



## City Ordinances Archive

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**ORDINANCE NO. 94-1001**

AN ORDINANCE of the City Council of the City of SeaTac, Washington adopting an interim transportation plan element of the City's comprehensive plan with exceptions

**WHEREAS**, pursuant to the Washington State Growth Management Act, the City is required to develop and adopt a comprehensive land use plan, which plan is to include a transportation plan element; and,

**WHEREAS**, the City of SeaTac has had a draft transportation Plan developed for consideration; and,

**WHEREAS**, after public hearings to consider the draft interim transportation plan element, the Planning Commission of the City of SeaTac recommended to the City Council adoption of the developed transportation plan element.

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

1. That the draft interim transportation plan element of the City's interim comprehensive land use plan is adopted, and that a full and complete copy of the transportation plan element shall be on file with the office of the City Clerk. It is provided, however, that the three (3) intersections located at South 188th Street & International Boulevard, South 200th Street & International Boulevard, and South 188th Street & I-5 southbound ramps, all located within the City, shall be excepted from the desired Level of Service (LOS "E") set forth in the Transportation Plan because the City Council determines and finds that the LOS "E" improvements are not desirable, feasible or cost effective.

2. That this ordinance shall be in full force and affect thirty (30) days after publication of the ordinance summary, as required by law.

**ADOPTED** this 11th day of January, 1994, and signed in authentication thereof on this 11th day of January, 1994.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

**Approved as to Form:**

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Daniel B. Heid, City Attorney



**ORDINANCE NO. 94-1002**

AN ORDINANCE of the City Council of the City of SeaTac, Washington creating a new chapter 11.10 of the SeaTac Municipal Code, establishing a transportation impact fee service area, imposing impact fees therein to finance part of the costs of improvements to serve new development, providing for the disposition of such impact fees, and establishing an appeal process, and creating a new Section 3.75.010 of the SeaTac Municipal Code establishing the transportation impact fee fund

**WHEREAS**, pursuant to the Washington State Growth Management Act (The Act), the City is required to develop and adopt a comprehensive land use plan; and,

**WHEREAS**, the City has adopted an comprehensive land use plan pursuant to Chapter 35A.63 of the Revised Code of Washington; and,

**WHEREAS**, the City is working to develop and update its interim plan, and is working towards adoption of the city wide comprehensive land use plan to meet the requirements of the Act; and,

**WHEREAS**, as part of this process, the City has had an interim transportation plan element developed that can be adopted as a part of the City's comprehensive land use plan; and,

**WHEREAS**, the interim transportation plan identifies deficiencies in public transportation facilities in the City which serve existing development and identifies the means in which such deficiencies could be eliminated within a reasonable period of time, and has further identified additional demands placed on existing public facilities, new development and additional public facility improvements required to serve new development; and,

**WHEREAS**, the Act authorizes the City to impose impact fees on the development activity as a part of the financing for public facilities identified in the interim comprehensive transportation plan; and,

**WHEREAS**, in order to promote the orderly growth and development within the City, it is appropriate to require that new growth and development pay a proportionate share of the costs of new public facilities needed to serve the new growth and development and to insure a fair and predictable method for allocating the share of the cost of such new public facilities, and the City Council determines that it is in the best interests of the City to impose impact fees on development activities.

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

1. That a new chapter 11.10 of the SeaTac Municipal Code, providing for transportation impact fees, is established to read as follows:

**Chapter 11.10****TRANSPORTATION IMPACT FEES****11.10.010 TRANSPORTATION IMPACT FEES ESTABLISHED.**

There is hereby established, subject to the provisions of this chapter, of the city code a transportation impact fee program.

**11.10.020 DEFINITIONS.**

Unless the context otherwise requires, the terms defined in this section shall, for all purposes of this chapter of the city code, have the meanings herein specified, with words importing the singular number including the plural number and visa versa:

"Act" means the sections of the Washington State Growth Management Act, codified as sections 82.02.050 thru 82.02.090, as now in existence, or as hereinafter amended.

"Building Permit" means any written authorization from the City which authorizes the commencement of development activity.

"Capital Facility Plan" means the capital facilities plan element of the City's comprehensive plan, as now in existence or as hereinafter amended.

"City" means the City of SeaTac, Washington.

"City Comprehensive Plan" means the City's comprehensive land use plan, adopted pursuant to act.

"Development Activity" means any construction or expansion of a building or structure that creates additional demand on and/or the need for public facilities, but not interior remodeling that does not change the PM Peak trips as categorized in the interim transportation plan element to the City's comprehensive plan or of the applicable code or regulation of the City.

"Fair Market Value" means the price in terms of money that a property will bring in a competitive and open market under all conditions of a fair sale, the buyer and seller each prudently knowledgeable, and assuming the price is not affected by undo stimulus.

"Hearing Examiner" means the Hearing Examiner of the City of SeaTac, pursuant to Chapter 1.20 of the City Code.

"Impact Fee" means a payment of money imposed by the City upon development activity as a condition of issuance of a building permit to pay for public facilities needed to serve new growth and development, and to mitigate the impacts of the development activity on the transportation facilities of the City, but does not include any permit or application fee.

"Impact Fee Fund" means the service area development impact fee fund of the City created pursuant to section 3.75.010 of the City Code.

"Owner" means the owner of record of real property, although real property is being purchased under a real estate contract, the purchaser shall be considered the owner of real property if the contract is recorded.

"Public Facilities" as used in this section refers to public streets, roads and right-of-ways owned or operated by the City for other governmental entities, including trails, paths, bikeways, other transportation facilities and all attendant improvements.

"Service Area" means the development impact fee service area of the City identified in section 11.10.030 of the City Code.

"System Improvements" means public facilities that are included in the capital facilities plan.

"Transportation Facilities" means and refers to streets and roads, but

includes all publicly owned streets, roads, alleys and right-of-ways within the City and street services, traffic control devices, curbs, gutters, sidewalks and related facilities and improvements.

"Transportation Plan" means the transportation plan element of the City's comprehensive plan.

#### 11.10.030 ESTABLISHMENT OF SERVICE AREA.

The City hereby establishes as the service area for development impact fees, the City of SeaTac, including all property located within the corporate limits of the City. The scope of the service area is hereby found to be reasonable and established on the basis of sound planning and engineering principals.

#### 11.10.040 IMPOSITION OF IMPACT FEE ON DEVELOPMENT ACTIVITY.

(a) The City hereby authorizes the assessment and collection of impact fees on development activity within the City, at the rate of Seven Hundred Seventy-Three Dollars (\$773) per peak p.m. trip, as computed in accordance with the most current edition of the Institute of Transportation Engineers Trip Generation Manual, as applied to the City's adopted Comprehensive Plan and the Transportation element. It is hereby declared that such impact fees shall:

(1) Only be imposed for system improvements that are reasonably related to new development; and,

(2) Not exceed a proportionate share of the cost of the system improvements, including the costs of previously constructed system improvements, reasonably related to new development; and,

(3) Be used for system improvements that will reasonably benefit new development; and,

(4) Not be imposed to make up for deficiencies in

any previously constructed system improvements.

Such impact fee schedule is based upon the formula for calculating the proportionate share of the cost of the system improvements, including the costs of previously constructed system improvements, necessitated by new development to be borne by impact fees, which formulas are described in the interim transportation plan element of the City's comprehensive plan and incorporated herein by this reference.

(b) The impact fees imposed pursuant to this chapter shall be assessed by the City at the time of the application for the building permit, and shall be due and payable, in whole at the time of issuance of such permit without interest.

(c) Failure to pay the impact fees for a given development activity at the time of assessment shall result in denial of the building permit for which the owner has applied.

(d) In computing the fee applicable to a given development activity, credit shall be given for the fair market value,

measured at the time of dedication of land or upon completion of dedicated improvements or construction, of any dedicated land for, improvements to, or construction of, any system improvements in the same category of public facilities as that of the applicable fee provided by the owner and required by the City as a condition of approving the development activity over and above the minimum development standards set out in the City's subdivision and street ordinances.

(e) The City Manager or designee may adjust the amount of the impact fee otherwise imposed hereby with respect to specific projects requiring a building permit upon determining that:

(1) Unusual circumstances requires such adjustment to ensure that such impact fees are imposed fairly, and

(2) Studies and data submitted by the owner regarding the impacts of such owner's proposed development activity requires such adjustment to ensure that such impact fees are imposed fairly. Impact fees shall not be deemed unfair unless such unusual circumstances and studies and data support a finding that the impact fees otherwise imposed hereby allocate to the specific project in question a share of the cost of the systems improvements reasonable related to new development that is greater than or substantially less than such project's allocable proportionate share of such costs.

#### **11.10.050 DISPOSITION OF IMPACT FEE REVENUES.**

The impact fees collected pursuant to the provisions of this chapter of the city code shall be deposited into the impact fee fund created pursuant to Section 3.75.010 of the SeaTac Municipal Code. Pending application as provided in this Chapter of the City Code, the monies deposited in the accounts of the impact fee fund shall be invested in any investment authorized for the investment of City funds. All interest and profits derived from the investment of monies in each account in the impact fee fund shall be retained in such account.

(b) The impact fees deposited in each account in the impact fee fund, and the interest and profit received from the investments there from shall be expended only for public facilities of the type for which such impact fees were collected, in conformity with the City's comprehensive plan and capital facilities plan element, and expended or incumbered within six years of receipt by the City, unless written findings by the City Council identify an extra ordinary and compelling reason for the City to hold the fees for a longer time. The City shall account for annual expenditures and shall comply with this section in successive comprehensive plans, transportation plans and capital facilities plans as appropriate.

(c) The city shall prepare an annual report on the impact fee fund which shows the source and amount of all monies collected,

earned or received and the public facilities that were financed in whole or in part by impact fees.

#### **11.10.060 REFUNDS.**

(a) The city shall refund to the current owners of property on which an impact fee has been paid any impact fees paid with respect to such property that has not been expended or incumbered for public facilities of the type of which such

impact fees were collected within six years from the date of receipt or such longer period of time as is established in the event that the City Council finds that an extra ordinary or compelling reason exists to hold the fees longer than six years as provided in Section 11.10.050 of the City Code. Impact fees shall be considered incumbered on a first in first out basis. The City shall notify potential refund claimants by first-class mail deposited with the United States Postal Service at the last known address of the claimants.

(b) The City shall also refund to the current owner of property of which an impact fee has been paid all impact fees paid with respect to such property if the development activity for which the impact fee was imposed did not occur and no impact has resulted; provided, that if some, but not all, of the development activity for which the impact fee was imposed occurred, the impact will be deemed to have occurred, and no refund shall be available under this Section of the City Code.

(c) Owners seeking a refund of impact fees must submit a written request for a refund of impact fees to the City Manager or designee within one year of the date the right to claim the refund arises, which, for purposes of refund claims authorized pursuant to paragraph (b) 11.10.060 of the City Code only, shall be the date of voluntary or involuntary abandonment of the building permit, or the date that notice is given as provided in paragraph (a) 11.10.060 of the City Code, which ever occurs later. Refunds of impact fees shall include interest and any profits earned on the impact fees from the date of their receipt to the date of refund, as a percentage of the interest/profits earned by the fund on an annual basis. Any impact fees not expended within the time limitations described in paragraph (b) of Section 11.10.050 of the City Code, and for which no application for a refund has been made within the one - year claim period, shall be retained by the City and expended on public facilities of the type for which such impact fees were initially collected, without further limitation as to the time of expenditure.

#### **11.10.070 APPEALS**

(a) An owner may pay an impact fee imposed pursuant to this Chapter of the City Code under protest in order to obtain a building permit, and after such payment, may file an appeal

regarding the amount of such impact fee in accordance with this Section of the City Code.

(b) The determination of the City Manager or designee regarding the applicability of the impact fee to a given development activity within the service area shall be final. The hearing examiner shall have the power to hear and decide appeals where it is alleged that there is an error in the City Manager's or designee's determination of the impact fee imposed upon a development activity pursuant to this Chapter of the City Code.

(c) Appeal to the hearing examiner regarding the amount of the impact fee imposed on any development activity may only be taken by the owner of the property where such development activity shall occur. No appeal shall be permitted unless and until the impact fee at issue has been paid. Such appeals shall be taken within a reasonable time, not exceeding ten days after the date the impact fee was paid, by filing with the City Manager or designee and with the hearing examiner a notice of appeal specifying the grounds hereof and depositing an appeal filing fee of 250.00. The City Manager or designee shall forthwith transfer to the hearing examiner all papers constituting the record upon which the amount of the impact fee was determined.

(d) The hearing examiner shall fix a reasonable time for the hearing of the appeal, give public notice thereof as well as due notice to the parties of interest, and decide the same within a reasonable time of the hearing. Any party may appear in person or by agent or through his/her attorney.



(e) In exercising the above - mentioned powers, the hearing examiner may, so long as such action is in conformity with the terms of this Chapter of the City Code, reverse or affirm, wholly or partially or may modify the determination of the amount of the impact fee appealed from only upon a determination that it is proper to do so based on principal of fairness, and may make such order, requirements, decisions or determination as ought to be made, and to that end shall have the powers with respect to the determination of the impact fees as they are granted to the City pursuant to this Chapter of the City Code.

(f) Any person or persons, or any board, tax payer or department or division of the City aggrieved by any decision of the hearing examiner may seek review by a court of record of such decision, in the manner provided by the laws of the State of Washington.

#### **11.10.080 SEVERABILITY**

If anyone or more provision of this Chapter shall be declared unconstitutional and cause invalidation for any reason, such decisions shall not effect the validity of the remaining provisions of this Chapter of the City Code, and this Chapter of the City Code shall be construed and enforced as if such unconstitutional or invalid provision had not been contained herein.

#### **11.10.090 TERMINATION DATE OF AUTHORITY TO COLLECT AND EXPEND IMPACT FEES.**

The City's authority to collect and expend impact fees pursuant to this Chapter of the City Code, shall be effective until the earlier of (a) The repeal of this ordinance, or (b) the determination by the State of Washington of the authorization to collect and expend impact fees.

2. That a new Section 3.75.010 of the SeaTac Municipal Code is created to read as follows:

#### **3.75.010 TRANSPORTATION IMPACT FEE FUND CREATED**

There is hereby created in the treasury of the City of SeaTac, Washington, a fund identified and designated as the City of SeaTac Transportation Impact Fee Fund. The monies to be collected and deposited in the transportation impact fee fund shall be in accordance with and pursuant to the provisions of Section 11.10.050 of the City Code, and else where pursuant to other provisions and sections of the City Code as well as rules and regulations of the City.

3. That the City Council shall review the Transportation Impact Fee and the Transportation Impact Fee Fund at least annually in connection with review of the City of SeaTac Comprehensive Plan and/or the annual budget process and at such other times as may be appropriate, to consider amendments, revisions and alternatives.

4. That this ordinance shall be in full force and affect thirty (30) days after publication of the ordinance summary, as required by law.

**ADOPTED** this 11th day of January, 1994, and signed in authentication thereof on this 11th day of January, 1994.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

**Approved as to Form:**

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Daniel B. Heid, City Attorney

**ORDINANCE NO. 94-1003**

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 8.05.145 of the SeaTac Municipal Code relating to the Criminal Code and Obstructing Governmental Operations

**WHEREAS**, the current language of the SeaTac Municipal Code incorporates and adopts by reference certain sections of the Revised Code of Washington relative to crimes involving obstructing governmental operations; and,

**WHEREAS**, one section of the state statutes which was included among those sections adopted by reference was the section addressing the violation of Obstructing a Public Servant, pursuant to Section 9A.76.020 of the Revised Code of Washington; and,

**WHEREAS**, because of court decisions which held much of the language of the State statute unconstitutional, it would be appropriate to provide for the adoption of alternate language in the SeaTac Municipal Code which would address the language issues identified by the court decisions, and allow law enforcement officers to respond in cases where a person engages in acts which obstruct the officer in his/her official duties.

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

1. That Section 8.05.150 of SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

**8.05.150 Obstructing governmental operation.**

A. The following sections of the Washington Criminal Code as now in effect, and as may subsequently be amended, are hereby adopted by reference to establish the crimes relating to obstructing governmental operation under the SeaTac Criminal Code:

9A.76.010 Definitions.

~~9A.76.020 Obstructing a public servant.~~

9A.76.030 Refusing to summon aid for a peace officer.

9A.76.040 Resisting arrest.

9A.76.050 Rendering criminal assistance - Definition of term.

9A.76.060 Relative defined.

9A.76.070 Rendering criminal assistance in the first degree.

9A.76.080 Rendering criminal assistance in the second degree.

9A.76.090 Rendering criminal assistance in the third degree.

9A.76.100 Compounding.

9A.76.130 Escape in the third degree.

9A.76.160 Introducing contraband in the third degree.

9A.76.170 Bail jumping.

B. The following sections of Title 9 RCW, as now in effect, and as may subsequently be amended, are hereby adopted by reference to establish additional crimes relating to obstructing governmental operation under the SeaTac Criminal Code:

9.62.010 Malicious prosecution.

9.62.020 Instituting suit in name of another.

(Ord. 90-1029 ' 24)

2. That a new Section 8.05.145 of the SeaTac Municipal Code is hereby created to read as follows:

**8.05.145 Obstructing law enforcement officers.**

It is unlawful for any person to make any willfully untrue, misleading or exaggerated statement to a law enforcement officer, or to willfully hinder, delay or obstruct any law enforcement officer in the discharge of his/her official powers or duties. Violation of this section shall be a misdemeanor.

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

**ADOPTED** this 11th day of January, 1994, and signed in authentication thereof on this 11th day of January, 1994.

CITY OF SEATAC

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MAYOR

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

**ORDINANCE NO. 94-1004**

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending The Personnel Policies and Procedures of the City, identifying the Fair Labor Standards Act as controlling the application of hours worked and compensation at time and a half for overtime pay and compensatory time accrual, adding Management Time, Partial Matching Contributions to Deferred Compensation, and Vision and Orthodontia benefits for certain FLSA-exempt employees, clarifying use of vacation accrual, changing job descriptions, and repealing Ordinance No. 90-1037 and 1055 and amendments thereto in so far as they are inconsistent herewith

**WHEREAS**, the current provisions of the Personnel Rules and Procedures of the City of SeaTac provide for payment of overtime and accrual of compensatory time more liberally than the requirements of the Fair Labor Standards Act (FLSA); and,

**WHEREAS**, the result of these procedures is that employees of the City who would not be entitled, under FLSA, to receive overtime pay and compensatory time at time and a half for hours worked over forty hours per week do receive overtime and compensatory time for such hours at time and a half at the regular rate; and,

**WHEREAS**, consistent with the provisions of FLSA which exempt certain positions from the "overtime at time and one-half" requirements, it would be appropriate to apply the FLSA standards in determining to which employees of the City those requirements apply, and use instead, other means to address the extra hours worked by employees exempt from FLSA, provided that collective bargaining agreements would control as to those employees covered by such agreements; and,

**WHEREAS**, among the means available to compensate FLSA-exempt employees of the City for extra work and long hours for which no overtime pay and/or accrued compensatory time would be available would be increased benefits, including management time, partial matches in deferred compensation contributions and extra coverages in the employee medical plan; and,

**WHEREAS**, along with the above referenced changes, it would be appropriate to provide that non-represented employees of the City would be able to use accrued vacation after successful completion of the initial employment probation period, consistent with the opportunities available to other employees of the City.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as a non-codified ordinance as follows:**

1. That the Fair Labor Standards Act shall be used by the City Manager to determine and identify employees who serve in positions exempt from the Fair Labor Standards Act in terms of eligibility for compensation, including overtime and compensatory time for hours worked in excess of forty hours per week, provided that this Ordinance shall not be construed to amend or modify the provisions of any collective bargaining agreement. This Ordinance shall repeal Sections of Ordinance No. 90-1037 and 1055 and amendments thereto in so far as they are inconsistent herewith.

2. That as compensation for the extra time and long hours worked by those employees who are determined to be exempt from the provisions of FLSA and who do not receive overtime pay and/or compensatory time at one and one-half the regular rate or any compensation at all for hours worked in excess of forty

hours per week (FLSA-exempt non-overtime compensated employees) of the City, additional benefits for the FLSA-exempt non-overtime compensated employees shall be as follows:

#### A. MANAGEMENT TIME

Time-off with pay shall be available, as Management Time, to be scheduled with the approval of the employee's supervisor, as follows:

- 1) For Senior Management employees (Department Heads and above), six (6) days per year, to be used during the year of accrual, with the management time accruing on the effective date of this ordinance, and on January 1st of each year thereafter.
- 2) For Assistant Department Heads and equivalents, as designated by the City Manager, five (5) days per year, to be used during the year of accrual, with the management time accruing on the effective date of this ordinance, and on January 1st of each year thereafter.
- 3) For other FLSA-exempt non-overtime compensated employees of the City, three (3) days per year, to be used during the year of accrual, with the management time accruing on the effective date of this ordinance, and on January 1st of each year thereafter.
- 4) For exceptional, unusual and/or heavy work loads, the Department Head and City Manager may authorize additional time-off with pay as warranted.
- 5) Management time shall not be compensable other than as time off from work. In the case of resignation, retirement or termination of employment, any accrued management time shall be forfeited.

#### B. PARTIAL MATCHING DEFERRED COMPENSATION CONTRIBUTIONS

Participating FLSA-exempt non-overtime compensated employees of the City shall be eligible to receive partial matching deferred compensation contributions made by the City, as follows:

The City shall make contributions to the deferred compensation accounts of participating FLSA-exempt non-overtime compensated employees in an amount equal to forty percent (40%) of the deferred compensation contributions made by the employee after the date hereof, up to a total City contribution of two percent (2%) of the employee's gross income in any calendar year; Provided that the City contributions would vest in and become the property of the employee as follows:

At the completion of the first year of participation in the matching contribution program; 20%.

At the completion of the second year of participation in the matching contribution program; 40%.

At the completion of the third year of participation in the matching contribution program; 60%.

At the completion of the fourth year of participation in the matching contribution program; 80%.

At the completion of the fifth year of participation in the matching contribution program; 100%.

Upon the resignation or termination of a City employee, any contributions made by the City which have not vested shall revert to the City and be the property of the City; Provided, however, that in the case of retirement of a participating employee, and in the case of the lay-off of an employee as the result of a reduction in force of City employees, the City contributions would be fully vested (100%) in the participating employee, regardless of the number of years that the employee participated in the program.

The City Manager shall not be allowed to participate in a Partial Matching Deferred Compensation Contributions program unless the City Manager's participation is authorized and agreed to by the City Council.

#### C. VISION INSURANCE COVERAGE

The FLSA-exempt non-overtime compensated employees of the City shall receive Vision coverage for the employee, spouse and dependents, supplemental to the medical plan of the City, as follows:

Vision coverage, with a Twenty-five dollar (\$25.00) deductible, as such plan is available through the AWC Health Plans.

#### D. ORTHODONTIA INSURANCE COVERAGE

The FLSA-exempt non-overtime compensated employees of the City shall receive Orthodontia benefits, supplemental to the medical plan of the City, as follows:

Orthodontia Option II as such plan is available through the AWC Health Plans.

3. That non-represented employees of the City shall be able to use accrued vacation after successful completion of new-hire employment probation, subject to scheduling and accrual provisions of the City's personnel policies.

4. That the job titles and job descriptions for the non-represented employees of the City shall be as identified

and reflected in the City of SeaTac Classification and Compensation Study - 1993 prepared by Ewing and Company.

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

**ADOPTED** this 11th day of January, 1994, and signed in authentication thereof on this 11th day of January, 1994.

**CITY OF SEATAC**



Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

**ORDINANCE NO. 94-1005**

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Chapter 2.45 of the SeaTac Municipal Code relating to a City of SeaTac Park Code

**WHEREAS**, the City of SeaTac has entered into agreements with King County and with the Port of Seattle for the purpose of providing parks and a park system in the City of SeaTac, including development of the North SeaTac Park and the assumption of responsibility for operating those parks located within the City that had previously been operated by King County; and,

**WHEREAS**, in connection with the phase-in of City operation of the former King County parks, the City of SeaTac previously adopted and incorporated into the SeaTac Municipal Code the provisions of the King County Park Code; and,

**WHEREAS**, in order to address the more particular and specific needs of the citizens of the City of SeaTac, it is appropriate for the City to have its own Park Code; and,

**WHEREAS**, City staff has been assessing code needs for the operation of a park system by the City, and has reviewed proposed code provisions with the City of SeaTac Parks Commission, in order to develop park regulations that provide a park system beneficial to and consistent with the needs of the citizens of the City of SeaTac.

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

1. That Chapter 2.45 of the SeaTac Municipal Code is amended to read as follows:

**Chapter 2.45****Park Code****I - GENERAL**

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

A. "Aircraft" means any machine or device designated 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 "SeaTac City park area" or "marine facility" such as a dock, pier, float, buoy, log boom, or other object which is part of a "SeaTac City park area", provided that such area does not include private property;

D. "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;

E. "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 or remaining overnight;

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

G. "City" means the City of SeaTac, a municipal corporation in the State of Washington.

H. "Commission" refers to the City of SeaTac Parks & Recreation Commission.

I. "Department" means the City of SeaTac Department of Parks and Recreation;

J. "Director" means Director of the City of SeaTac Parks & Recreation Department, or designee;

K. "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 a trained dog guide by a blind or deaf person;

L. "Facility" or " facilities" means any building, structure, or park area operated by the City of SeaTac Parks & Recreation Department;

M. "Facility Supervisor refers to a duly appointed City of SeaTac Parks & Recreation Department employee;

N. "Park area" means any area under the ownership, management, or control of the City of SeaTac Parks & Recreation Department;

O. "Motor vehicle" means any self-propelled device capable of being moved upon a road, and in, upon, or by which any persons or property may be transported or drawn, and shall include, but not be limited to, automobiles, trucks, motorcycles, motor scooters, jeeps or similar type four-wheel drive vehicles, and snowmobiles, whether or not they can legally be operated upon the public highways;

P. "Park Area" refers to premises of City of SeaTac parks.

Q. "Person" means all natural persons, groups, firms, partnerships, corporations, clubs, and all associations or combination of persons whenever acting for themselves or an agent, servant, or employee;

R. "Rocket" means any device containing a combustible substance which when ignited propels the device forward;

S. "Trail" means any path, track, or right-of-way designed for use by pedestrians, bicycles, equestrians, or other non-motorized modes of transportation;

T. "Trailer" means a towed vehicle which contains sleeping or housekeeping accommodations;

U. "Trailer site" means a designated camping site which has water and/or electrical facilities available for hookup, and which are designed for the use of persons with trailers or campers.

**2.45.020 Program - Purpose.** The playgrounds, activity centers, pools, and other

facilities of the Department are established by law for public recreation purposes. The public recreation programs consist primarily of activities planned and directed by the Department, and secondarily of recreation activities of community groups brought under control of the Department when authorized by and conducted under permit issued by the Department.

## II - ADMINISTRATION

**2.45.030 Administrative rules - Hours and conditions of operation.** The City shall promulgate rules setting forth the times and conditions upon which the City parks and recreation facilities will be open, closed, or used by the public. The City parks and park facilities shall be open from dawn to dusk, except as otherwise provided by permits issued by the City, and except as otherwise provided for the North SeaTac Park Community Center, and except as otherwise posted.

**2.45.040 Permits for community groups.** The Department may grant permits to community groups to meet or conduct activities in the Department's buildings or in the Department's other facilities without charge; provided that no charges, for athletic activities involving play by those exclusively eighteen years of age or under if all of the following conditions are satisfied: I) The buildings or facilities are not otherwise required by the Department, and II) The activities are:

- A. Conducted in accordance with the Department's standards;
- B. Held without admission charge;
- C. Not conducted for financial gain;
- D. Open to the general public without discrimination;
- E. Scheduled during hours when the facility is regularly open.

Facilities cannot be reserved more than ninety days in advance unless otherwise authorized by the Department. All such permits must be approved by the Department.

**2.45.050 Special use permits.** A. Groups which do not meet all of the requirements set forth in Section 2.45.040, above, and groups which desire to use any facilities may be granted special use permits by the Department, but will be charged a fee. Where appropriate, special conditions of use will be established by the Department and so noted on the special use permit. A schedule of the charges for special services in facilities will be established by the Department with the approval of the SeaTac City Council.

B. No alcoholic beverages are allowed at any park facilities other than at the North SeaTac Park Community Center, and then only with a special use permit. Groups applying for special use permits for activities at the North SeaTac Park Community Center at which the consumption of alcoholic beverages is intended, must meet the requirements of state law with respect to liquor permits as a precondition, including obtaining appropriate permits from the State of Washington Liquor Control Board. During the course of the activity, the state liquor permit must be displayed within the area.

**2.45.060 Cancellation of permit.** The Department reserves the right to cancel a permittee's reservation for cause or if the Department wishes to make use of the facility which in the judgement of the Director supersedes the need of the permittee. Notice of the Department's cancellation for priority use shall be given at least twenty-four hours in advance. Notice of cancellation for cause may be given at any time.

