275 1. Schedule for processing including timelines for EIS, drainage master plan,
7276 UPD permit hearings, plats or other permits or approvals;
7277 2. Budget for permit processing and review;
7278 3. Establishment of a core UPD review team with one representative from each
7279 county department having a principal UPD permit review role. The department
7280 responsible for coordinating review of the UPD shall enter into memorandums of
7281 understanding with other county departments specifying special tasks and timetables
7282 consistent with the schedule for performance by each department and/or independent
7283 consulting;
7284 4. Retention of a third-party facilitator at the applicant's cost to assist the
7285 county's review;
7286 5. Establishment of baseline monitoring requirements and design parameters
7287 which are to apply under existing law during the UPD application and review process;
7288 6. Final scope for EIS, which shall be adjusted for adopted county substantive
7289 environmental or mitigation requirements which will apply to the UPD permit such as the
7290 sensitive area ordinance, the SWM Manual, road and school adequacy standards, impact
7291 fee or mitigation programs or other adopted standards.
7292 D. The processing MOU shall be completed initially within 90 days after the
7293 request by a UPD permit applicant, unless the county and applicant agree to a different
7294 time. If the county and applicant have not reached agreement within 90 days, then either
7295 may request final resolution of the processing MOU by a committee consisting of the

directors of the departments of ((~~public works~~))transportation, development and environmental services, and natural resources and parks((~~planning and resources~~));

E. UPD Application Form. The county shall prepare an application form consistent with the information required under K.C.C. 21A.39.030, which shall take into account that detailed information which may not be available at the time of the application will be developed through the environmental impact statement and review process.

SECTION 239. Ordinance 13275, section 1, and K.C.C. 21A.55.050 are hereby amended to read as follows:

Demonstration project overlay - rural forest demonstration project. A. The purpose of the rural forest demonstration project is to test techniques to maintain long-term forest uses in areas with a predominant parcel size of significantly less than eighty acres which are located in proximity to residential development. The demonstration project will also provide information and data to assist in the development of King County Comprehensive Plan policies to guide application and refinement of forest protection regulations.

B. Rural Forest demonstration project - designation of project area. The rural forest demonstration project will be implemented on the five hundred ten acre site located east of the Rattlesnake Mountain Scenic Area, as shown in attachment A of Ordinance 13275.

C. Scope of demonstration project - The rural forest demonstration project shall include:

7318 1. Preparation of a forest management plan for the entire demonstration project
7319 site. The forest management plan shall be developed jointly by the department of natural
7320 resources and parks and the property owner with input from the Washington state
7321 Department of Natural Resources, local tribes and citizens, and shall be approved by the
7322 director of the department of natural resources and parks. The forest management plan
7323 shall include:
7324 a. an inventory of existing conditions - current tree species and respective size
7325 ranges, understory composition, sensitive areas, natural and human induced disturbance
7326 regimes and history of ecosystem changes.
7327 b. objectives for forest management including water quality protection, habitat
7328 enhancement, maintenance of scenic areas, surface water management and minimal
7329 impacts to neighbors.
7330 c. a reforestation element consistent with these management objectives
7331 including establishment of stream buffers of one hundred eighty-three feet for Class II
7332 streams with salmonids and one hundred feet for Class III streams.
7333 d. an operation and maintenance element including anticipated harvest
7334 activities.
7335 2. Creation of a dedicated fund of the Uplands Snoqualmie Valley Homeowners
7336 Association the proceeds of which may be expended solely to implement and monitor the
7337 forest management plan. The net proceeds of any harvest of forest products from the
7338 common tracts of the Uplands Snoqualmie Valley shall be deposited in such fund to the
7339 extent necessary to bring the aggregate amount of money in such fund to an amount

reasonably anticipated to be needed to pay the cost of implementing and monitoring the forest management plan for the current and next two calendar years.

3. Creation of a Stewardship Committee of the Uplands Snoqualmie Valley Homeowners Association to implement the forest management plan. The Stewardship Committee shall, in consultation with King County and Washington state Department of Natural Resources: ensure sufficient funding is available for implementation of the forest management plan, hire a qualified forester(((~~s~~))) or foresters to implement the forest management plan and hire qualified staff to monitor implementation of the forest management plan and prepare required reports. King County and the Washington state Department of Natural Resources shall annually inspect the property for compliance with the forest management plan consistent with the terms of the conservation easement and King County shall offer training to the members of the Stewardship Committee on forestry techniques and issues.

4. Application and review of a formal subdivision of forty-one lots, exclusive of common tracts, on the five-hundred-ten-acre site. The subdivision and infrastructure shall be designed to integrate with the forest landscape, including pavement widths no wider than needed to meet safety considerations. A goal of the demonstration project is to test the marketability of these forest lots in a timely manner; to that end, it is a goal of King County to render a decision on the subdivision application within six months of submittal of the application. A priority review process shall be implemented as permitted by K.C.C. 21A.55.010. The department of development and environmental services shall assign a permit coordinator and a project review team to complete review of all aspects of the application, and shall negotiate appropriate fees for the review process with the

7363 applicant. Neither the designation of the site as a demonstration project nor approval of
7364 the forest management plan constitute approval of the subdivision application or in any
7365 way limit King County discretion in SEPA review or application of regulations to the
7366 subdivision application.

7367 5. Dedication or conveyance, upon final plat approval, to King County or a
7368 qualified nonprofit conservation organization of a conservation easement in perpetuity
7369 upon the demonstration project site that prohibits any future subdivision activity;
7370 prohibits all development of the site other than residential development of no more than
7371 forty-one lots; restricts such residential development and associated lawn, landscaped
7372 areas, driveways and fenced areas to an area not to exceed two acres within each lot;
7373 restricts the uses of the remaining nonresidential portion of the site to open space and
7374 forest practices and incidental uses necessary for the residential use on the forty-one lots
7375 such as for roads, access drives (not including on-site driveways) utilities and storm
7376 detention; provides for the dedicated fund as described in K.C.C. 21A.55.050C.2;
7377 requires the owner to exercise its reasonable best efforts to implement the forest
7378 management plan and provides for enforcement of the terms of the conservation
7379 easement first through nonbinding mediation. Adoption of this demonstration project
7380 shall be subject to council review of the conservation easement, a copy of which shall be
7381 provided to the council by August 20, 1998.

7382 6. An inventory of properties within King County with similar characteristics to
7383 the rural forest demonstration project site and an analysis of the potential effects of
7384 development of those properties under the same requirements as the demonstration
7385 project.