**2.45.070 Religious services or group rallies.** Religious services or group rallies may be permitted in park areas where facilities are adequate, and where such activities will not conflict in any way with normal park usage. To avoid conflict, permission for such activities must be obtained in advance from the manager. Permission for use of loudspeakers by groups must be obtained in advance.

**2.45.080 Use of facilities - building use hours.** Activities for groups using the facilities Sundays through Thursdays shall normally cease at 10:00 p.m. unless otherwise approved on the use permit. On Fridays and Saturdays groups must agree to be out of the facilities by 1:00 a.m. unless otherwise approved in the use permit. It is provided, however, that the actual time/use restrictions shall be as set forth in the facility use permit for such activity, as determined by the Department.

**2.45.090 Cleanup.** All persons must leave facilities in a condition considered satisfactory to the facility supervisor in charge who will supervise cleanup activity. No person shall conduct activities causing extra custodial work unless previous agreement has been made to pay for such work and this is so stated in the use permit.

**2.45.100 Liability.** Persons using facilities by permit will be required to protect, save and hold the City, its elected and appointed officials and employees while acting within the scope of their duties, harmless from and against all claims, demands and causes of action of any kind or character, including the cost of defense thereof, arising in favor of a person or group's members or employees or third parties on account of any action including but not limited to personal injuries, death or damage to property arising out of the use of premises, or in any way arising out of the acts or omissions of the person, group and/or its agents, employees or representatives.

**2.45.110 Liability insurance.** During all periods of use, persons using facilities by permit shall obtain and maintain public liability insurance acceptable to the City and/or other insurance necessary to protect the public and the City on premises to be used, with limits of liability not less than:

\$500,000 each person personal injury;

\$500,000 each occurrence personal injury;

\$250,000 each occurrence property damage;

or a combined single limit personal injury and/or property damage liability of \$1,000,000 per occurrence.

The City shall be named as an additional insured, and the City shall be provided with a certificate of insurance, or, upon written request of the City, a duplicate of the policy, as evidence of the insurance protection provided. This insurance shall not be canceled or reduced without prior written notice to the City at least thirty days in advance of the cancellation, with this provision being included in the insurance policy.

**2.45.120 Adults to be present at functions of minors.** Adults must be present and responsible at all functions involving organized assemblies of minors, and shall remain throughout the entire function.

**2.45.130 Storage of equipment - Liability of City.** Persons using facilities should not expect storage space for equipment necessary for their programs. If temporary storage is provide, the City shall not be held responsible for loss or damage. City equipment shall not be available for use by any non-city person, group or organization, nor for any non-city purpose.

**2.45.140 Equipment regulations - Failure to perform.** The misuse of a park facility or the failure to conform with these regulations, the instructions of Department employees, or the conditions of a permit will be sufficient reason for denying any future permits.

**2.45.150 Facility use - Sale of goods or services.** The use of park facilities for financial gain shall be allowed only through concession contracts secured by the City's competitive process, negotiated concession contracts or by special use permit issued by the Department.

### III - RULES GOVERNING USE OF FACILITIES - INFRACTIONS

**2.45.160 Picnicking.** Picnicking is permitted only in designated and marked picnicking areas, or in such other places within a park area as may from time to time be designated by a facility supervisor.

**2.45.170 Food waste, washing of clothes or animals.** No person shall clean fish or other food, or wash any clothing or other articles for personal or household use, or any dog or other animal, except at designated areas in any park area.

**2.45.180 Parking lots and roadways - Games prohibited.** Games of any kind are prohibited in parking lots and roadways of all Department facilities.

**2.45.190 Motor Vehicles - Parking.** No operator of any automobile, trailer, camper, boat trailer, or other vehicle, shall park such vehicle in any park area, except where the operator is using the area for the designated recreational purpose and the vehicle is parked either in the designated parking area, or in another area with the permission of a facility supervisor. No person shall park, leave standing, or abandon a vehicle in any park area after closing time except persons using park facilities as part of an event authorized by the Department. In addition to the penalties found in Part V of this chapter, any vehicle found parked in violation of this section may be towed away at the owner's expense, consistent with signs posted in conformity with State law.

**2.45.200 Motor vehicles on roads and trails.** No person shall operate any motor vehicle on a trail in any park area unless such trail has been specifically designated and posted for such use. No person shall operate a motor vehicle within the boundaries of a park area except on roads, streets, highways, parking lots, parking areas, or where otherwise permitted by proper posting. It is provided, however, that this section shall not apply to emergency vehicles, nor to any maintenance vehicles, construction vehicles or other vehicles authorized by the Department.

**2.45.210 Motor vehicles - speed limits.** No person shall drive a motor vehicle within any park area at a speed greater than fifteen miles per hour or as otherwise posted, having due regard for traffic on, and the surface and width of the road, and in no event at a speed which endangers the safety of persons, property, or wildlife; provided, however, that in no event shall a vehicle be driven at a speed greater than fifteen miles per hour in picnic, utility, or headquarters areas, or in areas of general public assemblage. Speed limit signs shall be posted, advising of the speed limits and that the speed limits will be enforced.

**2.45.220 Boat speeds in lakes and waterways.** No person shall operate a boat at a speed greater than 5 knots per hour in any associated marine area.

**2.45.230 Washing of vehicles.** No person shall clean or wash any automobile or other vehicle in any park area except in areas specifically designated for that use.

**2.45.240 Motor vehicles - trucks and commercial vehicles.** No person shall cause a truck or other vehicle while being used for commercial purposes to enter upon, use, or traverse any portion of any park area or any park road except in the service of the Department at the request of the employees of the Department, or by express permission of the manager for a special activity not inconsistent with park use; provided that, the provisions of this section shall not apply to City roads or state highways.

**2.45.250 Trail use.** A. No person shall travel on a trail at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event, speed shall be so controlled as may be necessary to avoid colliding with others who are complying with the law and using reasonable care. Travel at speeds in excess of 15 miles per hour shall constitute in evidence a prima facie presumption that the person violated this section.

B. No person shall travel on a trail in a negligent manner. For the purposes of this section "travel on a trail in a negligent manner" shall be construed to mean any form of travel on a trail in such a manner as to endanger or be likely to endanger any persons or property.

C. For the purposes of this section "travel" shall be construed to include all forms of movement or transportation on a trail, including but not limited to foot, bicycle, horse, skateboard, and rollerskates.

D. Every person traveling on a trail shall obey the instructions of any official traffic control device applicable thereto placed in accordance with applicable laws unless otherwise directed by a police officer.

E. Every person who shall use or travel on a trail shall obey the Model Trail User Code of Conduct.

F. Model Trail User Code of Conduct:

1. USING A TRAIL. Every person using a trail shall stay as near to the right side of the trail as is safe, excepting those movements necessary to prepare to make or make turning movements, or while overtaking and passing another user moving in the same direction.

2. REGARD FOR OTHER TRAIL USERS. Every user shall exercise due care and caution to avoid colliding with any other trail user. All users shall travel in a consistent and predictable manner.

3. GROUPS ON TRAIL. No group of trail users, including their animal(s), shall occupy more than one half of the trail as measured from the right side, so as to impede the normal and reasonable movement of trail users.

4. AUDIBLE SIGNAL WHEN PASSING. Every user shall give an audible warning signal before passing another trail user. The signal must be produced in such a manner as to allow adequate time for response. The signal may be given by voice, bell or horn.

5. OVERTAKING TRAIL USERS ON THE LEFT. Any trail user overtaking another trail user proceeding in the same direction shall pass to the left of such overtaken user at a safe distance, and shall stay to the left until safely clear of the overtaken user.

6. ENTERING AND CROSSING TRAIL. Trail users entering or crossing the trail at uncontrolled points shall yield to traffic on the trail.

7. LIGHTS ON TRAIL USERS. All bicyclists using the trail from one-half hour before sunset to one-half hour before sunrise shall equip their

bicycles with a headlight visible

500 feet to the front, and a red or amber light visible 500 feet to the rear.

**2.45.260 Boating - occupancy policy.** In order to afford the general public the greatest possible use of marine facilities, continuous occupancy of marine facilities by the same person or group in any area is limited to one day in any seven day period, provided that this day shall not include overnight, unless otherwise posted. Shorter or longer limitation of occupancy may be established and posted by the Department for any individual facility or area. In addition to the penalties in Part V of this chapter, any boat found to be in violation of this chapter may be towed away at the owner's expense. No person shall launch a boat in any park except in areas specifically designated and/or marked for that purpose.

**2.45.270 Use of marine heads.** No person shall use/or flush any marine head which when flushed emits its contents directly into the waters of a lake, river, or any other water area, nor cause any human or animal waste to be dumped into the waters while moored, anchored, docked or berthed in a park area or associated marine area or when entering or leaving the area.

**2.45.280 Camping prohibited except in designated areas only.** No person shall camp in any park area except in areas specifically designated and/or marked for that purpose, if any.

**2.45.290 Tents and shelters on beaches.** No person shall erect, maintain, use or occupy a temporary tent or shelter on any swimming beach in any park area unless there is an unobstructed view through such tent or shelter from at least two sides; provided, however, that nothing in this section shall be construed to authorize overnight camping except in designated areas.

**2.45.300 Clothing.** Clothing sufficient to conform to community standards shall be worn at all times.

**2.45.310 Ice.** No person shall go out onto ice in any City park or park area, except in areas specifically designated for that purpose. This includes but is not limited to: Lakes, ponds, streams, rivers, and other bodies of water.

**2.45.320 Game fish.** All laws, rules and regulations of the State Game Commission relating to season, limits, and methods of fishing are applicable to fishing for game fish in park areas. No person may fish for, or possess any fish taken from any dam, dike, bridge, dock, boatland, or beach, which is posted with a sign prohibiting fishing.

**2.45.330 Pets in City park facilities.** A. Dogs, pets, or domestic animals are not permitted on any designated swimming beach, picnic area, play areas or any other park area in any City park or in any building unless specifically permitted by posting provided that this section shall not apply to guide dogs to assist persons with visual or hearing impairment.

B. In permissible areas, dogs or other pets or domestic animals must be kept on a leash no greater than eight feet in length, and shall be kept under control at all times.

C. Any person whose dog or other pet is in any park area shall be responsible for the conduct of the animal and for removing feces deposited by such animal from the park area.

**2.45.340 Disturbances by animals prohibited.** No person shall allow his or her dog or other pet or domestic animal to bite or in any way molest or annoy park visitors. No person shall permit his or her dog or other pet or domestic animal



to bark continuously or otherwise disturb the peace and tranquility of the park.

**2.45.350 Horseback riding - In designated areas only.** Horses shall be permitted only in park areas that are specifically designated and posted to permit such activity. Horses shall not be permitted in any designated swimming area, playground, or picnic area. No person shall allow a horse or other animal to stand unattended or insecurely tied.

**2.45.360 Littering.** No person shall leave, deposit, drop or scatter bottles, broken glass, ashes, food, waste paper, cans, or other rubbish in a park area, except in a garbage can or other receptacle designated for such purposes.

**2.45.370 Swimming - In designated areas only.** Swimming areas shall be marked with buoys, log booms, or other markers, clearly designating the boundaries of such areas. Swimming shall be permitted only within these areas.

**2.45.380 Swimmers must obey rules.** All persons using designated swimming areas shall obey all posted beach rules and/or the instructions of lifeguards, facility managers, or other park Department employees.

**2.45.390 Swimming/scuba diving in boat launch areas prohibited.** No person shall swim, sunbathe, or scuba dive in any designated boat launching area.

**2.45.400 Presence in parks during hours the park is closed.** No person shall enter or be present in a City park area during hours the park is closed except persons using park facilities as part of an event authorized by the Department.

#### IV - RULES GOVERNING USE OF FACILITIES - MISDEMEANORS

**2.45.410 Horseback riding - May not endanger others.** No person shall ride any horse or other animal in such a manner that could cause physical harm to any person.

**2.45.420 Mechanical trapping devices - Capturing or injuring animals.** The use of a mechanical trapping device within any City park is prohibited. A "mechanical trapping device" shall be defined as any device, including but not limited to snares or machines, that shut suddenly upon contact by an animal, or a device which kills or inflicts physical pain and injury upon a captured animal. The act of capturing an animal, by other than lawful means is prohibited. It is provided, however, that this section shall not apply to authorized pest abatement actions of City personnel.

**2.45.430 False alarm of drowning prohibited.** No person shall give or transmit a false signal or false alarm of drowning.

**2.45.440 Games on beaches.** Activities including but not limited to sports and physical play which interfere or tend to interfere with and endanger other beach users and distract from or obstruct the performance of life safety responsibilities of parks personnel are prohibited. When circumstances can safely permit games, such games will be conducted only with the consent of a facility Supervisor, lifeguard, or other Department employee.

**2.45.450 Moorage in swimming area prohibited.** No person or persons shall moor, dock, or berth a boat or other object to a log boom or float line which delineates a swimming area in a park area or associated marine area.

**2.45.460 Damage to property.** No person shall cut down, destroy, or in any way injure any shrub, tree, vine, grain, grass or crop, standing or growing or which has been cut down, in any park area unless authorized to do so by the Department. No person shall deface, damage or destroy any property, material or

equipment which is under the jurisdiction of the Department.

**2.45.470 Removal of property.** No person shall change the position of or remove any City property, material, or equipment from its original position in any area under the jurisdiction of the Department.

**2.45.480 Outside household or commercial waste.** No person shall deposit any household or commercial garbage, refuse, waste, or rubbish which is brought in such form from any private property, in any park area garbage can or other receptacle designated for such purpose.

**2.45.490 Waste from vehicles.** No person shall drain or dump refuse or waste from any trailer, camper, automobile, or other vehicle, except in designated disposal areas or receptacles in any park area.

**2.45.500 Dumping in water prohibited.** No person shall pollute, or in any way contaminate by dumping or otherwise depositing any waste or refuse of any nature, kind or description, including human and bodily waste, into any stream, river, lake or other body of water running in, through, or adjacent to any park area.

**2.45.510 Aircraft.** A. Aircraft landing/take off. No aircraft shall land or take off from any body of water or land area in a park area except:

1. Aircraft used to transport injured persons, evacuees, medical personnel, or public officials in the event of an accident, disaster, or emergency;

2. Model aircraft as provided in Paragraph B of this section;

3. No person shall be deemed to have violated the provisions of this section in the event of a bona fide emergency, provided the owner of the aircraft submits a written statement explaining the circumstances of the emergency to the manager within seventy-two hours of an emergency landing.

B. Model aircraft and rockets:

1. No person shall fly rockets or model aircraft in any park area except in areas specifically designated and/or posted for that purpose;

2. All engines over .25 cubic inches used in model aircraft being flown in designated park areas shall be muffled;

3. All persons flying model aircraft in designated park areas shall abide by the Official Academy of Model Aeronautics Safety Code;

4. All persons desiring to shoot model rockets in a park area shall obtain a permit to do so from the parks and recreation services office.

**2.45.520 Solicitation.** No person shall solicit, sell, or peddle any goods, services, wares, merchandise, liquids, or edibles for human consumption, or distribute or post any handbills, circulars, or signs, or use any loud-speakers or other amplifying devices, in any park area, except by concession contract or by special use permit issued by the Department. It shall be the responsibility of any person holding a concession contract or special use permit issued by the Department to display such permit or evidence of contract conspicuously so as to be visible to persons in the vicinity of the operations of such person.

**2.45.530 Fireworks.** No person shall possess, discharge, set off, or cause to be

discharged, in or into any park area, any firecracker, torpedo, rocket, firework, explosive, or substance

harmful to the life or safety of persons or property, unless so authorized by the Department.

**2.45.540 Firearms, weapons.** No person except duly authorized law enforcement personnel shall possess a bow and arrow, crossbow, or air or gas weapon in a City park. No person shall discharge across, in, or into any park area a firearm, bow and arrow, crossbow, air or gas weapon, or any device capable of injuring or killing any person or animal, or damaging or destroying any public or private property, Provided that where the Department for good cause has authorized and approved a special recreational activity or a recreational program, upon finding that it is not inconsistent with City park use, this section shall not apply.

**2.45.550 Alcoholic beverages.** Selling, possessing or consuming alcoholic beverages in a City park, recreation area, or associated marine area is prohibited, other than in connection with an event or activity in a community center, park building or other structure for which a permit has been issued by the Department, and for which a banquet permit has been issued, provided that the

activities and the use of alcoholic beverages shall conform to the permits therefor, and shall conform to federal, state and local laws, rules and regulations with respect thereto.

**2.45.560 Intoxication.** Being or remaining in, or loitering about in any City park, recreation area, or other park area while in a state of intoxication, and in a manner that restricts, or interferes with, or that is likely to restrict or interfere with the use or enjoyment of the park by others is prohibited.

**2.45.570 Interference with trails.** It shall be unlawful for any person to place, deposit, or otherwise cause or suffer to be located any structure, device, or natural or artificial thing that threatens or endangers any portion of a trail owned or maintained by the City, or that tends to endanger persons traveling thereon, obstructs or tends to obstruct or constitutes a hazard to persons traveling thereon.

This section shall not apply to employees of the City in the performance of their duties or to persons acting pursuant to written direction of the City.

## V - PENALTIES

**2.45.580 Infractions.** A. Failure to perform any act required or the performance of any act prohibited by Part III of this chapter shall be designated as an infraction.

B. Any person cited for violation of Part III of this chapter, shall be subject to the applicable Court Rules and bail schedules.

C. Any person found guilty of committing an infraction shall be assessed a monetary penalty not to exceed \$500.00

D. A finding that an infraction has been committed shall not give rise to any other legal disability which is based upon conviction of a crime.

**2.45.590 Misdemeanors.** Any person found guilty of violating any provision of Part IV of this chapter is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$1,000.00, or by imprisonment in jail

for not more than 90 days, or both.

**2.45.600 Administrative sanctions.** In addition to any prescribed penalty, any person failing to comply with any provision of this chapter shall be subject to the loss of park or recreation facility use privileges and ejection from the City park area or associated marine park area.

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

**ADOPTED** this 25th day of January, 1994, and signed in authentication thereof on this 25th day of January, 1994.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

**ORDINANCE NO. 94-1006**

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Title 15. of the SeaTac Municipal Code, the City of SeaTac Zoning Code, providing additional definitions for terms, clarification of permitted and conditionally permitted land uses and land use designations

**WHEREAS**, at the time that the City Council adopted the zoning code as part of the SeaTac Municipal Code, residential uses were limited in terms of permitted and conditionally permitted use in commercial zones; and,

**WHEREAS**, in order to complement the City Center concept and to provide for available residential properties in downtown areas, it is appropriate to recognize that certain types of higher density residential uses could fit very appropriately in certain commercial zones; and,

**WHEREAS**, it is appropriate for the zoning code to be amended to provide certain higher density residential uses, as conditional uses, in commercial zones of the City; and,

**WHEREAS**, there are a number of other areas of the zoning code which warrant clarification, modification and definitions, including a number of new use definitions and zoning use designations; and,

**WHEREAS**, a public hearing was held by the Planning Commission on January 24, 1994, after proper notice therefore, and after having had the opportunity to hear and consider all comments of those people wishing to speak to the issues at the public hearing, the Planning Commission recommended to the City Council of the City of SeaTac that an Ordinance be adopted with the changes and provisions set forth hereinbelow.

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

1. That a new Section 15.10.079 of the SeaTac Municipal Code is created to read as follows:

**15.10.079 Beauty Salon**

A service business operating to provide services related to hair, skin, nail and cosmetology care.

2. That Section 15.10.109 of the SeaTac Municipal Code is amended to read as follows:

**15.10.109 Colleges - Universities** (new terms/definition)

Institutions of higher learning authorized to confer associate degrees, baccalaureate degrees and/or post graduate degrees, accredited by the Northwest Association of Schools and Colleges.

3. That Paragraph (4) of Section 15.10.390 of the SeaTac Municipal Code is amended to read as follows:

**15.10.390 Lot Types - - (4) Panhandle Lot**

A lot that does not front on a street and has access through a narrow strip of land or an easement. The handle or access of a panhandle lot is defined as "that portion of a panhandle lot that is thirty feet or less in width and fifteen feet in length or greater."

4. That a new Section 15.10.410 of the SeaTac Municipal Code is created to read as follows:

**15.10.410 Multi-family Residential Dwelling Unit**

Higher density residential use of property, consisting of apartment buildings, town house complexes, or any other combination of residential units consisting of three or more dwelling units per structure.

5. That a new Section 15.10.606 of the SeaTac Municipal Code is created to read as follows:

**15.10.606 Single Attached Dwelling Units**

A single family residential unit attached to a structure with a non-residential use.

6. That Section 15.10.611 of the SeaTac Municipal Code, defining Steep Slope Hazard Areas, is amended to re-number/codify as the definition for Steep Slope Hazard Areas as Section 15.10.613.

7. That a new Section 15.10.612 of the SeaTac Municipal Code is created to read is follows:

**15.10.612 Specialized Instruction School**

A school providing specialized instruction in areas including, but not limited to, art, dance, music, cooking, martial arts and related disciplines. Truck driving instructional schools and heavy equipment operational schools shall not fall within this definition. A specialized instruction school is also to be distinguished from vocational - technical schools, as defined in 15.10.671

8. That a new Section 15.10.641 of the SeaTac Municipal Code is created to read as follows:

**15.10.641 Town house**

Multi-dwelling unit residential structures of two or three stories, not counting a basement, where the dwelling units share common walls and have separate entrances. Town houses may be owner occupied, rental properties or under condominium

ownerships.

9. That a new Section 15.10.671 of the SeaTac Municipal Code is created to read as follows:

**15.10.671 Vocational - Technical Schools**

Schools and institutions providing longer-term (at least one year) programs leading to proficiency, certification and associate degrees in vocational programs including computers, mechanical, food and hospitality service, automotive and aircraft services, surveying, welding, photography, carpentry, agriculture, horticulture, electrical, plumbing and construction trades.

10. That Section 15.12.020 of the SeaTac Municipal Code is amended as follows:

A. The section is amended to provide that the Single Attached Dwelling Unit, Land Use #001A (new); Duplex land use, Land Use #002; Town Houses land use, Land Use #003; Multi-Family land use, Land Use #004; and the Senior Citizen Multi Residential land use, Land Use #005, are allowed as permitted uses in the CB - Community Business zone, and the Single Attached Dwelling Unit, Land Use #001A (new); Duplex land use, Land Use #002; Town Houses land use, Land Use #003; Multi-Family land use, Land Use #004; and the Senior Citizen Multi Residential land use, Land Use #005, are permitted as a conditional use in the ABC - Aviation Business Center zone; provided that the ground floor of structures with such residential uses shall be used for commercial purposes, and that no residential use of such structures shall be made of the ground floor, and that a footnote (8) shall be added in connection with such land uses as follows: "(8) Residential units shall not be located on ground floor", and Footnote (1) regarding Multi-Family land use, Land Use #004, in the ABC - Aviation Business Center zone is deleted.

B. The section is amended to provide that in connection with the Manufactured Home land use, Land Use #006; and the Mobile Home land use, Land Use #006A (new/added), a footnote (9) shall be added as follows: "(9) See definition in 15.26.015", with the land use/zone chart reflecting footnote (9) for such land uses in connection with the following zones: MHP - Mobile Home Park, UM - Urban Medium Density and UH - Urban High Density.

11. That Section 15.12.040 of the SeaTac Municipal Code is amended as follows:

A. The section is amended to provide that the Colleges - Universities land use, Land Use #059 (amended/added) is permitted with a conditional use permit in the UL - Urban Low Density, UM - Urban Medium Density and UH - Urban High Density, and as a permitted use in the CB - Community Business zone and the ABC - Aviation Business Center zone.

B. The section is amended to add a footnote (4) (currently

referenced) in connection with the Specialized Instruction School land use, Land Use #058, and the UL - Urban Low Density, UM - Urban Medium Density and UH - Urban High Density zones, as follows: "(4) Limited to three (3) students per day."

C. The section is amended to delete the reference in footnote (3) relating to the "SEPA review required" portion of the footnote, in connection with the Day Care I land use, Land Use #049, in the UL - Urban Low Density, UM - Urban Medium Density, UH - Urban High Density and ABC - Aviation Business Center zones, Provided that the footnote (3), including its reference to "SEPA review required", is unchanged as it applies to the Day Care II land use, Land Use #050, in the UL - Urban Low Density, UM - Urban Medium Density, UH - Urban High Density, CB - Community Business and ABC - Aviation Business Center zones, and the footnote (3), including its reference to "DSHS License required" is unchanged as it applies to both Day Care I land use, Land Use #049, Day Care II land use, Land Use #050, in the UL - Urban Low Density, UM - Urban Medium Density, UH - Urban High Density, CB - Community Business (applies to Day Care II only) and ABC - Aviation Business Center zones.

12. That a new Section 15.13.035 of the SeaTac Municipal Code is created to read as follows:

**15.13.035 Yard Setbacks for Panhandle Lots**

A. In determining the setbacks for a "panhandle lot", the handle or access portion of the lot shall not be used to determine building setbacks. Setbacks shall be determined as if no handle was on the lot.

B. For the purposes of determining front yard building setbacks, the front property line shall be determined by the property owner at the time of construction.

13. That Section 15.15.030 of the SeaTac Municipal Code is amended to reflect the following:

Use # Land use Minimum parking space requirements

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050 Day Care II Two per facility (minimum), plus one per employee, ~~plus one per three children~~ and one load/unload space per every ~~20~~ 10 children.

14. That Section 15.16.125 of the SeaTac Municipal Code is amended to delete Paragraphs C and D relating to the erection and spacing of Billboards.



15. That Section 15.20.020 of the SeaTac Municipal Code is amended to add a new part relating to Temporary Uses as follows:

- Temporary construction sheds or trailers only for the duration of the construction activity, provided that no residential or other use shall be made of such temporary construction sheds or trailers that is unrelated to the construction activity.

16. That Section 15.20.040 of the SeaTac Municipal Code is amended to add a new part E relating to Temporary Use Permits as follows:

**E.** A temporary construction shed or trailer may be located on the subject property or on adjacent property if owned by the same property owner or with permission of the owner.

17. That all other sections, sub-sections, paragraphs and provisions of amended sections shall remain unchanged, except as provided hereinabove.

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

**ADOPTED** this 25th day of January, 1994, and signed in authentication thereof on this 25th day of January, 1994.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

**ORDINANCE NO. 94-1007**

AN ORDINANCE of the City Council of the City of SeaTac, Washington adding a new Chapter 2.06 to the SeaTac Municipal Code, entitled Indemnification of Employees and Officers

**WHEREAS**, through various and extensive public endeavors, the officials and employees of the City of SeaTac are called upon to make decisions and undertake activities consistent with their public charge and for the betterment of public health, peace, safety and welfare; and,

**WHEREAS**, the public officials and employees of the City, including volunteers, should be able to perform their duties without fear of personal liability where their acts are within the scope of their official duties and responsibilities; and,

**WHEREAS**, the City Council finds that it is appropriate to provide a procedure for indemnification for and defense of claims of losses due to or arising out of acts within the scope of the duties of the officials, employees and volunteers of the City.

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

1. That a new Chapter 2.06 of the SeaTac Municipal Code is created to read as follows:

**Chapter 2.06**

**Indemnification of Employees and Officers**

**2.06.010 Procedure for Indemnification of Officers and Employees created.** There is hereby created a procedure to provide for indemnification and for defense of claims of liability arising from acts or omissions of officers and employees of the City, including volunteers, while performed or in good faith purported to have been performed in the scope of the official duties of such officers or employees, including volunteers.

**2.06.020 Definitions.** Unless the context indicates otherwise, the words and phrases used in this chapter shall have the following meaning:

A. "Employee" means any person who is or has been employed by the City, including volunteers.

B. "Official" means any person who is serving or has served as an elected City official, and any person who is serving or who has served as an appointed member of any City board, commission, committee or any other appointed position with the City.

**2.06.030 Legal Representation.**

A. The City shall provide to an official or employee, subject to the conditions and requirements of this chapter, and notwithstanding the fact that such official or employee may have concluded service or employment with the City, such legal representation as may be reasonably necessary to defend a claim or lawsuit filed against such official or employee resulting from any conduct, act or omission of such

official or employee performed or omitted on behalf of the City in his/her capacity as a City official or employee, which act or omission is within the scope of his/her service or employment with the City.

B. The legal services shall be provided by the office of the City Attorney unless:

1. Any provision of an applicable policy of insurance provides other wise; or,
2. The City Manager appoints alternate legal counsel to the case.

#### **2.06.040 Exclusions.**

A. Except as otherwise determined pursuant to Section 2.06.050, in no event shall protection be offered under this chapter by the City to:

1. Any dishonest, fraudulent, criminal, wilful, intentional or malicious act or course of conduct of an official or an employee;
2. Any act or course of conduct of an official or employee which is not performed on behalf of the City;
3. Any act or course of conduct which is outside the scope of an official's or employee's service or employment with the City; and/or,
4. Any lawsuit brought against an official or employee by or on behalf of the City;
5. Any action or omission contrary to or not in furtherance of any adopted City policy.

B. The provisions of this chapter shall have no force or effect with respect to any accident, occurrence or circumstance for the which the City or the official or employee is insured from whatever source against loss or damage; provided that the provisions of this chapter shall apply in the event the loss or damages fall within the deductible or exclusion(s) of the City's applicable insurance policy. The provisions of this chapter are intended to be secondary to any contract or policy of insurance whether owned by or otherwise applicable to any official or employee. The City shall have the right to require an employee to fully utilize any such policy protection prior to requesting the protection afforded by this chapter.

#### **2.06.050 Determination of Exclusion.** The determination of whether an

official or employee shall be afforded a defense by the City under the terms of this chapter shall be made by the City Council on the recommendation of the City Manager. The decision of the City Council shall be final as a legislative determination and shall be based upon a finding that an official or employee meets or does not meet the criteria of this chapter. Nothing herein shall preclude the City from undertaking an officer's or employee's defense under a reservation of rights. The determination as to whether a defense is to be furnished as provided under this chapter to a member or to members of the City Council shall be made without the vote of such member or members of the City Council unless the inclusion of such member or members is required for a quorum; provided, that if a claim or lawsuit affects a quorum or greater number of the members of the City Council, all such affected members shall retain their voting privileges under this section.

**2.06.060 Representation and Payment of Claims - Conditions.** The provisions of this chapter shall apply only when the following conditions are met:

A. In the event of any incident or course of conduct potentially giving rise to a claim for damages, or for the commencement of a lawsuit, the official or employee involved shall, as soon as practicable, give the City Manager written notice thereof; identifying the official or employee involved, all information known to the official or employee involved with respect to the date, time, place and circumstances surrounding the incident or conduct giving rise to the potential claim or lawsuit, as well as the names and addresses of all persons allegedly injured or otherwise damaged thereby, and the names and addresses of all witnesses.

B. Upon receipt thereof, the official or employee shall forthwith deliver any claim, demand, notice or summons or other process relating to any such incident or conduct to the City Manager, and shall cooperate with the City Attorney or if the City Attorney authorizes or designates another attorney to handle the matter, with that attorney, and, upon request, shall assist in making settlement of any suit and enforcing any claim for any right of subrogation against any persons or organizations that may be liable to the City because of any damage or claim of loss arising from said incident or course of conduct, including, but not limited to, rights of recovery for costs and attorney's fees arising out of state or federal statute upon a determination that the lawsuit brought was frivolous in nature.

C. Such official or employee shall attend interviews, depositions, hearings and trials and shall assist in securing and giving evidence and obtaining assistance of witnesses all without any additional compensation to the official or employee, and, in the event that an employee has left the employ of the City, no fee or compensation shall be provided; and,

D. Such official or employee shall not accept nor

voluntarily make any payment, assume any obligation, or incur any expense related to said claim or lawsuit, other than for first aid to others at the time of any incident or course of conduct giving rise to any such claim, loss or damage. Nothing herein shall be deemed to preclude any official or employee from retaining an attorney to represent his/her interests relating to such claim or lawsuit; however, all costs and expenses incur thereby shall be paid by the official or the employee.

**2.06.070 Effect of Compliance with Conditions.** If legal representation of an official or employee is undertaken by the City, all of the conditions of representation are met, and a judgment is entered against the official or employee, or a settlement is made, the City shall pay such judgment or settlement; provided, that the City may at its discretion appeal as necessary any such judgement.

**2.06.080 Failure to Comply with Conditions.** In the event that any official or employee fails or refuses to comply with any of the conditions set forth in Section 2.06.060 of this chapter, or elects to provide his/her own representation with respect to any such claim or litigation, then all of the provisions of this chapter shall be inapplicable, and shall have no force or effect with respect to any such claim or litigation.

**2.06.090 Reimbursement of Incurred Expenses.**

A. If the City determines that an official or employee does not come within the provisions of this chapter, and a court of competent jurisdiction later determines that such claim does come within the provisions of this chapter, then the City shall pay any judgment rendered against the official or employee and reasonable attorney's fees incurred in defending against the claim. The City shall pay any costs and reasonable attorney's fees incurred in obtaining the determination that such claim is covered by the provisions of this chapter; provided, that if a court of competent jurisdiction determines that such claim does not come within the provisions of this chapter, then the official or employee shall pay the City's costs and reasonable attorney's fees incurred in obtaining the determination that such claim is not covered under the provisions of this chapter.

B. If the City determines that a claim against a City official or employee does come within the provisions of this chapter, and a court of competent jurisdiction later finds that such claim does not come within the provisions of this chapter, then the City shall be reimbursed by the official or employee for costs or expenses incurred in obtaining the determination that such claim is not covered by the provisions of this chapter.

**2.06.100 Conflict with Provisions of Insurance Policies.** The indemnification provisions of this chapter do not constitute a policy of insurance, and nothing contained in this chapter shall be construed to modify or amend any provisions of any policy of insurance where City official or employee thereof is the named insured. In the event of any conflict between this chapter and the provisions of any such policy of insurance, the policy provisions shall be controlling; provided, however, that nothing contained in this chapter shall be deemed to limit or restrict any employee's or official's right to full coverage pursuant to this chapter, it being the intent of this chapter to provide the coverage detailed in this chapter only outside and beyond insurance policies which may be in effect while not compromising the terms and conditions of such policies by any conflicting provisions contained in this chapter.

**2.06.110 Pending Claims.** The provisions of this chapter shall apply to any claims or lawsuits filed against any official or employee, and any such claims or lawsuits hereinafter filed, irrespective of the date of the events or circumstances which are the basis of such claim or lawsuit.

**2.06.120 Modification of Chapter.** The provisions of this chapter shall be subject to amendment, modification and repeal, at the sole discretion of the City Council, provided that any such amendment, modification or repeal shall apply prospectively only, and shall have no effect on the obligation of the City to indemnify and/or defend against any claim which is based, in whole or in part, upon any action or omission of an official occurring prior to the effective date of the amendment, modification or repeal.

2. That if any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not effect the validity or constitutionality of any other section, sentence, clause or phrase of the ordinance.

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

**ADOPTED** this 8th day of February, 1994, and signed in authentication thereof on this 8th day of February, 1994.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney



**ORDINANCE NO. 94-1008**

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 15.16.110 and 15.16.125 regarding prohibited signs and billboards, as an emergency ordinance

**WHEREAS**, at the time the City Council adopted the Zoning Code, as a part of the SeaTac Municipal Code, provisions were made to outline under what circumstances billboards and signs would be permitted, allowed and regulated; and,

**WHEREAS**, among the regulations involving the City's sign code, provisions restricted placement of billboards and renewal of billboard leases, however, pursuant to requests from members of the business community involved in the advertising and sign industry, the Planning Commission recommended an allowance for billboards to be located in certain areas of the City; and,

**WHEREAS**, because of concerns that surfaced in connection with the present and potential placement of billboards in the City, a public hearing was held by the Planning Commission on January 24, 1994, and after proper notice thereof and after the Planning Commission had the opportunity to hear and consider comments regarding people wishing to speak to the issues of signs and billboards within the City, the Planning Commission recommended to the City Council that the provisions for placement of billboards be further restricted; and,

**WHEREAS**, the City Council, through Ordinance No. 94-1006, deleted the permissible areas of the City for installation of billboards within the City, by amendment to Section 15.16.125, in an effort to clarify the City's position that billboards, other than those that are preexisting non-conforming uses, are prohibited in the City; and,

**WHEREAS**, in order to further clarify and address the restrictions with respect to installation and construction of new billboards, it would be appropriate to further identify that prohibition, although it would likewise be appropriate to recognize that where billboards would otherwise be prohibited, the provisions applicable to pre-existing non-conforming signs may apply rather than the requirement that prohibited signs be removed within six (6) months; and,

**WHEREAS**, because large signs and billboards along certain roadways in the City have substantial impacts on the City, it is appropriate that the City Council make a finding and declaration that this Ordinance is necessary for the protection and preservation of public health, public safety, public property, and public peace and welfare, and that this Ordinance should be in full force and effect immediately on its adoption .

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

1. That Section 15.16.110 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

**15.16.110 Prohibited signs.**

The following signs or displays are prohibited, unless otherwise approved by this chapter. Prohibited signs are subject to removal by the City at the owner's or user's expense. Any existing sign which is prohibited upon the effective date of this code shall be removed within six (6) months of notification from the City except as provided in Section 15.16.120 regarding Nonconforming signs.

A. Window signs containing material unrelated to the merchandise for sale or service performed by the person or business on whose premises or property the sign is located (except real estate "Open House" and subdivision directional signs as governed by Section 15.16.080 of this

code); provided, however; on-premises signs may call the attention of the public to public holidays or community events, the time and temperature;

B. Signs which purport to be, or are an imitation of, or resemble an official traffic sign or signal, or which bear the words "stop," "caution," "danger," "warning," or similar words;

C. Signs which, by reason of their size, location, movement, content, coloring or manner of illumination, may be confused with or construed as a traffic control sign, signal or device, or the light of any emergency (police, fire or ambulance) or radio equipment vehicle; or which obstruct the visibility of any traffic or street sign or signal device;

D. Signs which rotate or have a part(s) which move or revolve except the movement of the hands of a clock or digital changes indicating time and temperature or national market indices, or advertise a specific company or commodity located on-site are permitted;

E. Signs, balloon-signs/symbols or displays or banners, clusters of unauthorized flags, posters, pennants, ribbons, streamers, strings of lights, spinners, twirlers or propellers, flashing, rotating or blinking lights, chasing or scintillating lights, flares, balloons, bubble machines and similar devices of a carnival nature, or containing elements creating sound or smell. Exception: Certain of these devices are permitted on a limited basis as seasonal decorations under Section 15.16.090I or for grand openings of new businesses under Section 15.16.080B of this code;

F. Signs identifying, or window signs advertising activities, products, businesses or services which have been discontinued for more than sixty (60) days on the premises upon which the signs are located;

G. Private signs on utility poles as prohibited by RCW;

H. Searchlights, except if:

1. They are used by any business or enterprise once yearly for a maximum period of seven (7) consecutive days or for purposes of the grand opening of a new enterprise or an enterprise under new management for a maximum period of seven (7) consecutive days (See Section 15.16.080B);

2. The beam of the searchlight does not flash against any building or does not sweep an arc greater than forty-five (45) degrees from vertical;

I. Portable signs, which for the purpose of this code shall mean a stand-alone readerboard and a sign which has no permanent attachment to a building or the ground, including A-frame signs, pole attachments, mobile signs, but not including real estate open-house signs or A-frame signs permitted under Section 15.16.080, and political signs, provided such political signs must meet the requirements of Section 15.16.080D and E, where applicable;

J. Signs for which a permit has been granted under conditions with which the permittee does not comply;

K. Signs for which a permit has been granted and subsequently revoked for cause by the Director of Planning and Community Development or his designee;

L. Direction signs, except where specifically authorized under provisions of this code;

M. Signs erected, altered or relocated (excluding copy change) without a permit issued by the City or any other governmental agency which require a permit by law;

N. Off-site signs in public right-of-ways or located on private property when they exceed the number of signs allowed within that zone classification/district. Additionally, any incidental sized sign in regard to off-site signs shall not be permitted.

O. Billboards as defined in Section 15.16.020 (2) of the City Code, except those qualifying as nonconforming signs pursuant to Section 15.16.120 of the City Code. (Ord. 92-1041 ' 1)

2. That Section 15.16.125 of the SeaTac Municipal Code be, and the same hereby is amended to read as follows:

**15.16.125 Billboards.**

A. Billboards in existence as of the effective date of this code shall be inventoried and listed as nonconforming signs.

B. All leases for billboard locations within the City shall not be renewed from the effective date of this code.

C. No new billboards shall be permitted to be constructed or installed within the City. (Ord. 94-1006 ' 14; Ord. 92-1041 ' 1)

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

**ADOPTED** this 22nd day of February, 1994, and signed in authentication thereof on this 22nd day of February, 1994.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

**ORDINANCE NO. 94-1009**

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 8.05.430 of the SeaTac Municipal Code relating to Harassment

**WHEREAS**, the SeaTac Municipal Code currently includes statutory provisions addressing criminal violations involving Harassment, particularly as statutory provisions are set forth in chapters 9A.46 and 9.61 of the Revised Code of Washington; and,

**WHEREAS**, additional statutory provisions addressing Harassment are set forth in chapter 10.14 of the Revised Code of Washington which are not, currently, included in the SeaTac Municipal Code; and,

**WHEREAS**, in order to afford the law enforcement authorities the full scope of available resources to address Harassment crimes, it would be appropriate to amend the city code to include and incorporate those statutory provisions addressing criminal Harassment violations set forth in chapter 10.14 of the Revised Code of Washington.

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

1. That Section 8.05.430 of SeaTac Municipal Code is amended to read as follows:

**8.05.430 Harassment.**

A. The following sections of the Washington Criminal Code as now in effect, and as may subsequently be amended, are hereby adopted by reference to establish the crime of harassment under the SeaTac Criminal Code:

9A.46.010 Legislative finding.

9A.46.020 Definition - Penalties.

9A.46.030 Place where committed.

9A.46.040 Court-ordered requirements upon person charged with crime - Violation.

9A.46.050 Arraignment - No-contact order.

9A.46.060 Crimes included in harassment.

9A.46.070 Enforcement of orders restricting contact.

9A.46.080 Order restricting contact - Violation.

9A.46.090 Nonliability of peace officer.

9A.46.100 "Convicted," time when.

10.14.120 Disobedience of order--Penalties

10.14.170 Criminal penalty

Chapter 10.99 RCW Domestic Violence

B. The following sections of Title 9 RCW as now in effect, and

as may subsequently be amended, are hereby adopted by reference to establish additional crimes of harassment under the SeaTac Criminal Code:

9.61.230 Telephone calls to harass, intimidate, torment, or embarrass.

9.61.240 Telephone calls to harass, intimidate, torment, or embarrass -  
Permitting telephone to be used.

9.61.250 Telephone calls to harass, intimidate, torment, or embarrass -  
Offense, where deemed committed.

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

**ADOPTED** this 8th day of March, 1994, and signed in authentication thereof on this 8th day of March, 1994.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

**ORDINANCE NO. 94-1010**

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 15.12.050 of the SeaTac Municipal Code relating to government uses and zoning

**WHEREAS**, in connection with the zoning provisions of the SeaTac Municipal Code, certain governmental office and land uses have been identified and the zoning restrictions and limitations for those designations have been provided for the various zoning districts of the City; and,

**WHEREAS**, since the initial adoption of the zoning code of the City of SeaTac, certain concerns regarding the land use restrictions for governmental uses were addressed in several public hearings of the City's Planning Commission, with those public hearings having occurred on June 21, 1993 and September 20, 1993; and,

**WHEREAS**, after the public hearings, and after thorough review by the Planning Commission and City planning staff of all factors involved, it was recommended that there be some changes to the current provisions of the zoning code relative to governmental uses.

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

1. That Section 15.12.050 of SeaTac Municipal Code be, and the same hereby is, amended to provide that the Public Agency Office Use, Use No. 072, shall be allowed as a permitted use in the AU-Airport Use zone, the UH-Urban High Density zone, in the NB-Neighborhood Business zone, in the CB-Community Business zone, ABC-Aviation Business Center zone and the I-Industrial zone; and that the Public Agency Yard land use, Land Use No. 073 shall be allowed as a permitted use in the AU-Airport Use zone, the CB-Community Business zone and the I-Industrial zone, and shall be allowed with a conditional use permit in the ABC-Aviation Business Center zone, and shall be allowed as a permitted use in the UL-Urban Low Density Residential zone, provided that this permitted use shall only apply to the City of SeaTac Public Works Maintenance Facility located at the Glacier High School site, on an interim basis, and the City of SeaTac shall be allowed to expand the maintenance facility at that site to the extent authorized by the City Council, provided that the maintenance facility at that site shall not be used beyond July 1, 1997; and the Public Agency Yard land use, Land Use No. 073, shall be allowed with a conditional use permit in the P-Park zone, provided that a Public Agency Yard located on property within the Park zone may be used as a combined maintenance facility for park and non-park purposes subject to the limitation that the facility shall be no more expansive than that which is reasonably expected to be needed for park maintenance when park facilities are fully developed; and that the Public Archives land use, Land Use 074, shall be allowed as a permitted use in AU-Airport Use zone, in the CB-Community Business zone, ABC-Aviation Business Center zone and the I-Industrial zone, and the Public Archives land use shall be allowed with a conditional use permit in the NB-Neighborhood Business zone and in the P-Park zone, provided that a Public Archives facility located on property within the Park zone is limited to existing structures; and, C-Court land use, Land Use No. 075, shall be allowed as a permitted use in the AU-Airport Use zone, the CB-Community Business zone, the ABC-Aviation Business Center zone and the I-Industrial zone. That

all other uses and zoning provisions in Section 15.12.050 shall remain unchanged.

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

**ADOPTED** this 8th day of March, 1994, and signed in authentication thereof on this 8th day of March, 1994.

**CITY OF SEATAC**

---

Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney



City of SeaTac  
SeaTac City Hall  
19215 28th Avenue South  
SeaTac, WA 98188  
(206) 878-9100

**(Legal Notice)**

March 23, 1994.

**NOTICE OF ORDINANCE PASSED**

**BY SEATAC CITY COUNCIL**

The following is a summary of an Ordinance passed by the City of SeaTac City Council on the 22nd day of March, 1994.

**ORDINANCE NO. 94-1011**

AN ORDINANCE of the City of SeaTac, Washington authorizing the issuance and sale of \$5,000,000 limited tax general obligation bonds of the City to finance the acquisition and construction of a new City Hall; and establishing and declaring the terms and conditions upon which the bonds shall be issued and secured.

Section 1 of the Ordinance provides for Definitions.

Section 2 of the Ordinance provides for Sale of Bonds.

Section 3 of the Ordinance provides for Authorization and Terms of Bonds.

Section 4 of the Ordinance provides for Payment of Principal and Interest.

Section 5 of the Ordinance provides for Redemption Prior to Maturity.

Section 6 of the Ordinance provides for Form of Bonds.

Section 7 of the Ordinance provides for Execution.

Section 8 of the Ordinance provides for Mutilated, Lost, Stolen or Destroyed Bonds.

Section 9 of the Ordinance provides for Book-Entry Only System.

Section 10 of the Ordinance provides for Exchange and Transfer.

Section 11 of the Ordinance provides for Pledge of Taxation and Credit.

Section 12 of the Ordinance provides for Construction Fund; Bond Fund and Disposition of Bond Proceeds.

Section 13 of the Ordinance provides for Tax Covenants and Rebate Fund.

Section 14 of the Ordinance provides for Appointment of Bond Registrar.

Section 15 of the Ordinance provides for Duties of Bond Registrar..

Section 16 of the Ordinance provides for Defeasance.

Section 17 of the Ordinance provides for Severability.

Section 18 of the Ordinance provides for Section Headings and References.

Section 19 of the Ordinance provides for General Authorization.

Section 20 of the Ordinance provides that the Ordinance shall be in full force and effect thirty (30) days after passage of the Ordinance.

The full text of the Ordinance is available at the City Clerk's Office, SeaTac City Hall, 19215 28th Avenue South, SeaTac, Washington 98188, (206) 878-9100. A copy will be mailed out upon request.

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Judith L. Cary, City Clerk

**Published in the Highline Times: Saturday March 26, 1994**

ORDINANCE SUMMARY

City of SeaTac  
SeaTac City Hall  
19215 28th Avenue South  
SeaTac, WA 98188  
(206) 878-9100

**(Legal Notice)**

March 23, 1994.

**NOTICE OF ORDINANCE PASSED  
BY SEATAC CITY COUNCIL**

The following is a summary of an Ordinance passed by the City of SeaTac City Council on the 22nd day of March, 1994.

**ORDINANCE NO. 94-1012**

AN ORDINANCE of the City of SeaTac, Washington authorizing the issuance and sale of \$4,500,000 principal amount of the City for the purpose of providing the funds necessary to construct certain additions, betterments and extensions to the storm water system of the City; establishing and declaring the terms and conditions upon which the bonds shall be issued and secured; appointing a trustee; and pledging revenues to pay the principal thereof and interest thereon.

ARTICLE I

EQUALITY OF SECURITY; DEFINITIONS;

CONTENT OF CERTIFICATES AND OPINIONS

Section 1.01 of the Ordinance provides for Equality of Security.

Section 1.02 of the Ordinance provides for Definitions.

Section 1.03 of the Ordinance provides for Content of Certificates and Opinions.

ARTICLE II

THE BONDS

Section 2.01 of the Ordinance provides for Authorization and Purpose of Bonds.

Section 2.02 of the Ordinance provides for Terms of the Series 1994 Bonds.

Section 2.03 of the Ordinance provides for Form of Bonds.

Section 2.04 of the Ordinance provides for Execution of Bonds.

Section 2.05 of the Ordinance provides for Transfer of Bonds.

Section 2.06 of the Ordinance provides for Exchange of Bonds.

Section 2.07 of the Ordinance provides for Bond Register.

Section 2.08 of the Ordinance provides for Temporary Bonds.

Section 2.09 of the Ordinance provides for Bonds Mutilated, Lost, Destroyed or

Stolen.

Section 2.10 of the Ordinance provides for Validity of Bonds.

Section 2.11 of the Ordinance provides for Book-Entry System.

#### ARTICLE III

##### ISSUANCE OF ADDITIONAL BONDS

Section 3.01 of the Ordinance provides for Issuance of Additional Bonds.

Section 3.02 of the Ordinance provides for Proceedings for Issuance of Additional Series of Bonds.

Section 3.03 of the Ordinance provides for Issuance of Refunding Bonds.

Section 3.04 of the Ordinance provides for Application of Proceeds.

Section 3.05 of the Ordinance provides for Limitations on the Issuance of Obligations Payable from Net Revenues.

#### ARTICLE IV

##### REDEMPTION OF BONDS

Section 4.01 of the Ordinance provides for Terms of Redemption.

Section 4.02 of the Ordinance provides for Redemption of Series 1994 Bonds.

Section 4.03 of the Ordinance provides for Selection of Series 1994 Bonds for Redemption.

Section 4.04 of the Ordinance provides for Notice of Redemption.

Section 4.05 of the Ordinance provides for Partial Redemption of Series of 1994 Bonds.

Section 4.06 of the Ordinance provides for Effect of Redemption.

#### ARTICLE V

##### REVENUES AND APPLICATION OF PROCEEDS

Section 5.01 of the Ordinance provides for Pledge of Revenues.

Section 5.02 of the Ordinance provides for Allocation of Revenues.

Section 5.03 of the Ordinance provides for Application of Interest Fund.

Section 5.04 of the Ordinance provides for Application of Principal Fund.

Section 5.05 of the Ordinance provides for Funding and Application of Bond Reserve Fund.

Section 5.06 of the Ordinance provides for Application of Redemption Fund.

Section 5.07 of the Ordinance provides for Establishment and Application of Project Fund.

Section 5.08 of the Ordinance provides for Investment of Moneys in Funds and Accounts.

ARTICLE VI

COVENANTS OF THE CITY

Section 6.01 of the Ordinance provides for Punctual Payment and Performance.

Section 6.02 of the Ordinance provides for Against Encumbrances.

Section 6.03 of the Ordinance provides for Against Sale or Other Disposition of Property.

Section 6.04 of the Ordinance provides for Tax Covenants; Rebate Fund.

Section 6.05 of the Ordinance provides for Accounting Records and Reports.

Section 6.06 of the Ordinance provides for Compliance with Ordinance.

Section 6.07 of the Ordinance provides for Payment of Taxes.

Section 6.08 of the Ordinance provides for Observance of Laws and Regulations.

Section 6.09 of the Ordinance provides for Further Assurances.

Section 6.10 of the Ordinance provides for Maintenance and Operation of the System.

Section 6.11 of the Ordinance provides for Extension of Payment of Bonds.

Section 6.12 of the Ordinance provides for Establishment and Collection of Rates and Charges; Coverage.

ARTICLE VII

EVENTS OF DEFAULT AND REMEDIES OF BONDHOLDERS

Section 7.01 of the Ordinance provides for Events of Default.

Section 7.02 of the Ordinance provides for Application of Revenues and Other Funds After Default.

Section 7.03 of the Ordinance provides for Trustee to Represent Bondholders.

Section 7.04 of the Ordinance provides for Bondholders' Direction of Proceedings.

Section 7.05 of the Ordinance provides for Limitation on Bondholders' Right to Sue.

Section 7.06 of the Ordinance provides for Absolute Obligation of the City.

Section 7.07 of the Ordinance provides for Termination of Proceedings.

Section 7.08 of the Ordinance provides for Remedies Not Exclusive.

Section 7.09 of the Ordinance provides for No Waiver of Default.

ARTICLE VIII

THE TRUSTEE AND BOND REGISTRAR

Section 8.01 of the Ordinance provides for Appointment of Trustee.

Section 8.02 of the Ordinance provides for Resignation of Trustee.

Section 8.03 of the Ordinance provides for Discharge of Trustee.

Section 8.04 of the Ordinance provides for Appointment of Successor Trustee.

Section 8.05 of the Ordinance provides for Compensation of Trustee and Registrar.

Section 8.06 of the Ordinance provides for No Responsibility for Recitals.

Section 8.07 of the Ordinance provides for Reliance on Notices.

Section 8.08 of the Ordinance provides for Trustee May Act Through Agents; Answerable Only for Willful Misconduct or Negligence.

Section 8.09 of the Ordinance provides for Right of Owner to Inspect.

Section 8.10 of the Ordinance provides for Duties and Obligations of the Trustee.

Section 8.11 of the Ordinance provides for Evidence on Which Trustee and Bond Registrar May Act.

Section 8.12 of the Ordinance provides for When Trustee Not Required to Act.

Section 8.13 of the Ordinance provides for Appointment of Bond Registrar; Payment of Bonds; Bond Registrar to Hold Money in Trust.

Section 8.14 of the Ordinance provides for Depositories.

Section 8.15 of the Ordinance provides for Co-Trustees and Separate Trustees.

## ARTICLE IX

### MODIFICATION OR AMENDMENT OF THIS ORDINANCE

Section 9.01 of the Ordinance provides for Amendments Permitted.

Section 9.02 of the Ordinance provides for Effect of Supplemental Ordinance.

Section 9.03 of the Ordinance provides for Endorsement of Bonds; Preparation of New Bonds.

Section 9.04 of the Ordinance provides for Amendment of Particular Bonds.

Section 9.05 of the Ordinance provides for Notice to Rating Agency.

## ARTICLE X

### DEFEASANCE

Section 10.01 of the Ordinance provides for Discharge of Ordinance.

Section 10.02 of the Ordinance provides for Discharge of Liability on Bonds.

Section 10.03 of the Ordinance provides for Deposit of Money or Securities in Escrow.

Section 10.04 of the Ordinance provides for Payment of Bonds After Discharge of Ordinance.

ARTICLE XI

MISCELLANEOUS

Section 11.01 of the Ordinance provides for Liability of City Limited to Revenues.

Section 11.02 of the Ordinance provides for Successor Is Deemed Included in All References to Predecessor.

Section 11.03 of the Ordinance provides for Limitation of Rights to City, Trustee and Bondholders.

Section 11.04 of the Ordinance provides for Waiver of Notice.

Section 11.05 of the Ordinance provides for Destruction or Delivery of Cancelled Bonds.

Section 11.06 of the Ordinance provides for Severability of Invalid Provisions.

Section 11.07 of the Ordinance provides for Notice.

Section 11.08 of the Ordinance provides for Evidence of Rights of Bondholders.

Section 11.09 of the Ordinance provides for Disqualified Bonds.

Section 11.10 of the Ordinance provides for Money Held for Particular Bonds.

Section 11.11 of the Ordinance provides for Funds and Accounts.

Section 11.12 of the Ordinance provides for Article and Section Headings and References.

Section 11.13 of the Ordinance provides for Waiver of Personal Liability.

Section 11.14 of the Ordinance provides for Business Day.

Section 11.15 of the Ordinance provides for General Authorization.

Section 11.16 of the Ordinance provides for Consent and Direction of Insurers.

Section 11.17 of the Ordinance provides that the Ordinance shall be in full force and effect thirty (30) days after passage of the Ordinance.

The full text of the Ordinance is available at the City Clerk's Office, SeaTac City Hall, 19215 28th Avenue South, SeaTac, Washington 98188, (206) 878-9100. A copy will be mailed out upon request.