7386 D. Scope of authority to modify or waive standards. Application to ~~modify~~ or
7387 waive development standards of K.C.C. Title 21A for this individual development
7388 proposal shall be administratively approved by the director of the department of
7389 development and environmental services and shall be consistent with an approved forest
7390 management plan developed for the entire five hundred ten acre site.

7391 E. The application to modify or waive development standards for this
7392 development proposal shall be evaluated on the merits of the specific proposal. Approval
7393 or denial of a proposed modification or waiver shall not be construed as precedent setting
7394 for elsewhere in the county.

7395 F. Modification or waivers approved pursuant to the rural forest demonstration
7396 project shall be in addition to those modifications or waivers which are currently allowed
7397 by K.C.C. Title 21A. The range of proposed modifications to development regulations
7398 that may be considered pursuant to the rural forest demonstration project shall only
7399 include the following zoning code regulations:

7400 1. Development Standards - Landscaping and Water Use, K.C.C. chapter
7401 21A.16, limited to the following subsections:

7402 a. landscaping - street frontages, K.C.C. 21A.16.050;

7403 b. landscaping - interior lot lines, K.C.C. 21A.16.060; and

7404 c. landscaping - additional standards for required landscape areas, K.C.C.
7405 21A.16.090.

7406 2. Development Standards - Parking and Circulation, K.C.C. chapter 21A.18,
7407 limited to the following subsections:

7408 a. pedestrian and bicycle circulation and access, K.C.C. 21A.18.100; and

7409 b. off-street parking plan design standards, K.C.C. 21A.18.110.

7410 G. Modification or waiver review process

7411 1. Requests for modifications or waivers may only be submitted in relation to a
7412 formal subdivision proposal.

7413 2. Requests shall be:

7414 a. submitted to the department of development and environmental services
7415 prior to or in conjunction with the subdivision application for preliminary approval of a
7416 formal subdivision on the project site; and

7417 b. in writing, along with any supporting documentation. The supporting
7418 documentation must illustrate how the proposed modification meets the criteria of K.C.C.
7419 21A.55.050H.

7420 3. Notice of application, review and approval of proposed modifications or
7421 waivers submitted in conjunction with a formal subdivision application shall be treated as
7422 a Type 2 land use decision. In approving a proposed modification or waiver, the director
7423 must conclude that the criteria for approval set forth in K.C.C. 21A.55.050H have been
7424 met.

7425 4. A preapplication meeting to determine the need for, and the likely scope of, a
7426 proposed modification(s) or waiver(s) shall be required prior to submittal of a
7427 modification request,

7428 5. Administrative appeals of director approved modifications or waivers shall be
7429 combined with consideration of the underlying application for preliminary subdivision
7430 approval.

7431 H. Rural forest demonstration project criteria for modification or waiver
7432 approval. The application must demonstrate how the proposed project, with modifications
7433 or waivers to the code, will be consistent with and implement the approved forest
7434 management plan. This shall be demonstrated by documenting that the development with
7435 modifications or waivers:

7436 1. Enhances the preservation of forestry for resource value, open space, scenic
7437 views and wildlife habitat;

7438 2. Reduces impacts on the natural environment or restores natural functions; and

7439 3. Supports the integration of forest uses and homesites.

7440 I. Rural forest demonstration project - effective period. The forest management
7441 plan shall be developed and a decision on its approval or denial shall be reached no more
7442 than thirty days after designation of the site as a rural forest demonstration project. If the
7443 forest management plan is not approved thirty days after designation as a rural forest
7444 demonstration project, the executive shall propose restoring the site to its prior land use
7445 designations and zoning classifications as part of the 1999 amendments to the King
7446 County Comprehensive Plan. Regulatory modification or waiver applications authorized
7447 by this ordinance shall not be accepted by the department of development and
7448 environmental services after March 1, 1999. Modifications or waivers to the King
7449 County Code contained within an approved development proposal shall be valid as long
7450 as the underlying permit. The rural forest demonstration project shall continue for a
7451 period of five years from the final approval of the subdivision application, with reporting
7452 periods specific to measuring the goals of the forest management plan.

7453 J. Rural forest demonstration project - reports. The director of the department of
7454 natural resources and parks shall submit a report to the council following approval of the
7455 forest management plan evaluating the process used to prepare the forest management
7456 plan, an inventory of other properties which have similar characteristics to the
7457 demonstration project site, the applicability and potential effects of allowing these other
7458 properties to develop under the same requirements as the demonstration project and
7459 recommending any changes that should be made to county policy or regulations to
7460 maintain long term forestry in areas no longer managed for large-scale commercial
7461 forestry. In addition, a report shall be prepared annually by qualified staff retained by the
7462 Stewardship Committee of the Uplands Snoqualmie Valley Homeowners Association or
7463 subsequent management entity of the forest management plan and submitted to the Rural
7464 Forest Commission. The annual reporting shall commence six months following final
7465 approval of the subdivision. The first two annual reports shall describe the annual work
7466 program and budget for implementation of the forest management plan, progress made in
7467 implementing the work program, and success in marketing the homesites. Annual reports
7468 for the subsequent three years shall document the annual budget and continued progress
7469 in implementing the forest management plan, the level of involvement by homeowners in
7470 forest management and any problems in implementation generated by homeowners. The
7471 Rural Forest Commission shall review the annual reports and shall inform the director of
7472 the department of natural resources and parks if it has found that necessary
7473 implementation measures of the forest management plan have not been followed. If so,
7474 and if the director of the department of natural resources and parks determines it is
7475 necessary, the director shall request the Stewardship Committee of the Uplands

Snoqualmie Valley Homeowners Association to take corrective action. If sati~~sfactory~~ action is not taken, the director may invoke the enforcement mechanism of the conservation easement. The annual reports will also provide information for further consideration of changes to county policies or regulations for maintenance of long-term forestry.

SECTION 240. Ordinance 13274, section 4, as amended, and K.C.C. 21A.55.130 are hereby amended to read as follows:

Transfer of development credit (TDC) pilot program - sending sites. A. For the purpose of this chapter, "sending site" means the portion of the parcel or parcels qualified under subsection B of this section. Sending sites shall be maintained in a natural state, except for lands zoned A or F, or lands zoned RA within the rural forest focus areas, proposed public park or trail sites suitable for active or passive recreation or historic sites. Nonresidential uses consistent with the zone may be allowed following the transfer of residential development credits if allowed under the conservation easement.

B. Qualification of a sending site shall demonstrate that the site contains a public benefit such that preservation of that benefit by transferring residential development density to another site is in the public interest.