---

Judith L. Cary, City Clerk

**Published in the Highline Times: Saturday, March 26, 1994**

ORDINANCE SUMMARY

City of SeaTac  
SeaTac City Hall  
19215 28th Avenue South  
SeaTac, WA 98188  
(206) 878-9100

**(Legal Notice)**

March 23, 1994.

**NOTICE OF ORDINANCE PASSED  
BY SEATAC CITY COUNCIL**

The following is a summary of an Ordinance passed by the City of SeaTac City Council on the 22nd day of March, 1994.

**ORDINANCE NO. 94-1013**

AN ORDINANCE of the City of SeaTac, Washington authorizing the issuance and sale of \$10,000,000 principal amount of local option transportation tax revenue bonds of the City of the purpose of providing the funds necessary to construct road and other transportation improvements; establishing and declaring the terms and conditions upon which the bonds shall be issued and secured; appointing a trustee; and pledging revenues to pay the principal thereof and interest thereon.

ARTICLE I

EQUALITY OF SECURITY; DEFINITIONS;

CONTENT OF CERTIFICATES AND OPINIONS

Section 1.01 of the Ordinance provides for Equality of Security.

Section 1.02 of the Ordinance provides for Definitions.

Section 1.03 of the Ordinance provides for Content of Certificates and Opinions.

ARTICLE II

THE BONDS

Section 2.01 of the Ordinance provides for Authorization of Bonds.

Section 2.02 of the Ordinance provides for Terms of the Series 1994 Bonds.

Section 2.03 of the Ordinance provides for Form of Bonds.

Section 2.04 of the Ordinance provides for Execution of Bonds.

Section 2.05 of the Ordinance provides for Transfer of Bonds.

Section 2.06 of the Ordinance provides for Exchange of Bonds.

Section 2.07 of the Ordinance provides for Bond Register.

Section 2.08 of the Ordinance provides for Temporary Bonds.



Section 2.09 of the Ordinance provides for Bonds Mutilated, Lost, Destroyed or Stolen.

Section 2.10 of the Ordinance provides for Validity of Bonds.

Section 2.11 of the Ordinance provides for Book-Entry System.

#### ARTICLE III

##### ISSUANCE OF ADDITIONAL BONDS

Section 3.01 of the Ordinance provides for Issuance of Additional Bonds.

Section 3.02 of the Ordinance provides for Proceedings for Issuance of Additional Series of Bonds.

Section 3.03 of the Ordinance provides for Issuance of Refunding Bonds.

Section 3.04 of the Ordinance provides for Application of Proceeds.

Section 3.05 of the Ordinance provides for Limitations on the Issuance of Obligations Payable from Revenues.

#### ARTICLE IV

##### REDEMPTION OF BONDS

Section 4.01 of the Ordinance provides for Terms of Redemption.

Section 4.02 of the Ordinance provides for Redemption of Series 1994 Bonds.

Section 4.03 of the Ordinance provides for Selection of Series 1994 Bonds for Redemption.

Section 4.04 of the Ordinance provides for Notice of Redemption.

Section 4.05 of the Ordinance provides for Partial Redemption of Series of 1994 Bonds.

Section 4.06 of the Ordinance provides for Effect of Redemption.

#### ARTICLE V

##### REVENUES

Section 5.01 of the Ordinance provides for Pledge of Revenues; Local Option Transportation Tax Revenue Fund.

Section 5.02 of the Ordinance provides for Allocation of Revenues.

Section 5.03 of the Ordinance provides for Application of Interest Fund.

Section 5.04 of the Ordinance provides for Application of Principal Fund.

Section 5.05 of the Ordinance provides for Funding and Application of Bond Reserve Fund.

Section 5.06 of the Ordinance provides for Application of Redemption Fund.

Section 5.07 of the Ordinance provides for Establishment and Application of Project Fund.

Section 5.08 of the Ordinance provides for Investment of Moneys in Funds and Accounts.

#### ARTICLE VI

##### COVENANTS OF THE CITY

Section 6.01 of the Ordinance provides for Punctual Payment.

Section 6.02 of the Ordinance provides for Extension of Payment of Bonds.

Section 6.03 of the Ordinance provides for Waiver of Laws.

Section 6.04 of the Ordinance provides for Further Assurances.

Section 6.05 of the Ordinance provides for Against Encumbrances.

Section 6.06 of the Ordinance provides for Accounting Records and Financial Statements.

Section 6.07 of the Ordinance provides for Collection of Local Option Transportation Tax Revenues.

Section 6.08 of the Ordinance provides for Rebate Fund.

Section 6.09 of the Ordinance provides for Tax Covenants.

#### ARTICLE VII

##### EVENTS OF DEFAULT AND REMEDIES OF BONDHOLDERS

Section 7.01 of the Ordinance provides for Events of Default.

Section 7.02 of the Ordinance provides for Application of Revenues and Other Funds After Default.

Section 7.03 of the Ordinance provides for Trustee to Represent Bondholders.

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Section 7.05 of the Ordinance provides for Limitation on Bondholders' Right to Sue.

Section 7.06 of the Ordinance provides for Absolute Obligation of the City.

Section 7.07 of the Ordinance provides for Termination of Proceedings.

Section 7.08 of the Ordinance provides for Remedies Not Exclusive.

Section 7.09 of the Ordinance provides for No Waiver of Default.

#### ARTICLE VIII

##### THE TRUSTEE AND BOND REGISTRAR

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Section 8.03 of the Ordinance provides for Discharge of Trustee.

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## ARTICLE IX

### MODIFICATION OR AMENDMENT OF THIS ORDINANCE

Section 9.01 of the Ordinance provides for Amendments Permitted.

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Section 9.03 of the Ordinance provides for Endorsement of Bonds; Preparation of New Bonds.

Section 9.04 of the Ordinance provides for Amendment of Particular Bonds.

Section 9.05 of the Ordinance provides for Notice to Rating Agency.

## ARTICLE X

### DEFEASANCE

Section 10.01 of the Ordinance provides for Discharge of Ordinance.

Section 10.02 of the Ordinance provides for Discharge of Liability on Bonds.

Section 10.03 of the Ordinance provides for Deposit of Money or Securities in Escrow.

Section 10.04 of the Ordinance provides for Payment of Bonds After Discharge of Ordinance.

## ARTICLE XI

### MISCELLANEOUS

Section 11.01 of the Ordinance provides for Liability of City Limited to Revenues.

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Section 11.07 of the Ordinance provides for Notice.

Section 11.08 of the Ordinance provides for Evidence of Rights of Bondholders.

Section 11.09 of the Ordinance provides for Disqualified Bonds.

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Section 11.14 of the Ordinance provides for Business Day.

Section 11.15 of the Ordinance provides for General Authorization.

Section 11.16 of the Ordinance provides for Consent and Direction of Insurers.

Section 11.17 of the Ordinance provides that the Ordinance shall be in full force and effect thirty (30) days after passage of the Ordinance.

The full text of the Ordinance is available at the City Clerk's Office, SeaTac City Hall, 19215 28th Avenue South, SeaTac, Washington 98188, (206) 878-9100. A copy will be mailed out upon request.

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Judith L. Cary, City Clerk

**Published in the Highline Times: Saturday, March 26, 1994**

**ORDINANCE NO. 94-1014**

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending and approving the zoning map of the City

**WHEREAS**, in connection with the initial zoning regulations of the City of SeaTac, the City adopted zoning regulations of King County and adopted the King County zoning map for properties within the City of SeaTac; and,

**WHEREAS**, in connection with the City's adoption of Ordinance No. 92-1041, certain changes were made from the zoning scheme of the City of SeaTac from the previous, King County zoning scheme, including conversions of residential, commercial and industrial zoning designations to new zoning designations used by the City of SeaTac, as follows:

**Previous Zoning Designations New Zoning Designations**

Residential

RS-15,000 . . . . .	UL Urban Low Density
RS-9600 . . . . .	" " " "
RS-7200 . . . . .	" " " "
RD-3600 . . . . .	UM Urban Medium Density
RM-2400 . . . . .	UH Urban High Density
RM-1800 . . . . .	" " " "
RM-900 . . . . .	" " " "
RMHP . . . . .	MHP Mobile Home Park

Public/Open Space

SE . . . . .	UR Urban Reserve
S-R . . . . .	" " "
SR-7200 . . . . .	" " "
AOU . . . . .	AU Airport Use
(NO PRIOR DESIGNATION). . . . .	P Park

Commercial

B-N . . . . .	NB Neighborhood Business
B-C . . . . .	CB Community Business
C-G . . . . .	" " "
ABC . . . . .	ABC Aviation Business Center

Industrial

M-L . . . . .	I Industrial
M-P . . . . .	" " ; and,

**WHEREAS**, in connection with the designation of park properties which were recently turned over to the City of SeaTac, it is appropriate that those new property designations be reflected in the City's zoning maps; and,

**WHEREAS**, it would, therefore, be appropriate for the zoning maps of the City to be amended to reflect such land use changes including the park properties of the City, even though the continued work on the City's Comprehensive Plan will involve additional changes needing to be made in the not to distant future and;

**WHEREAS**, in connection with these zoning uses and designations, public hearings have previously been held before both the Planning Commission and the City Council.

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

1. That the zoning map for the City of SeaTac, a copy of which is attached hereto, marked as Exhibit "A" and incorporated herein by this reference, be, and the same hereby is, adopted, amending prior zoning designations.
2. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary as required by law.

**ADOPTED** this 12th day of April, 1994, and signed in authentication thereof on this 12th day of April, 1994.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

**ORDINANCE NO. 94-1015**

AN ORDINANCE of the City Council of the City of SeaTac, Washington relating to employment and employees, and amending the Pay and Compensation Plan of the City for non-represented employees

**WHEREAS**, the City Council of the City of SeaTac has, previously, enacted Ordinance No. 90-1037, and various amendments thereto, establishing personnel policies and procedures and adopting a pay and compensation plan for City employees; and,

**WHEREAS**, in order to address the need for a reasonable and fair compensation to City employees, the City had a classification and compensation study completed, the results of which were recently the subject of a negotiated agreement between the bargaining representative of the general employees collective bargaining unit; and,

**WHEREAS**, the City Council has expressed its intent to provide uniformity in the implementation of the classification and compensation study in order to assure equitable compensation to non-represented employees of the City in consideration of that paid to other employees; and,

**WHEREAS**, in light of the 1994 amendment to the collective bargaining agreement negotiated for the general employees union of the City, it is appropriate for the City Council to adopt an ordinance providing for consistent implementation of the classification and compensation study for non-represented employees of the City.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as a non-codified ordinance, as follows:**

1. That the salary ranges for the pay and compensation plan for non-represented employees of the City shall be set at the 50% level pursuant to the classification and compensation study, Ewing 1993, as reflected on the attachment hereto, marked as Exhibit "A" incorporated herein by this reference, and the plan shall be further amended as follows:

Classifications, Job Descriptions and Titles:

The classifications, job descriptions and titles for the non-represented employees of the City shall be as determined in the process developed by the Ewing study (1993).

Salary Ranges:

The salary ranges for the various positions of the non-represented employees of the City shall be at the 50% level pursuant to the Ewing study, increased by the amount of 2.7 percent to reflect the COLA for 1994.

Placement in the Salary Ranges:

A. The salary ranges shall consist of a starting and a top-end salary amount for each position.

B. Employees whose salary level as of (December 31, 1993) falls between the starting and top-end levels for their respective salary ranges shall receive a 2.7 percent cost of living increase, provided that the salary levels shall not exceed the top-end salary amount.

C. Employees whose current salaries are below the starting points shall be moved to the starting point, effective January 1, 1994.

D. Employees who are at or above the top range salary for their employment position shall receive a COLA 85% of the COLA available to other employees (%90 percent of the CPI-W July-July) in the amount of 2.295%.

E. Employees whose salaries are less than 5% above the starting salary for their position shall be eligible for a merit salary increase after 6 months or sooner if their anniversary/review date occurs earlier.

F. All merit salary increases shall be 5% over the prior employment salary, up to the maximum of that range for their positions.

G. For those employees who have received merit salary increases since January 1, 1994, the salaries shall be adjusted, where applicable, to implement the above amendments.

Vacation Accrual:

The non-represented employees of the City shall receive vacation accrual as set forth below, effective and retroactive to January 1, 1993:

A. First Year:

During the first year of employment with the City, employees shall accrue 10 days of vacation per year (3.3334 hours per pay period).

B. Second Year:

During the second year of employment with the City, employees shall accrue 11 days of vacation per year (3.666 hours per pay period).

C. Third Year:

During the third year of employment with the City, employees shall accrue 12 days of vacation per year (4 hours per pay period).

D. Fourth through Tenth Year:

During the fourth through the tenth years of employment, employees shall accrue 13 days of vacation per year (4.333 hours per pay period).

E. Eleventh through Fifteenth Year:

During the eleventh through the fifteenth year of employment with the City, employees shall accrue fifteen days of vacation per year (5 hours per pay period).

F. Sixteenth Year and Thereafter:



For all years of employment with the City after sixteen years, employees shall accrue 20 days per year (6.66 hours per pay period).

2. That the provisions of prior pay and compensation ordinances of the City shall remain in full force and effect except as inconsistent herewith.

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

**ADOPTED** this 12th day of April, 1994, and signed in authentication thereof on this 12th day of April, 1994.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

**ORDINANCE NO. 94-1016**

An ORDINANCE of the City Council of the City of SeaTac, Washington, creating a new Section 2.21.075 of the SeaTac Municipal Code expressing its desire to provide funding for art in public places in connection with certain capital facility projects

**WHEREAS**, the City Council of the City of SeaTac recognizes the important role that art plays in public places, serving cultural enrichment and enhancing community environment; and,

**WHEREAS**, it is the City Council's intention to promote a variety of cultural opportunities for artistic expression within the community by encouraging and promoting the placement of art in public places; and,

**WHEREAS**, the City Council desires to establish a goal of providing for art displays and placement in connection with certain capital facilities of the City, so as to expand the community's appreciation of public visual art.

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

1. That a new Section 2.21.075 of the SeaTac Municipal Code is created to read as follows:

**2.21.075 One Percent for the Arts.**

It is the desire of the City Council, as expressed hereby, to have up to one percent of the total costs of City capital facility projects which have a total cost in excess of \$1,000,000, designated to be used for selection, acquisition, installation and/or display of original works of art which may be incorporated into and become a part of the capital facility project, or be placed in, on or about the project or in another suitable public area, and/or for repairs and maintenance of public arts placed and displayed in connection with certain City structures, with actual expenditures for the arts being specifically approved and authorized by the City Council, on a case by case basis. In addition to the other factors involved in purchasing, constructing and installing art work, for the purposes hereof, capital facility projects shall not include projects of the City to construct or remodel any streets, sidewalks, parking facilities, storm drainage improvements, utility lines, and any other capital facility projects which are funded in whole or in part through transportation and gasoline tax dollars, enterprise fund revenues, and any other expenditure restricted revenues.

2. That this Ordinance shall be in full force and effect thirty (30) days after passage.

**ADOPTED** this 26th day of April, 1994 and signed in authentication thereof this 26th day of April, 1994.

CITY OF SEATAC

Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

**ORDINANCE NO. 94-1017**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Chapter 3.70 of the SeaTac Municipal Code relating to the Local Option Transportation Tax

**WHEREAS**, the City Council of the City of SeaTac, by Ordinance No. 93-1019, adopted and established a Local Option Transportation Tax, initially entitled a commercial parking tax; and,

**WHEREAS**, in connection with the commercial parking tax, the City Code initially provided for the deposit of funds generated by the tax to be placed in a BARS line item under the City street fund; and,

**WHEREAS**, in order to provide for a more separate accounting of the tax revenue, it would be appropriate to create a separate fund for the tax; and,

**WHEREAS**, at the time that the City Council developed its philosophy for the tax, it recognized that a fair apportionment of the traffic impacts caused by people traveling to and from the Seattle-Tacoma International Airport would be on a "per trip" basis; and,

**WHEREAS**, at the time of the adoption of Ordinance No. 93-1019, the amount of parking involved in "short-term metered parking" at the Seattle-Tacoma International Airport was substantially less than is currently the case; and,

**WHEREAS**, because of efforts on the part of the Seattle-Tacoma International Airport to improve the efficiency of airport parking and airport terminal traffic, the use of "short-term metered parking" has substantially increased, with a corresponding reduction of regular airport parking; and,

**WHEREAS**, because of increased usage of "short-term metered parking", in order to adequately and fairly apportion the traffic impacts to those people travelling to and from the Seattle-Tacoma International Airport, it is appropriate to amend the language of the City Code to delete the current exemption from the tax of such "short-term metered parking"; and,

**WHEREAS**, in order to provide for the collection of the tax on the "short-term metered parking" it is appropriate to initially set the tax on "short-term metered parking", effective July 1, 1994, in the amount of twenty-five cents (\$0.25) per transaction, with staff being directed to further study and evaluate the appropriate rate that should be imposed on "short-term metered parking", in light of the impacts on City-regional transportation systems, and in light of the shift from regular commercial parking to "short-term metered parking"; and,

**WHEREAS**, even though the tax was initially established and designed to apply to commercial parking transactions which included any time a vehicle was parked for a fee, as a part of another transaction, or in other instances where compensation or consideration was given, other than for employee parking and short stay metered parking, in order to clarify that the commercial parking transaction applies for each such vehicle parked, it would be appropriate to amend the language of the Chapter, and specifically of paragraph C in Section 3.70.010 to so provide; and,

**WHEREAS**, it would also be appropriate and advantageous for clarity purposes for the actual title of the tax to be re-labeled as a Local Option Transportation Tax rather than the labeled commercial parking tax.

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

1. That Chapter 3.70 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

## Chapter 3.70

### ~~COMMERCIAL PARKING LOCAL OPTION TRANSPORTATION TAX~~

Sections:

3.70.010 Definitions.

3.70.020 ~~Commercial Parking~~ Local Option Transportation tax imposed.

3.70.030 Tax in addition to other license fees or taxes.

3.70.040 Fund created - Use of funds.

3.70.050 Taxes collected by business operators.

3.70.060 Exempt vehicles.

3.70.070 Violation - Penalty.

3.70.080 Appeal procedure.

3.70.010 Definitions.

For the purposes of this chapter, the following definitions shall apply:

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

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

C. "Commercial parking transaction" means any transaction or arrangement whereby a vehicle is parked and a fee is charged for parking or allowing the vehicle to be parked. It shall constitute a parking transaction each time a fee is charged for parking or allowing a vehicle to be parked, irrespective of the length of time the vehicle is parked; ~~provided that, including "short stay metered parking", as defined herein, shall not constitute a commercial parking transaction, and; provided that~~ "local employee parking", as defined herein, shall not constitute a commercial parking transaction. A commercial parking transaction shall include instances where a fee is charged for the parking of a vehicle and that fee is included as a specific item in the fee or charge. A commercial parking transaction shall also include instances where a vehicle is parked or allowed to be parked for a certain period of time, and a fee is charged in connection with other services. A commercial

parking transaction shall also include instances where a guest of a hotel, motel or other lodging establishment is allowed to park or leave his/her vehicle at the hotel, motel or other lodging establishment after the guest has concluded his/her business at the hotel, motel or other lodging establishment and/or has checked out of the hotel, motel or other lodging establishment, so that the guest's vehicle is parked at the hotel, motel or other lodging establishment during days when the guest is not staying at the hotel, motel or other lodging establishment, regardless of whether a parking fee is included as a specific item listed or identified on the bill or charge for services by the hotel, motel or other lodging establishment. A commercial parking transaction shall also include instances where a vehicle is parked or allowed to be parked and where a fee would be charged for the parking unless validated by a business because a customer makes a purchase or otherwise transacts business for which a fee is paid. Each vehicle that is parked shall constitute a separate commercial parking transaction for which the tax shall be collected, even if the fees charged and/or arrangements made for vehicle parking includes more than one vehicle.

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

E. "Short stay metered parking" refers to the parking of vehicles in spaces where payment for parking is made through parking meters and where the duration of the metered parking does not exceed two consecutive hours in length. (Ord. 93-1019 ' 1)

### **3.70.020 Commercial parking Local option transportation tax imposed.**

Pursuant to RCW 82.80.030, there is levied a special ~~commercial parking~~ local option transportation tax to be imposed in connection with commercial parking businesses within the City.

The tax shall be imposed at the rate of fifty cents (\$0.50) per commercial parking transaction, irrespective of the length of

time that a vehicle is parked in connection with each transaction, Provided that the tax on "short-term metered parking" shall be in the amount of twenty-five cents (\$0.25) per parking transaction. (Ord. 93-1019 ' 1)

### **3.70.030 Tax in addition to other license fees or taxes.**

The tax levied hereunder shall be in addition to any license fee or tax imposed or levied under any law, statute or ordinance

whether imposed or levied by the City, State or other governmental entity or political subdivision. (Ord. 93-1019 ' 1)

### **3.70.040 Fund created - Use of funds.**

There is created a fund which shall be known as the "Local Option Transportation Tax Fund." All revenues, assessments and other charges generated and collected as local option transportation taxes ~~The funds generated by this tax~~ shall be placed into the ~~Street Fund of the City, and identified by a separate BARS line item under that fund.~~ The revenues collected as ~~commercial parking tax revenues~~ shall be used by the City for regional capital projects within the City of SeaTac Comprehensive Transportation Plan, in accordance with RCW 82.80.070, and for administering the tax, including activities of the City in keeping and tracking records, financial reports and other documents, reviewing filings and compiling reports by commercial parking businesses, and other activities involved in collection and enforcement of the tax. (Ord. 93-1019 ' 1)

### **3.70.050 Taxes collected by business operators.**

Taxes imposed herein shall be collected by the operators of the commercial parking businesses. The operators of the commercial parking businesses shall remit to the City the ~~commercial parking~~ local option transportation taxes collected on or before the tenth day of the month following the month during which the taxes were collected. The City shall be authorized to review and inspect financial records involving activities of businesses which are taxable by this tax, at least quarterly each year. (Ord. 93-1019 ' 1)

### **3.70.060 Exempt vehicles.**

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

(Ord. 93-1019 ' 1)

### **3.70.070 Violation - Penalty.**

It is unlawful for any person, firm or corporation engaged in a commercial parking business to fail or refuse to collect and remit the taxes with intent to violate the provisions of this chapter or to gain some advantage or benefit, whether direct or indirect. Any such violation shall constitute a misdemeanor and shall be punishable by a fine not to exceed \$1,000.00 or by imprisonment for a term not exceeding 90 days. (Ord. 93-1019 ' 1)

### **3.70.080 Appeal procedure.**

Any person aggrieved by the amount of tax determined to be due to the City pursuant to the provisions of this chapter, may appeal to the City Council from such determination by filing a written notice of appeal with the City Clerk within 20 days from the date on which such person was given notice of the tax. The City Council shall, as soon as practicable, fix a time and place for the hearing for such appeal. Notice of the hearing and the appeal shall be given to the appellant by certified mail at least five days prior to the date of the hearing. On the appeal, the City Council shall determine whether the tax was properly computed and whether the tax provisions of the City Code were properly applied to the circumstances of the appellant. (Ord. 93-1019 ' 1)

2. That City staff is directed to evaluate and study, on an on-going basis, the impacts of airport and travel related use of City roads in order to determine appropriate rates of the Local Option Transportation Tax on commercial parking activities, including "short-term metered parking", and periodically report back to the City Council with the status of those evaluations, together with recommendations for amendments to the Chapter 3.70 of the City Code, if any.

3. That this Ordinance shall be in full force and effect thirty (30) days after passage, Provided that the amendment of paragraph "C" of Section 3.70.010 of the City Code, eliminating the tax exemption for "short-term metered parking" shall be effective July 1, 1994, with the tax thereafter being collected on such short-term metered parking" as provided



herein.

**ADOPTED** this 26th day of April, 1994, and signed in authentication thereof on this 26th day of April, 1994.

**CITY OF SEATAC**

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Terry Anderson, Deputy Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

City of SeaTac  
SeaTac City Hall  
19215 28th Avenue South  
SeaTac, WA 98188  
(206) 878-9100

**(Legal Notice)**

April 27, 1994.

**NOTICE OF ORDINANCE PASSED**

**BY SEATAC CITY COUNCIL**

The following is a summary of an Ordinance passed by the City of SeaTac City Council on the 26th day of April, 1994.

**ORDINANCE NO. 94-1018**

AN ORDINANCE of the City of SeaTac, Washington **amending and restating Ordinance No. 94-1013**, authorizing the issuance and sale of \$10,000,000 principal amount of local option transportation tax revenue bonds of the City of the purpose of providing the funds necessary to construct road and other transportation improvements; establishing and declaring the terms and conditions upon which the bonds shall be issued and secured; appointing a trustee; and pledging revenues to pay the principal thereof and interest thereon.

ARTICLE I

EQUALITY OF SECURITY; DEFINITIONS;

CONTENT OF CERTIFICATES AND OPINIONS

Section 1.01 of the Ordinance provides for Equality of Security.

Section 1.02 of the Ordinance provides for Definitions.

Section 1.03 of the Ordinance provides for Content of Certificates and Opinions.

ARTICLE II

THE BONDS

Section 2.01 of the Ordinance provides for Authorization of Bonds.

Section 2.02 of the Ordinance provides for Terms of the Series 1994 Bonds.

Section 2.03 of the Ordinance provides for Form of Bonds.

Section 2.04 of the Ordinance provides for Execution of Bonds.

Section 2.05 of the Ordinance provides for Transfer of Bonds.

Section 2.06 of the Ordinance provides for Exchange of Bonds.

Section 2.07 of the Ordinance provides for Bond Register.

Section 2.08 of the Ordinance provides for Temporary Bonds.

Section 2.09 of the Ordinance provides for Bonds Mutilated, Lost, Destroyed or Stolen.

Section 2.10 of the Ordinance provides for Validity of Bonds.

Section 2.11 of the Ordinance provides for Book-Entry System.

### ARTICLE III

#### ISSUANCE OF ADDITIONAL BONDS

Section 3.01 of the Ordinance provides for Issuance of Additional Bonds.

Section 3.02 of the Ordinance provides for Proceedings for Issuance of Additional Series of Bonds.

Section 3.03 of the Ordinance provides for Issuance of Refunding Bonds.

Section 3.04 of the Ordinance provides for Application of Proceeds.

Section 3.05 of the Ordinance provides for Limitations on the Issuance of Obligations Payable from Revenues.

### ARTICLE IV

#### REDEMPTION OF BONDS

Section 4.01 of the Ordinance provides for Terms of Redemption.

Section 4.02 of the Ordinance provides for Redemption of Series 1994 Bonds.

Section 4.03 of the Ordinance provides for Selection of Series 1994 Bonds for Redemption.

Section 4.04 of the Ordinance provides for Notice of Redemption.

Section 4.05 of the Ordinance provides for Partial Redemption of Series of 1994 Bonds.

Section 4.06 of the Ordinance provides for Effect of Redemption.

### ARTICLE V

#### REVENUES

Section 5.01 of the Ordinance provides for Pledge of Revenues; Local Option Transportation Tax Revenue Fund.

Section 5.02 of the Ordinance provides for Allocation of Revenues.

Section 5.03 of the Ordinance provides for Application of Interest Fund.

Section 5.04 of the Ordinance provides for Application of Principal Fund.

Section 5.05 of the Ordinance provides for Funding and Application of Bond Reserve Fund.

Section 5.06 of the Ordinance provides for Application of Redemption Fund.

Section 5.07 of the Ordinance provides for Establishment and Application of Project Fund.

Section 5.08 of the Ordinance provides for Investment of Moneys in Funds and Accounts.

#### ARTICLE VI

##### COVENANTS OF THE CITY

Section 6.01 of the Ordinance provides for Punctual Payment.

Section 6.02 of the Ordinance provides for Extension of Payment of Bonds.

Section 6.03 of the Ordinance provides for Waiver of Laws.

Section 6.04 of the Ordinance provides for Further Assurances.

Section 6.05 of the Ordinance provides for Against Encumbrances.

Section 6.06 of the Ordinance provides for Accounting Records and Financial Statements.

Section 6.07 of the Ordinance provides for Collection of Local Option Transportation Tax Revenues.

Section 6.08 of the Ordinance provides for Rebate Fund.

Section 6.09 of the Ordinance provides for Tax Covenants.

#### ARTICLE VII

##### EVENTS OF DEFAULT AND REMEDIES OF BONDHOLDERS

Section 7.01 of the Ordinance provides for Events of Default.

Section 7.02 of the Ordinance provides for Application of Revenues and Other Funds After Default.

Section 7.03 of the Ordinance provides for Trustee to Represent Bondholders.

Section 7.04 of the Ordinance provides for Bondholders' Direction of Proceedings.

Section 7.05 of the Ordinance provides for Limitation on Bondholders' Right to Sue.

Section 7.06 of the Ordinance provides for Absolute Obligation of the City.

Section 7.07 of the Ordinance provides for Termination of Proceedings.

Section 7.08 of the Ordinance provides for Remedies Not Exclusive.

Section 7.09 of the Ordinance provides for No Waiver of Default.

#### ARTICLE VIII

##### THE TRUSTEE AND BOND REGISTRAR

Section 8.01 of the Ordinance provides for Appointment of Trustee.

Section 8.02 of the Ordinance provides for Resignation of Trustee.

Section 8.03 of the Ordinance provides for Discharge of Trustee.

Section 8.04 of the Ordinance provides for Appointment of Successor Trustee.

Section 8.05 of the Ordinance provides for Compensation of Trustee and Registrar.

Section 8.06 of the Ordinance provides for No Responsibility for Recitals.

Section 8.07 of the Ordinance provides for Reliance on Notices.

Section 8.08 of the Ordinance provides for Trustee May Act Through Agents; Answerable Only for Willful Misconduct or Negligence.

Section 8.09 of the Ordinance provides for Right of Owner to Inspect.

Section 8.10 of the Ordinance provides for Duties and Obligations of the Trustee.

Section 8.11 of the Ordinance provides for Evidence on Which Trustee and Bond Registrar May Act.

Section 8.12 of the Ordinance provides for When Trustee Not Required to Act.

Section 8.13 of the Ordinance provides for Appointment of Bond Registrar; Payment of Bonds; bond Registrar to Hold Money in Trust.

Section 8.14 of the Ordinance provides for Depositories.

Section 8.15 of the Ordinance provides for Co-Trustees and Separate Trustees.

## ARTICLE IX

### MODIFICATION OR AMENDMENT OF THIS ORDINANCE

Section 9.01 of the Ordinance provides for Amendments Permitted.

Section 9.02 of the Ordinance provides for Effect of Supplemental Ordinance.

Section 9.03 of the Ordinance provides for Endorsement of Bonds; Preparation of New Bonds.

Section 9.04 of the Ordinance provides for Amendment of Particular Bonds.

Section 9.05 of the Ordinance provides for Notice to Rating Agency.

## ARTICLE X

### DEFEASANCE

Section 10.01 of the Ordinance provides for Discharge of Ordinance.

Section 10.02 of the Ordinance provides for Discharge of Liability on Bonds.

Section 10.03 of the Ordinance provides for Deposit of Money or Securities in Escrow.

Section 10.04 of the Ordinance provides for Payment of Bonds After Discharge of Ordinance.

## ARTICLE XI

### MISCELLANEOUS

Section 11.01 of the Ordinance provides for Liability of City Limited to Revenues.

Section 11.02 of the Ordinance provides for Successor Is Deemed Included in All References to Predecessor.

Section 11.03 of the Ordinance provides for Limitation of Rights to City, Trustee and Bondholders.

Section 11.04 of the Ordinance provides for Waiver of Notice.

Section 11.05 of the Ordinance provides for Destruction or Delivery of Cancelled Bonds.

Section 11.06 of the Ordinance provides for Severability of Invalid Provisions.

Section 11.07 of the Ordinance provides for Notice.

Section 11.08 of the Ordinance provides for Evidence of Rights of Bondholders.

Section 11.09 of the Ordinance provides for Disqualified Bonds.

Section 11.10 of the Ordinance provides for Money Held for Particular Bonds.

Section 11.11 of the Ordinance provides for Funds and Accounts.

Section 11.12 of the Ordinance provides for Article and Section Headings and References.

Section 11.13 of the Ordinance provides for Waiver of Personal Liability.

Section 11.14 of the Ordinance provides for Business Day.

Section 11.15 of the Ordinance provides for General Authorization.

Section 11.16 of the Ordinance provides for Consent and Direction of Insurers.

Section 11.17 of the Ordinance provides that the Ordinance shall be in full force and effect thirty (30) days after passage of the Ordinance.

The full text of the Ordinance is available at the City Clerk's Office, SeaTac City Hall, 19215 28th Avenue South, SeaTac, Washington 98188, (206) 878-9100. A copy will be mailed out upon request.

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Judith L. Cary, City Clerk

**Published in the Highline Times: Saturday, April 30, 1994**

**ORDINANCE NO. 94-1019**

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

**WHEREAS**, in connection with the findings of the City of SeaTac City Council substitute Ordinance No. 91-1022, Ordinance No. 92-1021, and Ordinance No. 93-1018, the City Council found that the use of property to operate, conduct, or maintain adult entertainment, adult theater, and adult use establishments is a use which, because of its very nature, has serious objectionable operational characteristics; and,

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

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

**WHEREAS**, the Washington State Legislature has been addressing Regulatory Reform which should be incorporated into the City's Comprehensive Plan, further delaying completion of the Comprehensive Plan; and,

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

**WHEREAS**, the moratorium established by Substitute Ordinance No. 91-1022 and extended by Ordinance No. 92-1021 and Ordinance No. 93-1018 needs to be extended pending completion of development of comprehensive plans and/or legislative action addressing adult establishments.

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

1. That Section 1 of Substitute Ordinance No. 91-1022 as amended by Section 1 of Ordinance No. 92-1021 and Section 1 of Ordinance 93-1018, be, and the same hereby is further amended so that the moratorium established thereby is extended as follows:

**Moratorium Established.**

Through ~~June 30~~ December 31, 1994 or until the City's new comprehensive land use plan governing the location of places of adult entertainment, adult theater and adult use establishments shall take effect, whichever is sooner, no application for use permits or building permits for places of adult entertainment, adult theater, and adult use establishments shall be accepted, no use permits or building permits for adult entertainment, adult theater and adult use establishments shall be issued, no applications for business licenses for adult entertainment, adult theater, and adult use establishments shall be accepted, and no adult entertainment, adult theater, and adult use establishment licenses shall be issued.

2. That this Ordinance shall be in full force and effect thirty (30) days after passage of the Ordinance.

**ADOPTED** this 10th day of May, 1994, and signed in authentication thereof on

this 10th day of May, 1994.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney



**ORDINANCE NO. 94-1020**

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 8.05.145 of the SeaTac Municipal Code relating to the offense of Obstructing Law Enforcement Officers, and providing for eventual replacement and reinstatement of RCW 9A.76.020, adopted by reference in SMC 8.05.150

**WHEREAS**, the City Council of the City of SeaTac, recently, passed an Ordinance establishing the offense of Obstructing a Law Enforcement Officer, creating a new Section 8.05.145 of the SeaTac Municipal Code; and,

**WHEREAS**, that Ordinance was passed because the prior language of the state statute had been determined to have numerous substantial legal short-comings, to the point where much of the statutory language was unenforceable and unusable by police officers; and,

**WHEREAS**, shortly after the City of SeaTac took action to address the deficiencies by passing the Ordinance creating the new section of the SeaTac Municipal Code, the Washington State Legislature, in its 1994 session, corrected the deficiencies in the statutory language by adopting Chapter 196, Laws of 1994 which paralleled to a substantial degree, the language contained in the City of SeaTac Ordinance; and,

**WHEREAS**, in addition to the charging language corrections, the State statute, further, better defined the references to law enforcement officers; and,

**WHEREAS**, because it would be advantageous for the City to have its Municipal Code contain the same language as that which is to be included in State statute, for convenience of use by law enforcement officers, and for consistency in enforcement, it is appropriate to amend the language of the SeaTac Municipal Code to match the language of the recent state legislative enactment; and,

**WHEREAS**, when the new language of the state statute becomes effective, it would be advantageous and convenient to again utilize the State statute for enforcement of the "obstructing" charge, with the separate City code section being repealed at that time.

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

1. That Section 8.05.145 of SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

**8.05.145 Obstructing law enforcement officers.**

(1) A person is guilty of obstructing a law enforcement officer if the person:

(a) It is unlawful for any person to make any Willfully makes a false or untrue, misleading or exaggerated statement to a law enforcement officer who has detained the person during the course of a lawful investigation or lawful arrest; or

(b) to Willfully hinders, delays or obstructs any law enforcement officer in the discharge of his or her official powers or duties.

(2) "Law enforcement officer" means any general authority, limited authority, or specially commissioned Washington peace officer or federal peace officer as those terms are defined in RCW 10.93.020, and other public officers who are responsible for enforcement of fire, building, zoning, and life and safety codes.

~~(3) Violation of this section shall be Obstructing a law enforcement officer is a gross misdemeanor.~~

2. That the Section 8.05.145 of the SeaTac Municipal Code amended as per section one of this ordinance shall remain in effect and enforceable from the effective date of this Ordinance until the statutory changes to RCW 9A.76.020, adopted by the Washington State Legislature as Chapter 196, Laws of 1994, becomes effective, at which time the adoption of the revised language of RCW 9A.76.020, shall be effective, with the language being adopted by reference and incorporated in Section 8.05.150 of the City Code, and with Section 8.05.145 of the City Code being repealed at that same time.

3. That this Ordinance shall be in full force and effect thirty (30) days after passage.

**ADOPTED** this 10th day of May, 1994, and signed in authentication thereof on this 10th day of May, 1994.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

**ORDINANCE NO. 94-1021**

AN ORDINANCE of the City Council of the City of SeaTac, Washington creating a new Section 9.05.011 of the SeaTac Municipal Code, adopting the Washington Model Traffic Ordinance (MTO), as contained in the Washington Administrative Code, Chapter 308-330 WAC, amending Section 9.05.050 of the SeaTac Municipal Code, regarding traffic regulation within the City of SeaTac, and repealing inconsistent provisions of Ordinance No. 90-1030

**WHEREAS**, the state legislature has provided that Chapter 46.90 of the Revised Code of Washington, which contained Washington's prior MTO, will expire on July 1, 1994; and,

**WHEREAS**, the provisions of the Washington MTO have been re-adopted in the Washington Administrative Code, in Chapter 308-330, WAC, which becomes effective on July 1, 1994; and,

**WHEREAS**, in order for the City of SeaTac and its law enforcement officers and citizens to have continuity in the enforcement of traffic laws of the State of Washington, it is appropriate that the WAC provisions be adopted by the City.

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

1. That a new section 9.05.011 of SeaTac Municipal Code be, and the same hereby is, adopted to read as follows:

**9.05.011 Adoption of Model Traffic Ordinance (After July 1, 1994):**

The "Washington Model Traffic Ordinance", as set forth in Chapter 308-330 of the Washington Administrative Code (WAC), is hereby adopted by reference as the traffic ordinances of the City of SeaTac, as set forth in full.

2. The provisions of Chapter 308-330, WAC, containing the Washington Model Traffic Ordinance as adopted by reference pursuant to section 1 hereof, is attached hereto, marked as Exhibit "A" and incorporated herein by this reference.

3. That the provisions of Ordinance No. 90-1030 and any provisions of Chapter 9.05 of the SeaTac Municipal Code are repealed insofar as they conflict with the provisions of the MTO adopted by section 1 hereof.

4. That Section 9.05.050 of the SeaTac Municipal Code be and the same is hereby amended to read as follows:

**9.05.050 Stopping, standing, or parking prohibited.**

The following provisions are adopted in addition to the provisions of RCW 46.61.570(1), as referenced in the MTO at ~~RCW 46.90.300~~:

A. When signs are erected in each block giving notice thereof, no person shall park a vehicle:

1. At any time upon any of the streets or portions thereof described in Schedule 14;

2. Between the hours specified in Schedule 15 of any day except as provided within the district or upon any of the streets described in said Schedule;

3. Or stop or stand a vehicle between the hours specified in Section 16 of any day except as provided in said Schedule within the district or upon any of the streets described in said Schedule;

4. For a period of time longer than specified in Schedule 17 upon any of the streets or parts of streets specified in said Schedule.

B. No person shall park a commercial vehicle which is more than eighty (80) inches wide overall on any street or alley in residentially zoned areas between the hours of midnight and six a.m. (Ord. 90-1030 ' 5)

5. The repeal of Ordinance No. 90-1030 or portions of Chapter 9.05 SMC as provided in section 3 of this Ordinance shall not affect any pending or existing litigation and shall not operate as an abatement or bar to any action or proceeding pending under or by virtue of the repealed ordinance or code sections.

6. If any portion of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

7. That this Ordinance shall be in full force and effect thirty (30) days after passage and on July 1, 1994.

**ADOPTED** this 24th day of May, 1994, and signed in authentication thereof on this 24th day of May, 1994.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

**ORDINANCE NO. 94-1022**

AN ORDINANCE of the City Council of the City of SeaTac, Washington creating a new Section 1.01.015 of the SeaTac Municipal Code relating to copies of codes adopted by reference

**WHEREAS**, in connection with the SeaTac Municipal Code and its adoption, by reference, of various other state, county, federal and regional codes and regulations, and pursuant to Sections 35A.12.150 and 35A.13.200 of the Revised Code of Washington, copies of sections of codes and regulations, including state, county, regional and federal codes and regulations, shall be authenticated and kept on file, available for inspection at reasonable times and under reasonable conditions; and,

**WHEREAS**, in order to provide for clarity in terms of the authentication of codes adopted by reference and incorporated in the City Code by such reference, heretofore and in the future, it is appropriate to specify the same as a new section to the City Code.

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

1. That a new Section 1.01.015 of SeaTac Municipal Code be, and the same hereby is, created to read as follows:

**1.01.015 Codes Adopted by Reference.**

All sections, provisions and portions of state, county, regional and federal codes and regulations adopted by reference and incorporated into the SeaTac Municipal Code shall be kept on file in the Office of the City Clerk, and shall be available for inspection by the public at reasonable times and under reasonable circumstances. All such copies shall be cataloged and entered in an indexed book kept for such purpose, with such entries authenticated by the City Clerk.

2. That if any portion of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

3. That this Ordinance shall be in full force and effect thirty (30) days after passage.

**ADOPTED** this 24th day of May, 1994, and signed in authentication thereof on this 24th day of May, 1994.

**CITY OF SEATAC**

---

Joe Brennan, Mayor

ATTEST:

---

Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

**Ordinance #94-1023**

Subject: Brds. & Coms. Membership Amend

This ordinance failed. If you need to see the original please ask someone in the City Clerk's Office and they will get it for you.

Thank you.



ORDINANCE NO. 94-1024

AN ORDINANCE of the City Council of the City of SeaTac, Washington creating a new Section 13.50.030 of the SeaTac Municipal Code relating to swimming pool fences

**WHEREAS**, the City Council adopted, through Ordinance No. 92-1033, the 1991 Edition of the Uniform Swimming Pool, Spa and Hot Tub Code, as published by the International Conference of Building Officials, the Western Fire Chiefs Association and the International Association of Plumbing and Mechanical Officers; and,

**WHEREAS**, included in that Code are numerous provisions relating to the installation of swimming pools, spas and hot tubs; and,

**WHEREAS**, excluded from the current version of the Code are provisions dealing with fences; and,

**WHEREAS**, because of the particular public hazard, and attractive nuisance to children, which could result from the presence of private or public swimming pools in neighborhoods and areas of the City, it is appropriate that the Code be supplemented with provisions requiring fencing or other protective measures.

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

1. That a new Section 13.50.030 of SeaTac Municipal Code be, and the same hereby is created to read as follows:

**13.50.030 Swimming Pool Fences.**

Every swimming pool, public or private, constructed under the provisions of this code shall have a fence installed around the perimeter that complies with the following standards:

a. Fences shall be not less than five (5) feet in height with no opening thereon, other than doors or gates, larger than four square inches. The fence around the pool area and may include yard areas so long as the fence, together with any buildings or other structures to which the fence abuts prevent unauthorized access to the pool area except through doors or gates.

b. All gates or doors opening through such fence enclosure shall be equipped with a self-closing and self-latching device designed to keep and capable of keeping such doors and gates securely closed at all times when not in use. All self-closing and self-latching devices shall be installed at a height on the door or gate not less than 4-1/2 feet above the ground level at such door or gate, or secured from the outside by a locking mechanism; Provided that the door of a single family residence that is part of the required enclosure need not be equipped with self-closing and self-latching devices if all other provisions of this section have been met.

c. For the purposes hereof, a swimming pool shall mean any structure, basin, chamber or tank containing water used for swimming, diving, relaxing or recreational bathing, and having a depth of two feet or more at any point and containing or being able to contain 5,000 gallons of water or more.

Swimming pools located within a courtyard shall be fenced as required herein.

2. That this Ordinance shall be in full force and effect thirty (30) days after passage.

**ADOPTED** this 28th day of June, 1994, and signed in authentication thereof on this 28th day of June, 1994.

**CITY OF SEATAC**

---

Joe Brennan, Mayor

ATTEST:

---

Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

**ORDINANCE NO. 94-1025**

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 2.21.020 of the SeaTac Municipal Code relating to Arts Commission membership

**WHEREAS**, pursuant to the provisions of Ordinance No. 92-1031, the size of the Arts Commission was set at nine members; and,

**WHEREAS**, in the actual functions and operations of the Commission, it appears that the optimum number of members of the Arts Commission should be seven, and it is appropriate that the City Council amend the language of the City Code to reflect such change in membership number.

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

1. That Section 2.21.020 of SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

**2.21.020 Membership.**

There shall be ~~nine~~ seven members of the Arts Commission. The members shall be residents of the City, or shall own, operate or be employed by business entities located within the City. (Ord. 92-1031 ' 1: Ord. 92-1005 ' 2)

2. That this Ordinance shall be in full force and effect thirty (30) days after passage.

**ADOPTED** this 28th day of June, 1994, and signed in authentication thereof

on this 28th day of June, 1994.

**CITY OF SEATAC**

---

Joe Brennan, Mayor

ATTEST:

---

Judith L. Cary, City Clerk

Approved as to Form:

---

Daniel B. Heid, City Attorney

**ORDINANCE NO. 94-1026**

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending, creating a new Section 3.40.104 of the SeaTac Municipal Code creating a Community Center Petty Cash Fund

**WHEREAS**, in connection with Ordinance No. 93-1008, the City Council established a Community Center Change Fund to assist in the operations of the North SeaTac Park Community Center, which Change Fund was intended to provide for and enable the City to facilitate transactions of business of collection and receipt of fees and payments, but was not intended to provide for payment or reimbursement of expenses, with those expenses being covered through other budgetary processes; and,

**WHEREAS**, since the activity level of the North SeaTac Park Community Center has increased, the need for more than just a Change Fund is established, and it is appropriate that the City Council establish a Petty Cash Fund for payment and reimbursement of expenses involved in the operation of the Community Center to the extent of the Petty Cash funding levels.

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

1. That a new Section 3.40.104 of SeaTac Municipal Code be, and the same hereby is, established to read as follows:

**3.40.104 Community Center Petty Cash Fund.**

There is hereby established an account to be known as the Community Center Petty Cash Fund in an amount not to exceed three hundred dollars (\$300.00). The Fund shall be established by issuance of a warrant or check drawn upon the current expense fund and cash in the account shall be maintained by the City Manager or designee. Minor sums may be withdrawn from the Fund for payment or reimbursement upon proper receipts and in accordance with State law and regulations of the Division of Municipal Corporations of the Office of the State Auditor. The Fund shall be replenished upon approval of vouchers by the City Council in accordance with usual policy and procedure.

2. That this Ordinance shall be in full force and effect thirty (30) days after passage.

**ADOPTED** this 28th day of June, 1994, and signed in authentication thereof on

this 28th day of June, 1994.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

**ORDINANCE NO. 94-1027**

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 9.05.015 of the SeaTac Municipal Code and creating an interim Section 9.05.016 of the SeaTac Municipal Code relating to additional sections not included in the MTO, adopted by reference

**WHEREAS**, the City Council of the City of SeaTac, Washington recently adopted through Ordinance No. 94-1021, amendments to the SeaTac Municipal Code providing for adoption of the Washington State Model Traffic Ordinance (MTO); and,

**WHEREAS**, the current language of the SeaTac Municipal Code also includes Section 9.05.015 which adopts additional sections of state statute which are not included in the MTO; and,

**WHEREAS**, even though the process for adding sections of the Revised Code of Washington to the MTO has recently been amended to provide for speedier action in including sections of state law in the MTO, there is still a lag time before legislative action is included in the MTO; and,

**WHEREAS**, in order to include sections of state law which were adopted in the most recent state legislative sessions in the City of SeaTac Code prior to their inclusion in the MTO, it is necessary to specifically adopt those sections by Ordinance pending their inclusion in the MTO; and,

**WHEREAS**, Substitute Senate Bill 6047, adopted by the Washington State Legislature as Chapter 275, Laws of 1994, did include sections which are new, and therefore not included in the MTO but which provided for changes in the penalty provisions for violations of the Driving While Under the Influence laws; and,

**WHEREAS**, pursuant to the provisions of RCW 35A.11.020 and Republic v. Brown, 97 Wn.2d 915, 652 P.2d 955 (1982), cities are required to maintain the same penalties for offenses such as Driving While Under the Influence of Intoxicants as are provided for by state law; and,

**WHEREAS**, it is therefore appropriate to specifically provide for the adoption of the new penalty sections contained in Chapter 275, Laws of 1994, pending their codification and inclusion in the MTO; and,

**WHEREAS**, because of the need to maintain consistent penalty provisions for the offense of Driving While Under the Influence of Intoxicants, it is necessary for this Ordinance to be effective immediately in order for it to be enforceable on July 1, 1994, the time when the provisions of Chapter 275, Laws of 1994 become effective, and, therefore, this Ordinance necessary for the immediate preservation of public peace, health and safety, and the City Council so finds.

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

1. That an interim Section 9.05.016 of SeaTac Municipal Code be, and the same hereby is, adopted to read as follows:

**9.05.016 Adoption of Additional Code Sections by Reference Pending Inclusion in MTO.**

Effective July 1, 1994 the following sections of the 1994 Omnibus adopted as Chapter 275, Laws of 1994, are adopted by reference pending their codification and inclusion into the Washington State Model Traffic Ordinance (MTO):

Sections 4,5,6,7, 10,11 and 12 of Chapter 275, Laws of 1994, copies of which sections are included herewith and incorporated herein by this reference, and on file with the City Clerk. Also adopted by reference and included herewith and on file with the City Clerk is section 23, which amends RCW 46.20.730.

2. That section 9.05.015 of the SeaTac Municipal Code shall then amended to read as follows:

**9.05.015 Additional code sections adopted by reference.**

The following sections of Title 46 of the Revised Code of Washington, as they currently are and as they may be amended in the future, not having been included in the MTO, are hereby adopted by reference into the SeaTac Traffic Code:

46.09.020 Off-road vehicles - Definitions.

46.09.030 Use Permits - Issuance - Fees.

46.09.040 Use permit prerequisite to operation.

46.09.050 Vehicles exempted from ORV use permits and tags.

46.09.070 Application for ORV use permit

46.09.080 ORV dealers - Permits - Fees - Number plates - Title application - Violations.

46.09.110 Disposition of ORV moneys.

46.09.120 Operating violations.

46.09.130 Additional violations - Penalty.

46.09.140 Accident reports.

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

46.09.170 Refunds from motor vehicle fund - Distribution - Use.

46.09.180 Regulation by local political subdivisions or state agencies.

46.09.200 Enforcement.

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

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

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

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

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

46.20.055 Violation of instructional permit restrictions.

46.20.205 Failure to notify DOL of address change.



46.20.730 Ignition interlock device - Definition.

46.29.610 Requirements - Surrender of license - Penalty.

46.29.620 Forge proof of financial responsibility - Penalty.

46.44.080 Local weight regulations - Authority to establish.

46.61.165 Violation of transit/carpool lane.

46.70.090 Unlawful/improper use of dealer license plates.

46.80.020 Wrecker license required - Penalty.

(Ord. 93-1011 ' 1)

3. That upon the codification of and inclusion in the MTO of Sections 4,5,6,7,10,11 and 12 of Chapter 275, Laws of 1994, Section 9.05.016 shall be repealed.

4. That this Ordinance shall be in full force and effect immediately upon adoption as an emergency Ordinance.

**ADOPTED** by a unanimous vote this 28th day of June, 1994, and signed in authentication thereof on this 28th day of June, 1994.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

ORDINANCE NO. 94-1028

AN ORDINANCE of the City Council of the City of SeaTac, Washington, creating a new Chapter 3.80 of the SeaTac Municipal Code, providing for a Transient Occupancy Tax

WHEREAS, Section 67.28.180 of the Revised Code of Washington authorizes cities to impose a tax on charges made for furnishing lodging by hotels, motels, rooming houses, tourist courts and similar lodging facilities, with the revenues generated by such tax being restricted in use pursuant to the provisions of Chapter 67.28 RCW; and,

WHEREAS, the statutory provisions for this tax provide that when a City imposes such a tax, it shall reduce the amount of tax revenues which would inure to the county by reason of such a tax, as the county taxing provisions shall allow a credit against the county tax in the full amount of any city tax imposed upon the same taxable event; and,

WHEREAS, in connection with the statutory provisions for such tax, RCW 67.28.180 provides that in the event that a city has levied the tax prior to June 26, 1975 and has either pledged the tax revenues for payment of principle and interest on revenue or general obligation bonds or has authorized issuance of revenue or general obligation bonds pursuant to state statute, the county shall be exempt from the provisions of the tax to the extent that the tax revenues are pledged for payment of principle and interest on bonds so issued; and,

WHEREAS, King County, Washington has, in fact, adopted such a tax, and has, further, pledged tax revenues for payment of principle and interest on revenue or general obligation bonds issued in accordance with the requirements of RCW 67.28; and,

WHEREAS, so that the City of SeaTac will be in a position to collect taxes levied pursuant to section 67.28.180 when the revenue currently pledged by King County has been repaid, it is appropriate that the City Council of the City of SeaTac adopt the tax in advance of that date so that when revenues are available which are beyond the extent that tax revenues are pledged for payment of principle and interest on bonds issued by King County prior to the adoption of this Ordinance, the City of SeaTac would be in a position to levy and collect taxes pursuant to Chapter 67.28 RCW.

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

SECTION ONE. That a new Chapter 3.80 of the SeaTac Municipal Code be, and the same hereby is, adopted to read as follows:

Chapter 3.80

TRANSIENT OCCUPANCY TAX

Sections:

3.80.010 Levied--Amount

3.80.020 Definitions.

3.80.030 Tax deemed in addition to license fee or other taxes.

3.80.040 Fund created--Use of funds.

3.80.050 Administration and collection.

3.80.060 Violation--Penalty.

3.80.010 Levied--Amount. Pursuant to Section 67.28.180 of the Revised Code of Washington, there is levied a special excise tax of two percent on the sale of or charge made for the furnishing of lodging by a hotel, rooming house, tourist court, motel, trailer camp and the granting of any similar license to use real property as distinguished from the renting or leasing of real property; provided, that it shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes a rental or lease of real property, and not a mere license to use or enjoy the same.

3.80.020 Definitions. The definitions of "selling price," "seller," "buyer," "consumer," and all other definitions as are now contained in RCW 82.08.010, and subsequent amendments thereto, be, and they are adopted as the definitions for the tax levied in this chapter.

3.80.030 Tax deemed in addition to license fee or other taxes. The tax levied herein shall be in addition to any license fee or any tax imposed or levied under any law or any other ordinance of the city; provided, however, that pursuant to RCW 67.28.190, such tax shall be deducted from the amount of tax the seller would otherwise be required to collect and to pay to the State Tax Commission under the provisions of RCW Chapter 82.08.

3.80.040 Fund created--Use of funds. There is created a special fund in the treasury of the city, that all such taxes collected herein shall be placed in such fund for the purpose of paying all or any part of the costs of acquisition, construction, or operation of stadium facilities, convention center facilities, performing arts center facilities and/or visual arts center facilities, or to pay or secure the payment of all or any portion of general obligation bonds or revenue bonds issued for such purpose or purposes under the provisions of RCW Chapter 67.28, and amendments thereto, or to pay for advertising, publicizing or otherwise distributing information for the purpose of attracting visitors and encouraging tourism expansion, or for such other use or uses as may from time to time be authorized for such taxes pursuant to RCW Chapter 67.28, and amendments thereto.

3.80.050 Administration and collection. For the purpose of the tax levied herein in this chapter:

- A. The Department of Revenue of the state is designated as the agent of the city for the purpose of collection and administration;
- B. The administrative provisions contained in RCW 82.08.050 through 82.08.070, and as contained in RCW Chapter 82.32, shall apply with respect to the administration and collection by said department;
- C. All rules and regulations adopted by the Department of Revenue for the administration of RCW Chapter 82.08, are adopted.
- D. The Department of Revenue is authorized to prescribe and utilize such special forms and procedures as the department may deem necessary and appropriate.

3.80.060 Violation--Penalty. Any person, firm or corporation violating or failing to comply with the provisions of this chapter or any lawful rule or regulation adopted pursuant hereto shall, upon conviction, be punished by a fine in the sum not to exceed five hundred dollars. Each day of violation will be considered a separate offense.