1. Designation in the King County Comprehensive Plan or a functional plan as an agricultural or forest production district or zoned A or F or lands zoned RA within the rural farm or forest focus area that is not encumbered through King County's development rights purchase program; or

2. Designation in the King County Comprehensive Plan, or a functional plan as a proposed park site, through either:

7499 a. designation of a specific site; or

7500 b. identification of geographic areas of proposed park sites which meet
7501 adopted standards and criteria; or

7502 3.a. A written determination by a public land managing agency, including but
7503 not limited to the King County department of natural resources and parks((~~and~~
7504 ~~recreation, King County department of natural resources~~)), King County office of cultural
7505 resources, a city parks department if a sending site is located within that city's designated
7506 potential annexation area, the Washington state Parks and Recreation Commission or a
7507 private land conservation organization such as The Nature Conservancy, that the sending
7508 site is appropriate for preservation or acquisition as:

7509 (1) open space,

7510 (2) wildlife habitat for federal or state listed endangered or threatened
7511 species, priority or candidate priority species of local importance; or species of local
7512 significance as defined by the King County Comprehensive Plan; or wildlife networks
7513 designated by King County, or Priority Habitats as defined by the state,

7514 (3) urban separators,

7515 (4) regional trail/natural linkages, or

7516 (5) historic landmarks.

7517 b. The agency making the written determination of qualification shall state that
7518 the sending site is appropriate for preservation or acquisition under that agency's rules,
7519 regulations or guidelines and shall state that the proposed form of permanent protection is
7520 acceptable to the agency responsible for managing the sending site once encumbered (i.e.
7521 encumbrance with a conservation easement or fee simple ownership). Following the

encumbrance or dedication of the sending site, the remaining land value may ~~be~~ acquired or accepted by the managing agency.

C. For the purposes of the TDC pilot program, "acquisition" means obtaining fee simple rights in real property, or a less than a fee simple right in a form that preserves in perpetuity the public benefit supporting the designation or qualification of the property as a sending site.

SECTION 241. Ordinance 13274, section 7, and K.C.C. 21A.55.160 are hereby amended to read as follows:

Transfer of development credit (TDC) pilot program - sending site certification and interagency review committee process.

A. An Interagency Review Committee consisting of the directors of the department of development and environmental services((~~,~~)) and the department of natural resources and ((~~the department of~~))parks((~~ and recreation~~)), or their designees, shall be responsible for qualification of sending sites and allocation of residential development credits from sending sites for purposes of transfer and determination of the appropriate agency to hold and enforce the conservation easement. Additional members of the committee to be appointed by the Interagency Review Committee may also include representatives of agencies with jurisdiction in the review of a specific sending site application. Determinations on sending site certifications made by the committee are appealable to the examiner pursuant to K.C.C. 20.24.080. The Committee shall issue a certification letter within three weeks of the date of submittal of a completed sending site certification application.

B. Application for sending site certification shall include:

1. A legal description of the site,

2. A title report,

3. A description of the site resources and public benefit to be preserved,

4. A map of the proposed conservation easement area,

5. Existing dwelling units, submerged lands, regional utility corridors, and unbuildable sensitive areas as defined in K.C.C. 21A.55.150,

6. A completed density calculation worksheet for estimating the number of available development credits, and

7. The application fee consistent with K.C.C. 27.36.020.

SECTION 242. Ordinance 13733, section 10, and K.C.C. 21A.55.210 are hereby amended to read as follows:

Transfer of development credit (TDC) pilot program - TDC bank expenditure and purchase authorization. A. The TDC bank may purchase development credits from qualified sending sites at prices not to exceed fair market value and to sell development at prices not less than fair market value. The TDC bank may accept donations of development credits from qualified TDC sending sites.

B. The TDC bank may use funds to facilitate development credit transfers. These expenditures may include, but are not limited to, establishing and maintaining internet web pages, marketing TDC receiving sites, procuring title reports and appraisals and reimbursing the costs incurred by the department of natural resources and parks, water and land resources ((~~lands and open space section~~))division, or its successor, for administering the TDC bank fund and executing development credit purchases and sales.

7567 C. The TDC bank fund shall not be used to cover the cost of identifyi~~ng and~~
7568 qualifying sending and receiving sites, or the costs of providing staff support for the TDC
7569 interagency review committee or the office of regional policy and planning.

7570 SECTION 243. Ordinance 13733, section 11, and K.C.C. 21A.55.220 are hereby
7571 amended to read as follows:

7572 **Transfer of development credit (TDC) pilot program - administration of**
7573 **TDC bank.** A. The department of natural resources and parks, water and land resources
7574 ((~~lands and open space section~~))division, or its successor, shall administer the TDC bank
7575 fund and execute purchases and sales of development credits in a timely manner
7576 consistent with policy set by the TDC executive board. These responsibilities include,
7577 but are not limited to:

7578 1. Managing the TDC bank fund;

7579 2. Authorizing and monitoring expenditures;

7580 3. Keeping records of the dates, amounts and locations of development credit
7581 purchases and sales;

7582 4. Executing development credit purchases, sales and conservation easements;
7583 and

7584 5. Providing periodic summary reports of TDC bank activity for TDC executive
7585 board consideration.

7586 B. The department of natural resources and parks, water and land resources
7587 ((~~lands and open space section~~))division, or its successor, in executing purchase and sale
7588 agreements for acquisition of development credits shall ensure sufficient values are being

7589 obtained and that all transactions, conservation easements or fee simple acqui~~sitions~~ are
7590 consistent with public land acquisition guidelines.

7591 SECTION 244. Ordinance 13733, section 12, and K.C.C. 21A.55.230 are hereby
7592 amended to read as follows:

7593 **Transfer of development credit (TDC) pilot program - sale of TDC credits by**
7594 **TDC bank.** A. The sale of development credits by the TDC bank shall be at a price that
7595 equals or exceeds the fair market value of the credits. The fair market value of the credits
7596 shall be established by the department of natural resources and parks and shall be based
7597 on the amount the county paid for the development credits and the prevailing market
7598 conditions.

7599 B. When selling development credits, the TDC bank may select prospective
7600 purchasers based on the price offered for the credits, the number of credits offered to be
7601 purchased, and the potential for the sale to achieve the purposes of the TDC program.

7602 C. The TDC bank may sell development credits only in whole or half increments
7603 to incorporated receiving sites through an interlocal agreement. The TDC bank may sell
7604 development credits only in whole increments to unincorporated King County receiving
7605 sites.