SECTION TWO. That this Ordinance shall be in full force and effect thirty (30) days after passage, provided that the implementation of the tax shall be dependent upon revenues being available that are beyond the extent of tax revenues pledged for payment of principle and interest on bonds issued prior to the adoption of this Ordinance by King County.

ADOPTED this 12th day of July, 1994, and signed in authentication

thereof on this 12th day of July, 1994.

CITY OF SEATAC

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

ORDINANCE NO. 94 -1029

AN ORDINANCE of the City Council of the City of SeaTac, Washington creating a new Chapter 1.25 of the SeaTac Municipal Code relating to City Manager Code Responsibilities

WHEREAS, the current language of the SeaTac Municipal Code provides for various options and alternatives in connection with responsibilities and requirements of the City Code, including, but not limited to, requests for variance before the City's Hearings Examiner; and,

WHEREAS, there are occasions when the requested variation from the provisions of the City Code are minor and not necessarily deserving of a full "variance" procedure; and,

WHEREAS, in order to address those instances where the variation from the City Code is minimal, it would be appropriate to delegate the responsibility to the City Manager or to the City Manager's designee to consider the minor variations of City Code requirements rather than requiring the person requesting such a variation go through the variance procedures.

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

1. That a new Chapter 1.25 of the SeaTac Municipal Code be, and the same hereby is created to read as follows:

Chapter 1.25

City Manager Code Responsibilities

1.25.010 City Manager Code Discretion

A. As an alternative to the variance procedures set out in this code, a person may request that the City Manager or designee vary the requirements of the City Code under the following conditions:

- (1) The requested requirements change does not exceed ten percent (10%) of the distance, area or other measure of the requirement of the City Code;
- (2) The requested requirements change does not reasonably involve a life/safety issue nor does it reasonably involve damage to or loss of property of any person or entity; and,
- (3) The person or entity requesting the requirements change shall agree to waive his/her/its right to pursue a variance or other process to seek an alternative to the requirements of the City Code, provided that if no change in the requirements of the City Code is granted to such person or entity, the person or entity would be entitled to pursue a variance or other available procedure, in the normal course.

B. The City Manager or the City Manager's designee is vested with and authorized to exercise the discretion to decide all such requests for changes in the requirements of the City Code pursuant to the provisions of paragraph A of this section, and in keeping with the criteria identified in Section 15.22.020 of the City Code.

2. That this Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 12th day of July, 1994, and signed in authentication

thereof on this 12th day of July, 1994.

CITY OF SEATAC

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

## ORDINANCE NO. 94-1030

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Section 15.10.166 and 15.12.040 of the SeaTac Municipal Code relating to Family Day Care Regulations

WHEREAS, the current language of the SeaTac Municipal Code provides for zoning definitions and regulatory parameters for day cares; and,

WHEREAS, pursuant to Chapter 273, Laws of 1994, State legislation preempted siting and land use regulation regarding family day cares, defined as facilities providing in-home care for twelve (12) or fewer children, licensed by the State to provide day care facilities; and,

WHEREAS, because the current definition of a Day Care I could involve that day care business which the State legislature intended to preempt, it is appropriate that City Code be amended to differentiate and provide for recognition of that preemption.

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

1. That Section 15.10.166 of SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

**15.10.166 Daycare.**

(Excludes afterschool programs sanctioned by the City.) Establishments for group care of children, provided such establishments are licensed by the state and conducted in accordance with state requirements, including:

\$ Nursery schools for children under minimum age for education in public schools;

\$ Privately conducted kindergartens when not a part of a public or parochial school;

A. Daycare I. 12 children maximum in any 24 hour period;

B. Daycare II. Over 12 children in any 24 hour period. (Ord. 92-1041 ' 1)

It is provided, however, that for the purposes of this title, the City's regulatory role for family day cares, defined as those day care facilities providing in-home care for twelve (12) or fewer children and which are licensed by the State of Washington is limited to the following:

Family day care facilities shall:

(1) Comply with all building, fire, safety, health code and business licensing requirements;

(2) Conform to lot size, building size, setbacks and lot coverage standards applicable to the zoning district except if the structure is a legal non-conforming structure;

(3) Be certified by the State Department of Licensing as providing a safe passenger loading area;

(4) Include signage, if any, that conforms to applicable City regulations;

(5) Limit hours of operation to facilitate to neighborhood compatibility while at the same time providing an appropriate opportunity for persons who use family day care and who work a non-standard work shift; and,

(6) Provide, prior to State licensing, written proof of notification to adjoining property owners, informing them of the intent to locate and maintain such a facility, provided that if a dispute arises between the neighbors and the family day care provider over licensing requirements, the State may provide a forum to resolve the dispute.

2. That 15.12.040 of the SeaTac Municipal Code shall be amended to include a footnote in connection with Day Care I to provide "except as provided pursuant to SMC 15.10.166 for family day care."

3. That this Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 12th day of July, 1994, and signed in authentication

thereof on this 12th day of July, 1994.

CITY OF SEATAC

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Joe Brenman, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney



ORDINANCE NO. 94-1031

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 12.40.040 relating to identified flood hazard areas

WHEREAS, pursuant to Ordinance No. 93-1022, the City Council of the City of SeaTac, identified certain areas of the City as involving special flood hazards, pursuant to a report by the Federal Insurance Administration; and,

WHEREAS, pursuant to the Ordinance, the study entitled "The Flood Insurance Study for the City of SeaTac", dated February 26, 1993, with accompanying flood insurance maps were adopted by reference, and were to be kept on file at the SeaTac City Hall; and,

WHEREAS, the Ordinance identified the location of the SeaTac City Hall, however, because of the City's relocation of its City Hall, it is appropriate to amend the section of the Ordinance to refer, more generically, to City Hall, without giving the specific address which is subject to change; and ,

WHEREAS, it is also appropriate to amend the section to reference subsequent amendments to the Flood Insurance Study adopted hereby.

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

1. That a Section 12.40.040 of SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

12.40.040 Basis for establishing the areas of special flood hazard.

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for the City of SeaTac," dated February 26, 1993 and as it may be amended or updated thereafter, with accompanying Flood Insurance Maps is adopted by reference and declared to be a part of this chapter. The Flood Insurance Study is on file at SeaTac City Hall, ~~19215 28th Avenue South, SeaTac, WA 98188~~ State of Washington. (Ord. 93-1022 ' 1)

2. That this Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 26th day of July, 1994, and signed in authentication

thereof on this 26th day of July, 1994.

CITY OF SEATAC

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Joe Brenman, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

## ORDINANCE NO. 94-1032

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 2.15.050, 2.20.050, 2.22.050, 2.24.050 and 2.47.050 of the SeaTac Municipal Code relating to By-laws of Boards and Commissions

WHEREAS, in connection with the development and use of boards and commissions by the SeaTac City Council, a number of boards and commissions were established, including the Planning Commission, Human Services Commission, Human Relations Commission, ADA Citizens' Access Committee and the Solid Waste Advisory Board; and,

WHEREAS, in addition to the Ordinance identifying the scope of duties of these boards and commissions, the various Ordinances creating the boards and commissions provided for provisions which have since been codified that authorized the boards and commissions to develop rules of procedure for the conduct of their business, with the proviso that such rules of procedure be subject to confirmation by the City Council; and,

WHEREAS, because the rules of procedures and/or by-laws of the various boards and commissions may need to be modified from time to time, in order to allow the boards and commissions to efficiently handle their responsibilities, it is not necessary for the City Council to confirm the rules of procedures and/or by-laws, particularly since the scope of duties and responsibilities of the boards and commissions has been identified by the City Council and is set forth in the City Code.

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

1. That Section 2.15.050 of SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

2.15.050 Rules of procedure.

The Planning Commission shall elect its own Chairperson and may create and fill such other offices as may be determined to be required. A majority of the membership of the Planning Commission shall constitute a quorum for the transaction of business. Any action taken by a majority of the members present, when those present constitute a quorum, at any regular or special meeting of the Planning Commission shall be deemed to be the action of the Commission. The Planning Commission is authorized to adopt rules of procedure for the conduct of its business, ~~subject to confirmation by the City Council.~~ (Ord. 90-1047 ' 5)

2. That Section 2.20.050 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

2.20.050 Rules of procedure.

The Human Services Commission shall elect its own Chairperson and may create and fill such other offices as may be determined to be required. A majority of the membership of the Human Services Commission shall constitute a quorum for the transaction of business. Any action taken by a majority of the members present, when those present constitute a quorum, at any regular or special meeting of the Human Services Commission shall be deemed to be the action of the Commission. The Human Services Commission is authorized to adopt rules of procedure for the conduct of its business, ~~subject to confirmation by the City Council.~~ (Ord. 91-1026 ' 5)

3. That Section 2.22.050 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

2.22.050 Rules of procedure.

The Human Relations Commission shall elect its own chairperson to preside over its meetings, and may create and fill such other offices among its members as may be determined by the commission to be required. A majority of the membership of the Human Relations Commission shall constitute a quorum for its meetings. The Human Relations Commission is also authorized to adopt rules of procedure for the conducting of its meetings, ~~subject to confirmation by the City Council.~~ (Ord. 92-1024 ' 1)

4. That Section 2.24.050 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

2.24.050 Rules of procedure.

The ADA Citizens' Access Committee shall elect among its members a person to act as chair, and to preside over its meetings. The committee may, further, create and fill such other offices and positions as may be determined to be helpful in the orderly process of the meetings and business of the committee. A majority of the membership of the ADA Citizens' Access Committee shall constitute a quorum for the transaction of business. Any action taken by a majority of the members present, when those present constitute a quorum, at any regular or special meeting of the committee shall be deemed to be the action of the committee. The ADA Citizens' Access Committee is authorized to adopt rules of procedure for the conduct of its business, ~~subject to confirmation by the City Council.~~ (Ord. 92-1030 ' 1)

5. That Section 2.47.050 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

2.47.050 Rules of procedure.

At the first meeting of the year of the Solid Waste Advisory Board, the members shall elect a chairman among their number to preside at the Board meetings for the remainder of that year. A majority of the members of the Solid Waste Advisory Board shall constitute a quorum for the transaction of business. The Solid Waste Advisory Board is authorized to adopt rules of procedure to conduct its business, ~~subject to approval by the City Council.~~ (Ord. 92-1042 ' 1)

6. That this Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 26th day of July, 1994, and signed in authentication

thereof on this 26th day of July, 1994.

CITY OF SEATAC

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Joe Brenman, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

## ORDINANCE NO. 94-1033

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Section 2.15.040, 2.20.040, 2.21.040, 2.22.040, 2.24.040, 2.26.040, 2.35.060, 2.40.080, 2.46.030 and 2.47.040 of the SeaTac Municipal Code relating to Terms of Membership of City Boards and Commissions

WHEREAS, since the incorporation of the City of SeaTac, the City Council has created and established various boards and commissions of the City to assist in municipal functions of the City and to provide a mechanism for citizen input and participation, and to act as an advisory body to the City Council; and,

WHEREAS, there have, on occasion, been circumstances where the regular terms of members of boards and commissions have expired and replacement or successor members have not been available for appointment; and,

WHEREAS, there have been occasions when appointment of successor board or commission members has been delayed because of an advertising and recruitment process to secure the names of interested citizens willing to serve on the board or commission; and,

WHEREAS, in order to address the problems of a lack of quorum which could result where successor members are not appointed, it would be appropriate to provide that the term of office of board and commission members shall continue after the normal expiration of their term until a successor has been appointed.

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

1. That Section 2.15.040 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows.

2.15.040 Term of office.

Members of the Planning Commission shall serve for a term of five years, or until appointment of a successor member, whichever is later. However, the initial members shall be appointed to serve for the following terms: Two members shall serve a two year term, or until appointment of a successor member, whichever is later; two members shall serve a three year term, or until appointment of a successor member, whichever is later; two members shall serve a four year term, or until appointment of a successor member, whichever is later; and one member shall serve a five year term, or until appointment of a successor member, whichever is later. If a member of the Planning Commission shall be absent, without prior notification and excuse, from three consecutive regularly scheduled meetings of the Commission, the Chairperson of the Planning Commission may declare the position held by that member vacant and a new member may be appointed in the manner set forth at Section 2.15.030. (Ord. 90-1047 ' 4)

2. That Section 2.20.040 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows.

2.20.040 Terms of office.

Members of the Human Services Commission shall serve for a term of three years, or until appointment of a successor member, whichever is later. However, the initial members shall be appointed to serve the following terms: two members shall serve a one year term, or until appointment of a successor member, whichever is later; two members shall serve a two year term, or until appointment of a successor member, whichever is later; and one member shall

serve a three year term, or until appointment of a successor member, whichever is later. If a member of the Human Services Commission shall be absent, without prior notification or excuse, from three consecutive, regularly scheduled meetings of the Commission, the Chairperson of the Human Services Commission may declare the position held by that member vacant and a new member may be appointed in the manner set forth at Section 3 of this Ordinance. (Ord. 91-1026 ' 4)

3. That Section 2.21.040 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows.

#### 2.21.040 Terms of office.

Members of the Arts Commission shall serve for a term of four years, each such term to commence on January 01 and to end on December 31 four years hence, or upon appointment of a successor member, whichever is later. However, the initial members shall be appointed to serve the following terms: four members shall serve a term commencing on the effective date of the ordinance codified in this chapter, or upon appointment, whichever is later, and terminating on December 31, 1996, or upon appointment of a successor member, whichever is later; and three members shall serve a term commencing on the effective date of the ordinance codified in this chapter, or upon appointment, whichever is later, and terminating on December 31, 1994, or upon appointment of a successor member, whichever is later. If a member of the Arts Commission shall be absent, without prior notification or excuse, from three consecutive, regularly scheduled meetings of the Commission, the Chairperson of the Arts Commission may declare the position held by that member vacant and a new member may be appointed in the manner set forth at Section 2.21.030. (Ord. 92-1005 ' 4)

4. That Section 2.22.040 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows.

#### 2.22.040 Term of office.

The members of the Human Relations Commission shall serve for a term of three (3) years, or until appointment of a successor member, whichever is later. If a member of the Human Relations Commission shall be absent without prior notification or excuse from three consecutive, regularly scheduled meetings of the commission, the chairperson of the Human Relations Commission may declare the position held by that member vacant and a new member may be appointed pursuant to Section 2.22.030. (Ord. 92-1024 ' 1)

5. That Section 2.24.040 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows.

#### 2.24.040 Terms of office.

Members of the ADA Citizens' Access Committee shall serve for a term of three (3) years, or until appointment of a successor member, whichever is later. However, the initial members shall be appointed to serve for the following terms: two (2) members shall be appointed to serve initial terms of one (1) year, or until appointment of a successor member, whichever is later; two (2) members shall be appointed to serve initial terms of two (2) years, or until appointment of a successor member, whichever is later; and three (3) members shall be appointed to serve initial terms of three (3) years, or until appointment of a successor member, whichever is later. (Ord. 92-1030 ' 1)

6. That Section 2.26.040 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows.

2.26.040 Term of office.

The members of the Youth Commission shall serve for a term of two (2) years or until appointment of a successor member, whichever is later. If a member of the Youth Commission shall be absent without prior notification or excuse from three (3) consecutive regularly scheduled meetings of the Commission, the Chairperson of the Youth Commission, with the concurrence of the Staff Advisor may declare the position held by that member vacant and a new member may be appointed pursuant to Section 2.26.030. (Ord. 93-1003 ' 1)

7. That Section 2.35.060 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows.

2.35.060 Public Safety Civil Service Commission - Term of office of commissioners.

The first three members of the Public Safety Civil Service Commission shall be appointed to terms as follows: one to serve for a period of two years from the date of appointment, or until appointment of a successor member, whichever is later; one to serve for a period of four years from the date of appointment, or until appointment of a successor member, whichever is later; and one to serve for a period of six years from the date of appointment, or until appointment of a successor member, whichever is later. Thereafter, the term of office of each Commissioner shall be for six years, or until appointment of a successor member, whichever is later. In event of resignation or removal of a Commissioner during his or her term of office, the City Manager shall appoint a new member to serve during the remaining term of the resigned or removed Commissioner. (Ord. 90-1038 ' 5)

8. That Section 2.40.080 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows.

2.40.080 Terms of office.

Members of the Library Board shall serve for a term of three years, or until appointment of a successor member, whichever is later. However, the members initially appointed shall serve for a term of only two years, or until appointment of a successor member, whichever is later. At the expiration of the said initial ~~two-year~~ term of the Board, members shall be appointed to serve for the following terms: Two members shall serve a two-year term, or until appointment of a successor member, whichever is later; and three members shall serve a three-year term, or until appointment of a successor member, whichever is later. Thereafter, all further appointments shall be for the regular three-year term, or until appointment of a successor member, whichever is later. If a member of the Library Board shall be absent, without prior notification and excuse, from three consecutive, regularly scheduled meetings of the Board, the Chairperson of the Library Board may declare the position held by that member vacant and a new member may be appointed in the manner set forth at Section 2.40.070. (Ord. 90-1050 ' 5)

9. That Section 2.46.030 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows.

2.46.030 Terms - Vacancies.

The ~~commissioners~~ members of the Parks and Recreation Commission shall serve for a term of



four (4) years, or until appointment of a successor member, whichever is later, except for the youth representative, who shall serve for a term of one (1) year, or until appointment of a successor member, whichever is later. It is provided, however, that for the initial appointment, other than for the youth representative whose term shall be for one (1) year or until the next month of May, whichever occurs sooner, two (2) members shall be initially appointed for four (4) year terms, or until appointment of a successor member, whichever is later; two (2) members shall be initially appointed for three (3) year terms or until appointment of a successor member, whichever is later; and two (2) members shall be initially appointed for two (2) year terms, or until appointment of a successor member, whichever is later. Thereafter, members shall be appointed to serve for terms of four (4) years or until appointment of a successor member, whichever is later, to succeed members whose terms shall expire; provided, however, that the term of the youth representative shall be for one (1) year. The appointments of succeeding youth representatives shall be made in May of each year. In case of any vacancies on the commission, vacancies shall be filled consistent with the procedures of Section 2.46.020, for the unexpired terms for which such vacancies are filled. (Ord. 92-1034 ' 1)

10. That Section 2.47.040 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows.

2.47.040 Terms of office.

The members of the Solid Waste Advisory Board shall serve for terms of three (3) years or until appointment of a successor member, whichever is later, provided, however, that the terms of the members who shall be initially appointed to the Board shall include the following: two (2) members of the Board shall be appointed for a term of one (1) year, or until appointment of a successor member, whichever is later; two (2) members of the Board shall serve for a period of two (2) years, or until appointment of a successor member, whichever is later; and three (3) members of the Board shall serve for terms of three (3) years or until appointment of a successor member, whichever is later. All subsequent appointments of members to the Board shall be for periods of three (3) years, or until appointment of a successor member, whichever is later. If a member of the Solid Waste Advisory Board shall be absent, without prior notification or excuse, from three (3) consecutive, regularly scheduled meetings of the Board, the Chairperson of the Solid Waste Advisory Board may declare the position held by that member vacant and a new member may be appointed in the manner set forth in Section 2.47.030 of the City Code. (Ord. 92-1055 ' 1; Ord. 92-1042 ' 1)

11. That this Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 9th day of August, 1994, and signed in authentication

thereof on this 9th day of August, 1994.

CITY OF SEATAC

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Joe Brenman, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

ORDINANCE NO. 94-1034

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Ordinance No. 93-1032, extending the period of time for compliance with vacation requirements

WHEREAS, the City Council of the City of SeaTac, Washington, heretofore adopted its Ordinance No. 93-1032, providing for the vacation of a portion of County Road Number 366 lying East of the 30 foot proposed right-of-way of 28th Avenue South; and,

WHEREAS, the procedures for such vacation were met, including a public hearing held on the 24th day of August, 1993; and,

WHEREAS, the Ordinance No. 93-1032 provided for the vacation of that portion of that right-of-way, conditioned upon tender by the owners of property adjacent thereto of a deed for certain other right-of-way identified in the Ordinance; and,

WHEREAS, the Ordinance also provided for a time period within which the deed was to be provided in order to effect the vacation, which time period was not able to be met by the owners of the adjacent property; and,

WHEREAS, the owners of the adjacent property are still interested in conveying the property to the City and having the portion of right-of-way identified vacated; and,

WHEREAS, based upon the interest of the property owners to convey the Deed to the City, it is appropriate to extend the period of time within which the vacation could be effected.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as a non-codified Ordinance as follows:

1. That Ordinance No. 93-1032 is amended to reflect that the period of time within which the property owners of the adjacent property shall tender to the City a Deed in the forum and as described in Ordinance No. 93-1032, upon which the vacation is conditioned, shall be sixty (60) days from the effective date of this Ordinance.
2. That upon receipt of the Deed, referenced hereinabove, the vacation shall be effective as to that portion of the City right-of-way described in Ordinance No. 93-1032.
3. That a copy of this Ordinance shall be filed with the Office of the King County Assessor and that a copy of the Deed, Dedication and Covenants shall likewise be filed with the Office of the King County Assessor, in addition to other recording requirements.
4. That this Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 9th day of August, 1994, and signed in authentication

thereof on this 9th day of August, 1994.

CITY OF SEATAC

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

ORDINANCE NO. 94-1035

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Ordinance No. 93-1007, extending the period of time for compliance with vacation requirements

WHEREAS, the City Council of the City of SeaTac, Washington, heretofore adopted its Ordinance No. 93-1007, providing for the vacation of a portion of the former alignment of South 154th Street at the north end of the Seattle-Tacoma International Airport; and,

WHEREAS, the procedures for such vacation were met, including a public hearing held on the 23th day of March, 1993; and,

WHEREAS, the Ordinance No. 93-1007 provided for the vacation of that portion of that right-of-way, conditioned upon tender by the Port of Seattle, the owners of property adjacent thereto, of a deed for certain other right-of-way identified in the Ordinance; and,

WHEREAS, the Ordinance also provided for a time period within which the deed was to be provided in order to effect the vacation, which time period was not able to be met by said Port of Seattle; and,

WHEREAS, the Port of Seattle is still interested in conveying the property to the City and having the portion of right-of-way identified vacated; and,

WHEREAS, based upon the interest of the Port of Seattle to convey the Deed to the City, it is appropriate to extend the period of time within which the vacation could be effected.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as a non-codified Ordinance as follows:

1. That Ordinance No. 93-1007 is amended to reflect that the period of time within which the Port of Seattle shall tender to the City a Deed in the forum and as described in Ordinance No. 93-1007, upon which the vacation is conditioned, shall be extended for a period of time extending to ninety (90) days after the effective date of this ordinance..
2. That upon receipt of the Deed, referenced hereinabove, the vacation shall be effective as to that portion of the City right-of-way described in Ordinance No. 93-1007.
3. That a copy of this Ordinance shall be filed with the Office of the King County Assessor and that a copy of the Deed, Dedication and Covenants shall likewise be filed with the Office of the King County Assessor, in addition to other recording requirements.
4. That this Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 23rd day of August, 1994, and signed in authentication

thereof on this 23rd day of August, 1994.

CITY OF SEATAC

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

**ORDINANCE NO. 94-1036**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, creating a new Chapter 2.27 of the SeaTac Municipal Code establishing a Senior Citizen Commission

**WHEREAS**, a substantial number of residents of the City of SeaTac are over fifty-five (55) years of age; and,

**WHEREAS**, the concerns and interests of these citizens vary and are distinct from those of other citizens and age groups; and,

**WHEREAS**, consistent with the City Council's practice of utilizing the valuable services of volunteer boards and commissions in advisory capacities to address various issues of importance to the City of SeaTac, it would be appropriate to establish a Senior Citizen Commission to advise the City Council on issues of interest to this age group.

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

1. That a new Chapter 2.27 of the SeaTac Municipal Code is created to read as follows:

**Chapter 2.27**

**SENIOR CITIZEN COMMISSION**

Sections:

2.27.010 Created.

2.27.020 Membership.

2.27.030 Appointment.

2.27.040 Term of office.

2.27.050 Rules of procedure.

2.27.060 Compensation.

2.27.070 Expenses.

2.27.080 Conflict of interest.

2.27.090 Meetings.

2.27.100 Commission responsibilities.

2.27.110 Annual report of progress.

**2.27.010 Created.**

There is hereby created an advisory commission to be known as the "Senior Citizen Commission of the City of SeaTac."

**2.27.020 Membership.**

There shall be seven (7) members of the Senior Citizen Commission. The Senior Citizen Commission members shall consist of citizens from the City of SeaTac who are at least fifty-five (55) years of age.

**2.27.030 Appointment.**

The members of the Senior Citizen Commission shall be appointed by the Mayor subject to confirmation by the City Council. The selection and appointment of members to the Senior Citizen Commission shall, as far as possible, reflect the diversity of the community in terms of neighborhood representation; ethnicity; economic, employment and professional background; disability; gender; cultural and religious background; and any other factors reflective of diversity among the Senior Citizens of the City. In order to provide for the diversity of membership, the City shall solicit the names of interested applicants and nominees for appointment to the Commission from a variety of sources, including but not limited to individuals, groups and organizations who are involved in and work with Senior Citizens and/or Senior Citizen-related activities in the community.

**2.27.040 Term of office.**

The members of the Senior Citizen Commission shall serve for a term of three (3) years, or until appointment of a successor member, whichever is later, Provided that the initial appointment of members to the Commission shall be as follows: two (2) members shall be appointed to serve a one (1) year term, or until appointment of a successor member, whichever is later, two (2) members shall be appointed to serve a two (2) year term, or until appointment of a successor member, whichever is later, and three (3) members shall be appointed to serve a three (3) year term, or until appointment of a successor member, whichever is later, with subsequent appointments and/or reappointments being for three year terms, or until appointment of a successor member, whichever is later. If a member of the Senior Citizen Commission shall be absent without prior notification or excuse from three (3) consecutive regularly scheduled meetings of the Commission, the Chairperson of the Senior Citizen Commission may declare the position held by that member vacant and a new member may be appointed pursuant to Section 2.27.030.

**2.27.050 Rules of procedure.**

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

**2.27.060 Compensation.**

The members of the Senior Citizen Commission shall serve without compensation.

**2.27.070 Expenses.**

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

**2.27.080 Conflict of interest.**

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

**2.27.090 Meetings.**



The Senior Citizen Commission shall hold such meetings as may be deemed necessary for the completion of the purposes, responsibilities and functions of the Commission. Regular meetings shall be held once every month, unless there is no business to be considered by the Commission. Special meetings may be called by the Chairperson or by three (3) members of the Commission at any time that the need for a special meeting is warranted. An employee of the City designated by the City Manager shall serve as Staff Liaison for the Commission, and the Staff Liaison shall attend Commission meetings and take and publish minutes of the meetings of the Commission. Published copies of the minutes of the Senior Citizen Commission meetings shall be provided to each member of the Senior Citizen Commission and to each member of the City Council.

**2.27.100 Commission responsibilities.**

The Senior Citizen Commission shall work with the Staff Liaison to identify issues related to Senior Citizens in community; act as an advisory body to the City Council and provide input through the City Manager and the Staff Liaison to the City Council on issues relating to Senior Citizens in the SeaTac community; provide increased opportunities for community involvement by Senior Citizens of the City of SeaTac and the community in general; advise the City Council, through the City Manager and the Staff Liaison regarding the delivery of Senior Citizen programs and provide outreach to the community in an effort to develop and place Senior Citizen issues before the citizens of the City of SeaTac in a positive manner.

**2.27.110 Annual report of progress.**

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

2. That this Ordinance shall be in full force and effect thirty (30) days after passage.

**ADOPTED** this 23rd day of August, 1994, and signed in authentication thereof on this 23rd day of August, 1994.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney



ORDINANCE NO. 94-1037

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 9.05.062 of the SeaTac Municipal Code relating to penalty for violation of disabled parking spaces

WHEREAS, pursuant to the provisions of Section 9.05.010 of the SeaTac Municipal Code, the City adopted its primary traffic code through the Washington State Model Traffic Ordinance (MTO), initially codified in Chapter 46.90 of the Revised Code of Washington; and,

WHEREAS, pursuant to state statute, the Model Traffic Ordinance is now provided through the Washington Administrative Code rather than through state statute; and,

WHEREAS, the appropriate change in the City's adoption of the Model Traffic Ordinance was made in Ordinance No. 94-1021, however, in order to provide for consistency in that reference, it is appropriate to amend Section 9.05.062 to delete the MTO reference to state statute (RCW).

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

1. That Section 9.05.062 of SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

9.05.062 Penalty for Violation of Disabled Parking Spaces.

The following provisions are adopted relative to the provisions of RCW 46.61.381, as referenced the MTO in ~~RCW 46.90.300~~; the penalty for violation of RCW 46.61.381, unauthorized use of disabled parking spaces, shall be fifty dollars (\$50.00) per violation. (Ord. 93-1011 Sec. 2)

2. That this Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 23rd day of August, 1994, and signed in authentication

thereof on this 23rd day of August, 1994.