7606 D. All offers to purchase development credits from the TDC bank shall be in
7607 writing, shall include a certification that the credits, if used, shall be used only inside an
7608 identified city or within the urban unincorporated area, include a minimum ten-percent
7609 down payment with purchase option, shall include the number of credits to be purchased,
7610 proposed purchase price and the required date or dates for completion of the sale, not

7611 later than one hundred twenty calendar days after the date of receipt by King ~~County~~ of
7612 the purchase offer.
7613 E. Payment for purchase of development credits from the TDC bank shall be in
7614 full at the time the development credits are transferred unless otherwise authorized by the
7615 department of natural resources and parks.
7616 SECTION 245. Ordinance 13733, section 15, and K.C.C. 21A.55.260 are hereby
7617 amended to read as follows:
7618 **Transfer of development credit (TDC) pilot program - TDC executive board**
7619 **-- establishment -- membership -- duties.** A. The TDC executive board is hereby
7620 established. The TDC executive board shall be composed of the director of the budget
7621 office, the director of the department of natural resources and parks, the director of the
7622 department of transportation, ((~~the director of the department of parks and recreation~~))and
7623 the director of the office of regional policy and planning, or their designees. A
7624 representative from the King County council staff, designated by the council chair, may
7625 participate as an ex officio, nonvoting member of the TDC executive board. The TDC
7626 executive board shall be chaired by the director of the office of regional policy and
7627 planning or that director's designee.
7628 B. The issues that may be addressed by the executive board include, but are not
7629 limited to, using site evaluation criteria established by administrative rules, ranking and
7630 selecting sending sites to be purchased by the TDC bank, recommending interlocal
7631 agreements and the provision of TDC amenities, if any, to be forwarded to the executive,
7632 identifying future funding for amenities in the annual budget process, enter into other
7633 written agreements necessary to facilitate density transfers by the TDC bank and

7634 otherwise oversee the operation of the TDC bank to measure the effectiveness ~~in~~
7635 achieving the policy goals of the TDC pilot program established in Ordinance 13274.
7636 C. The office of regional policy and planning shall provide lead staff support to
7637 the TDC executive board. Staff duties include, but are not limited to:
7638 1. Making recommendations to the TDC executive board on TDC program and
7639 TDC bank issues on which the TDC executive board must take action;
7640 2. Facilitating development credit transfers through marketing and outreach to
7641 the public, community organizations, developers and cities;
7642 3. Identifying potential receiving sites;
7643 4. Developing proposed interlocal agreements with cities;
7644 5. Assisting in the implementation of TDC executive board policy in
7645 cooperation with other departments;
7646 6. Ranking certified sending sites for consideration by the TDC executive
7647 board;
7648 7. Negotiating with cities to establish city receiving areas with the provision of
7649 amenities;
7650 8. Preparing agendas for TDC executive board meetings;
7651 9. Recording TDC executive board meeting summaries;
7652 10. Preparing administrative rules in accordance with K.C.C. chapter 2.98 to
7653 implement this chapter; and
7654 11. Preparing annual reports on the progress of the TDC program to the council
7655 with assistance from other departments.

7656 SECTION 246. Ordinance 13263, section 3, and K.C.C. 23.02.010 are ~~hereby~~
7657 amended to read as follows:
7658 **Definitions.** The words and phrases designated in this section shall be defined for
7659 the purposes of this title as follows:
7660 A. Abate. "Abate" means to take whatever steps are deemed necessary by the
7661 director to return a property to the condition in which it existed before a civil code
7662 violation occurred or to assure that the property complies with applicable code
7663 requirements. Abatement may include, but is not limited to, rehabilitation, demolition,
7664 removal, replacement or repair.
7665 B. Civil code violation. "Civil code violation" means and includes an act or
7666 omission contrary to:
7667 1. Any ordinance, resolution, regulation or public rule of the county that
7668 regulates or protects the public health or the use and development of land or water,
7669 whether or not such ordinance, resolution or regulation is codified; and/or
7670 2. The conditions of any permit, notice and order or stop work order issued
7671 pursuant to any such ordinance, resolution, regulation or public rule.
7672 C. Director. "Director" means, depending on the code violated:
7673 1. The director of the department of development and environmental services;
7674 2. The director of the Seattle-King County department of public health (the
7675 "local health officer" as that term is used in chapter 70.05 RCW);
7676 3. The director of the department of natural resources and parks;
7677 4. The director of any other county department authorized to enforce civil code
7678 compliance;

7679 5. Authorized representatives of a director, including but not limited ~~to, the~~
7680 compliance officers and inspectors whose responsibility includes the detection and
7681 reporting of civil code violations; and/or
7682 6. Such other person as the council shall by ordinance authorize to utilize the
7683 provisions of this title.
7684 D. Hearing examiner. "Hearing examiner" means the King County hearing
7685 examiner, as provided in K.C.C. chapter 20.24.
7686 E. Mitigate. "Mitigate" means to take measures, subject to county approval, to
7687 minimize the harmful effects of the violation where remediation is either impossible or
7688 unreasonably burdensome.
7689 F. Permit. "Permit" means any form of certificate, approval, registration, license
7690 or any other written permission issued by King County. All conditions of approval, and
7691 all easements and use limitations shown on the face of a approved final plat map which
7692 are intended to serve or protect the general public are deemed conditions applicable to all
7693 subsequent plat property owners and their tenants and agents as permit requirements
7694 enforceable under this title.
7695 G. Person. "Person" means any individual, association, partnership, corporation
7696 or legal entity, public or private, and the agents and assigns of such individual,
7697 association, partnership, corporation or legal entity.
7698 H. Person responsible for code compliance. "Person responsible for code
7699 compliance" means the person who caused the violation, if that can be determined, and/or
7700 the owner, lessor, tenant or other person entitled to control, use and/or occupy property
7701 where a civil code violation occurs.

7702 I. Remediate. "Remediate" means to restore a site to a condition that complies
7703 with sensitive area or other regulatory requirements as they existed when the violation
7704 occurred; or, for sites that have been degraded under prior ownerships, restore to a
7705 condition which does not pose a probable threat to the environment or to the public
7706 health, safety or welfare.

7707 J. Resolution. "Resolution" for purposes of this title means any law enacted by
7708 resolution of the board of county commissioners prior to the establishment of the charter,
7709 or any health rule adopted by resolution of the board of health.

7710 K. Public rule. "Public rule" means any rule properly promulgated to implement
7711 code provisions.

7712 SECTION 247. Ordinance 13263, section 13, and K.C.C. 23.02.120 are hereby
7713 amended to read as follows:

7714 **Training and rulemaking.** A. In order to ensure strict conformity with the
7715 constraints on entry imposed by state and federal law and to assure that county
7716 employees deal with the public in a manner which respects the rights of private property
7717 owners, the directors of the department of development and environmental services,
7718 natural resources and parks and other departments, as needed, shall develop and adopt
7719 internal procedures, protocols and training programs governing the conduct of searches
7720 by code compliance officers which shall be issued within nine months of the adoption of
7721 Ordinance 13263.