CITY OF SEATAC

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Joe Brenman, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

ORDINANCE NO. 94-1038

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 15.13.010 of the SeaTac Municipal Code relating to zoning standards - minimum rear yard setbacks for accessory structures in residential zones

WHEREAS, the current provisions of the SeaTac Municipal Code provide for minimum rear yard setbacks of 15 feet for the residential zones (Urban Reserve - UR, Urban Low Density - UL and Urban Medium Density - UM); and,

WHEREAS, in order to conform to the lot configuration problems that exist throughout the City of SeaTac, it would be appropriate to accommodate those lots by providing for a minimum rear yard setback of less than 15 feet for accessory structures in those residential zones; and,

WHEREAS, the Planning Commission for the City of SeaTac held a public hearing on the 29th day of August, 1994 for the purposes of considering a proposal to reduce the minimum rear yard setbacks for accessory structures in the UR, UL and UM zones from 15 feet to 5 feet, which public hearing was properly noticed, and at which public hearing the Planning Commission heard and considered the comments and statements of all persons wishing to speak to the proposal, and recommended to the SeaTac City Council modification of the current minimum rear yard setbacks for those residential zones; and,

WHEREAS, it would therefore, be appropriate to amend the City Code to provide for the modification of the residential rear yard setback.

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

1. That Section 15.13.010 of SeaTac Municipal Code be, and the same hereby is, amended to provide that the minimum rear yard setback for accessory structures in lots in the Urban Reserve (UR), Urban Low Density (UL), and Urban Medium Density (UM) zones shall be 5 feet, with all other setbacks, coverages, heights and lot widths remaining unchanged.
2. That this Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 13th day of September, 1994, and signed in authentication

thereof on this 13th day of September, 1994.

CITY OF SEATAC

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Joe Brennan, Mayor

ATTEST:

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Dennice L. Emerson, Acting City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

**ORDINANCE NO. 94-1039**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, creating a new Section 15.12.080 and amending Section 15.12.070 of the SeaTac Municipal Code relating to hazardous materials, and repealing Sections 15.10.315 and 15.10.320 of the SeaTac Municipal Code

**WHEREAS**, The City Council previously enacted Ordinance No. 92-1041, now codified in Title 15 of the SeaTac Municipal Code, establishing zoning standards, requirements and conditions for regulating the use of public and private land, buildings and structures; and ,

**WHEREAS**, The Washington State Legislature passed House Bill 975, as amendments to Chapter 70.105 RCW, the State Hazardous Waste Management Act (The Act), which set forth certain requirements for local jurisdictions regarding storage and disposal of hazardous materials, including requirements that hazardous waste treatment and storage facilities be allowed in zones where the handling and processing of hazardous substances is not prohibited; and,

**WHEREAS**, The State Department of Ecology developed and published zoning guidelines for the local jurisdiction to meet these requirements; and

**WHEREAS**, it is appropriate for the City to have in place, as a part of the City Code provisions addressing the requirements of the Act; and it would be appropriate to repeal definitions already in the City Code That Sections 15.10.315 and 15.10.320 of the SeaTac Municipal Code be, and they hereby are repealed inconsistent therewith.

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

1. That a new Section 15.12.080 of the SeaTac Municipal Code is created to read as follows:

**15.12.080 Hazardous Materials**

A. On-site hazardous waste treatment and storage activity generating hazardous waste is considered an accessory use to permitted uses within this land use chapter, provided that such facilities meet the State siting criteria adopted pursuant to the requirements of section 70.105.210 of the Revised Code of Washington.

B. Off-site hazardous waste treatment and storage may be permitted as a conditional use in the Industrial (I) zone district, provided that such facilities meet the State siting criteria adopted pursuant to the requirements of section 70.105.210 of the Revised Code of Washington.

C. For the purposes hereof the following terms and definitions shall apply:

(1) "Hazardous Waste" means all dangerous and extremely hazardous waste as defined in RCW 70.105.010(15), except for moderate risk waste as set forth in RCW 70.105.010(17).

(2) "Hazardous Waste Generator" means any person or site whose act first causes a dangerous waste to become subject to regulation under the Dangerous Waste Regulations, Chapter 173-303 WAC.

(3) "Hazardous Waste Storage" means the holding of hazardous waste for a temporary period, as regulated by the State Dangerous Waste Regulations, Chapter 173-303 WAC.

(4) "Hazardous Waste Treatment" means the physical, chemical, or biological processing of hazardous waste for the purpose of rendering these wastes non-dangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume, as regulated by the State Dangerous Waste Regulations, Chapter 173-303 WAC.

(5) "Off-site Hazardous Waste Treatment and Storage" means hazardous waste treatment and storage facilities that treat and store waste from generators on properties other than those on which the off-site facility is located.

(6) "On-site Hazardous Waste Treatment and Storage" means hazardous waste treatment and storage facilities that treat and store wastes generated on the same property.

(7) "State Siting Criteria means criteria for the siting of hazardous waste treatment and storage facilities adopted pursuant to the requirements of RCW 70.105.210.

2. That Section 15.12.070 of the SeaTac Municipal Code be and the same is hereby amended to add a new land use number 152, Off-site Hazardous Waste Treatment and Storage facilities, reflecting that use as a conditional use in the Industrial (I) zone.

3. That Sections 15.10.315 and 15.10.320 of the SeaTac Municipal Code be, and they hereby are repealed.

4. That this Ordinance shall be in full force and effect thirty (30) days after passage.

**ADOPTED** this 13th day of September, 1994 and signed in authentication thereof on this 13th day of September, 1994.

**CITY OF SEATAC**

Joe Brennan, Mayor

ATTEST:

Judith L. Cary, City Clerk

APPROVED as to Form:

Daniel B. Heid, City Attorney



**ORDINANCE NO. 94-1040**

AN ORDINANCE of the City Council of the City of SeaTac amending Section 15.16.120 of the SeaTac Municipal Code, regarding nonconforming signs, replacement and upgrade standards

**WHEREAS**, The City Council previously adopted the Zoning code, as part of the SeaTac Municipal Code, with provisions made to allow existing businesses the ability to maintain on-site legal non-conforming signs; and

**WHEREAS**, among the regulations of the City's sign code, there was no allowance for the replacement of panels or copy on existing business signs; and

**WHEREAS**, because of concerns regarding existing businesses not having the ability to enhance or upgrade signs, even if within the existing dimensions, a proposal was developed that would allow such enhancement or upgrade; and,

**WHEREAS**, after proper notice, a public hearing was held by the Planning Commission on August 29, 1994, to consider such proposal, with the Planning Commission having had the opportunity to hear and consider the statements and comments of all people wishing to speak regarding the proposal, the Planning Commission recommended approval of the proposed amendment to the City's zoning code; and,

**WHEREAS**, The City Council finds that adoption of these amendments would be keeping with the intent of the Sign Code and provide existing businesses the ability to upgrade signs in a positive manner;

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

1. That Sections 15.16.120 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

**15.16.120 Nonconforming signs.**

A. General. To ease the economic impact of this code on businesses with substantial investment in signs in existence on the date of adoption of this code, this section provides for up to nine (9) years of continued use of a nonconforming sign in its existing state. During this period, it is expected that the sign may be amortized on federal income taxes; however, whether it may be so amortized shall not affect the application of this section. Similar treatment is accorded signs in areas annexed to the City after the code's enactment.

B. Nonconforming Signs.

1. Notification of Nonconformity or Illegality. The code administrator shall, as soon as practical, survey the city for signs which do not conform to the requirements of this chapter. Upon determination that a sign is nonconforming or illegal, the administrator shall use reasonable efforts to so notify, either personally or in writing, the sign user or owner of the sign and where practical, the owner of the property on which the sign is located of the following; provided that the business license of the business with which the sign is associated shall be presumed to be the sign user under this code:

a. The sign's nonconformity or illegality;

b. Whether the sign may be eligible for a nonconforming sign permit.

If the identity of the sign user, owner of the sign, or owner of the property on which the sign is located cannot be determined after reasonable inquiry, the notice may be affixed in a conspicuous place on the sign or on the business premises with which the sign is associated. A file shall be established in the department, and a copy of the notice and certification of posting shall be maintained for records.

2. Signs Eligible for Nonconforming Sign Permit. With the exceptions herein provided, any on-site primary sign located within the City limits on the date of adoption of this code, or located in areas annexed to the City thereafter, which does not conform with the provisions of this code, is eligible for characterization as a nonconforming sign provided it meets the following requirements:

- a. The sign was covered by a sign permit on the date of adoption of this code, if one was required under applicable law; or
- b. If no sign permit was required under applicable law for the sign in question, the sign was in all respects in compliance with applicable law on the date of adoption of this code.

Exceptions: No temporary or special signs, as defined by Section 15.16.080 of this code, prohibited signs, as defined by Section 15.16.110 or incidental signs, as defined by Section 15.16.030F, shall be eligible for characterization as nonconforming signs.

3. Number of Nonconforming Signs Permitted. Each sign user within the City having existing nonconforming signs meeting the requirements of Section 15.16.160 shall be permitted to designate only one such sign as "nonconforming" for each street upon which the business premises fronts. Such designation shall be made in the application for a nonconforming sign permit.

4. Permit for Nonconforming Signs. A nonconforming sign permit is required for each nonconforming sign designated under Section 15.16.160. The permit (Certificate of Zone Compliance-CZC) shall be obtained by the sign user or the sign owner, or the owner of the property upon which the sign is located within sixty (60) days of notification by the City. The permit shall be issued and shall expire at the end of the applicable amortization period prescribed in Section 15.16.120D.

Applications for a nonconforming sign permit shall contain the name and address of the sign user, the sign owner, and the owner of the property upon which the sign is located and such other pertinent information as the administrator may require to insure compliance with the code, including proof of the date of installation of the sign.

A nonconforming sign for which no permit has been issued within the sixty (60) day period of notification shall within six (6) months be brought into compliance with the code or be removed. Failure to comply shall subject the sign user, owner or owner of the property on which the sign is located to penalties cited in Chapter 15.32 of this code.

5. Loss of Nonconforming Status. A nonconforming sign shall immediately lose its nonconforming status if:

- a. The sign is altered in any way in structure or height which is not in compliance with the standards of this chapter; or
- b. The sign is relocated to a position which is not in compliance with

the standards of this chapter; or

- c. The sign is replaced, provided that this replacement refers to structural replacement, not change of "copy", panel or lettering; or
- d. Any new primary sign is erected or placed in connection with the enterprise using the nonconforming sign; or
- e. No application for a nonconforming sign permit is filed by the sign user, sign owner, or owner of the property upon which the sign is located within sixty (60) days following notification by the City (Section 15.16.120(B)) that the sign is nonconforming and that a permit must be obtained; and
- f. The loss of legal nonconforming status takes place upon any change in land use or occupancy, or change in business name the sign shall be brought into conformity. Such nonconforming signs shall, within six (6) months, be brought into conformity with this chapter by revising to the area and height standards or be removed.

Upon any of the above referenced circumstances taking place, any permit or designation for what had been a nonconforming sign shall become void. The administrator shall notify the sign user, sign owner or owner of the property upon which the sign is located of cancellation of the permit or designation and the sign shall immediately be brought into compliance with this chapter and a new permit secured or shall be removed.

C. **Illegal Signs.** An illegal sign is any sign which does not comply with the requirements of this chapter within the City limits as they now or hereafter exist and which is not eligible for characterization as nonconforming under Section 15.16.160.

D. **Amortization Period for Nonconforming Signs.** Nonconforming signs, as defined in Section 15.16.120B.2, for which a nonconforming sign permit has been issued may remain in a nonconforming state for nine (9) years after the effect of this chapter. Thereafter, the sign shall be brought into conformity with this code by obtaining a permit or be removed; provided however, that the amortization period established by this section may be used only so long as the sign retains its legal nonconforming status.

E. **Nonconforming Sign Maintenance and Repair.** Nothing in this section shall relieve the owner or user of a nonconforming sign or owner of the property on which the nonconforming sign is located from the provisions of this code regarding safety, maintenance and repair of signs, nor from any provisions on prohibited signs, contained in Section 15.16.110; provided however, that any repainting, replacement of "copy", panels and/or lettering, cleaning, and other normal maintenance or repair of the sign or sign structure shall not modify the sign or structure ~~or copy~~ in any way which is not in compliance with the requirements of this code, or the sign will lose its nonconforming status (Section 15.16.120 B.5). (Ord. 92-1041 ' 1)

2. That this Ordinance shall be in full force and effect thirty (30) days after passage.

**ADOPTED** this 13th day of September, 1994, and signed in authentication thereof on this 13th day of September, 1994.

**CITY  
OF  
SEATAC**

Joe  
Brennan,  
Mayor

ATTEST:

Judith L. Cary, City Clerk

APPROVED as to Form:

Daniel B. Heid, City Attorney

ORDINANCE NO. 94-1041

AN ORDINANCE of the City Council of the City of SeaTac, Washington creating a new Section 15.16.125 of the SeaTac Municipal Code relating to sign inventory survey

WHEREAS, in connection with the provisions of Section 15.16.120 of the SeaTac Municipal Code, the code administrator shall survey the City for signs which do not conform to the requirements of the City's sign code; and,

WHEREAS, in connection with that survey, it is appropriate to solicit the assistance and participation of business owners and operators within the City; and,

WHEREAS, the City has commenced work on a sign inventory survey and has received cooperation and responses from a majority of businesses within the City, although many businesses do not have signs which apply to the provisions of Section 15.16.120 of the SeaTac Municipal Code; and,

WHEREAS, as to those business owners and operators who did respond and who had signs which fell within the scope of the sign inventory survey, a number of them paid \$5.00 towards the sign inventory survey, but a number of business owners and operators did not respond and did not provide the necessary information for the sign inventory survey; and,

WHEREAS, in order to promote a full and complete sign inventory survey, it is appropriate, pursuant to RCW 35A.11.020, to establish procedures for collection of the information necessary for the City's sign inventory survey and to establish costs and penalties for non-compliance; and,

WHEREAS, it is also appropriate to recognize and incorporate procedures which address those instances where business owners and operators have paid the \$5.00 amount earlier assessed, in order to provide a consistency in the treatment of individuals involved in the sign inventory survey.

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

1. That a new Section 15.16.125 of the SeaTac Municipal Code is created to read as follows:

15.16.125 Sign Inventory Survey - Costs.

A. The code administrator shall have the authority to assess a \$5.00 cost for applicable businesses that did not respond to the sign inventory survey of their sign(s) prior to the effective date hereof, but before a date identified in a notice to respond of not less than 30 days after notice, Provided that these businesses pay said \$5.00 assessment to the City and submit the requested verification of their sign certification before the date identified in said notice. Thereafter, the code administrator shall have the authority to assess a \$25.00 cost for applicable businesses who have not participated in or responded to the City's sign inventory survey after the date provided in the notice, and the code administrator shall, further, have the authority to complete the sign inventory survey for the signs of such businesses. It is provided, however, that if the affected, non-responding business owners or operators do not pay the \$25.00 cost by the time that the 1995 City of SeaTac business licenses are due or paid, whichever is earlier, then the \$25.00 assessment shall be added to and included in the amount to be paid by said business owner or operator for the business's 1995 business license. The notice referred to above shall be mailed, postage pre-paid, to the business owner or operator at the address listed on the business license records for the business. Failure of a business owner or operator to comply with this requirement shall constitute a violation of the City code, enforceable through any and

all procedures available for enforcement of City code violations, as provided in the City code, Provided that payment of the \$25.00 assessment shall constitute full compliance herewith.

B. In order to recognize the payments already made by business owners or operators who have complied with the sign inventory survey and paid a \$5.00 payment in connection therewith prior to the effective date hereof, those business owners or operators shall receive a \$5.00 offset against their 1995 business license application fee.

2. That this Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 27th day of September, 1994, and signed in authentication

thereof on this 27th day of September, 1994.

CITY OF SEATAC

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Joe Brenman, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

ORDINANCE NO. 94-1042

AN ORDINANCE of the City Council of the City of SeaTac, Washington, adopting an Interim Economic Vitality Element to the City of SeaTac Comprehensive Plan

WHEREAS, since the incorporation of the City of SeaTac, the City Council has adopted ordinances, including Ordinance No. 90-1018 and Ordinance No. 91-1052, adopting interim elements to the City's Comprehensive Plan; and,

WHEREAS, pursuant to the requirements of state law, including the Growth Management Act, the City is required to adopt and periodically update its Comprehensive Plan, including an Economic Vitality Element; and,

WHEREAS, in order to be most effective in the development and utility of the City's Economic Vitality Element, it is appropriate for the City to cooperate with other agencies, including the Southwest King County Chamber of Commerce and the Port of Seattle, and working as a partnership, in the implementation of the Economic Vitality Element; and,

WHEREAS, the Economic Vitality Element language was developed in cooperation and coordination with these agencies.

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

1. That the Economic Vitality Element, a copy of which is attached hereto, marked as Exhibit "A" and incorporated herein by this reference is hereby adopted as the City's Interim Economic Vitality Element, and included as Chapter 7 in the City's Interim Comprehensive Plan.
2. That this Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 25th day of October, 1994, and signed in authentication thereof on this 25th day of October, 1994.

CITY OF SEATAC

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Joe Brenman, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney



ORDINANCE NO. 94-1043

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 1994 City budget

WHEREAS, state law requires the City to adopt an annual budget for each year, as was done for the fiscal year 1994, in Ordinance No. 93-1044; and,

WHEREAS, since the adoption of that budget, certain changes have occurred in connection with necessary expenditures and unanticipated operational requirements; and,

WHEREAS, it is, therefore, appropriate that the City Council amend the 1994 budget.

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

1. That the 1994 budget for the City of SeaTac, Washington, be, and the same hereby is, amended to reflect the changes identified on the Exhibit "A", attached hereto and incorporated herein by this reference, with monies appropriated as indicated therein.
2. That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance as required by law.

ADOPTED this day of , 1994, and signed in authentication thereof on this day of , 1994.

CITY OF SEATAC

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Joe Brenman, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

## ORDINANCE NO. 94-1044

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 2.15.040, 2.20.040, 2.21.040, 2.22.040, 2.24.040, 2.26.040, 2.27.040, 2.35.060, 2.40.080, 2.46.030 and 2.47.040 of the SeaTac Municipal Code relating to terms of membership of City boards and commissions

WHEREAS, since the incorporation of the City of SeaTac, the City Council has created and established various boards and commissions of the City to assist in the municipal functions of the City Council and to provide a mechanism for citizen input and participation, and to act as an advisory body to the City Council; and,

WHEREAS, there have been occasions when the membership of certain boards and commissions has fallen below the number appropriate for convenient handling of its duties and functions; and,

WHEREAS, on occasions members of current boards and commissions have expressed a willingness to serve on more than one board or commission; and,

WHEREAS, the City Council desires to provide for as broad a spectrum of participation of the citizens of the City on such boards and commission and to give as many qualified individuals the opportunity to participate on a City board or commission as possible, however, in those instances where there are not enough members or applicants readily available, it would be advantageous for the City to provide for a member of a board or commission to serve as a conditional member of another board or commission.

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

1. That Section 2.15.040 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

**2.15.040 Term of office.**

Members of the Planning Commission shall serve for a term of five years, or until appointment of a successor member, whichever is later. However, the initial members shall be appointed to serve for the following terms: Two members shall serve a two year term, or until appointment of a successor member, whichever is later; two members shall serve a three year term, or until appointment of a successor member, whichever is later; two members shall serve a four year term, or until appointment of a successor member, whichever is later; and one member shall serve a five year term, or until appointment of a successor member, whichever is later. If a member of the Planning Commission shall be absent, without prior notification and excuse, from three consecutive regularly scheduled meetings of the Commission, the Chairperson of the Planning Commission may declare the position held by that member vacant and a new member may be appointed in the manner set forth at Section 2.15.030. It is provided, however, that if there has been a difficulty in filling appointments to City boards, commissions or advisory committees established by the City Council, and if a member of the Planning Commission applies to serve on another such board, commission or advisory committee, prior to appointment of the member to the other board, commission or committee, the member shall indicate which of the two board(s), commission(s) or committee(s) shall be the member's "first" and "second preferences." Thereafter, the member's appointment and/or membership on the board, commission or committee of "second preference" shall be conditional, so that the Mayor and City Council may replace the conditional member with another regular member, as other qualified applicants request membership on the "second preference" board, commission or advisory committee to serve for the remainder of the initial member's term. (Ord. 94-1033 ' 1: Ord. 90-1047 ' 4)

2.. That Section 2.20.040 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

**2.20.040 Terms of office.**

Members of the Human Services Commission shall serve for a term of three years, or until appointment of a successor member, whichever is later. However, the initial members shall be appointed to serve the following terms: two members shall serve a one year term, or until appointment of a successor member, whichever is later; two members shall serve a two year term, or until appointment of a successor member, whichever is later; and one member shall serve a three year term, or until appointment of a successor member, whichever is later. If a member of the Human Services Commission shall be absent, without prior notification or excuse, from three consecutive, regularly scheduled meetings of the Commission, the Chairperson of the Human Services Commission may declare the position held by that member vacant and a new member may be appointed in the manner set forth at Section 3 of this Ordinance. It is provided, however, that if there has been a difficulty in filling appointments to City boards, commissions or advisory committees established by the City Council, and if a member of the Human Services Commission applies to serve on another such board, commission or advisory committee, prior to appointment of the member to the other board, commission or committee, the member shall indicate which of the two board(s), commission(s) or committee(s) shall be the member's "first" and "second preferences." Thereafter, the member's appointment and/or membership on the board, commission or committee of "second preference" shall be conditional, so that the Mayor and City Council may replace the conditional member with another regular member, as other qualified applicants request membership on the "second preference" board, commission or advisory committee to serve for the remainder of the initial member's term. (Ord. 94-1033 ' 2: Ord. 91-1026 ' 4)

3. That Section 2.21.040 of the SeaTac Municipal Code be, and the same hereby, amended to read as follows:

**2.21.040 Terms of office.**

Members of the Arts Commission shall serve for a term of four years, each such term to commence on January 01 and to end on December 31 four years hence, or upon appointment of a successor member, whichever is later. However, the initial members shall be appointed to serve the following terms: four members shall serve a term commencing on the effective date of the ordinance codified in this chapter, or upon appointment, whichever is later, and terminating on December 31, 1996, or upon appointment of a successor member, whichever is later; and three members shall serve a term commencing on the effective date of the ordinance codified in this chapter, or upon appointment, whichever is later, and terminating on December 31, 1994, or upon appointment of a successor member, whichever is later. If a member of the Arts Commission shall be absent, without prior notification or excuse, from three consecutive, regularly scheduled meetings of the Commission, the Chairperson of the Arts Commission may declare the position held by that member vacant and a new member may be appointed in the manner set forth at Section 2.21.030. It is provided, however, that if there has been a difficulty in filling appointments to City boards, commissions or advisory committees established by the City Council, and if a member of the Arts Commission applies to serve on another such board, commission or advisory committee, prior to appointment of the member to the other board, commission or committee, the member shall indicate which of the two board(s), commission(s) or committee(s) shall be the member's "first" and "second preferences." Thereafter, the member's appointment and/or membership on the board, commission or committee of "second preference" shall be conditional, so that the Mayor and

City Council may replace the conditional member with another regular member, as other qualified applicants request membership on the "second preference" board, commission or advisory committee to serve for the remainder of the initial member's term. (Ord. 94-1033 ' 3: Ord. 92-1005 ' 4)

That Section 2.21.040 of the SeaTac Municipal Code be, and the same hereby, amended to read as follows:

#### **4. 2.22.040 Term of office.**

The members of the Human Relations Commission shall serve for a term of three (3) years, or until appointment of a successor member, whichever is later. If a member of the Human Relations Commission shall be absent without prior notification or excuse from three consecutive, regularly scheduled meetings of the commission, the chairperson of the Human Relations Commission may declare the position held by that member vacant and a new member may be appointed pursuant to Section 2.22.030. It is provided, however, that if there has been a difficulty in filling appointments to City boards, commissions or advisory committees established by the City Council, and if a member of the Human Relations Commission applies to serve on another such board, commission or advisory committee, prior to appointment of the member to the other board, commission or committee, the member shall indicate which of the two board(s), commission(s) or committee(s) shall be the member's "first" and "second preferences." Thereafter, the member's appointment and/or membership on the board, commission or committee of "second preference" shall be conditional, so that the Mayor and City Council may replace the conditional member with another regular member, as other qualified applicants request membership on the "second preference" board, commission or advisory committee to serve for the remainder of the initial member's term. (Ord. 94-1033 ' 4: Ord. 92-1024 ' 1)

5. That Section 2.24.040 of the SeaTac Municipal Code be, and the same hereby, amended to read as follows:

#### **2.24.040 Terms of office.**

Members of the ADA Citizens' Access Committee shall serve for a term of three (3) years, or until appointment of a successor member, whichever is later. However, the initial members shall be appointed to serve for the following terms: two (2) members shall be appointed to serve initial terms of one (1) year, or until appointment of a successor member, whichever is later; two (2) members shall be appointed to serve initial terms of two (2) years, or until appointment of a successor member, whichever is later; and three (3) members shall be appointed to serve initial terms of three (3) years, or until appointment of a successor member, whichever is later. It is provided, however, that if there has been a difficulty in filling appointments to City boards, commissions or advisory committees established by the City Council, and if a member of the ADA Citizens' Access Committee applies to serve on another such board, commission or advisory committee, prior to appointment of the member to the other board, commission or committee, the member shall indicate which of the two board(s), commission(s) or committee(s) shall be the member's "first" and "second preferences." Thereafter, the member's appointment and/or membership on the board, commission or committee of "second preference" shall be conditional, so that the Mayor and City Council may replace the conditional member with another regular member, as other qualified applicants request membership on the "second preference" board, commission or advisory committee to serve for the remainder of the initial member's term. (Ord. 94-1033 ' 5: Ord. 92-1030 ' 1)

6. That Section 2.26.040 of the SeaTac Municipal Code be, and the same hereby, amended to read as follows:

**2.26.040 Term of office.**

The members of the Youth Commission shall serve for a term of two (2) years, or until appointment of a successor member, whichever is later. If a member of the Youth Commission shall be absent without prior notification or excuse from three (3) consecutive regularly scheduled meetings of the Commission, the Chairperson of the Youth Commission, with the concurrence of the Staff Advisor may declare the position held by that member vacant and a new member may be appointed pursuant to Section 2.26.030. It is provided, however, that if there has been a difficulty in filling appointments to City boards, commissions or advisory committees established by the City Council, and if a member of the Youth Commission applies to serve on another such board, commission or advisory committee, prior to appointment of the member to the other board, commission or committee, the member shall indicate which of the two board(s), commission(s) or committee(s) shall be the member's "first" and "second preferences." Thereafter, the member's appointment and/or membership on the board, commission or committee of "second preference" shall be conditional, so that the Mayor and City Council may replace the conditional member with another regular member, as other qualified applicants request membership on the "second preference" board, commission or advisory committee to serve for the remainder of the initial member's term. (Ord. 94-1033 ' 6: Ord. 93-1003 ' 1)

7. That Section 2.27.040 of the SeaTac Municipal Code be, and the same hereby, amended to read as follows:

**2.27.040 Term of office.**

The members of the Senior Citizen Commission shall serve for a term of three (3) years, or until appointment of a successor member, whichever is later, Provided that the initial appointment of members to the Commission shall be as follows: two (2) members shall be appointed to serve a one (1) year term, or until appointment of a successor member, whichever is later, two (2) members shall be appointed to serve a two (2) year term, or until appointment of a successor member, whichever is later, and three (3) members shall be appointed to serve a three (3) year term, or until appointment of a successor member, whichever is later, with subsequent appointments and/or reappointments being for three year terms, or until appointment of a successor member, whichever is later. If a member of the Senior Citizen Commission shall be absent without prior notification or excuse from three (3) consecutive regularly scheduled meetings of the Commission, the Chairperson of the Senior Citizen Commission may declare the position held by that member vacant and a new member may be appointed pursuant to Section 2.27.030. It is provided, however, that if there has been a difficulty in filling appointments to City boards, commissions or advisory committees established by the City Council, and if a member of the Senior Citizen Commission applies to serve on another such board, commission or advisory committee, prior to appointment of the member to the other board, commission or committee, the member shall indicate which of the two board(s), commission(s) or committee(s) shall be the member's "first" and "second preferences." Thereafter, the member's appointment and/or membership on the board, commission or committee of "second preference" shall be conditional, so that the Mayor and City Council may replace the conditional member with another regular member, as other qualified applicants request membership on the "second preference" board, commission or advisory committee to serve for the remainder of the initial member's term. (Ord. 94-1036 ' 1)