7722 B. Each department operating under this chapter shall adopt procedures to
7723 implement the provisions of Ordinance 13263, and specifically the guidelines set out in

7724 this chapter describing reasonable and appropriate protocols for investigating ~~code~~
7725 violations.

7726 SECTION 248. Ordinance 13659, section 2, and K.C.C. 27.02.085 are hereby
7727 amended to read as follows:

7728 **Drainage defect and maintenance financial guarantee program fees.** A
7729 minimum of one hour's fee shall be charged by the departments of natural resources and
7730 parks and transportation for any financial guarantee work performed by those
7731 departments related to storm water drainage and roadway improvements. The fee shall
7732 be less than or equal to the department of development and environmental service's
7733 current hourly rate.

7734 SECTION 249. Ordinance 12020, section 13, and K.C.C. 27A.30.020 are hereby
7735 amended to read as follows:

7736 **Financial guarantees-form and amount.** Financial guarantees shall be in a form
7737 approved by the director, in consultation with the department of ((~~public works~~))natural
7738 resources and parks, department of transportation, the prosecuting attorney's office, and
7739 other affected agencies. The amounts of the financial guarantees shall be based on the
7740 schedules appropriate to the required work which are updated on a periodic and frequent
7741 basis to ensure that the amount fully captures likely costs. Financial guarantees shall also
7742 require a contingency in an amount to be determined by the director.

7743 SECTION 250. Ordinance 12020, section 16, and K.C.C. 27A.30.050 are hereby
7744 amended to read as follows:

7745 **Scheduling of final performance, maintenance, and defect inspections.** The
7746 department shall be responsible for scheduling final performance, and maintenance and

defects inspections. The department should schedule such inspections approximately forty-five days prior to expiration of the performance or maintenance period. If necessary to determine completion of performance, additional inspections should also be made after the expiration of the performance period. Periodic inspections may also be made at the discretion of the director of the department of development and environmental services, ((~~or~~))the director of the department of ((~~public works~~))natural resources and parks or the director of the department of transportation.

SECTION 251. Ordinance 11034, section 3 (part), as amended, and K.C.C. 28.82.210 are hereby amended to read as follows:

Department. Department shall mean the department of natural resources and parks.

SECTION 252. Ordinance 11034, section 3 (part), as amended, and K.C.C. 28.82.220 are hereby amended to read as follows:

Director. Director shall mean the director of the department of natural resources and parks of King County or a duly authorized designee.

SECTION 253. Ordinance 13680, section 16, and K.C.C. 28.86.160 are hereby amended to read as follows:

Financial policies (FP). A. Under the provisions of the King County Charter and RCW 35.58.200, these financial policies are hereby adopted and declared to be the principal financial policies of the comprehensive water pollution abatement plan for King County, adopted by the Municipality of Metropolitan Seattle (Metro) in Resolution No. 23, as amended, and the RWSP, a supplement to the plan.

B. Explanatory material.

1. Financial forecast and budget. Policies FP-1 through FP-7 are int~~ended~~ to guide the county in the areas of prudent financial forecasting and budget planning and are included to ensure the financial security and bonding capacity for the wastewater system. This set of policies also addresses the county's legal and contractual commitments regarding the use of sewer revenues to pay for sewer expenses.

2. Debt financing and borrowing. Policies FP-8 through FP-11 are intended to guide the county in financing the wastewater system capital program. These policies direct that capital costs be spread over time to keep rates more stable for ratepayers by the county issuing bonds. A smaller share of annual capital costs will be funded directly from sewer revenues and capacity charges.

3. Collecting revenue. Policies FP-12 through FP-14 are intended to guide King County in establishing annual sewer rates and approving wastewater system capital improvement and operating budgets. Monthly sewer rates, which are the primary source of revenue for the county's regional wastewater system, are to be uniformly assessed on all customers. Customers with new connections to the wastewater system will pay an additional capacity charge. The amount of that charge is set by the council, within the constraints of state law.

4. Community treatment systems. Policy FP-15 is intended to guide the county in the financial management of community treatment systems.

C. Policies.

1. Financial forecast and budget.

FP-1: The county shall maintain for the wastewater system a multiyear financial forecast and cash-flow projection of six years or more, estimating service growth,

7793 operating expenses, capital needs, reserves and debt service. The financial fo~~recast~~ shall
7794 be submitted by the executive with the annual sewer rate ordinance.
7795 FP-2: If the operations component of the proposed annual wastewater system
7796 budget increases by more than the reasonable cost of the addition of new facilities,
7797 increased flows, new programs authorized by the council, and inflation, or if revenues
7798 decline below the financial forecast estimate, a feasible alternative spending plan shall be
7799 presented, at the next quarterly budget report, to the council by the executive identifying
7800 steps to reduce cost increases. The executive shall maintain an ongoing program of
7801 reviewing business practices for savings and efficiencies; the results shall be reported in
7802 the annual budget submittal.
7803 FP-3: The county shall maintain for the wastewater system a prudent minimum
7804 cash balance for reserves, including but not limited to, cash flow and potential future
7805 liabilities. The cash balance shall be approved by the council in the annual sewer rate
7806 ordinance.
7807 FP-4: Unless otherwise directed by the council by motion, the King County
7808 department of natural resources and parks shall charge a fee that recovers all direct and
7809 indirect costs for any services related to the wastewater system provided to other public
7810 or private organizations.
7811 FP-5: Water quality improvement activities, programs and projects, in addition to
7812 those that are functions of sewage treatment, may be eligible for funding assistance from
7813 sewer rate revenues after consideration of criteria and limitations suggested by the
7814 metropolitan water pollution abatement advisory committee, and, if deemed eligible,
7815 shall be limited to one and one half percent of the annual wastewater system operating

7816 budget. An annual report on activities, programs and projects funded will be ~~made to~~ the
7817 RWQC. This policy shall remain in effect until such time as a financial plan for the
7818 surface water regional needs assessment is adopted and implemented.

7819 FP-6: The calculation of general government overhead to be charged to the
7820 wastewater system shall be based on a methodology that provides for the equitable
7821 distribution of overhead costs throughout county government. Estimated overhead
7822 charges shall be calculated in a fair and consistent manner, utilizing a methodology that
7823 best matches the estimated cost of the services provided to the actual overhead charge.
7824 The overall allocation formula and any subsequent modifications will be reported to the
7825 RWQC.

7826 FP-7: The assets of the wastewater system are pledged to be used for the
7827 exclusive benefit of the wastewater system including operating expenses, debt service
7828 payments, asset assignment and the capital program associated therewith. The system
7829 shall be fully reimbursed for the value associated with any use or transfer of such assets
7830 for other county government purposes. The executive shall provide reports to the RWQC
7831 pertaining to any significant transfers of assets for other county government purposes in
7832 advance of and subsequent to any such transfers.

7833 2. Debt financing and borrowing.

7834 FP-8: The county shall structure bond covenants to ensure a prudent budget
7835 standard.

7836 FP-9: King County should structure the term of its borrowings to match the
7837 expected useful life of the assets to be funded.

7838 FP-10: The wastewater system's capital program shall be financed pre~~dominantly~~
7839 by annual staged issues of long-term general obligation or sewer revenue bonds, provided
7840 that:

7841 All available sources of grants are utilized to offset targeted program costs;

7842 Funds available after operations and reserves are provided for shall be used for
7843 the capital program; excess funds accumulated in reserves may also be used for capital;

7844 Consideration is given to competing demands for use of the county's overall
7845 general obligation debt capacity; and

7846 Consideration is given to the overall level of debt financing that can be sustained
7847 over the long term given the size of the future capital programs, potential impacts on
7848 credit ratings, and other relevant factors such as intergenerational rate equity and the
7849 types of projects appropriately financed with long-term debt.

7850 FP-11: To achieve a better maturity matching of assets and liabilities, thereby
7851 reducing interest rate risk, short-term borrowing shall be used to fund a portion of the
7852 capital program, provided that:

7853 Outstanding short-term debt comprises no more than fifteen percent of total
7854 outstanding revenue bonds and general obligation bonds; and

7855 Appropriate liquidity is available to protect the day-to-day operations of the
7856 system.

7857 3. Rates - sewer rates and capacity charge.

7858 FP-12: Existing and new sewer customers shall each contribute to the cost of the
7859 wastewater system. To implement this policy, rate and capacity charge methodology will
7860 be adopted by the council, after consultation with the RWQC, consistent with state law.

7861 a. King County shall maintain a uniform monthly sewer rate expressed as
7862 charges per residential customer equivalent for all customers. Costs of infrastructure
7863 improvements for new customers shall be recovered by a capacity charge.
7864 b. King County shall pursue changes in state law to attain greater flexibility in
7865 setting capacity charges. In 2000 King County shall seek to achieve the authority to set
7866 such charges locally, in the same manner granted to cities and towns. Within six months
7867 of achieving the authority to set such charges locally, the executive shall propose for
7868 consideration by the council, after consultation with the RWQC, explicit policies for
7869 setting the capacity charge including recommendations to achieve growth paying for
7870 growth. Upon implementation of these explicit policies, the Seattle combined sewer
7871 overflow benefit charge shall be discontinued.
7872 c. The executive shall propose and the council adopt, after consultation with
7873 the RWQC, explicit policies for the setting of customer monthly sewer rates;
7874 d. King County shall charge its customers sewer rates sufficient to cover the
7875 costs of constructing and operating its wastewater system. Revenues shall be sufficient to
7876 maintain capital assets in sound working condition, providing for maintenance and
7877 rehabilitation of facilities so that total system costs are minimized while continuing to
7878 provide reliable, high quality service and maintaining high water quality standards. The
7879 executive, in consultation with the RWQC, shall propose for council adoption policies to
7880 ensure adequate debt service coverage and emergency reserves are established and
7881 periodically reviewed;
7882 e. Based on an analysis of residential water consumption, as of December 13,
7883 1999, King County uses a factor of seven hundred fifty cubic feet per month to convert

7884 water consumption of volume-based customers to residential customer equivalents for
7885 billing purposes. King County shall periodically review the appropriateness of this factor
7886 to ensure that all accounts pay their fair share of the cost of the wastewater system;
7887 f. King County should attempt to adopt a multiyear sewer rate to provide stable
7888 costs to sewer customers. If a multiyear rate is established and when permitted upon the
7889 retirement by the county of certain outstanding sewer revenue bonds, a rate stabilization
7890 reserve account shall be created to ensure that adequate funds are available to sustain the
7891 rate through completion of the rate cycle. An annual report on the use of funds from this
7892 rate stabilization account shall be provided annually to the RWQC; and
7893 g. King County should periodically review the capacity charge to ensure that
7894 the true costs of system expansion are reflected in the assessed charge. All reasonable
7895 steps should be taken to coordinate fee assessments and accounting with component
7896 agencies to reduce redundant program overhead costs.
7897 FP-13: The executive shall prepare and submit to the council a report in support
7898 of the proposed monthly sewer rates for the next year, including the following
7899 information:
7900 Key assumptions: key financial assumptions such as inflation, bond interest rates,
7901 investment income, size and timing of bond issues, and the considerations underlying the
7902 projection of future growth in residential customer equivalents;
7903 Significant financial projections: all key projections, including the annual
7904 projection of operating and capital costs, debt service coverage, cash balances, revenue
7905 requirements, revenue projections and a discussion of significant factors that impact the
7906 degree of uncertainty associated with the projections;

7907 Historical data: a discussion of the accuracy of the projections of costs ~~and~~
7908 revenues from previous recent budgets, and
7909 Policy options: calculations or analyses, or both, of the effect of certain policy
7910 options on the overall revenue requirement. These options should include alternative
7911 capital program accomplishment percentages (including a ninety percent, a ninety-five
7912 percent and a one hundred percent accomplishment rate), and the rate shall be selected
7913 that most accurately matches historical performance in accomplishing the capital program
7914 and that shall not negatively impair the bond rating.
7915 FP-14. Expenditures from the wastewater revenues to correct water pollution
7916 problems caused by septic systems shall occur only if such expenditures financially
7917 benefit wastewater system current customers when the additional monthly sewer rate
7918 revenues from these added customers are considered.
7919 FP-15: The cost of community treatment systems developed and operated in
7920 accordance with WWSP-15 would not be subsidized by the remaining ratepayers of the
7921 county's wastewater treatment system.
7922 SECTION 254. Ordinance 13680, section 18, and K.C.C. 28.86.180 are hereby
7923 amended to read as follows:
7924 **Implementation.** A. The executive is hereby directed to prepare and recommend
7925 to the council an operational master plan that meets the requirements of K.C.C. chapter
7926 4.04. If any portion of the proposed operational master plan is inconsistent with the
7927 RWSP policies contained in this chapter, the executive shall submit at the same time a
7928 proposed ordinance amending the affected policies.

7929 B. The operational master plan shall contain the following major ele~~ments~~ and
7930 shall further define as necessary the major projects, projected capacity, projected
7931 completion dates and estimated costs referenced in this chapter. The operational master
7932 plan shall include a schedule and milestones for completion of the north treatment plant
7933 by 2010 and a schedule and milestones for completion of the North Lake Interceptor as a
7934 tunnel by 2006 or sooner if possible.

7935 1. Treatment capacity. Population and employment growth is projected to
7936 require the wastewater system capacity to expand from two hundred forty-eight mgd to
7937 three hundred four mgd by 2030. The estimated costs of treatment facilities to achieve
7938 this expanded capacity by 2030 is two hundred seventy-seven million dollars 1998 net
7939 present value. The expanded capacity shall be provided by:

7940 a. constructing a new north treatment plant on a site large enough to
7941 accommodate ultimate plant build out in north King County or south Snohomish county
7942 with a capacity of thirty-six mgd by 2010 or as soon thereafter as possible to handle
7943 wastewater flows from a new north service area defined in the plan. This plant would
7944 provide secondary treatment and would discharge treated effluent to Puget Sound. To
7945 facilitate the production of reclaimed water, the possibility of upgrading to tertiary
7946 treatment with a freshwater outfall should be investigated during the initial phase of
7947 construction and subsequent expansions;

7948 b. expanding the treatment capacity at the south treatment plant from one
7949 hundred fifteen mgd to one hundred thirty-five mgd by 2029. This expansion would
7950 handle increased wastewater flows from the southern and eastern portions of the service
7951 area. Some or all of the plant's capacity could also be upgraded to tertiary treatment, to

meet water quality standards or facilitate water reuse, as part of future expansions or in addition to the secondary level of treatment using available land reserves at the plant site; and

c. maintaining the west treatment plant at its capacity of one hundred thirty-three mgd primarily to serve the city of Seattle and handle flows from the combined sewers in the area. Additional facilities should be planned in the year 2018 to accommodate the extended peak CSO flows that will occur after storms once CSO control projects are constructed.

2. Conveyance facilities.

a. The conveyance facilities are to be configured, sized and scheduled to support the treatment plants by conveying wastewater to and treated effluent from the plants. The estimated costs of conveyance facilities is five hundred eighty-two million dollars 1998 net present value. Major projects, with the estimated date the facility will be on line, should include:

Parallel East Side Interceptor Section -1 (2000)

Increase York Pump Station capacity to sixty-eight mgd (2000)

Parallel Auburn Interceptor Sections 1, 2((,)) & 3 (2004)

Construct six million gallons of off-line storage at North Creek (2002)

Construct North Lake Interceptor and pump station to extend from the McAleer/Lyon Trunk to the Kenmore Pump Station sized to create ten million gallons of storage (2006 or sooner if possible)

Construct forcemain from new Kenmore Pump Station to North treatment plant (2010)

Construct one hundred twenty mgd pump station at Kenmore to pump ~~to North~~ treatment plant (2010)

Construct tunnel from North treatment plant to Puget Sound, sized to accommodate ultimate plant buildout (2010)

Construct North treatment plant outfall, sized to accommodate ultimate plant buildout (2010)

Construct three to five million gallons of storage at south treatment plant to achieve a five-year design storm standard of protection for the Effluent Transfer System (2030)

Construct Auburn Interceptor Storage (2020)

Increase North Creek Pump Station to fifty mgd (2016)

Modify York Pump Station to pump thirty-five mgd north (2016)

Construct force main to convey flows from North Creek to Kenmore Pump Station (2016)

b. King County will construct additional conveyance improvements (e.g., increasing conveyance and pump station capacity and extending conveyance) to accommodate increased flows in other parts of the service area to serve population growth in the smaller wastewater service basins and to prevent improper discharges from the sanitary system.

Extending the county's ownership of conveyance policy into Snohomish county will increase the amount of conveyance owned and operated by King County. The assessment of this extension will be done and presented to the King County council and

7997 may include, but not be limited to, the Swamp Creek and North Creek Interceptors
7998 currently owned and operated by the Alderwood Water and Sewer District.

7999 3. I/I. The estimated cost for assessing the levels of I/I in local sewer systems is
8000 sixteen million dollars and the estimated costs of pilot projects is fifteen million dollars,
8001 both in 1998 net present value.

8002 4. CSOs.

8003 a. CSO projects shall be prioritized based on first controlling discharges that
8004 impact bathing beaches and species listed under ESA. The second priority is other CSO
8005 locations that have the potential to affect public health and safety. Third priority are all
8006 other CSO locations. The estimated cost for CSO control projects is two hundred twenty
8007 million dollars, 1998 net present value. These project areas should be completed on the
8008 following schedule:

8009 Priority	Project areas and projects	Completion
8010 period		
8011 1	Puget Sound beaches	2009-2011
8012	Norfolk 0.8 million gallon (MG) storage tank	
8013	South Magnolia 1.3 MG storage tank	
8014	SW Alaska 0.7 MG storage tank	
8015	Murray 0.8 MG storage tank	
8016	Barton Pump Station (PS) Upgrade	
8017	North Beach storage tank & PS upgrade	
8018 2	Lake Washington ship canal, east side	2015
8019	University/Montlake 7.5 MG storage tank	

8020	3	Duwamish River and Elliott Bay shoreline	2017-2027
8021		Hanford #2 3.3 MG storage/treatment tank	
8022		Lander 1.5 MG storage/treatment tank	
8023		Michigan 2.2 MG storage/treatment tank	
8024		Brandon 0.8 MG storage/treatment tank	
8025		Chelan 4.0 MG storage tank	
8026		Connecticut 2.1 MG storage/treatment tank	
8027		King Street conveyance to Connecticut	
8028		Hanford at Rainier 0.6 MG storage tank	
8029		8th Ave. S 1.0 MG storage tank	
8030		W Michigan conveyance expansion	
8031		Terminal 115 0.5 MG storage tank	
8032	4	Lake Washington ship canal, west side	2029-2030
8033		Ballard 1.0 MG storage tank	
8034		3rd Ave W 5.0 MG storage tank	
8035		11th Ave NW 2.0 MG storage tank	
8036	Other	West treatment plant - primary and secondary	
8037		treatment enhancements to handle increased	
8038		flows from CSO projects	2018

8039 b. The CSO projects may include:

8040 (1) constructing large underground tanks and tunnels to store combined flows
8041 during storms. These flows would then be pumped to the west treatment plant once the
8042 rain subsides; and

8043 (2) treating the combined sewage at existing CSO outfall locations ~~using~~
8044 technology to remove solids and disinfect the combined sewage before discharge.
8045 Refinements to the CSO program may be required in response to changing
8046 conditions and new information. The listing of species under the ESA may affect project
8047 priorities, schedule and associated mitigation options.
8048 5. Biosolids.
8049 a. King County will continue to produce Class B biosolids using anaerobic
8050 digestion at the south and west treatment plants and to implement the same process at the
8051 north treatment plant until a new technology can be used reliably. The plan also proposes
8052 that the county continue to evaluate alternative technologies to reduce the water content
8053 of biosolids while preserving their marketability. The primary objective of this
8054 evaluation will be to identify alternatives to digesters at the west treatment plant, a
8055 condition of the West Point Settlement Agreement.
8056 As part of planning for the north treatment plant, King County should evaluate
8057 conventional, alternative and new solids processing technologies using criteria such as
8058 product quality (class A or B), marketability, odor and other potential community
8059 impacts, impact on sewer rates, reliability of the treatment process, amount of land
8060 needed for the treatment facility and the number of truck trips needed to transport the
8061 biosolids produced. Based on the results of this evaluation and public comment, the
8062 executive should recommend one of three biosolids handling scenarios at any or all of the
8063 treatment plants:
8064 (1) continue using anaerobic digestion;
8065 (2) supplement anaerobic digestion with another treatment technology; or

8066 (3) replace anaerobic digestion with another treatment technology.

8067 b. The estimated costs for the expanded solids handling facilities needed at
8068 both the new north treatment plant and the south treatment plant are eighty-five million
8069 dollars net present value.

8070 c. The county should continue using a public-private partnership approach to
8071 recycling biosolids such as using biosolids on working forests in King County to enhance
8072 wildlife habitat and generate long-term income from selective timber harvests.

8073 6. Water reuse program. The south and west treatment plants should continue to
8074 produce reclaimed water for nonpotable uses and explore the production of reclaimed
8075 water at new facilities. The work plan for the water reuse program is to be prepared no
8076 later than twelve months from the adoption of the RWSP. King County will work with
8077 water suppliers to plan and implement an accelerated water reuse program that could
8078 augment existing water supplies.

8079 If a public education and involvement program on water reuse is to be developed
8080 and implemented, it shall be coordinated with water conservation education programs.
8081 The estimated cost to evaluate potential future uses of reclaimed water and conduct pilot
8082 studies and demonstration projects is twenty million dollars net present value.

8083 7. Community treatment systems.

8084 a. Any operations under these policies shall require an operational master plan
8085 as described in K.C.C. 4.04.200 C.1. Failure to submit such a plan shall cause the
8086 affected capital improvement project to be out of compliance with these policies.

8087 b. In addition to the requirements of K.K.C. 4.04.200 C.1 an operational
8088 master plan submitted under these policies shall include:

8089 (1) description of career retention programs that are to be structure~~d in a~~
8090 manner consistent with the King County/Metro merger, labor law and King County's
8091 labor contracts;
8092 (2) an engineering evaluation that confirms that the selected projects are most
8093 cost effective and technically efficacious and consistent with King County growth
8094 management policies for the surrounding area; and
8095 (3) explanation of how King County participation in community treatment
8096 systems is consistent with other water pollution abatement activities of the department of
8097 natural resources and parks, which currently operates centralized wastewater treatment
8098 facilities as contrasted with community treatment systems.
8099 C. The executive is hereby authorized to begin implementation of the RWSP
8100 pursuant to the 1999 capital improvement program appropriation. Implementation
8101 beyond 1999 may proceed, provided that there is an approved operational master plan
8102 and the six-year capital improvement plan is updated in the 2000 adopted budget to
8103 reflect the adopted RWSP.
8104 SECTION 255. Ordinance 5292, section 5, and K.C.C. 46.04.040 are hereby
8105 amended to read as follows:
8106 **RCW 46.61.415-1 amended - Speed limit revisions.** RCW 46.61.415-1 is
8107 amended as follows:
8108 Speed limit revisions.
8109 A. The director of the department of ((~~public works and~~))transportation is
8110 empowered to revise existing speed limits on all streets and roads within this county as
8111 authorized by state law; provided, that such speed limit revisions shall not exceed ten

8112 miles per hour; provided further, that any determination of the proper numerical value for
8113 a speed zone will be based upon the following engineering and traffic investigation
8114 factors:
8115 1. Road surface characteristics, shoulder conditions, grade, alignment and sight
8116 distance;
8117 2. The eighty-five percentile speed and pace speed;
8118 3. Roadside development and culture, and roadside friction;
8119 4. Safe speed for curves or hazardous locations within the zone;
8120 5. Parking practices and pedestrian activity;
8121 6. Reported accident experience for a recent twelve-month period.
8122 B. Action of the director of the department of ((~~public works and~~))transportation
8123 in any speed limit revisions may be appealed by a person to the King County council
8124 provided the appeal is filed in writing within thirty calendar days from the date of posting
8125 of speed zone.
8126 SECTION 256. Based upon the preliminary review of the Properties Expert
8127 Review Task Force (PERT), thoughtful consideration of capital asset management,
8128 planning, retention and disposition needs to occur in a comprehensive manner. Past
8129 reorganizations have resulted in the unintended consequence of a property management
8130 system that is not sufficiently integrated countywide. Deliberative study and thoughtful
8131 implementation of an organizational structure is needed in order to achieve the goals
8132 required by county policymakers.
8133 In consideration of this review, the executive shall prepare and submit a report to
8134 the council on the organization of the facilities management division of the department of

executive services by May, 2002. This report shall identify different organizational structures, including but not limited to, splitting the building services section from the asset management and development sections, creating two separate divisions, and integrating other like functions into the asset management and development section. Criteria for evaluation of proposed models shall include, but not be limited to, cost efficiencies; management oversight; development of decision making models for policy

8141 makers; effective and strategic planning for buildings and land assets and overall

8142 coordination of other related services.

8143 SECTION 257. Sections 9 through 255 of this ordinance take effect on January 1,

8144 2002.

8145

Ordinance 14199 was introduced on 5/21/01 and passed as amended by the Metropolitan King County Council on 9/4/01, by the following vote:

Yes: 9 - Mr. von Reichbauer, Ms. Miller, Mr. Phillips, Mr. Pelz, Mr. McKenna, Ms. Sullivan, Mr. Nickels, Mr. Gossett and Mr. Irons
No: 2 - Mr. Pullen and Mr. Thomas
Excused: 2 - Ms. Fimia and Ms. Hague

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Pete von Reichbauer, Chair

ATTEST:

Janet Masse Deputy Clerk for

Anne Noris, Clerk of the Council

APPROVED this 12 day of September, 2001

Ron Sims, County Executive

Attachments None