8. That Section 2.35.060 of the SeaTac Municipal Code be, and the same hereby, amended to read as follows:

**2.35.060 Public Safety Civil Service Commission - Term of office of commissioners.**

The first three members of the Public Safety Civil Service Commission shall be appointed to terms as follows: one to serve for a period of two years from the date of appointment, or until appointment of a successor member, whichever is later; one to serve for a period of four years from the date of appointment, or until appointment of a successor member, whichever is later; and one to serve for a period of six years from the date of appointment, or until appointment of a successor member, whichever is later. Thereafter, the term of office of each Commissioner shall be for six years, or until appointment of a successor member, whichever is later. In event of resignation or removal of a Commissioner during his or her term of office, the City Manager shall appoint a new member to serve during the remaining term of the resigned or removed Commissioner. It is provided, however, that if there has been a difficulty in filling appointments to City boards, commissions or advisory committees established by the City Council, and if a member of the Public Safety Civil Service Commission applies to serve on another such board, commission or advisory committee, prior to appointment of the member to the other board, commission or committee, the member shall indicate which of the two board(s), commission(s) or committee(s) shall be the member's "first" and "second preferences." Thereafter, the member's appointment and/or membership on the board, commission or committee of "second preference" shall be conditional, so that the Mayor and City Council may replace the conditional member with another regular member, as other qualified applicants request membership on the "second preference" board, commission or advisory committee. (Ord. 94-1033 ' 7: Ord. 90-1038 ' 5)

9. That Section 2.40.080 of the SeaTac Municipal Code be, and the same hereby, amended to read as follows:

**2.40.080 Terms of office.**

Members of the Library Board shall serve for a term of three years, or until appointment of a successor member, whichever is later. However, the members initially appointed shall serve for a term of only two years, or until appointment of a successor member, whichever is later. At the expiration of the said initial term of the Board, members shall be appointed to serve for the following terms: Two members shall serve a two-year term, or until appointment of a successor member, whichever is later; and three members shall serve a three-year term, or until appointment of a successor member, whichever is later. Thereafter, all further appointments shall be for the regular three-year term, or until appointment of a successor member, whichever is later. If a member of the Library Board shall be absent, without prior notification and excuse, from three consecutive, regularly scheduled meetings of the Board, the Chairperson of the Library Board may declare the position held by that member vacant and a new member may be appointed in the manner set forth at Section 2.40.070. It is provided, however, that if there has been a difficulty in filling appointments to City boards, commissions or advisory committees established by the City Council, and if a member of the Library Board applies to serve on another such board, commission or advisory committee, prior to appointment of the member to the other board, commission or committee, the member shall indicate which of the two board(s), commission(s) or committee(s) shall be the member's "first" and "second preferences." Thereafter, the member's appointment and/or membership on the board, commission or committee of "second preference" shall be conditional, so that the Mayor and City Council may replace the conditional member with another regular member, as other qualified applicants request membership on the "second preference" board, commission or advisory committee to serve for the remainder of the initial member's term. (Ord. 94-1033 ' 8: Ord. 90-1050 ' 5)

10. That Section 2.46.030 of the SeaTac Municipal Code be, and the same hereby, amended to read as follows:

**2.46.030 Terms - Vacancies.**

The members of the Parks and Recreation Commission shall serve for a term of four (4) years, or until appointment of a successor member, whichever is later, except for the youth representative, who shall serve for a term of one (1) year, or until appointment of a successor member, whichever is later. It is provided, however, that for the initial appointment, other than for the youth representative whose term shall be for one (1) year or until the next month of May, whichever occurs sooner, two (2) members shall be initially appointed for four (4) year terms, or until appointment of a successor member, whichever is later; two (2) members shall be initially appointed for three (3) year terms, or until appointment of a successor member, whichever is later; and two (2) members shall be initially appointed for two (2) year terms, or until appointment of a successor member, whichever is later. Thereafter, members shall be appointed to serve for terms of four (4) years, or until appointment of a successor member, whichever is later, to succeed members whose terms shall expire; provided, however, that the term of the youth representative shall be for one (1) year. The appointments of succeeding youth representatives shall be made in May of each year. In case of any vacancies on the commission, vacancies shall be filled consistent with the procedures of Section 2.46.020, for the unexpired terms for which such vacancies are filled. It is provided, however, that if there has been a difficulty in filling appointments to City boards, commissions or advisory committees established by the City Council, and if a member of the Parks and Recreation Commission applies to serve on another such board, commission or advisory committee, prior to appointment of the member to the other board, commission or committee, the member shall indicate which of the two board(s), commission(s) or committee(s) shall be the member's "first" and "second preferences." Thereafter, the member's appointment and/or membership on the board, commission or committee of "second preference" shall be conditional, so that the Mayor and City Council may replace the conditional member with another regular member, as other qualified applicants request membership on the "second preference" board, commission or advisory committee to serve for the remainder of the initial member's term. (Ord. 94-1033 '9; Ord. 92-1034 '1)

11. That Section 2.47.040 of the SeaTac Municipal Code be, and the same hereby, amended to read as follows:

**2.47.040 Terms of office.**

The members of the Solid Waste Advisory Board shall serve for terms of three (3) years, or until appointment of a successor member, whichever is later, provided, however, that the terms of the members who shall be initially appointed to the Board shall include the following: two (2) members of the Board shall be appointed for a term of one (1) year, or until appointment of a successor member, whichever is later; two (2) members of the Board shall serve for a period of two (2) years, or until appointment of a successor member, whichever is later; and three (3) members of the Board shall serve for terms of three (3) years, or until appointment of a successor member, whichever is later. All subsequent appointments of members to the Board shall be for periods of three (3) years, or until appointment of a successor member, whichever is later. If a member of the Solid Waste Advisory Board shall be absent, without prior notification or excuse, from three (3) consecutive, regularly scheduled meetings of the Board, the Chairperson of the Solid Waste Advisory Board may declare the position held by that member vacant and a new member may be appointed in the manner set forth in Section 2.47.030 of the City Code. It is provided, however, that if there has been a difficulty in filling appointments to City boards, commissions or advisory committees



established by the City Council, and if a member of the Solid Waste Advisory Board applies to serve on another such board, commission or advisory committee, prior to appointment of the member to the other board, commission or committee, the member shall indicate which of the two board(s), commission(s) or committee(s) shall be the member's "first" and "second preferences." Thereafter, the member's appointment and/or membership on the board, commission or committee of "second preference" shall be conditional, so that the Mayor and City Council may replace the conditional member with another regular member, as other qualified applicants request membership on the "second preference" board, commission or advisory committee to serve for the remainder of the initial member's term. (Ord. 94-1033 ' 10: Ord. 92-1055 ' 1: Ord. 92-1042 ' 1)

12. That this Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 8thday of November, 1994, and signed in authentication thereof on this 8th day of November, 1994.

CITY OF SEATAC

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

## ORDINANCE NO. 94-1045

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 11.05.090 of the SeaTac Municipal Code relating to road vacations

WHEREAS, the current provisions of the SeaTac Municipal Code adopt, by reference, Sections of the King County Code regarding procedures for vacation of City streets and roads; and,

WHEREAS, the provisions of state statute relied upon and referenced in the King County Code provisions are different than the statutory provisions which apply to cities in the vacation of streets and right-of-ways; and,

WHEREAS, procedures set forth in the King County Code are more cumbersome than those set forth in the state statutes identifying procedures and requirement for vacation of City streets and right-of-ways, and, nevertheless, do not replace or eliminate the need for compliance with the statutory requirements for vacation of City streets, roads and right-of-ways; and,

WHEREAS, because the procedures for vacation of City streets, roads and right-of-ways are identified specifically in Chapter 35.79 of the Revised Code of Washington, as opposed to and distinct from the provisions of RCW Chapter 36.87, applying to county road vacations, it is appropriate to amend the provisions of the SeaTac Municipal Code to specify those procedures that apply specifically to City street, road and right-of-way vacations, rather than the statutory provisions dealing with county road vacations.

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

1. That Section 11.05.090 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

**11.05.090 Road vacation.**

~~The following sections of Chapter 14.40 King County Code as now in effect, and as may be subsequently amended, are hereby adopted by reference, except that, unless the context indicates otherwise, the word "county" and the words "King County" shall refer to the City:~~

~~14.40.010 Authority.~~

~~14.40.015 Procedure.~~

~~14.40.020 Amount.~~

~~14.40.030 Condition precedent.~~

~~14.40.040 Deposit.~~

~~14.40.050 Manner of payment.~~

~~14.40.060 Road classification~~

provisions of Chapter 35.79 of the Revised Code of Washington, and the procedures set forth therein, shall control regarding the vacation of any City streets, roads, or right-of-ways.

(Ord. 90-1013 '9)

2. That this Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 22nd day of November, 1994, and signed in authentication  
thereof on this 22nd day of November, 1994.

CITY OF SEATAC

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

**ORDINANCE NO. 94-1046**

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Sections 3.70.010, 3.70.020 and 3.70.040 of the SeaTac Municipal Code relating to the Local Option Transportation Tax

**WHEREAS**, in Ordinance No. 39-1019, the City Council of the SeaTac adopted a Local Option Transportation Tax on commercial parking within the City, initially setting the amount of the tax at the rate of .50 cents per commercial parking transaction, exempting short-term metered parking; and,

**WHEREAS**, in keeping with the City's philosophical approach to this tax; that the tax should be imposed in a way to reflect a measure of use of City streets, the City Council amended the initial provisions of the SeaTac Municipal Code to impose a .25 cent per parking transaction tax rate on short-term metered parking, with review of the .25 cent tax rate to be made within the following six (6) months; and,

**WHEREAS**, because the amount of short-term metered parking has increased in the Port of Seattle parking facility at the Seattle-Tacoma International Airport, in keeping with the City's philosophical approach to the imposition of the tax, it would be appropriate to provide that the tax rate for short-term metered parking should also be in the amount of .50 cents per parking transaction; and,

**WHEREAS**, it is also appropriate to reflect an amendment to the definition of short-term metered parking in light of the extended duration of that parking, increased from two to three consecutive hours in length; and,

**WHEREAS**, it would also be appropriate to amend the City Code provisions regarding use of the Local Option Transportation Tax funds, to provide that these funds may be used for regional transportation issues, not limited to capital projects only, so as to allow use of these funds for road overlay and repairs; and,

**WHEREAS**, in order to provide an efficient and economical use of funds for regional transportation projects, road maintenance should be included among the projects which may be funded from this source as the absence of such a potential would put the City in a position where road maintenance would not be as reasonably able to be accomplished, resulting in a quicker deterioration of City roads so that the road surfaces would need the more expensive capital project improvements more often; and,

**WHEREAS**, it is therefore appropriate to specify that use of the funds may be used for regional transportation issues including capital projects and maintenance, so that the benefit to the citizens and tax payers to the City would be as cost effective as possible, particularly in light of the substantial regional transportation needs of the City.

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

1. That Section 3.70.010 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

**3.70.010 Definitions.**

For the purposes of this chapter, the following definitions shall apply:

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

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

C. "Commercial parking transaction" means any transaction or arrangement whereby a vehicle is parked and a fee is

charged for parking or allowing the vehicle to be parked. It shall constitute a parking transaction each time a fee is charged for parking or allowing a vehicle to be parked, irrespective of the length of time the vehicle is parked, including "short stay metered parking" as defined herein; provided that "local employee parking" as defined herein, shall not constitute a commercial parking transaction. A commercial parking transaction shall include instances where a fee is charged for the parking of a vehicle and that fee is included as a specific item in the fee or charge. A commercial parking transaction shall also include instances where a vehicle is parked or allowed to be parked for a certain period of time, and a fee is charged in connection with other services. A commercial parking transaction shall also include instances where a guest of a hotel, motel or other lodging establishment is allowed to park or leave his/her vehicle at the hotel, motel or other lodging establishment after the guest has concluded his/her business at the hotel, motel or other lodging establishment and/or has checked out of the hotel, motel or other lodging establishment, so that the guest's vehicle is parked at the hotel, motel or other lodging establishment during days when the guest is not staying at the hotel, motel or other lodging establishment, regardless of whether a parking fee is included as a specific item listed or identified on the bill or charge for services by the hotel, motel or other lodging establishment. A commercial parking transaction shall also include instances where a vehicle is parked or allowed to be parked and where a fee would be charged for the parking unless validated by a business because a customer makes a purchase or otherwise transacts business for which a fee is paid. Each vehicle that is parked shall constitute a separate commercial parking transaction for which the tax shall be collected, even if the fees charged and/or arrangements made for vehicle parking includes more than one vehicle.

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

E. "Short stay metered parking" refers to the parking of vehicles in spaces where payment for parking is made through parking meters and where the duration of the metered parking does not exceed ~~two~~ three consecutive hours in length. (Ord. 94-1017 ' 1; Ord. 93-1019 ' 1)

2. That Section 3.70.020 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

### **3.70.020 Local option transportation tax imposed.**

Pursuant to RCW 82.80.030, there is levied a special local option transportation tax to be imposed ~~in connection with on the privilege of parking in~~ commercial parking ~~businesses~~ facilities within the City. The tax shall be imposed at the rate of fifty cents (\$0.50) per commercial parking transaction, including "short-term metered parking", irrespective of the length of time that a vehicle is parked in connection with each transaction, ~~provided that the tax on "short-term metered parking" shall be in the amount of twenty-five cents (\$0.25) per parking transaction.~~ (Ord. 94-1017 ' 1; Ord. 93-1019 ' 1)

3. That Section 3.70.040 of the SeaTac Municipal Code be, and the same hereby is, amended to read as follows:

### **3.70.040 Fund created - Use of funds.**

There is created a fund which shall be known as the "Local Option Transportation Tax Fund." All revenues, assessments and other charges generated and collected as local option transportation taxes shall be placed into the fund, and shall be used by the City for regional ~~capital~~ projects within the City of SeaTac Comprehensive Transportation Plan, in accordance with RCW 82.80.070, and for administering the tax, including activities of the City in keeping and tracking records, financial reports and other documents, reviewing filings and compiling reports by commercial parking businesses, and other activities involved in collection and enforcement of the tax. (Ord. 94-1017 ' 1; Ord. 93-1019 ' 1)

4. That this Ordinance shall be in full force and effect thirty (30) days after passage and on January 1,

1995.

**ADOPTED** this 22nd day of November, 1994, and signed in authentication thereof on this 22nd day of November, 1994.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

**ORDINANCE NO. 94-1047**

AN ORDINANCE of the City Council of the City of SeaTac, Washington adopting the 1995 Budget with Revenues and Appropriations

**WHEREAS**, State law, Chapter 35A.33 RCW requires the City to adopt an annual budget and provides procedures for the filing of estimates, a preliminary budget, deliberations, public hearings, and final fixing of the budget; and,

**WHEREAS**, a preliminary budget for the fiscal year 1995 has been prepared and filed; a public hearing has been held for the purposes of fixing the final budget; and the City Council has deliberated and has made adjustments and changes deemed necessary and proper; and,

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

**Section 1. Adoption By Reference.**

The 1995 budget for the City of SeaTac, covering the period from January 01, 1995 through December 31, 1995, with revenues and estimated beginning fund balances of \$55,927,963 and with appropriations and estimated ending fund balances of \$55,927,963 is hereby adopted.

**Section 2. Summary of Revenues and Appropriations.**

The budget sets forth totals of estimated revenues and estimated appropriations of each separate fund, and the aggregate totals for all such funds, a copy of which is attached hereto, marked as exhibit "A" and incorporated herein by this reference, be and the same hereby is, approved and adopted, and funds appropriated as provided therein, with allocations being approved and appropriated for employee salaries, wages and benefits as shown in the estimate summary attached hereto, marked as exhibit "B" and incorporated herein by this reference.

**Section 3. Copies of Budget to be Filed.**

A complete copy of the final budget as adopted herein shall be transmitted to the Division of Municipal Corporations in the Office of the State Auditor, and to the Associations of Washington Cities. Three complete copies of the final budget as adopted herein shall be filed with the City Clerk and shall be available for use by the public.

**Section 4. Effective Date.**

That this Ordinance shall be in full force and effect for the fiscal year 1995 five (5) days after publication as required by law.

**ADOPTED** this 22nd day of November, 1994, and signed in authentication thereof on this 22nd day of November, 1994.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney



**ORDINANCE NO. 94-1048**

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Sections 15.12.060 and 15.14.060 of the SeaTac Municipal Code, creating a new Chapter 15.29 of the SeaTac Municipal Code, and repealing Section 15.28.050 of the SeaTac Municipal Code, relating to the City's Zoning Code and Adult Entertainment

**WHEREAS**, the current provisions of the SeaTac Municipal Code include language addressing parameters and requirements for adult entertainment businesses to be located within the City of SeaTac; and,

**WHEREAS**, as those parameters and requirements need to be consistent with the City's Comprehensive Plan, the City Council imposed a moratorium on new adult entertainment businesses within the City pending completion of the Comprehensive Plan, or at least that portion of the Comprehensive Plan addressing adult entertainment; and,

**WHEREAS**, as among the matters studied and presented in the development of the recommendation by the Planning Commission were court decisions of the State Supreme Court and United States Supreme Court, police statistics, law enforcement problems associated with adult entertainment businesses, studies by other jurisdictions, including the City of Seattle, and evaluations of the City of SeaTac experiences with the statistics and information provided in those studies; and,

**WHEREAS**, now that the City's Comprehensive Plan is substantially completed, including those portions addressing and dealing with adult entertainment, it is appropriate for the City Code to be amended to reflect provisions consistent with the Comprehensive Plan; and,

**WHEREAS**, the Planning Commission has held public hearings and invested substantial time and energy into the issue of adult entertainment regulation, and preparation of recommendations for the City of SeaTac Comprehensive Plan, and has made its recommendations to the City Council for regulations and provisions in the Comprehensive Plan, and for consistent zoning regulations, also taking into account the regulations of other area jurisdictions; and,

**WHEREAS**, in light of the recommendations of the Planning Commission and in light of the pending termination of the adult entertainment moratorium, adult entertainment business regulation needs to be addressed in the City Code.

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

1. That a new Chapter 15.29 of the SeaTac Municipal Code be, and the same hereby is created to read as follows:

**Chapter 15.29****ADULT ENTERTAINMENT****15.29.010 Adult Entertainment Regulations****A. Purpose**

The purpose of the Adult Entertainment Regulations is to establish a protection setback for adult entertainment uses to minimize impacts to schools, public parks, public libraries, State-certified day care facilities, community/teen centers, churches and residential and lodging uses, and related uses.

**B. Adult Entertainment Establishments Permitted**

Adult entertainment establishments shall be permitted by a Conditional Use Permit in commercial and

industrial zones pursuant to the City of SeaTac Comprehensive Plan and zoning ordinances or any subsequent amendments by the City Council thereafter, as determined by the locational standards for adult entertainment.

### **C. Locational Standards for Adult Entertainment**

1. Any adult entertainment which locates in the City shall, in addition to development standards and any other requirements, maintain a minimum distance of one thousand (1,000) feet from the following:

- a. property used for public and private schools;
- b. property used for public parks;
- c. property used for public libraries;
- d. property used for state-certified day care facilities;
- e. property used for community/teen centers;
- f. property used for churches, cemeteries or other religious facilities or institutions;
- g. property used for residential and lodging uses, and property zoned for residential uses;
- h. property used for other adult entertainment uses; and
- i. property used for organizations, associations, facilities and businesses which provide as a substantial portion of their activities, functions or business, the provision of services to children and/or youth, so that the premises of the organization, association, facility or business would have children and youth in attendance or at the location during a predominant portion of the operational hours of the organization, association, facility or business.

2. The distances provided in this section shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property parcel upon which the proposed use is to be located, to the nearest point of the parcel of property or the zone classification boundary line from which the proposed land use is to be separated.

### **D. Development Standards**

The development standards for Adult Entertainment uses are the same as the applicable zoning regulations for the zoning district in which they are to be located, except as follows:

1. No electronic readerboards shall be allowed;
2. All parking areas shall be visible from the street fronting the entertainment, and access to the rear of the structure shall be for emergency vehicles only;
3. The parking areas shall be fully illuminated using street light standards; and
4. The exterior color of any building or structure, constructed after the effective date of this subsection, shall be of natural and earth tones. A single accent stripe

of any color, no greater than one foot in width, may be permitted, if approved by the Director of Planning and Community Development.

The development standards in this subsection shall apply to all buildings, uses and property used for adult entertainment purposes.

#### **E. Non-conforming Uses/Abatement**

1. Any adult entertainment business in existence as of the effective date of this ordinance, which is in violation hereof, shall be deemed a non-conforming use. Such non-conforming uses shall not in any manner be enlarged, extended, altered or rebuilt except that such uses may be changed to comply with the provisions on this chapter.

2. Such uses that are deemed non-conforming pursuant to the terms of this Section shall be permitted to continue for nine (9) years following the adoption of this Ordinance, unless such use is terminated for any reason whatsoever prior thereto for a period of thirty (30) days or more. Thereafter, such non-conforming use shall terminate or come into compliance with the terms of this Chapter. It is provide, however, that, notwithstanding the term of the lease, upon the expiration of any lease for a non-conforming adult entertainment use, the adult entertainment use shall no longer be permitted to continue at the same location thereafter. It is further provided that after the effective date of this Ordinance, leases for non-conforming adult entertainment uses shall not be extended or amended in any way that delays the expiration of the term of the lease.

#### **F. Variance from Locational Requirements**

1. Whenever the proponents of an adult entertainment subject to the locational requirements set forth in this Chapter feel that the strict application of such requirements is not necessary to achieve an effective degree of physical separation between the adult entertainment and noted uses in section 15.29.010 (C), paragraph 1, the proponent(s) may apply to the Hearing Examiner for a variance from such requirements.

2. In determining when a variance should be granted, and if so, to what extent, the Hearing Examiner shall consider the following, in addition to the general criteria for a variance established in Chapter 15.22:

a. Topographic and other features of the land which provide actual separation between the proposed business or other land use and surrounding land uses;

b. Pedestrian and vehicular circulation patterns in the vicinity of the proposed activity; and

c. Any other fact or circumstance which has a significant effect upon the need for the full separation distance required by this Chapter.

3. If, after considering these criteria, the Hearing Examiner finds that an effective separation between the proposed adult entertainment use and the residential zone classification or other stated uses can be achieved without

requiring the full distance of separation provided by this Chapter, the Hearing Examiner shall determine the degree of variance to be allowed and shall grant

such variance. Otherwise, the application for the variance shall be denied.

2. That section 15.28.050 of the SeaTac Municipal Code be, and the same is hereby repealed.
3. That Section 15.12.060 of the SeaTac Municipal Code be, and the same hereby is, amended as reflected in the chart marked as Exhibit "A" and incorporated herein by this reference, so as to provide that land use No. 127, the adult entailment land use, shall be conditionally permitted pursuant to Section 15.29.010 of the City Code.
4. That Section 15.14.060 of the SeaTac Municipal Code be, and the same hereby is amended as is shown on the chart attached hereto, marked as Exhibit "B" and incorporated herein by this reference, so as to provide that the land use No. 127, the adult entertainment land use shall have landscaping requirements as follows: street frontage, type IV, 10 feet width; building facade, type IV, width 5 feet; side/rear yards, type II, width 6 feet, and parking lot landscape standards being applicable.
5. That this Ordinance shall be in full force and effect thirty (30) days after passage.

**ADOPTED** this 13th day of December, 1994, and signed in authentication

thereof on this 13th day of December, 1994.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

**ORDINANCE NO. 94-1049**

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

**WHEREAS**, in connection with the findings of the City of SeaTac City Council substitute Ordinance No. 91-1022, Ordinance No. 92-1021, Ordinance No. 93-1018, and Ordinance No. 94-1019, the City Council found that the use of property to operate, conduct, or maintain adult entertainment, adult theater, and adult use establishments is a use which, because of its very nature, has serious objectionable operational characteristics; and,

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

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

**WHEREAS**, the Washington State Legislature has been addressing Regulatory Reform which should be incorporated into the City's Comprehensive Plan, further delaying completion of the Comprehensive Plan; and,

**WHEREAS**, the City Comprehensive Plan was expected to be completed by the end of December, 1994, but it now appears the Comprehensive Plan will not be completed and in effect until early 1995; and,

**WHEREAS**, because of the significant effect of the Comprehensive Plan on land uses, including those of adult entertainment, it is appropriate that the moratorium on adult entertainment be further extended to January 31, 1995, or until such time as the City's Comprehensive Plan has been completed, adopted and in effect, whichever is sooner; and,

**WHEREAS**, the moratorium established by Substitute Ordinance No. 91-1022 and extended by Ordinance No. 92-1021 and Ordinance No. 93-1018 should be extended pending completion of development of comprehensive plans and/or legislative action addressing adult establishments; and,

**WHEREAS**, because of the importance of completing the Comprehensive Plan which would address adult entertainment land uses, and the short amount of time available before the prior moratorium would expire, it is crucial and exigent that this Ordinance be effective immediately upon adoption.

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

1. That Section 1 of Substitute Ordinance No. 91-1022 as amended by Section 1 of Ordinance No. 92-1021, Section 1 of Ordinance 93-1018 and Section 1 of Ordinance 94-1019, be, and the same hereby is further amended so that the moratorium established thereby is extended as follows:

**Moratorium Established.**

Through ~~December 31, 1994~~ January 31, 1995 or until the City's new comprehensive land use plan governing the location of places of adult entertainment, adult theater and adult use establishments shall take effect, whichever is sooner, no application for use permits or building permits for places of

adult entertainment, adult theater, and adult use establishments shall be accepted, no use permits or building permits for adult entertainment, adult theater and adult use establishments shall be issued, no applications for business licenses for adult entertainment, adult theater, and adult use establishments shall be accepted, and no adult entertainment, adult theater, and adult use establishment licenses shall be issued.

2. That the City Council finds that the immediacy of this Ordinance is necessary for the preservation of public peace, health, safety and welfare and declares that the Ordinance is an emergency ordinance to be in full force and effect immediately upon passage of the Ordinance.

**ADOPTED** this 13th day of December, 1994, and signed in authentication thereof on this 13th day of December, 1994.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

**ORDINANCE NO. 94-1050**

AN ORDINANCE of the City Council of the City of SeaTac, Washington relating to ad valorem property taxes; establishing the amount to be raised in 1995 by taxation on the assessed valuation of the property of the City; and setting the levy rate for the year 1995

**WHEREAS**, State law, RCW 35A.33.135, requires the City Council to consider the City's total anticipated financial requirements for the ensuing fiscal year, and to determine and fix, by ordinance, the amount to be raised by ad valorem taxes; and,

**WHEREAS**, the said statute further requires that, upon fixing of the amount to be so raised, the City Clerk shall certify the same to the Clerk of the King County Council; and,

**WHEREAS**, the King County Assessor, as ex officio assessor for the City pursuant to RCW 35A.84.020, has now certified the assessed valuation of all taxable property situated within the boundaries of the City at \$ 2,101,721,006.

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

**SECTION 1. Estimated Amount to be Raised by Ad Valorem Taxation.**

The amount of revenue to be raised by the City in the fiscal year 1995 by taxation on the assessed valuation of all taxable property situated within the boundaries of the City is estimated to be the sum of \$5,990,300.

**SECTION 2. Levy Rate Fixed.**

The regular ad valorem levy for the fiscal year of 1995 is hereby set at 2.96000 per thousand dollars of assessed value of all taxable property situated within the boundaries of the City.

**SECTION \_\_\_\_\_ 3.**  
**Effective Date.**

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

**ADOPTED** this 13th day of December, 1994, and signed in authentication thereof on this 13th day of December, 1994.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

**Approved as to Form:**

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Daniel B. Heid, City Attorney



**ORDINANCE NO. 94-1051**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, approving and authorizing the City of SeaTac Comprehensive Plan

**WHEREAS**, pursuant to the requirements of the Washington State Growth Management Act, the City of SeaTac is required to develop and adopt a Comprehensive Land Use Plan which plan is required to include various elements, including land use, housing, transportation, capital facilities, utilities, community image, economic vitality, environmental management, parks - recreation and open space, and human services; and,

**WHEREAS**, pursuant to substantial study by the City of SeaTac Planning Department, the City of SeaTac Planning Commission and by consultants whose services were secured by the City to assist in development of the Comprehensive Plan, a Comprehensive Plan was developed to address the goals of the State Growth Management Act and to provide for continuity and consistency among the various regulations affecting the City of SeaTac; and,

**WHEREAS**, after public hearings to consider draft and interim planning elements, the Planning Commission of the City of SeaTac has recommended to the City Council adoption of the proposed Comprehensive Plan.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:**

1. That the City of SeaTac Comprehensive Plan draft September 6, 1994, be, and the same hereby is approved and adopted as the Comprehensive Plan for the City of SeaTac, and that a copy of the Plan shall be kept on file with the Office of the City Clerk.

2. That this Ordinance shall be in full force and effect thirty (30) days after passage.

**ADOPTED** this 20th day December, 1994 and signed in authentication

thereof this 20th day of December, 1994.

CITY OF SEATAC

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney